

691.20

ARTICLE 15

691.21

ECONOMIC ASSISTANCE POLICY

691.22 Section 1. Minnesota Statutes 2020, section 256P.04, subdivision 11, is amended to read:

691.23 Subd. 11. **Participant's completion of household report form.** (a) When a participant
691.24 is required to complete a household report form, the following paragraphs apply.

691.25 (b) If the agency receives an incomplete household report form, the agency must
691.26 immediately ~~return the incomplete form and clearly state what the participant must do for~~
691.27 ~~the form to be complete~~ contact the participant by phone or in writing to acquire the necessary
691.28 information to complete the form.

691.29 (c) The automated eligibility system must send a notice of proposed termination of
691.30 assistance to the participant if a complete household report form is not received by the
691.31 agency. The automated notice must be mailed to the participant by approximately the 16th
692.1 of the month. When a participant submits an incomplete form on or after the date a notice
692.2 of proposed termination has been sent, the termination is valid unless the participant submits
692.3 a complete form before the end of the month.

692.4 (d) The submission of a household report form is considered to have continued the
692.5 participant's application for assistance if a complete household report form is received within
692.6 a calendar month after the month in which the form was due. Assistance shall be paid for
692.7 the period beginning with the first day of that calendar month.

692.8 (e) An agency must allow good cause exemptions for a participant required to complete
692.9 a household report form when any of the following factors cause a participant to fail to
692.10 submit a completed household report form before the end of the month in which the form
692.11 is due:

692.12 (1) an employer delays completion of employment verification;

692.13 (2) the agency does not help a participant complete the household report form when the
692.14 participant asks for help;

692.15 (3) a participant does not receive a household report form due to a mistake on the part
692.16 of the department or the agency or a reported change in address;

692.17 (4) a participant is ill or physically or mentally incapacitated; or

692.18 (5) some other circumstance occurs that a participant could not avoid with reasonable
692.19 care which prevents the participant from providing a completed household report form
692.20 before the end of the month in which the form is due.

FROM SENATE ARTICLE 10.
S4410-3

252.20 Sec. 16. Minnesota Statutes 2020, section 256P.04, subdivision 11, is amended to read:

252.21 Subd. 11. **Participant's completion of household report form.** (a) When a participant
252.22 is required to complete a household report form, the following paragraphs apply.

252.23 (b) If the agency receives an incomplete household report form, the agency must
252.24 immediately ~~return the incomplete form and clearly state what the participant must do for~~
252.25 ~~the form to be complete~~ contact the participant by phone or in writing to acquire the necessary
252.26 information to complete the form.

252.27 (c) The automated eligibility system must send a notice of proposed termination of
252.28 assistance to the participant if a complete household report form is not received by the
252.29 agency. The automated notice must be mailed to the participant by approximately the 16th
252.30 of the month. When a participant submits an incomplete form on or after the date a notice
253.1 of proposed termination has been sent, the termination is valid unless the participant submits
253.2 a complete form before the end of the month.

253.3 (d) The submission of a household report form is considered to have continued the
253.4 participant's application for assistance if a complete household report form is received within
253.5 a calendar month after the month in which the form was due. Assistance shall be paid for
253.6 the period beginning with the first day of that calendar month.

253.7 (e) An agency must allow good cause exemptions for a participant required to complete
253.8 a household report form when any of the following factors cause a participant to fail to
253.9 submit a completed household report form before the end of the month in which the form
253.10 is due:

253.11 (1) an employer delays completion of employment verification;

253.12 (2) the agency does not help a participant complete the household report form when the
253.13 participant asks for help;

253.14 (3) a participant does not receive a household report form due to a mistake on the part
253.15 of the department or the agency or a reported change in address;

253.16 (4) a participant is ill or physically or mentally incapacitated; or

253.17 (5) some other circumstance occurs that a participant could not avoid with reasonable
253.18 care which prevents the participant from providing a completed household report form
253.19 before the end of the month in which the form is due.

