

627.5 **ARTICLE 16**

627.6 **MISCELLANEOUS**

627.7 Section 1. **[3.9215] OMBUDSPERSON FOR AMERICAN INDIAN FAMILIES.**

627.8 Subdivision 1. **Scope.** In recognition of the sovereign status of Indian Tribes and the

627.9 unique laws and standards involved in protecting Indian children, this section creates the

627.10 Office of the Ombudsperson for American Indian Families and gives the ombudsperson the

627.11 powers and duties necessary to effectively carry out the functions of the office.

627.12 Subd. 2. **Creation.** The ombudsperson shall operate independently from and in

627.13 collaboration with the Indian Affairs Council and the American Indian Child Welfare

627.14 Advisory Council under section 260.835.

627.15 Subd. 3. **Selection; qualifications.** The ombudsperson shall be selected by the American

627.16 Indian community-specific board established in section 3.9216. The ombudsperson serves

627.17 in the unclassified service at the pleasure of the community-specific board and may be

627.18 removed only for just cause. Each ombudsperson must be selected without regard to political

627.19 affiliation and shall be a person highly competent and qualified to analyze questions of law,

627.20 administration, and public policy regarding the protection and placement of children. In

627.21 addition, the ombudsperson must be experienced in working collaboratively with the

627.22 American Indian and Alaskan Native communities or nations and knowledgeable about the

627.23 needs of those communities, the Indian Child Welfare Act and Minnesota Indian Family

627.24 Preservation Act, and best practices regarding prevention, cultural resources, and historical

627.25 trauma. No individual may serve as the ombudsperson for American Indian families while

627.26 holding any other public office.

627.27 Subd. 4. **Appropriation.** Money appropriated for the ombudsperson for American Indian

627.28 families from the general fund or the special fund authorized by section 256.01, subdivision

627.29 2, paragraph (o), is under the control of the ombudsperson. The amount necessary for the

627.30 ombudsperson to carry out the duties in this section is annually appropriated from the general

627.31 fund to the ombudsperson. This appropriation is available until expended and is in addition

627.32 to the appropriation under section 257.0769, subdivision 1, paragraph (a).

628.1 Subd. 5. **Definitions.** (a) For the purposes of this section, the following terms have the

628.2 meanings given them.

628.3 (b) "Agency" means the local district courts or a designated county social service agency

628.4 as defined in section 256G.02, subdivision 7, engaged in providing child protection and

628.5 placement services for children. Agency also means any individual, service, organization,

628.6 or program providing child protection, placement, or adoption services in coordination with

628.7 or under contract with any other entity specified in this subdivision, including guardians ad

628.8 litem.

793.17 **ARTICLE 19**

793.18 **MISCELLANEOUS**

THE SENATE DIRECTS THE COMMISSIONER OF HUMAN SERVICES TO
EVALUATE REORGANIZING THE OFFICE OF THE OMBUDSPERSON FOR
FAMILIES IN ARTICLE 1, SECTION 39

628.9 (c) "American Indian" refers to individuals who are members of federally recognized
628.10 Tribes, eligible for membership in a federally recognized Tribe, or children or grandchildren
628.11 of a member of a federally recognized Tribe. American Indian is a political status established
628.12 through treaty rights between the federal government and Tribes. Each Tribe has a unique
628.13 culture and practices specific to the Tribe.

628.14 (d) "Facility" means any entity required to be licensed under chapter 245A.

628.15 (e) "Indian custodian" has the meaning given in United States Code, title 25, section
628.16 1903.

628.17 Subd. 6. **Organization.** (a) The ombudsperson may select, appoint, and compensate
628.18 assistants and employees that the ombudsperson finds necessary to discharge responsibilities.
628.19 All employees, except the secretarial and clerical staff, serve at the pleasure of the
628.20 ombudsperson in the unclassified service. The ombudsperson and full-time staff are members
628.21 of the Minnesota State Retirement Association.

628.22 (b) The ombudsperson may delegate to staff members or members of the American
628.23 Indian Community-Specific Board under section 3.9216 any of the ombudsperson's authority
628.24 or duties except the duty of formally making recommendations to an administrative agency
628.25 or reports to the Office of the Governor or to the legislature.

628.26 Subd. 7. **Duties and powers.** (a) The ombudsperson has the duties listed in this paragraph.

628.27 (1) The ombudsperson shall monitor agency compliance with all laws governing child
628.28 protection and placement, public education, and housing issues related to child protection
628.29 that impact American Indian children and their families. In particular, the ombudsperson
628.30 shall monitor agency compliance with sections 260.751 to 260.835; section 260C.193,
628.31 subdivision 3; and section 260C.215.

628.32 (2) The ombudsperson shall work with local state courts to ensure that:

629.1 (i) court officials, public policy makers, and service providers are trained in cultural
629.2 competency. The ombudsperson shall document and monitor court activities to heighten
629.3 awareness of diverse belief systems and family relationships;

629.4 (ii) qualified expert witnesses from the appropriate American Indian community,
629.5 including Tribal advocates, are used as court advocates and are consulted in placement
629.6 decisions that involve American Indian children; and

629.7 (iii) guardians ad litem and other individuals from American Indian communities are
629.8 recruited, trained, and used in court proceedings to advocate on behalf of American Indian
629.9 children.

629.10 (3) The ombudsperson shall primarily work on behalf of American Indian children and
629.11 families, but shall also work on behalf of any Minnesota children and families as the
629.12 ombudsperson deems necessary and appropriate.

629.13 (b) The ombudsperson has the authority to investigate decisions, acts, and other matters
629.14 of an agency, program, or facility providing protection or placement services to American
629.15 Indian children. In carrying out this authority and the duties in paragraph (a), the
629.16 ombudsperson has the power to:

629.17 (1) prescribe the methods by which complaints are made, reviewed, and acted upon;

629.18 (2) determine the scope and manner of investigations;

629.19 (3) investigate, upon a complaint or upon personal initiative, any action of any agency;

629.20 (4) request and be given access to any information in the possession of any agency
629.21 deemed necessary for the discharge of responsibilities. The ombudsperson is authorized to
629.22 set reasonable deadlines within which an agency must respond to requests for information.
629.23 Data obtained from any agency under this clause retains the classification that the data has
629.24 under section 13.02 and the ombudsperson shall maintain and disseminate the data according
629.25 to chapter 13;

629.26 (5) examine the records and documents of an agency;

629.27 (6) enter and inspect, during normal business hours, premises within the control of an
629.28 agency; and

629.29 (7) subpoena any agency personnel to appear, testify, or produce documentation or other
629.30 evidence that the ombudsperson deems relevant to a particular matter under investigation,
629.31 and petition the appropriate state court to seek enforcement of the subpoena. Any witness
629.32 at a hearing or for an investigation has the same privileges of a witness in the courts or under
630.1 the laws of this state. The ombudsperson may compel individuals who are not agency
630.2 personnel to testify or produce evidence according to procedures developed by the advisory
630.3 board.

630.4 (c) The ombudsperson may apply for grants and accept gifts, donations, and
630.5 appropriations for training relating to the duties of the ombudsperson. Grants, gifts, donations,
630.6 and appropriations received by the ombudsperson shall be used for training. The
630.7 ombudsperson may seek and apply for grants to develop new programs and initiatives and
630.8 to continue existing programs and initiatives. These funds may not be used for operating
630.9 expenses for the Office of the Ombudsperson for American Indian Families.

630.10 Subd. 8. **Matters appropriate for review.** (a) In selecting matters for review, an
630.11 ombudsperson should give particular attention to actions of an agency, facility, or program
630.12 that:

- 630.13 (1) may be contrary to law or rule;
- 630.14 (2) may be unreasonable, unfair, oppressive, or inconsistent with a policy or order of an
- 630.15 agency, facility, or program;
- 630.16 (3) may result in abuse or neglect of a child;
- 630.17 (4) may disregard the rights of a child or another individual served by an agency or
- 630.18 facility; or
- 630.19 (5) may be unclear or inadequately explained, when reasons should have been revealed.
- 630.20 (b) The ombudsperson shall, in selecting matters for review, inform other interested
- 630.21 agencies in order to avoid duplicating other investigations or regulatory efforts, including
- 630.22 activities undertaken by a Tribal organization under the authority of sections 260.751 to
- 630.23 260.835.
- 630.24 Subd. 9. **Complaints.** The ombudsperson may receive a complaint from any source
- 630.25 concerning an action of an agency, facility, or program. After completing a review, the
- 630.26 ombudsperson shall inform the complainant, agency, facility, or program. Services to a
- 630.27 child shall not be unfavorably altered as a result of an investigation or complaint. An agency,
- 630.28 facility, or program shall not retaliate or take adverse action, as defined in section 260E.07,
- 630.29 against an individual who, in good faith, makes a complaint or assists in an investigation.
- 630.30 Subd. 10. **Recommendations to agency.** (a) If, after reviewing a complaint or conducting
- 630.31 an investigation and considering the response of an agency, facility, or program and any
- 630.32 other pertinent material, the ombudsperson determines that the complaint has merit or that
- 631.1 the investigation reveals a problem, the ombudsperson may recommend that the agency,
- 631.2 facility, or program:
- 631.3 (1) consider the matter further;
- 631.4 (2) modify or cancel its actions;
- 631.5 (3) alter a rule, order, or internal policy;
- 631.6 (4) explain more fully the action in question; or
- 631.7 (5) take other action as authorized under section 257.0762.
- 631.8 (b) At the ombudsperson's request, the agency, facility, or program shall, within a
- 631.9 reasonable time, inform the ombudsperson about the action taken on the recommendation
- 631.10 or the reasons for not complying with the recommendation.

631.11 (c) Data obtained from any agency under this section retains the classification that the
631.12 data has under section 13.02, and the ombudsperson shall maintain and disseminate the data
631.13 according to chapter 13.

631.14 Subd. 11. **Recommendations and public reports.** (a) The ombudsperson may send
631.15 conclusions and suggestions concerning any reviewed matter to the governor and shall
631.16 provide copies of all reports to the advisory board and to the groups specified in section
631.17 257.0768, subdivision 1. Before making public a conclusion or recommendation that
631.18 expressly or implicitly criticizes an agency, facility, program, or any person, the
631.19 ombudsperson shall inform the governor and the affected agency, facility, program, or
631.20 person concerning the conclusion or recommendation. When sending a conclusion or
631.21 recommendation to the governor that is adverse to an agency, facility, program, or any
631.22 person, the ombudsperson shall include any statement of reasonable length made by that
631.23 agency, facility, program, or person in defense or mitigation of the ombudsperson's
631.24 conclusion or recommendation.