692.21 Sec. 2. Minnesota Statutes 2021 Supplement, section 256P.06, subdivision 3, is amended
692.22 to read:

692.23 Subd. 3. **Income inclusions.** The following must be included in determining the income
692.24 of an assistance unit:

692.25 (1) earned income; and

692.26 (2) unearned income, which includes:

692.27 (i) interest and dividends from investments and savings;

692.28 (ii) capital gains as defined by the Internal Revenue Service from any sale of real property;

692.29 (iii) proceeds from rent and contract for deed payments in excess of the principal and
692.30 interest portion owed on property;

692.31 (iv) income from trusts, excluding special needs and supplemental needs trusts;

693.1 (v) interest income from loans made by the participant or household;

693.2 (vi) cash prizes and winnings;

693.3 (vii) unemployment insurance income that is received by an adult member of the
693.4 assistance unit unless the individual receiving unemployment insurance income is:

693.5 (A) 18 years of age and enrolled in a secondary school; or

693.6 (B) 18 or 19 years of age, a caregiver, and is enrolled in school at least half-time;

693.7 (viii) retirement, survivors, and disability insurance payments;

693.8 (ix) nonrecurring income over \$60 per quarter unless the nonrecurring income is: (A)
693.9 from tax refunds, tax rebates, or tax credits; (B) a reimbursement, rebate, award, grant, or
693.10 refund of personal or real property or costs or losses incurred when these payments are
693.11 made by: a public agency; a court; solicitations through public appeal; a federal, state, or
693.12 local unit of government; or a disaster assistance organization; (C) provided as an in-kind
693.13 benefit; or (D) earmarked and used for the purpose for which it was intended, subject to
693.14 verification requirements under section 256P.04;

693.15 (x) retirement benefits;

693.16 (xi) cash assistance benefits, as defined by each program in chapters 119B, 256D, 256I,
693.17 and 256J;

693.18 (xii) Tribal per capita payments unless excluded by federal and state law;

693.19 ~~(xiii) income and payments from service and rehabilitation programs that meet or exceed~~
693.20 ~~the state's minimum wage rate;~~

253.20 Sec. 17. Minnesota Statutes 2021 Supplement, section 256P.06, subdivision 3, is amended
253.21 to read:

253.22 Subd. 3. **Income inclusions.** The following must be included in determining the income
253.23 of an assistance unit:

253.24 (1) earned income; and

253.25 (2) unearned income, which includes:

253.26 (i) interest and dividends from investments and savings;

253.27 (ii) capital gains as defined by the Internal Revenue Service from any sale of real property;

253.28 (iii) proceeds from rent and contract for deed payments in excess of the principal and
253.29 interest portion owed on property;

253.30 (iv) income from trusts, excluding special needs and supplemental needs trusts;

254.1 (v) interest income from loans made by the participant or household;

254.2 (vi) cash prizes and winnings;

254.3 (vii) unemployment insurance income that is received by an adult member of the
254.4 assistance unit unless the individual receiving unemployment insurance income is:

254.5 (A) 18 years of age and enrolled in a secondary school; or

254.6 (B) 18 or 19 years of age, a caregiver, and is enrolled in school at least half-time;

254.7 (viii) retirement, survivors, and disability insurance payments;

254.8 (ix) nonrecurring income over \$60 per quarter unless the nonrecurring income is: (A)
254.9 from tax refunds, tax rebates, or tax credits; (B) a reimbursement, rebate, award, grant, or
254.10 refund of personal or real property or costs or losses incurred when these payments are
254.11 made by: a public agency; a court; solicitations through public appeal; a federal, state, or
254.12 local unit of government; or a disaster assistance organization; (C) provided as an in-kind
254.13 benefit; or (D) earmarked and used for the purpose for which it was intended, subject to
254.14 verification requirements under section 256P.04;

254.15 (x) retirement benefits;

254.16 (xi) cash assistance benefits, as defined by each program in chapters 119B, 256D, 256I,
254.17 and 256J;

254.18 (xii) Tribal per capita payments unless excluded by federal and state law;

254.19 ~~(xiii) income and payments from service and rehabilitation programs that meet or exceed~~
254.20 ~~the state's minimum wage rate;~~

693.21 ~~(xiv)~~ (xiii) income from members of the United States armed forces unless excluded
693.22 from income taxes according to federal or state law;

693.23 ~~(xv)~~ (xiv) all child support payments for programs under chapters 119B, 256D, and 256I;

693.24 ~~(xvi)~~ (xv) the amount of child support received that exceeds \$100 for assistance units
693.25 with one child and \$200 for assistance units with two or more children for programs under
693.26 chapter 256J;

693.27 ~~(xvii)~~ (xvi) spousal support; and

693.28 ~~(xviii)~~ (xvii) workers' compensation.

694.1 Sec. 3. Minnesota Statutes 2020, section 268.19, subdivision 1, is amended to read:

694.2 Subdivision 1. **Use of data.** (a) Except as provided by this section, data gathered from
694.3 any person under the administration of the Minnesota Unemployment Insurance Law are
694.4 private data on individuals or nonpublic data not on individuals as defined in section 13.02,
694.5 subdivisions 9 and 12, and may not be disclosed except according to a district court order
694.6 or section 13.05. A subpoena is not considered a district court order. These data may be
694.7 disseminated to and used by the following agencies without the consent of the subject of
694.8 the data:

694.9 (1) state and federal agencies specifically authorized access to the data by state or federal
694.10 law;

694.11 (2) any agency of any other state or any federal agency charged with the administration
694.12 of an unemployment insurance program;

694.13 (3) any agency responsible for the maintenance of a system of public employment offices
694.14 for the purpose of assisting individuals in obtaining employment;

694.15 (4) the public authority responsible for child support in Minnesota or any other state in
694.16 accordance with section 256.978;

694.17 (5) human rights agencies within Minnesota that have enforcement powers;

694.18 (6) the Department of Revenue to the extent necessary for its duties under Minnesota
694.19 laws;

694.20 (7) public and private agencies responsible for administering publicly financed assistance
694.21 programs for the purpose of monitoring the eligibility of the program's recipients;

694.22 (8) the Department of Labor and Industry and the Commerce Fraud Bureau in the
694.23 Department of Commerce for uses consistent with the administration of their duties under
694.24 Minnesota law;

694.25 (9) the Department of Human Services and the Office of Inspector General and its agents
694.26 within the Department of Human Services, including county fraud investigators, for

254.21 ~~(xiv)~~ (xiii) income from members of the United States armed forces unless excluded
254.22 from income taxes according to federal or state law;

254.23 ~~(xv)~~ (xiv) all child support payments for programs under chapters 119B, 256D, and 256I;

254.24 ~~(xvi)~~ (xv) the amount of child support received that exceeds \$100 for assistance units
254.25 with one child and \$200 for assistance units with two or more children for programs under
254.26 chapter 256J;

254.27 ~~(xvii)~~ (xvi) spousal support; and

254.28 ~~(xviii)~~ (xvii) workers' compensation.

308.11 Sec. 49. Minnesota Statutes 2020, section 268.19, subdivision 1, is amended to read:

308.12 Subdivision 1. **Use of data.** (a) Except as provided by this section, data gathered from
308.13 any person under the administration of the Minnesota Unemployment Insurance Law are
308.14 private data on individuals or nonpublic data not on individuals as defined in section 13.02,
308.15 subdivisions 9 and 12, and may not be disclosed except according to a district court order
308.16 or section 13.05. A subpoena is not considered a district court order. These data may be
308.17 disseminated to and used by the following agencies without the consent of the subject of
308.18 the data:

308.19 (1) state and federal agencies specifically authorized access to the data by state or federal
308.20 law;

308.21 (2) any agency of any other state or any federal agency charged with the administration
308.22 of an unemployment insurance program;

308.23 (3) any agency responsible for the maintenance of a system of public employment offices
308.24 for the purpose of assisting individuals in obtaining employment;

308.25 (4) the public authority responsible for child support in Minnesota or any other state in
308.26 accordance with section 256.978;