631.25 (b) In addition to conclusions or recommendations that the ombudsperson makes to the
631.26 governor on an ad hoc basis, the ombudsperson shall, at the end of each year, report to the
631.27 governor concerning the exercise of the ombudsperson's functions during the preceding
631.28 year.

631.29 Subd. 12. **Civil actions.** The ombudsperson and designees are not civilly liable for any
631.30 action taken under this section if the action was taken in good faith, was within the scope
631.31 of the ombudsperson's authority, and did not constitute willful or reckless misconduct.

632.1 Subd. 13. **Use of funds.** Any funds received by the ombudsperson from any source may
632.2 be used to compensate members of the American Indian community-specific board for
632.3 reasonable and necessary expenses incurred in aiding and assisting the ombudsperson in
632.4 programs and initiatives.

632.5 Sec. 2. **[3.9216] AMERICAN INDIAN COMMUNITY-SPECIFIC BOARD.**

632.6 Subdivision 1. **Membership.** The board consists of five members who are members of
632.7 a federally recognized Tribe or members of the American Indian community. The chair of
632.8 the Indian Affairs Council shall appoint the members of the board. In making appointments,
632.9 the chair must consult with other members of the council.

632.10 Subd. 2. **Compensation.** Members do not receive compensation but are entitled to
632.11 receive reimbursement for reasonable and necessary expenses incurred doing board-related
632.12 work, including travel for meetings, trainings, and presentations. Board members may also
632.13 receive per diem payments in a manner and amount prescribed by the board.

632.14 Subd. 3. **Meetings.** The board shall meet regularly at the request of the appointing chair,
632.15 board chair, or ombudsperson. The board must meet at least quarterly. The appointing chair,
632.16 board chair, or ombudsperson may also call special or emergency meetings as necessary.

632.17 Subd. 4. **Removal and vacancy.** (a) A member may be removed by the appointing
632.18 authority at any time, either for cause, as described in paragraph (b), or after missing three
632.19 consecutive meetings, as described in paragraph (c).

632.20 (b) If a removal is for cause, the member must be given notice and an opportunity for a
632.21 hearing before removal.

632.22 (c) After a member misses two consecutive meetings, and before the next meeting, the
632.23 board chair shall notify the member in writing that the member may be removed if the
632.24 member misses the next meeting. If a member misses three consecutive meetings, the board
632.25 chair must notify the appointing authority.

632.26 (d) If there is a vacancy on the board, the appointing authority shall appoint a person to
632.27 fill the vacancy for the remainder of the unexpired term.

632.28 Subd. 5. **Duties.** (a) The board shall appoint the Ombudsperson for American Indian
632.29 Families and shall advise and assist the ombudsperson in various ways, including, but not
632.30 limited to:

632.31 (1) selecting matters for attention;

633.1 (2) developing policies, plans, and programs to carry out the ombudsperson's functions
633.2 and powers;

633.3 (3) attending policy meetings when requested by the ombudsperson;

633.4 (4) establishing protocols for working with American Indian communities;

633.5 (5) developing procedures for the ombudsperson's use of the subpoena power to compel
633.6 testimony and evidence from individuals who are not agency personnel; and

633.7 (6) making reports and recommendations for changes designed to improve standards of
633.8 competence, efficiency, justice, and protection of rights.

633.9 (b) The board shall not make individual case recommendations.

633.10 Subd. 6. **Grants, gifts, donations, and appropriations.** The board may apply for grants
633.11 for the purpose of training and educating the American Indian community on child protection
633.12 issues involving American Indian families. The board may also accept gifts, donations, and
633.13 appropriations for training and education. Grants, gifts, donations, and appropriations
633.14 received by the board shall be used for training and education purposes. The board may
633.15 seek and apply for grants to develop new programs and initiatives and to continue existing
633.16 programs and initiatives. These funds may also be used to reimburse board members for
633.17 reasonable and necessary expenses incurred in aiding and assisting the Office of the
633.18 Ombudsperson for American Indian Families in Office of the Ombudsperson for American
633.19 Indian Families programs and initiatives, but may not be used for operating expenses for
633.20 the Office of Ombudsperson for American Indian Families.

633.21 Subd. 7. **Terms and expiration.** The terms and expiration of board membership are
633.22 governed by section 15.0575.

IDENTICAL LANGUAGE IN S.F. 970, FIRST UNOFFICIAL ENGROSSMENT,
ART. 6, SEC. 2 (HOUSE JUDICIARY/PUBLIC SAFETY BILL)

793.19 Section 1. **[62A.082] NONDISCRIMINATION IN ACCESS TO TRANSPLANTS.**
793.20 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
793.21 the meanings given unless the context clearly requires otherwise.
793.22 (b) "Disability" has the meaning given in section 363A.03, subdivision 12.
793.23 (c) "Enrollee" means a natural person covered by a health plan or group health plan and
793.24 includes an insured, policy holder, subscriber, covered person, member, contract holder, or
793.25 certificate holder.
793.26 (d) "Organ transplant" means the transplantation or transfusion of a part of a human
793.27 body into the body of another for the purpose of treating or curing a medical condition.
793.28 Subd. 2. **Transplant discrimination prohibited.** A health plan or group health plan
793.29 that provides coverage for anatomical gifts, organ transplants, or related treatment and
793.30 services shall not:
793.31 (1) deny coverage to an enrollee based on the enrollee's disability;
794.1 (2) deny eligibility, or continued eligibility, to enroll or to renew coverage under the
794.2 terms of the health plan or group health plan solely for the purpose of avoiding the
794.3 requirements of this section;
794.4 (3) penalize or otherwise reduce or limit the reimbursement of a health care provider,
794.5 or provide monetary or nonmonetary incentives to a health care provider, to induce the
794.6 provider to provide care to a patient in a manner inconsistent with this section; or
794.7 (4) reduce or limit an enrollee's coverage benefits because of the enrollee's disability for
794.8 medical services and other services related to organ transplantation performed pursuant to
794.9 this section as determined in consultation with the enrollee's treating health care provider
794.10 and the enrollee.
794.11 Subd. 3. **Collective bargaining.** In the case of a group health plan maintained pursuant
794.12 to one or more collective bargaining agreements between employee representatives and one
794.13 or more employers, any plan amendment made pursuant to a collective bargaining agreement
794.14 relating to the plan which amends the plan solely to conform to any requirement imposed
794.15 pursuant to this section shall not be treated as a termination of the collective bargaining
794.16 agreement.
794.17 Subd. 4. **Coverage limitation.** Nothing in this section shall be deemed to require a health
794.18 plan or group health plan to provide coverage for a medically inappropriate organ transplant.

633.23 Sec. 3. **[119B.195] RETAINING EARLY EDUCATORS THROUGH ATTAINING**
 633.24 **INCENTIVES NOW (REETAIN) GRANT PROGRAM.**

633.25 Subdivision 1. **Establishment; purpose.** The retaining early educators through attaining
 633.26 incentives now (REETAIN) grant program is established to provide competitive grants to
 633.27 incentivize well-trained child care professionals to remain in the workforce. The overall
 633.28 goal of the REETAIN grant program is to create more consistent care for children over time.

633.29 Subd. 2. **Administration.** The commissioner shall administer the REETAIN grant
 633.30 program through a grant to a nonprofit with the demonstrated ability to manage benefit
 633.31 programs for child care professionals. Up to ten percent of grant money may be used for
 633.32 administration of the grant program.

634.1 Subd. 3. **Application.** Applicants must apply for the REETAIN grant program using
 634.2 the forms and according to timelines established by the commissioner.

634.3 Subd. 4. **Eligibility.** (a) To be eligible for a grant, an applicant must:

634.4 (1) be licensed to provide child care or work for a licensed child care program;

634.5 (2) work directly with children at least 30 hours per week;

634.6 (3) have worked in the applicant's current position for at least 12 months;

634.7 (4) agree to work in the early childhood care and education field for at least 12 months
 634.8 upon receiving a grant under this section;

634.9 (5) have a career lattice step of five or higher;

634.10 (6) have a current membership with the Minnesota quality improvement and registry
 634.11 tool;

634.12 (7) not be a current teacher education and compensation helps scholarship recipient; and

634.13 (8) meet any other requirements determined by the commissioner.

634.14 (b) Grant recipients must sign a contract agreeing to remain in the early childhood care
 634.15 and education field for 12 months.

634.16 Subd. 5. **Grant awards.** Grant awards must be made annually and may be made up to
 634.17 an amount per recipient determined by the commissioner. Grant recipients may use grant
 634.18 money for program supplies, training, or personal expenses.

634.19 Subd. 6. **Report.** By January 1 each year, the commissioner must report to the legislative
 634.20 committees with jurisdiction over child care about the number of grants awarded to recipients
 634.21 and outcomes of the grant program since the last report.

634.22 Sec. 4. Minnesota Statutes 2020, section 136A.128, subdivision 2, is amended to read:

634.23 Subd. 2. **Program components.** (a) The nonprofit organization must use the grant for:

794.19 Sec. 2. **[119B.195] RETAINING EARLY EDUCATORS THROUGH ATTAINING**
 794.20 **INCENTIVES NOW (REETAIN) GRANT PROGRAM.**

794.21 Subdivision 1. **Establishment; purpose.** The retaining early educators through attaining
 794.22 incentives now (REETAIN) grant program is established to provide competitive grants to
 794.23 incentivize well-trained child care professionals to remain in the workforce. The overall
 794.24 goal of the REETAIN grant program is to create more consistent care for children over time.

794.25 Subd. 2. **Administration.** The commissioner shall administer the REETAIN grant
 794.26 program through a grant to a nonprofit with the demonstrated ability to manage benefit
 794.27 programs for child care professionals. Up to ten percent of grant money may be used for
 794.28 administration of the grant program.

794.29 Subd. 3. **Application.** Applicants must apply for the REETAIN grant program using
 794.30 the forms and according to timelines established by the commissioner.

794.31 Subd. 4. **Eligibility.** (a) To be eligible for a grant, an applicant must:

794.32 (1) be licensed to provide child care or work for a licensed child care program;

795.1 (2) work directly with children at least 30 hours per week;

795.2 (3) have worked in the applicant's current position for at least 12 months;

795.3 (4) agree to work in the early childhood care and education field for at least 12 months
 795.4 upon receiving a grant under this section;

795.5 (5) have a career lattice step of five or higher;

795.6 (6) not be a current teacher education and compensation helps scholarship recipient; and

795.7 (7) meet any other requirements determined by the commissioner.

795.8 (b) Grant recipients must sign a contract agreeing to remain in the early childhood care
 795.9 and education field for 12 months.

795.10 Subd. 5. **Grant awards.** Grant awards must be made annually and may be made up to
 795.11 an amount per recipient determined by the commissioner. Grant recipients may use grant
 795.12 money for program supplies, training, or personal expenses.

795.13 Subd. 6. **Report.** By January 1 each year, the commissioner must report to the legislative
 795.14 committees with jurisdiction over child care about the number of grants awarded to recipients
 795.15 and outcomes of the grant program since the last report.

634.24 (1) tuition scholarships up to ~~\$5,000~~ \$10,000 per year for courses leading to the nationally
634.25 recognized child development associate credential or college-level courses leading to an
634.26 associate's degree or bachelor's degree in early childhood development and school-age care;
634.27 and

634.28 (2) education incentives of a minimum of ~~\$100~~ \$250 to participants in the tuition
634.29 scholarship program if they complete a year of working in the early care and education
634.30 field.

635.1 (b) Applicants for the scholarship must be employed by a licensed early childhood or
635.2 child care program and working directly with children, a licensed family child care provider,
635.3 employed by a public prekindergarten program, or an employee in a school-age program
635.4 exempt from licensing under section 245A.03, subdivision 2, paragraph (a), clause (12).
635.5 Lower wage earners must be given priority in awarding the tuition scholarships. Scholarship
635.6 recipients must contribute at least ten percent of the total scholarship and must be sponsored
635.7 by their employers, who must also contribute ~~ten~~ at least five percent of the total scholarship.
635.8 Scholarship recipients who are self-employed must contribute 20 percent of the total
635.9 scholarship.

635.10 Sec. 5. Minnesota Statutes 2020, section 136A.128, subdivision 4, is amended to read:

635.11 Subd. 4. **Administration.** A nonprofit organization that receives a grant under this
635.12 section may use ~~five~~ ten percent of the grant amount to administer the program.

635.13 Sec. 6. **[144.0503] COMPETITIVE BIDDING; REVERSE AUCTION PROCESS**
635.14 **REQUIRED.**

635.15 (a) The commissioner may, when not in conflict with federal law or regulation, use a
635.16 reverse auction process for all competitive bidding for contracts to procure products or
635.17 provide services, in accordance with the provisions of chapter 16C. For purposes of this
635.18 section, "reverse auction" has the meaning given in section 16C.10, subdivision 7.

635.19 (b) The provisions of sections 13.591, subdivision 3, and 16C.06, subdivision 2, do not
635.20 apply when the commissioner uses a reverse auction purchasing process.

635.21 Sec. 7. **[256.0113] COMPETITIVE BIDDING; REVERSE AUCTION PROCESS**
635.22 **REQUIRED.**

635.23 (a) The commissioner may, when not in conflict with federal law or regulation, use a
635.24 reverse auction process for all competitive bidding for contracts to procure products or
635.25 provide services, in accordance with the provisions of chapter 16C. For purposes of this
635.26 section, "reverse auction" has the meaning given in section 16C.10, subdivision 7.

635.27 (b) The provisions of sections 13.591, subdivision 3, and 16C.06, subdivision 2, do not
635.28 apply when the commissioner uses a reverse auction purchasing process.

636.1 Sec. 8. Minnesota Statutes 2020, section 256.041, is amended to read:

636.2 **256.041 CULTURAL AND ETHNIC COMMUNITIES LEADERSHIP COUNCIL.**

636.3 Subdivision 1. **Establishment; purpose.** (a) There is hereby established the Cultural
636.4 and Ethnic Communities Leadership Council for the Department of Human Services. The
636.5 purpose of the council is to advise the commissioner of human services on ~~reducing~~
636.6 implementing strategies to reduce inequities and disparities that particularly affect racial
636.7 and ethnic groups in Minnesota.

636.8 (b) This council is comprised of racially and ethnically diverse community leaders
636.9 including American Indians who are residents of Minnesota facing the compounded
636.10 challenges of systemic inequities. Members include people who are refugees, immigrants,
636.11 and LGBTQ+; people who have disabilities; and people who live in rural Minnesota.

636.12 Subd. 2. **Members.** (a) The council must consist of:

636.13 (1) the chairs and ranking minority members of the committees in the house of
636.14 representatives and the senate with jurisdiction over human services; and

636.15 (2) no fewer than 15 and no more than 25 members appointed by and serving at the
636.16 pleasure of the commissioner of human services, in consultation with county, tribal, cultural,
636.17 and ethnic communities; diverse program participants; ~~and~~ parent representatives from these
636.18 communities; and cultural and ethnic communities leadership council members.

636.19 (b) In making appointments under this section, the commissioner shall give priority
636.20 consideration to public members of the legislative councils of color established under ~~chapter~~
636.21 ~~3~~ section 15.0145.

636.22 (c) Members must be appointed to allow for representation of the following groups:

636.23 (1) racial and ethnic minority groups;

636.24 (2) the American Indian community, which must be represented by two members;

636.25 (3) culturally and linguistically specific advocacy groups and service providers;

636.26 (4) human services program participants;

636.27 (5) public and private institutions;

636.28 (6) parents of human services program participants;

636.29 (7) members of the faith community;

636.30 (8) Department of Human Services employees; and

637.1 (9) any other group the commissioner deems appropriate to facilitate the goals and duties
637.2 of the council.

- 637.3 Subd. 3. **Guidelines.** The commissioner shall direct the development of guidelines
637.4 defining the membership of the council; setting out definitions; and developing duties of
637.5 the commissioner, the council, and council members regarding racial and ethnic disparities
637.6 reduction. The guidelines must be developed in consultation with:
- 637.7 (1) the chairs of relevant committees; and
- 637.8 (2) county, tribal, and cultural communities and program participants from these
637.9 communities.
- 637.10 Subd. 4. **Chair.** The commissioner shall accept recommendations from the council to
637.11 appoint a chair or chairs.
- 637.12 Subd. 5. ~~**Terms for first appointees.** The initial members appointed shall serve until~~
637.13 ~~January 15, 2016.~~
- 637.14 Subd. 6. **Terms.** A term shall be for two years and appointees may be reappointed to
637.15 serve two additional terms. The commissioner shall make appointments to replace members
637.16 vacating their positions ~~by January 15 of each year~~ in a timely manner, no more than three
637.17 months after the council reviews panel recommendations.
- 637.18 Subd. 7. **Duties of commissioner.** (a) The commissioner of human services or the
637.19 commissioner's designee shall:
- 637.20 (1) maintain and actively engage with the council established in this section;
- 637.21 (2) supervise and coordinate policies for persons from racial, ethnic, cultural, linguistic,
637.22 and tribal communities who experience disparities in access and outcomes;
- 637.23 (3) identify human services rules or statutes affecting persons from racial, ethnic, cultural,
637.24 linguistic, and tribal communities that may need to be revised;
- 637.25 (4) investigate and implement ~~cost-effective~~ equitable and culturally responsive models
637.26 of service delivery such as including careful adaptation adoption of clinically proven services
637.27 that constitute one strategy for increasing to increase the number of culturally relevant
637.28 services available to currently underserved populations; and
- 637.29 (5) based on recommendations of the council, review identified department policies that
637.30 maintain racial, ethnic, cultural, linguistic, and tribal disparities; and; make adjustments to
637.31 ensure those disparities are not perpetuated; and advise the department on progress and
637.32 accountability measures for addressing inequities;
- 638.1 (6) in partnership with the council, renew and implement equity policy with action plans
638.2 and resources necessary to implement the action plans;
- 638.3 (7) support interagency collaboration to advance equity;

638.4 (8) address the council at least twice annually on the state of equity within the department;
638.5 and

638.6 (9) support member participation in the council, including participation in educational
638.7 and community engagement events across Minnesota that address equity in human services.

638.8 (b) The commissioner of human services or the commissioner's designee shall consult
638.9 with the council and receive recommendations from the council when meeting the
638.10 requirements in this subdivision.

638.11 Subd. 8. **Duties of council.** The council shall:

638.12 (1) recommend to the commissioner for review ~~identified policies in the Department of~~
638.13 ~~Human Services policy, budgetary, and operational decisions and practices that maintain~~
638.14 ~~impact racial, ethnic, cultural, linguistic, and tribal disparities;~~

638.15 (2) with community input, advance legislative proposals to improve racial and health
638.16 equity outcomes;

638.17 (3) identify issues regarding inequities and disparities by engaging diverse populations
638.18 in human services programs;

638.19 ~~(3)~~ (4) engage in mutual learning essential for achieving human services parity and
638.20 optimal wellness for service recipients;

638.21 ~~(4)~~ (5) raise awareness about human services disparities to the legislature and media;

638.22 ~~(5)~~ (6) provide technical assistance and consultation support to counties, private nonprofit
638.23 agencies, and other service providers to build their capacity to provide equitable human
638.24 services for persons from racial, ethnic, cultural, linguistic, and tribal communities who
638.25 experience disparities in access and outcomes;

638.26 ~~(6)~~ (7) provide technical assistance to promote statewide development of culturally and
638.27 linguistically appropriate, accessible, and cost-effective human services and related policies;

638.28 ~~(7) provide~~ (8) recommend and monitor training and outreach to facilitate access to
638.29 culturally and linguistically appropriate, accessible, and cost-effective human services to
638.30 prevent disparities;

639.1 ~~(8) facilitate culturally appropriate and culturally sensitive admissions, continued services,~~
639.2 ~~discharges, and utilization review for human services agencies and institutions;~~

639.3 (9) form work groups to help carry out the duties of the council that include, but are not
639.4 limited to, persons who provide and receive services and representatives of advocacy groups,
639.5 and provide the work groups with clear guidelines, standardized parameters, and tasks for
639.6 the work groups to accomplish;

639.7 (10) promote information sharing in the human services community and statewide; and

639.8 (11) by February 15 ~~each year~~ in the second year of the biennium, prepare and submit
639.9 to the chairs and ranking minority members of the committees in the house of representatives
639.10 and the senate with jurisdiction over human services a report that summarizes the activities
639.11 of the council, identifies the major problems and issues confronting racial and ethnic groups
639.12 in accessing human services, makes recommendations to address issues, and lists the specific
639.13 objectives that the council seeks to attain during the next biennium, and recommendations
639.14 to strengthen equity, diversity, and inclusion within the department. The report must also
639.15 include a list of programs, groups, and grants used to reduce disparities, and statistically
639.16 valid reports of outcomes on the reduction of the disparities; identify racial and ethnic groups'
639.17 difficulty in accessing human services and make recommendations to address the issues.
639.18 The report must include any updated Department of Human Services equity policy,
639.19 implementation plans, equity initiatives, and the council's progress.

639.20 Subd. 9. **Duties of council members.** The members of the council shall:

639.21 (1) attend ~~and~~ scheduled meetings with no more than three absences per year, participate
639.22 in scheduled meetings, and be prepared by reviewing meeting notes;

639.23 (2) maintain open communication channels with respective constituencies;

639.24 (3) identify and communicate issues and risks that could impact the timely completion
639.25 of tasks;

639.26 (4) collaborate on inequity and disparity reduction efforts;

639.27 (5) communicate updates of the council's work progress and status on the Department
639.28 of Human Services website; ~~and~~

639.29 (6) participate in any activities the council or chair deems appropriate and necessary to
639.30 facilitate the goals and duties of the council-; and

639.31 (7) participate in work groups to carry out council duties.

640.1 Subd. 10. **Expiration.** The council ~~expires on June 30, 2022~~ shall expire when racial
640.2 and ethnic-based disparities no longer exist in the state of Minnesota.

640.3 Subd. 11. **Compensation.** Compensation for members of the council is governed by
640.4 section 15.059, subdivision 3.

640.5 Sec. 9. Minnesota Statutes 2020, section 257.0755, subdivision 1, is amended to read:

640.6 Subdivision 1. **Creation.** Each ombudsperson shall operate independently from but in
640.7 collaboration with the community-specific board that appointed the ombudsperson under
640.8 section 257.0768: the Indian Affairs Council, the Minnesota Council on Latino Affairs, the
640.9 Council for Minnesotans of African Heritage, and the Council on Asian-Pacific Minnesotans.

- 640.10 Sec. 10. Minnesota Statutes 2020, section 257.076, subdivision 3, is amended to read:
- 640.11 Subd. 3. **Communities of color.** "Communities of color" means the following: ~~American~~
- 640.12 ~~Indian,~~ Hispanic-Latino, Asian-Pacific, African, and African-American communities.
- 640.13 Sec. 11. Minnesota Statutes 2020, section 257.076, subdivision 5, is amended to read:
- 640.14 Subd. 5. **Family of color.** "Family of color" means any family with a child under the
- 640.15 age of 18 who is identified by one or both parents or another trusted adult to be of ~~American~~
- 640.16 ~~Indian,~~ Hispanic-Latino, Asian-Pacific, African, or African-American descent.
- 640.17 Sec. 12. Minnesota Statutes 2020, section 257.0768, subdivision 1, is amended to read:
- 640.18 Subdivision 1. **Membership.** ~~Four~~ Three community-specific boards are created. Each
- 640.19 board consists of five members. The chair of each of the following groups shall appoint the
- 640.20 board for the community represented by the group: ~~the Indian Affairs Council;~~ the Minnesota
- 640.21 Council on Latino Affairs; the Council for Minnesotans of African Heritage; and the Council
- 640.22 on Asian-Pacific Minnesotans. In making appointments, the chair must consult with other
- 640.23 members of the council.
- 640.24 Sec. 13. Minnesota Statutes 2020, section 257.0768, subdivision 6, is amended to read:
- 640.25 Subd. 6. **Joint meetings.** The members of the ~~four~~ three community-specific boards
- 640.26 shall meet jointly at least four times each year to advise the ombudspersons on overall
- 640.27 policies, plans, protocols, and programs for the office.
- 641.1 Sec. 14. Minnesota Statutes 2020, section 257.0769, is amended to read:
- 641.2 **257.0769 FUNDING FOR THE OMBUDSPERSON PROGRAM.**
- 641.3 Subdivision 1. **Appropriations.** ~~(a) money is appropriated from \$23,000 from the special~~
- 641.4 ~~fund authorized by section 256.01, subdivision 2, paragraph (o), is annually appropriated~~
- 641.5 ~~to the Indian Affairs Council Office of Ombudsperson for American Indian Families for~~
- 641.6 ~~the purposes purpose of sections 257.0755 to 257.0768 section 3.9215.~~
- 641.7 ~~(b) money is appropriated from \$69,000 from the special fund authorized by section~~
- 641.8 ~~256.01, subdivision 2, paragraph (o), is annually appropriated to the Minnesota Council on~~
- 641.9 ~~Latino Affairs Office of Ombudsperson for Families for the purposes of sections 257.0755~~
- 641.10 ~~to 257.0768.~~
- 641.11 ~~(c) Money is appropriated from the special fund authorized by section 256.01, subdivision~~
- 641.12 ~~2, paragraph (o), to the Council for Minnesotans of African Heritage for the purposes of~~
- 641.13 ~~sections 257.0755 to 257.0768.~~
- 641.14 ~~(d) Money is appropriated from the special fund authorized by section 256.01, subdivision~~
- 641.15 ~~2, paragraph (o), to the Council on Asian-Pacific Minnesotans for the purposes of sections~~
- 641.16 ~~257.0755 to 257.0768.~~

641.17 Subd. 2. **Title IV-E reimbursement.** The commissioner shall obtain federal title IV-E
641.18 financial participation for eligible activity by the ombudsperson for families under section
641.19 257.0755 and the ombudsperson for American Indian families under section 3.9215. The
641.20 ombudsperson for families and the ombudsperson for American Indian families shall maintain
641.21 and transmit to the Department of Human Services documentation that is necessary in order
641.22 to obtain federal funds.

SIMILAR LANGUAGE IN S.F. 970, FIRST UNOFFICIAL ENGROSSMENT,
ART. 6, SEC. 22 (HOUSE JUDICIARY/PUBLIC SAFETY BILL)

796.12 Sec. 4. **[363A.50] NONDISCRIMINATION IN ACCESS TO TRANSPLANTS.**
796.13 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
796.14 the meanings given unless the context clearly requires otherwise.
796.15 (b) "Anatomical gift" has the meaning given in section 525A.02, subdivision 4.
796.16 (c) "Auxiliary aids and services" include, but are not limited to:
796.17 (1) qualified interpreters or other effective methods of making aurally delivered materials
796.18 available to individuals with hearing impairments;
796.19 (2) qualified readers, taped texts, texts in accessible electronic format, or other effective
796.20 methods of making visually delivered materials available to individuals with visual
796.21 impairments;
796.22 (3) the provision of information in a format that is accessible for individuals with
796.23 cognitive, neurological, developmental, intellectual, or physical disabilities;
796.24 (4) the provision of supported decision-making services; and
796.25 (5) the acquisition or modification of equipment or devices.
796.26 (d) "Covered entity" means:
796.27 (1) any licensed provider of health care services, including licensed health care
796.28 practitioners, hospitals, nursing facilities, laboratories, intermediate care facilities, psychiatric
796.29 residential treatment facilities, institutions for individuals with intellectual or developmental
796.30 disabilities, and prison health centers; or
796.31 (2) any entity responsible for matching anatomical gift donors to potential recipients.
797.1 (e) "Disability" has the meaning given in section 363A.03, subdivision 12.
797.2 (f) "Organ transplant" means the transplantation or infusion of a part of a human body
797.3 into the body of another for the purpose of treating or curing a medical condition.
797.4 (g) "Qualified individual" means an individual who, with or without available support
797.5 networks, the provision of auxiliary aids and services, or reasonable modifications to policies

- 797.6 or practices, meets the essential eligibility requirements for the receipt of an anatomical
 797.7 gift.
- 797.8 (h) "Reasonable modifications" include, but are not limited to:
- 797.9 (1) communication with individuals responsible for supporting an individual with
 797.10 postsurgical and post-transplantation care, including medication; and
- 797.11 (2) consideration of support networks available to the individual, including family,
 797.12 friends, and home and community-based services, including home and community-based
 797.13 services funded through Medicaid, Medicare, another health plan in which the individual
 797.14 is enrolled, or any program or source of funding available to the individual, in determining
 797.15 whether the individual is able to comply with post-transplant medical requirements.
- 797.16 (i) "Supported decision making" has the meaning given in section 524.5-102, subdivision
 797.17 16a.
- 797.18 Subd. 2. **Prohibition of discrimination.** (a) A covered entity may not on the basis of a
 797.19 qualified individual's mental or physical disability:
- 797.20 (1) deem an individual ineligible to receive an anatomical gift or organ transplant;
- 797.21 (2) deny medical or related organ transplantation services, including evaluation, surgery,
 797.22 counseling, and postoperative treatment and care;
- 797.23 (3) refuse to refer the individual to a transplant center or other related specialist for the
 797.24 purpose of evaluation or receipt of an anatomical gift or organ transplant;
- 797.25 (4) refuse to place an individual on an organ transplant waiting list or place the individual
 797.26 at a lower-priority position on the list than the position at which the individual would have
 797.27 been placed if not for the individual's disability; or
- 797.28 (5) decline insurance coverage for any procedure associated with the receipt of the
 797.29 anatomical gift or organ transplant, including post-transplantation and postinfusion care.
- 797.30 (b) Notwithstanding paragraph (a), a covered entity may take an individual's disability
 797.31 into account when making treatment or coverage recommendations or decisions, solely to
 797.32 the extent that the physical or mental disability has been found by a physician, following
 798.1 an individualized evaluation of the potential recipient to be medically significant to the
 798.2 provision of the anatomical gift or organ transplant. The provisions of this section may not
 798.3 be deemed to require referrals or recommendations for, or the performance of, medically
 798.4 inappropriate organ transplants.
- 798.5 (c) If an individual has the necessary support system to assist the individual in complying
 798.6 with post-transplant medical requirements, an individual's inability to independently comply

641.23 Sec. 15. **TRANSFER OF MONEY.**

641.24 Before the end of fiscal year 2021, the Office of the Ombudsperson for Families must
641.25 transfer to the Office of the Ombudsperson for American Indian Families any remaining
641.26 money designated for use by the Ombudsperson for American Indian Families. This section
641.27 is cost-neutral.

641.28 Sec. 16. **CHILDREN WITH DISABILITIES INCLUSIVE CHILD CARE ACCESS**
641.29 **EXPANSION GRANT PROGRAM.**

641.30 Subdivision 1. **Establishment.** (a) The commissioner of human services shall establish
641.31 a competitive grant program to expand access to licensed family child care providers or
641.32 licensed child care centers for children with disabilities including medical complexities.
642.1 The commissioner shall award grants to counties or Tribes, including at least one county
642.2 from the seven-county metropolitan area and at least one county or Tribe outside the
642.3 seven-county metropolitan area, and grant funds shall be used to enable child care providers
642.4 to develop an inclusive child care setting and offer care to children with disabilities and
642.5 children without disabilities. Grants shall be awarded to at least two applicants beginning
642.6 no later than December 1, 2021.

798.7 with those requirements may not be deemed to be medically significant for the purposes of
798.8 paragraph (b).

798.9 (d) A covered entity must make reasonable modifications to policies, practices, or
798.10 procedures, when such modifications are necessary to make services such as
798.11 transplantation-related counseling, information, coverage, or treatment available to qualified
798.12 individuals with disabilities, unless the entity can demonstrate that making such modifications
798.13 would fundamentally alter the nature of such services.

798.14 (e) A covered entity must take such steps as may be necessary to ensure that no qualified
798.15 individual with a disability is denied services such as transplantation-related counseling,
798.16 information, coverage, or treatment because of the absence of auxiliary aids and services,
798.17 unless the entity can demonstrate that taking such steps would fundamentally alter the nature
798.18 of the services being offered or result in an undue burden.

798.19 (f) A covered entity must otherwise comply with the requirements of Titles II and III of
798.20 the Americans with Disabilities Act of 1990, the Americans with Disabilities Act
798.21 Amendments Act of 2008, and the Minnesota Human Rights Act.

798.22 (g) The provisions of this section apply to each part of the organ transplant process.

798.23 Subd. 3. **Remedies.** In addition to all other remedies available under this chapter, any
798.24 individual who has been subjected to discrimination in violation of this section may initiate
798.25 a civil action in a court of competent jurisdiction to enjoin violations of this section.

803.1 Sec. 8. **GRANTS TO EXPAND ACCESS TO CHILD CARE FOR CHILDREN**
803.2 **WITH DISABILITIES.**

803.3 Subdivision 1. **Establishment.** The commissioner of human services must establish
803.4 competitive grants to expand access to licensed family child care providers or licensed child
803.5 care centers for children with disabilities including medical complexities. Grants must be
803.6 awarded to counties or tribes and must be used to assist family child care providers or child
803.7 care centers to serve children with disabilities in inclusive settings alongside children without
803.8 disabilities. Competitive grants must be awarded to at least two applicants beginning no
803.9 later than December 1, 2021.

642.7 (b) For purposes of this section, "child with a disability" means a child who has a
642.8 substantial delay or has an identifiable physical, medical, emotional, or mental condition
642.9 that hinders development.

642.10 (c) For purposes of this section, "inclusive child care setting" means child care provided
642.11 in a manner that serves children with disabilities in the same setting as children without
642.12 disabilities.

642.13 Subd. 2. **Commissioner's duties.** To administer the grant program, the commissioner
642.14 shall:

642.15 (1) consult with relevant stakeholders to develop a request for proposals that at least
642.16 requires grant applicants to identify the items or services and estimated accompanying costs,
642.17 where possible, needed to expand access to inclusive child care settings for children with
642.18 disabilities;

642.19 (2) develop procedures for data collection, qualitative and quantitative measurement of
642.20 grant program outcomes, and reporting requirements for grant recipients;

642.21 (3) convene a working group of grant recipients, partner child care providers, and
642.22 participating families to assess progress on grant activities, share best practices, and collect
642.23 and review data on grant activities; and

642.24 (4) by February 1, 2023, provide a report to the chairs and ranking minority members
642.25 of the legislative committees with jurisdiction over early childhood programs on the activities
642.26 and outcomes of the grant program with legislative recommendations for implementing
642.27 inclusive child care settings statewide. The report shall be made available to the public.

642.28 Subd. 3. **Grant activities.** Grant recipients shall use grant funds for the cost of facility
642.29 modifications, resources, or services necessary to expand access to inclusive child care
642.30 settings for children with disabilities, including:

642.31 (1) onetime needs to equip a child care setting to serve children with disabilities, including
642.32 but not limited to environmental modifications; accessibility modifications; sensory
643.1 adaptation; training materials and staff time for training, including for substitutes; or
643.2 equipment purchases, including durable medical equipment;

643.3 (2) ongoing medical or disability-related services for children with disabilities in
643.4 inclusive child care settings, including but not limited to mental health supports; inclusion

803.10 Subd. 2. **Commissioner's duties.** To implement these grants, the commissioner must:

803.11 (1) develop a request for proposals with stakeholder input;

803.12 (2) develop procedures for data collection, qualitative and quantitative measurement of
803.13 programmatic outcomes, and reporting requirements for grantees;

803.14 (3) convene a working group of grantees, grantee partners, and participating families to
803.15 assess progress on grant activities, share best practices, and collect and review data on grant
803.16 activities; and

803.17 (4) based on information gathered throughout the grant period and at the conclusion of
803.18 the grant period, provide a report to the chairs and ranking minority members of the
803.19 legislative committees with jurisdiction over health and human services regarding grant
803.20 activities, with legislative recommendations for implementing inclusive child care statewide.
803.21 The report must be made available to the public.

803.22 Subd. 3. **Grant activities.** Grantees must use grant money to expand access to inclusive
803.23 family child care providers or child care centers to children with disabilities, which may
803.24 include:

803.25 (1) onetime needs to equip a child care setting to serve children with disabilities, such
803.26 as:

803.27 (i) environmental modifications;

803.28 (ii) accessibility modifications;

803.29 (iii) sensory adaptation;

803.30 (iv) training and staff time for training; or

803.31 (v) equipment purchase;

804.1 (2) ongoing medical or disability-related services for children with disabilities in inclusive
804.2 child care settings, such as:

643.5 specialist services; home care nursing; behavioral supports; coaching or training for staff
643.6 and substitutes; substitute teaching time; or additional child care staff, an enhanced rate, or
643.7 another mechanism to increase staff-to-child ratio; and

643.8 (3) other expenses determined by the grant recipient and each partner child care provider
643.9 to be necessary to establish an inclusive child care setting and serve children with disabilities
643.10 at the provider's location.

643.11 Subd. 4. **Requirements for grant recipients.** Upon receipt of grant funds and throughout
643.12 the grant period, grant recipients shall:

643.13 (1) partner with at least two but no more than five child care providers, each of which
643.14 must meet one of the following criteria:

643.15 (i) serve 29 or fewer children, including at least two children with a disability who are
643.16 not a family member of the child care provider if the participating child care provider is a
643.17 family child care provider; or

643.18 (ii) serve more than 30 children, including at least three children with a disability;

643.19 (2) develop and follow a process to ensure that grant funding is used to support children
643.20 with disabilities who, without the additional supports made available through the grant,
643.21 would have difficulty accessing an inclusive child care setting;

643.22 (3) pursue funding for ongoing services needed for children with disabilities in inclusive
643.23 child care settings, such as Medicaid or private health insurance coverage; additional grant
643.24 funding; or other funding sources;

643.25 (4) explore and seek opportunities to use existing federal funds to provide ongoing
643.26 support to family child care providers or child care centers serving children with disabilities.

804.3 (i) mental health supports;

804.4 (ii) inclusion specialist services;

804.5 (iii) home care nursing;

804.6 (iv) behavioral supports;

804.7 (v) coaching or training for staff;

804.8 (vi) substitute teaching time; or

804.9 (vii) enhanced rate for increased staff-to-child ratio; and

804.10 (3) other expenses determined by the grantee and family child care provider or child
804.11 care center partners to be necessary to serve children with disabilities in inclusive child care
804.12 settings.

804.13 Subd. 4. **Requirements for grantees.** Upon receipt of grant money and throughout the
804.14 grant period, grant recipients must:

804.15 (1) partner with at least three family child care providers or child care centers, each of
804.16 which must meet one of the following criteria:

804.17 (i) serve ten or fewer children, including at least one child with a disability who is not
804.18 a family member of the family child care provider or of an employee of the child care center;

804.19 (ii) serve 11 to 30 children, including at least two children with disabilities; or

804.20 (iii) serve more than 30 children, including at least three children with disabilities;

804.21 (2) develop and use a process to ensure that grant funding be used to support children
804.22 with disabilities who, without the additional supports made available through the grant,
804.23 would have difficulty accessing inclusive child care settings;

804.24 (3) pursue funding for ongoing services needed for children with disabilities in inclusive
804.25 child care settings, such as:

804.26 (i) Medicaid or private health insurance coverage;

804.27 (ii) additional grant funding; or

804.28 (iii) other sources of county, state, or federal funds; and

804.29 (4) explore and seek opportunities to use existing federal funds to provide ongoing
804.30 support to family child care providers or child care centers serving children with disabilities.

643.27 Grant recipients shall seek to minimize family financial obligations for child care for a child
643.28 with disabilities beyond what child care would cost for a child without disabilities; and

643.29 (5) identify and utilize training resources for child care providers, where available and
643.30 applicable, for at least one of the grant recipient's partner child care providers.

643.31 Subd. 5. Reporting. Grant recipients shall report to the commissioner every six months,
643.32 in a manner specified by the commissioner, on the following:

644.1 (1) the number, type, and cost of additional supports needed to serve children with
644.2 disabilities in inclusive child care settings;

644.3 (2) best practices for billing;

644.4 (3) availability and use of funding sources other than through the grant program;

644.5 (4) processes for identifying families of children with disabilities who could benefit
644.6 from grant activities and connecting them with a child care provider interested in serving
644.7 them;

644.8 (5) processes and eligibility criteria used to determine whether a child is a child with a
644.9 disability and means of prioritizing grant funding to serve children with significant support
644.10 needs associated with their disability; and

644.11 (6) any other information deemed relevant by the commissioner.

644.12 Sec. 17. DIRECTION TO COMMISSIONER OF HUMAN SERVICES; FAMILY
644.13 CHILD CARE SHARED SERVICES INNOVATION GRANTS.

644.14 The commissioner of human services shall establish a grant program to test strategies
644.15 by which family child care providers may share services and thereby achieve economies of
644.16 scale. The commissioner shall report the results of the grant program to the legislative
644.17 committees with jurisdiction over early care and education programs.

644.18 Sec. 18. DIRECTION TO THE CHILDREN'S CABINET; EVALUATION OF THE
644.19 USE OF FEDERAL MONEY.

644.20 (a) The Children's Cabinet, with the assistance of the commissioners of human services,
644.21 education, and employment and economic development, shall conduct an evaluation of the
644.22 use of federal money received pursuant to the American Rescue Plan Act of 2021 (Public
644.23 Law 117-2), the Coronavirus Response and Relief Supplemental Appropriations Act of
644.24 2020 (Public Law 116-260), and the Coronavirus Aid, Relief, and Economic Security Act
644.25 (Public Law 116-136) to address the state's needs in the area of early care and education.
644.26 The Children's Cabinet may arrange for consultants to assist with the evaluation.

805.1 Grantees must seek to minimize family financial obligations for child care for a child with
805.2 disabilities beyond what child care would cost for a child without disabilities.

805.3 Subd. 5. Reporting. Grantees must report semiannually to the commissioner according
805.4 to the manner specified by the commissioner on the following:

805.5 (1) additional supports needed to serve children with disabilities in inclusive child care
805.6 settings;

805.7 (2) costs for additional supports;

805.8 (3) billing best practices;

805.9 (4) available funding sources;

805.10 (5) processes for identifying families of children with disabilities who could benefit
805.11 from grant activities and connecting them with family child care providers or child care
805.12 centers interested in serving them; and

805.13 (6) processes used to determine whether a child is a child with a disability and means
805.14 of prioritizing grant funding to serve children with significant support needs associated with
805.15 their disability.

644.27 (b) The evaluation shall address at least the following topics with results disaggregated,
644.28 to the extent practicable, by age, race, ethnicity, and geographic areas of the state:

644.29 (1) changes in the number of children who are able to access early care and education
644.30 programs, including children from the following categories: those from low-income families;
644.31 those who have disabilities or developmental delays; those who are English language
645.1 learners; those who are members of American Indian Tribes; and those who are migrant,
645.2 homeless, in foster care, or are in need of child protective services;

645.3 (2) changes in the supply of early care and education, particularly in areas of the state
645.4 with shortages of early care and education;

645.5 (3) changes in the quality of early care and education programs, as measured pursuant
645.6 to the state's quality rating and improvement system under Minnesota Statutes, section
645.7 124D.142; and

645.8 (4) changes in the average compensation and credentials of the early care and education
645.9 workforce.

645.10 (c) The Children's Cabinet shall submit interim findings of the evaluation to the governor
645.11 and the legislative committees with jurisdiction over early childhood programs by February
645.12 1 in each of calendar years 2022, 2023, and 2024. The Children's Cabinet shall submit a
645.13 final report to the governor and the legislative committees with jurisdiction over early
645.14 childhood programs by February 1, 2025.

645.15 Sec. 19. **REPORT ON PARTICIPATION IN EARLY CHILDHOOD PROGRAMS**
645.16 **BY CHILDREN IN FOSTER CARE.**

645.17 Subdivision 1. **Reporting requirement.** (a) The commissioner of human services shall
645.18 report on the participation in early care and education programs by children under age six
645.19 who have experienced foster care, as defined in Minnesota Statutes, section 260C.007,
645.20 subdivision 18, at any time during the reporting period.

645.21 (b) For purposes of this section, "early care and education program" means Early Head
645.22 Start and Head Start under the federal Improving Head Start for School Readiness Act of
645.23 2007; special education programs under Minnesota Statutes, chapter 125A; early learning
645.24 scholarships under Minnesota Statutes, section 124D.165; school readiness under Minnesota
645.25 Statutes, sections 124D.15 and 124D.16; school readiness plus under Laws 2017, First
645.26 Special Session chapter 5, article 8, section 9; voluntary prekindergarten under Minnesota
645.27 Statutes, section 124D.151; child care assistance under Minnesota Statutes, chapter 119B;
645.28 and other programs as determined by the commissioner.

645.29 Subd. 2. **Report content.** (a) The report shall provide counts and rates of participation
645.30 in the early care and education program by each child's race, ethnicity, age, and county of

806.20 Sec. 10. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; REPORT**
806.21 **ON PARTICIPATION IN EARLY CHILDHOOD PROGRAMS BY CHILDREN IN**
806.22 **FOSTER CARE.**

806.23 Subdivision 1. **Reporting requirement.** (a) The commissioner of human services shall
806.24 report on the participation in early care and education programs by children under age six
806.25 who have experienced foster care, as defined in Minnesota Statutes, section 260C.007,
806.26 subdivision 18, at any time during the reporting period.

806.27 (b) For purposes of this section, "early care and education program" means Early Head
806.28 Start and Head Start under the federal Improving Head Start for School Readiness Act of
806.29 2007; special education programs under Minnesota Statutes, chapter 125A; early learning
806.30 scholarships under Minnesota Statutes, section 124D.165; school readiness under Minnesota
806.31 Statutes, sections 124D.15 and 124D.16; school readiness plus under Laws 2017, First
806.32 Special Session chapter 5, article 8, section 9; voluntary prekindergarten under Minnesota
807.1 Statutes, section 124D.151; child care assistance under Minnesota Statutes, chapter 119B;
807.2 and other programs as determined by the commissioner.

807.3 Subd. 2. **Report content.** (a) The report shall provide counts and rates of participation
807.4 by early care and education program and child's race, ethnicity, age, and county of residence.

645.31 residence. The report shall use the most current administrative data and systems, including
 645.32 the Early Childhood Longitudinal Data System, and include recommendations for collecting
 645.33 any other administrative data listed in this paragraph that is not currently available.

646.1 (b) The report shall include recommendations to:

646.2 (1) provide the data described in paragraph (a) on an annual basis as part of the report
 646.3 required under Minnesota Statutes, section 257.0725;

646.4 (2) facilitate children's continued participation in early care and education programs
 646.5 after reunification, adoption, or transfer of permanent legal and physical custody; and

646.6 (3) regularly report measures of early childhood well-being for children who have
 646.7 experienced foster care. "Measures of early childhood well-being" include administrative
 646.8 data from developmental screenings, school readiness assessments, well-child medical visits,
 646.9 and other sources as determined by the commissioner, in consultation with the commissioners
 646.10 of health, education, and management and budget, county social service and public health
 646.11 agencies, and school districts.

646.12 (c) The report shall include an implementation plan to increase the rates of participation
 646.13 among children and their foster families in early care and education programs, including
 646.14 processes for referrals and follow-up. The plan shall be developed in collaboration with
 646.15 affected communities and families, incorporating their experiences and feedback.
 646.16 Representatives from county public health agencies; county social service agencies, including
 646.17 child protection services; early childhood care and education providers; the judiciary; and
 646.18 school districts must collaborate on the plan's development and implementation strategy.

646.19 (d) The report shall identify barriers to be addressed to ensure that early care and
 646.20 education programs are responsive to the cultural, logistical, and racial equity concerns and
 646.21 needs of children's foster families and families of origin and the report shall identify methods
 646.22 to ensure that the experiences and feedback from children's foster families and families of
 646.23 origin are included in the ongoing implementation of early care and education programs.

646.24 Subd. 3. **Submission to legislature.** By June 30, 2022, the commissioner shall submit
 646.25 an interim progress report, including identification of potential administrative data sources
 646.26 and barriers and a listing of plan development participants, and by December 1, 2022, the
 646.27 commissioner shall submit the final report required under this section to the legislative
 646.28 committees with jurisdiction over early care and education programs.

807.5 The report shall use the most current administrative data and include recommendations for
 807.6 collecting any data listed in this paragraph that is not currently available.

807.7 (b) The report shall include recommendations to:

807.8 (1) provide the data described in paragraph (a) on an annual basis as part of the report
 807.9 required under Minnesota Statutes, section 257.0725;

807.10 (2) facilitate children's continued participation in early care and education programs
 807.11 after reunification, adoption, or transfer of permanent legal and physical custody; and

807.12 (3) regularly report measures of early childhood well-being for children who have
 807.13 experienced foster care. "Measures of early childhood well-being" include developmental
 807.14 screening, school readiness assessments, well-child medical visits, and other indicators as
 807.15 determined by the commissioner, in consultation with the commissioners of health, education,
 807.16 and management and budget, county social service and public health agencies, and school
 807.17 districts.

807.18 (c) The report shall include an implementation plan to increase the rates of participation
 807.19 among children and their foster families in early care and education programs, including
 807.20 processes for referrals and follow-up. The plan shall be developed in collaboration with
 807.21 affected communities and families, incorporating their experiences and feedback. County
 807.22 social service and public health agencies and school districts shall also collaborate on the
 807.23 plan's development and implementation strategy.

807.24 (d) The report shall identify barriers to be addressed to ensure that early care and
 807.25 education programs are responsive to the cultural, logistical, and racial equity concerns and
 807.26 needs of children's foster families and families of origin, and the report shall identify methods
 807.27 to ensure the experiences and feedback from children's foster families and families of origin
 807.28 are included in the ongoing implementation of early care and education programs.

807.29 Subd. 3. **Submission to legislature.** By June 30, 2022, the commissioner shall submit
 807.30 an interim report, and by December 1, 2022, the commissioner shall submit the final report
 807.31 required under this section to the chairs and ranking minority members of the legislative
 807.32 committees with jurisdiction over human services, early childhood, and education.

798.26 Sec. 5. **CHILD CARE FACILITY REVITALIZATION GRANT PROGRAM.**

798.27 Subdivision 1. **Child care facility revitalization grants.** (a) The commissioner of human
 798.28 services shall distribute child care facility revitalization grant funds to county human services
 798.29 agencies for grant awards to eligible child care providers to be used to reopen a closed child
 798.30 care program facility or to maintain or improve an operating child care program facility.

798.31 The commissioner shall distribute grant funds to counties on a per capita basis proportionate
798.32 to the county's population.

799.1 (b) The commissioner shall develop a grant application form for use by counties that at
799.2 least requires the applicant to submit a plan and proposed budget for reopening, repairing,
799.3 or improving the child care program. The plan must include amounts and explanations of
799.4 how grant funds will be used to maintain or improve an open child care program facility in
799.5 compliance with the authorized uses of grant funds under subdivision 5.

799.6 (c) The commissioner shall make grant funds available to counties beginning August 1,
799.7 2021.

799.8 Subd. 2. **Eligible programs.** (a) The following programs are eligible to receive a child
799.9 care facility revitalization grant under this section:

799.10 (1) family and group family day care homes licensed under Minnesota Rules, chapter
799.11 9502;

799.12 (2) child care centers licensed under Minnesota Rules, chapter 9503;

799.13 (3) certified license-exempt child care centers under Minnesota Statutes, chapter 245H;
799.14 and

799.15 (4) Tribally licensed child care programs.

799.16 (b) Eligible programs must also be located outside the metropolitan area as defined in
799.17 Minnesota Statutes, section 473.121, subdivision 2, and must not be:

799.18 (1) the subject of a finding of fraud;

799.19 (2) prohibited from receiving public funds under Minnesota Statutes, section 245.095;
799.20 or

799.21 (3) under revocation, suspension, temporary immediate suspension, or decertification,
799.22 regardless of whether the action is under appeal.

799.23 Subd. 3. **Requirements to receive a child care facility revitalization grant.** To receive
799.24 funds under this section, an eligible program must complete the application developed by
799.25 the commissioner and distributed to counties, attesting and agreeing in writing that the
799.26 program intends to remain operating and serving children and that the program will pay
799.27 back any grant award if the program permanently closes within one year of receiving the
799.28 grant award. Providers who close permanently within one year for any reason are subject
799.29 to recovery of funds after program closure. Permanent closures must be reported to the
799.30 Department of Human Services using a form prescribed by the commissioner.

799.31 Subd. 4. **Grant award amounts.** (a) An eligible child care program may receive up to
799.32 \$15,000 to reopen a closed family child care site.

800.1 (b) An eligible child care program may receive up to \$100,000 to reopen a closed child
800.2 care center site.

800.3 (c) An eligible child care program may receive up to \$7,500 to repair or update an open
800.4 and operating family child care program setting.

800.5 (d) An eligible child care program may receive up to \$50,000 to repair or update an open
800.6 and operating child care center.

800.7 Subd. 5. **Authorized uses of grant funds.** Eligible programs may use child care facility
800.8 revitalization grant funds for:

800.9 (1) facility maintenance or improvements;

800.10 (2) personal protective equipment or cleaning and sanitation supplies and services;

800.11 (3) purchases or updates to equipment and supplies to respond to the COVID-19 public
800.12 health emergency; or

800.13 (4) other goods and services necessary to maintain or resume child care services.

800.14 Sec. 6. **COVID-19 PUBLIC HEALTH SUPPORT FUNDS FOR CHILD CARE**
800.15 **PROGRAMS.**

800.16 Subdivision 1. **Public health support funds.** (a) The commissioner of human services
800.17 shall distribute COVID-19 public health support funds to eligible child care programs to
800.18 support the higher costs to operate safely as defined by state and federal public health
800.19 guidance, including but not limited to efforts to create smaller and consistent child groupings,
800.20 screening procedures, quarantine periods, cleaning and sanitation, additional sick leave,
800.21 substitute teachers, supports for distance learning and incentive pay, and other public health
800.22 measures that prevent transmission of COVID-19 and protect families and staff.

800.23 (b) The commissioner shall distribute monthly base grant awards under subdivision 4
800.24 for a distribution period beginning June 2021 through May 2023. Any funds remaining as
800.25 of June 1, 2023, may be distributed as monthly base grant awards in the same amount
800.26 distributed for May 2023 until either September 30, 2023, or until the funds expire, whichever
800.27 is sooner.

800.28 Subd. 2. **Eligible programs.** (a) The following programs are eligible to receive public
800.29 health support funds under this section:

800.30 (1) family and group family day care homes licensed under Minnesota Rules, chapter
800.31 9502;

801.1 (2) child care centers licensed under Minnesota Rules, chapter 9503;

801.2 (3) certified license-exempt child care centers under Minnesota Statutes, chapter 245H;
801.3 and

- 801.4 (4) Tribally licensed child care programs.
- 801.5 (b) Programs must not be:
- 801.6 (1) the subject of a finding of fraud;
- 801.7 (2) prohibited from receiving public funds under Minnesota Statutes, section 245.095;
- 801.8 or
- 801.9 (3) under revocation, suspension, temporary immediate suspension, or decertification,
- 801.10 regardless of whether the action is under appeal.
- 801.11 (c) Public health support funds under this section must be made available to all eligible
- 801.12 programs on a noncompetitive basis.
- 801.13 Subd. 3. **Requirements to receive public health support funds.** (a) To receive funds
- 801.14 under this section, an eligible program must complete a monthly application for COVID-19
- 801.15 public health support funds, attesting and agreeing in writing that the program has been
- 801.16 operating and serving children during each month's funding period. An applicant program
- 801.17 must further attest and agree in writing that the program intends to remain operating and
- 801.18 serving children through the remainder of each month's funding period. Exceptions to this
- 801.19 operating requirement are:
- 801.20 (1) service disruptions that are necessary due to public health guidance to protect the
- 801.21 safety and health of children and child care programs issued by the Centers for Disease
- 801.22 Control and Prevention, commissioner of health, commissioner of human services, or a
- 801.23 local public health agency; and
- 801.24 (2) planned temporary closures for provider vacation and holidays for up to three weeks
- 801.25 over the duration of the funding months beginning June 1, 2021, but not sequentially.
- 801.26 Temporary closures must be reported to the Department of Human Services using a form
- 801.27 prescribed by the commissioner. For licensed and certified centers, only temporary closures
- 801.28 of the entire program need to be reported; classroom closures or other operating adjustments
- 801.29 do not need to be reported.
- 801.30 (b) Providers who close permanently for any reason are subject to recovery of funds for
- 801.31 any period of time after program closure. Permanent closures must be reported to the
- 801.32 Department of Human Services using a form prescribed by the commissioner.
- 802.1 (c) Notwithstanding paragraphs (a) and (b), if the commissioner determines that the
- 802.2 temporary or permanent closure of one program is undertaken to ensure the continued
- 802.3 availability of services to children by another program, the commissioner may issue the
- 802.4 closed program's public health support funds to the program that has agreed to accept the
- 802.5 children previously cared for by the closed program whether or not all the children choose
- 802.6 to go to the remaining program and whether or not the remaining program is already receiving
- 802.7 public health support funds.

SEE HF 1065-3, ARTICLE 9, SECTION 4, THE PARENT AWARE EVALUATION.

SEE HF1065-3, ARTICLE 9, SECTIONS 14-15, THE GREAT START FOR ALL MINNESOTA CHILDREN TASK FORCE.

- 802.8 (d) To receive funds under this section, an eligible program must:
- 802.9 (1) continue to comply with all other requirements listed in the application for 2021
- 802.10 COVID-19 public health support funds; and
- 802.11 (2) prioritize use of these funds during the monthly award periods, and must use the
- 802.12 funds to cover costs incurred during the peacetime emergency declared by the governor
- 802.13 relating to COVID-19. At least 72.5 percent of funds must be used for payroll salaries or
- 802.14 employee benefits.
- 802.15 Subd. 4. **Maximum base payment to programs.** (a) An eligible family child care
- 802.16 program may receive up to \$1,200 in monthly public health support funds.
- 802.17 (b) An eligible licensed child care center may receive up to \$8,500 in monthly public
- 802.18 health support funds.
- 802.19 (c) An eligible certified child care center may receive up to \$3,000 in monthly public
- 802.20 health support funds.
- 802.21 (d) The commissioner of human services shall calculate monthly base payment amounts
- 802.22 that are proportionate to the amount of funds available for a given funding period.
- 802.23 Sec. 7. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES; PARENT**
- 802.24 **AWARE VALIDATION STUDY.**
- 802.25 The commissioner shall contract with an independent third-party evaluator to complete
- 802.26 a validation study that evaluates whether the program's standards, indicators, and other
- 802.27 measures are effectively measuring program quality and educational outcomes. The
- 802.28 third-party evaluator shall report on the results of the study to the commissioner and the
- 802.29 chairs and ranking minority members of the legislative committees with jurisdiction over
- 802.30 child care by February 1, 2024. The commissioner shall not update current Parent Aware
- 802.31 standards and indicators until the validation study is complete.
- 805.16 Sec. 9. **WORKING GROUP; AFFORDABLE HIGH QUALITY CHILD CARE AND**
- 805.17 **EARLY EDUCATION FOR ALL FAMILIES.**
- 805.18 Subdivision 1. **Goal.** It is the goal of the state of Minnesota for all families to have access
- 805.19 to affordable high quality child care and early education, for children from birth up to age
- 805.20 five, that enriches, nurtures, and supports children and their families. This goal will be
- 805.21 achieved by:
- 805.22 (1) creating a system under which family costs for child care and early education are
- 805.23 affordable;
- 805.24 (2) ensuring that a child's access to high quality child care and early education is not
- 805.25 determined by the child's race, income, or zip code; and

THE HOUSE ALLOCATES CHILD CARE AND DEVELOPMENT BLOCK
GRANT FUNDS IN ARTICLE 21, SECTION 16

805.26 (3) ensuring that Minnesota's early childhood educators are qualified, diverse, supported,
805.27 and equitably compensated regardless of setting.

805.28 Subd. 2. **Working group; establishment.** (a) The commissioner of human services
805.29 shall coordinate through the Minnesota Children's Cabinet to establish a working group that
805.30 includes, but is not limited to members of the State Advisory Council on Early Childhood
805.31 Care and Education. The group shall include early childhood care and education providers;
806.1 parents; organizations that provide training and other supports to providers; business
806.2 associations; children's advocates; and representatives from the Departments of Human
806.3 Services, Health, and Education. The working group shall be convened as necessary to
806.4 develop a plan to achieve the goal in subdivision 1 by January 1, 2031.

806.5 (b) The plan must incorporate strategies that:

806.6 (1) create a system under which family costs of child care and early education are
806.7 affordable;

806.8 (2) ensure that a child's access to high quality child care and early education is not
806.9 determined by the child's race, income, or zip code; and

806.10 (3) ensure that Minnesota has early childhood educators who are qualified, diverse,
806.11 supported, and equitably compensated regardless of setting.

806.12 Subd. 3. **Required reports.** By July 1, 2022, the working group must submit to the
806.13 governor and the chairs and ranking minority members of the legislative committees with
806.14 jurisdiction over early childhood programs an interim report on the working group's
806.15 preliminary findings and draft implementation plans relating to the plan required under
806.16 subdivision 2. By February 1, 2023, the working group must submit to the governor and
806.17 the chairs and ranking minority members of the legislative committees with jurisdiction
806.18 over early childhood programs a final report on the working group's recommendations and
806.19 implementation proposals relating to the plan required under subdivision 2.

808.1 Sec. 11. **CHILD CARE AND DEVELOPMENT BLOCK GRANT ALLOCATION;
808.2 AFFORDABLE HIGH QUALITY CHILD CARE AND EARLY EDUCATION FOR
808.3 ALL FAMILIES WORKING GROUP.**

808.4 The commissioner of human services shall allocate up to \$500,000 in fiscal year 2022
808.5 from the amount that Minnesota received under the American Rescue Plan Act, Public Law
808.6 117-2, section 2201, for the child care and development block grant for the affordable high
808.7 quality child care and early education for all families working group. This is a onetime
808.8 allocation and is available until June 30, 2023.

808.9 Sec. 12. **CHILD CARE AND DEVELOPMENT BLOCK GRANT ALLOCATION;**
808.10 **CHILD CARE WORKFORCE DEVELOPMENT GRANTS.**

808.11 The commissioner of human services shall allocate \$750,000 in fiscal year 2022 and
808.12 \$750,000 in fiscal year 2023 from the amount that Minnesota received under the American
808.13 Rescue Plan Act, Public Law 117-2, section 2201, for the child care and development block
808.14 grant for grants to nonprofit organizations to provide economically challenged individuals
808.15 the jobs skills training, career counseling, and job placement assistance necessary to begin
808.16 a career path in child care. By January 1, 2024, the commissioner shall report to the chairs
808.17 and ranking minority members of the legislative committees with jurisdiction over child
808.18 care on the outcomes of the grant program, including the effects on the child care workforce.
808.19 This is a onetime allocation.

808.20 Sec. 13. **CHILD CARE AND DEVELOPMENT BLOCK GRANT ALLOCATION;**
808.21 **JERRY RELPH FAMILY SUPPORTS AND IMPROVEMENT PLAN.**

808.22 The commissioner of human services shall allocate \$4,500,000 in fiscal year 2022 and
808.23 \$4,500,000 in fiscal year 2023 from the amount that Minnesota received under the American
808.24 Rescue Plan Act, Public Law 117-2, section 2201, for the child care and development block
808.25 grant for grants to counties, beginning October 1, 2021, to coordinate a two-year, voluntary
808.26 information sharing program between county agencies, child care providers, early childhood
808.27 education providers, and parents of families who qualify for or are currently receiving child
808.28 care assistance, to communicate the needs and circumstances of the participating families
808.29 and children that prohibit, complicate, or otherwise limit access to or the effectiveness of
808.30 the child care assistance program, and to evaluate the outcomes of other assistance programs
808.31 for which the families are eligible. The information sharing program may include data
808.32 sharing under Minnesota Statutes, section 13.32, subdivision 12. Grant award amounts shall
808.33 be distributed annually and allocated to counties on a per capita basis, based on the number
809.1 of children enrolled in the child care assistance program as of July 1 of each year in the
809.2 county receiving grant funding. By February 1, 2023, and February 1, 2024, the commissioner
809.3 of human services shall provide an interim and final report to the chairs and ranking minority
809.4 members of the legislative committees with jurisdiction over the child care assistance
809.5 program on the results of the project, including any recommendations for improvements to
809.6 the child care assistance program to better meet the needs of participating families and
809.7 children.

809.8 Sec. 14. **CHILD CARE AND DEVELOPMENT BLOCK GRANT ALLOCATION;**
809.9 **REETAIN GRANT PROGRAM.**

809.10 The commissioner of human services shall allocate \$375,000 in fiscal year 2022 and
809.11 \$375,000 in fiscal year 2023 from the amount that Minnesota received under the American
809.12 Rescue Plan Act, Public Law 117-2, section 2201, for the child care and development block
809.13 grant, for REETAIN grants under Minnesota Statutes, section 119B.195. This is a onetime
809.14 allocation.

THE HOUSE ALLOCATES CHILD CARE STABILIZATION FUNDS IN
ARTICLE 21, SECTION 17

809.15 Sec. 15. **CHILD CARE STABILIZATION FUND ALLOCATION; CHILD CARE**
809.16 **PROVIDER STARTUP GRANTS.**

809.17 (a) The commissioner of human services shall allocate \$10,000,000 in fiscal year 2022
809.18 and \$10,000,000 in fiscal year 2023 from the amount that Minnesota received under the
809.19 American Rescue Plan Act, Public Law 117-2, section 2202, for the child care stabilization
809.20 fund for grants to local communities to increase the supply of quality child care providers
809.21 to support economic development. At least 60 percent of grant funds must go to communities
809.22 located outside of the seven-county metropolitan area as defined under Minnesota Statutes,
809.23 section 473.121, subdivision 2. Grant recipients must obtain a 50 percent nonstate match
809.24 to grant funds in either cash or in-kind contributions. Grant funds available under this section
809.25 must be used to implement projects to reduce the child care shortage in the state, including
809.26 but not limited to funding for child care business start-ups or expansion, training, facility
809.27 modifications or improvements required for licensing, and assistance with licensing and
809.28 other regulatory requirements. In awarding grants, the commissioner must give priority to
809.29 communities that have demonstrated a shortage of child care providers in the area. This is
809.30 a onetime allocation.

809.31 (b) Within one year of receiving grant funds, grant recipients must report to the
809.32 commissioner on the outcomes of the grant program, including but not limited to the number
810.1 of new providers, the number of additional child care provider jobs created, the number of
810.2 additional child care slots, and the amount of cash and in-kind local funds invested.

810.3 Sec. 16. **CHILD CARE STABILIZATION FUND ALLOCATION; CHILD CARE**
810.4 **BUSINESS TRAINING PROGRAM.**

810.5 The commissioner of human services shall allocate \$3,000,000 in fiscal year 2022 from
810.6 the amount that Minnesota received under the American Rescue Plan Act, Public Law 117-2,
810.7 section 2202, for the child care stabilization fund for a grant, through a competitive bidding
810.8 process, to a nonprofit organization with expertise in small business advising to operate a
810.9 business training program for child care providers and to create materials that could be used,
810.10 free of charge, for start-up, expansion, and operation of child care businesses statewide,
810.11 with the goal of helping new and existing child care businesses in underserved areas of the
810.12 state become profitable and sustainable. The commissioner shall report data on outcomes
810.13 and recommendations for replication of this training program throughout Minnesota to the
810.14 governor and the chairs and ranking minority members of the committees of the house of
810.15 representatives and the senate with jurisdiction over child care by December 15, 2023. This
810.16 is a onetime allocation and is available until June 30, 2023.

810.17 Sec. 17. **CHILD CARE STABILIZATION FUND ALLOCATION; PUBLIC HEALTH**
810.18 **SUPPORT FUNDS FOR CHILD CARE PROGRAMS.**

810.19 (a) The commissioner of human services shall allocate \$252,000,000 in fiscal year 2022
810.20 from the amount that Minnesota received under the American Rescue Plan Act, Public Law
810.21 117-2, section 2202, for the child care stabilization fund for the public health support funds

810.22 for child care programs in section 36. This is a onetime allocation and is available until
810.23 September 30, 2023.

810.24 (b) Of the amount allocated under paragraph (a), \$60,000,000 is for the three-month
810.25 funding period from June to August 2021; \$50,000,000 is for the three-month funding period
810.26 from September to November 2021; \$40,000,000 is for the three-month funding period
810.27 from December 2021 to February 2022; \$30,000,000 is for the three-month funding period
810.28 from March to May 2022; \$25,000,000 is for the three-month funding period from June to
810.29 August 2022; \$20,000,000 is for the three-month funding period from September to
810.30 November 2022; \$15,000,000 is for the three-month funding period from December 2022
810.31 to February 2023; and \$10,000,000 is for the three-month funding period from March to
810.32 May 2023. The commissioner shall adjust grant award amounts in accordance with the
810.33 amounts available for each three-month funding period.

811.1 (c) Of the amount allocated under paragraph (a), up to \$2,000,000 is for administrative
811.2 costs.

811.3 Sec. 18. **CHILD CARE STABILIZATION FUND ALLOCATION; CHILD CARE**
811.4 **FACILITY REVITALIZATION GRANTS.**

811.5 The commissioner of human services shall allocate \$50,000,000 in fiscal year 2022 from
811.6 the amount that Minnesota received under the American Rescue Plan Act, Public Law 117-2,
811.7 section 2202, for the child care stabilization fund for child care facility revitalization grants.
811.8 Of this amount, up to \$1,500,000 is for administrative costs. This is a onetime allocation
811.9 and is available until September 30, 2023.

811.10 Sec. 19. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES;**
811.11 **FOSTER FAMILY RECRUITMENT AND LICENSING TECHNOLOGY REQUEST**
811.12 **FOR INFORMATION.**

811.13 The commissioner of human services shall publish a request for information to identify
811.14 available technology to support foster family recruitment and training through an online
811.15 portal for potential foster families to apply for licensure online, including the potential costs
811.16 for implementing the technology. The technology shall enable relative families of foster
811.17 youth to apply online and receive real-time support through the online application software;
811.18 offer content in multiple languages; enable tracking of users' ethnic identity to identify
811.19 potential gaps in recruitment and to ensure racial equity in serving foster families; and
811.20 recognize Tribal government sovereignty over data control and recruiting and licensing of
811.21 families to support children in their community. By January 15, 2022, the commissioner
811.22 shall report to the chairs and ranking minority members of the legislative committees with
811.23 jurisdiction over human services on responses received in response to the request for
811.24 information.

- 646.29 Sec. 20. **REVISOR INSTRUCTION.**
- 646.30 The revisor of statutes shall renumber Minnesota Statutes, section 136A.128, in Minnesota
- 646.31 Statutes, chapter 119B. The revisor shall also make necessary cross-reference changes
- 646.32 consistent with the renumbering.