308.27 (5) human rights agencies within Minnesota that have enforcement powers;

308.28 (6) the Department of Revenue to the extent necessary for its duties under Minnesota
308.29 laws;

308.30 (7) public and private agencies responsible for administering publicly financed assistance
308.31 programs for the purpose of monitoring the eligibility of the program's recipients;

309.1 (8) the Department of Labor and Industry and the Commerce Fraud Bureau in the
309.2 Department of Commerce for uses consistent with the administration of their duties under
309.3 Minnesota law;

309.4 (9) the Department of Human Services and the Office of Inspector General and its agents
309.5 within the Department of Human Services, including county fraud investigators, for

694.27 investigations related to recipient or provider fraud and employees of providers when the
694.28 provider is suspected of committing public assistance fraud;

694.29 (10) local and state welfare agencies for monitoring the eligibility of the data subject
694.30 for assistance programs, or for any employment or training program administered by those
694.31 agencies, whether alone, in combination with another welfare agency, or in conjunction
694.32 with the department or to monitor and evaluate the statewide Minnesota family investment
695.1 program and other cash assistance programs, the Supplemental Nutrition Assistance Program,
695.2 and the Supplemental Nutrition Assistance Program Employment and Training program by
695.3 providing data on recipients and former recipients of Supplemental Nutrition Assistance
695.4 Program (SNAP) benefits, cash assistance under chapter 256, 256D, 256J, or 256K, child
695.5 care assistance under chapter 119B, or medical programs under chapter 256B or 256L or
695.6 formerly codified under chapter 256D;

695.7 (11) local and state welfare agencies for the purpose of identifying employment, wages,
695.8 and other information to assist in the collection of an overpayment debt in an assistance
695.9 program;

695.10 (12) local, state, and federal law enforcement agencies for the purpose of ascertaining
695.11 the last known address and employment location of an individual who is the subject of a
695.12 criminal investigation;

695.13 (13) the United States Immigration and Customs Enforcement has access to data on
695.14 specific individuals and specific employers provided the specific individual or specific
695.15 employer is the subject of an investigation by that agency;

695.16 (14) the Department of Health for the purposes of epidemiologic investigations;

695.17 (15) the Department of Corrections for the purposes of case planning and internal research
695.18 for preprobation, probation, and postprobation employment tracking of offenders sentenced
695.19 to probation and preconfinement and postconfinement employment tracking of committed
695.20 offenders;

695.21 (16) the state auditor to the extent necessary to conduct audits of job opportunity building
695.22 zones as required under section 469.3201; and

695.23 (17) the Office of Higher Education for purposes of supporting program improvement,
695.24 system evaluation, and research initiatives including the Statewide Longitudinal Education
695.25 Data System.

695.26 (b) Data on individuals and employers that are collected, maintained, or used by the
695.27 department in an investigation under section 268.182 are confidential as to data on individuals
695.28 and protected nonpublic data not on individuals as defined in section 13.02, subdivisions 3
695.29 and 13, and must not be disclosed except under statute or district court order or to a party
695.30 named in a criminal proceeding, administrative or judicial, for preparation of a defense.

309.6 investigations related to recipient or provider fraud and employees of providers when the
309.7 provider is suspected of committing public assistance fraud;

309.8 (10) local and state welfare agencies for monitoring the eligibility of the data subject
309.9 for assistance programs, or for any employment or training program administered by those
309.10 agencies, whether alone, in combination with another welfare agency, or in conjunction
309.11 with the department or to monitor and evaluate the statewide Minnesota family investment
309.12 program and other cash assistance programs, the Supplemental Nutrition Assistance Program
309.13 (SNAP), and the Supplemental Nutrition Assistance Program Employment and Training
309.14 program by providing data on recipients and former recipients of Supplemental Nutrition
309.15 Assistance Program (SNAP) benefits, cash assistance under chapter 256, 256D, 256J, or
309.16 256K, child care assistance under chapter 119B, or medical programs under chapter 256B
309.17 or 256L or formerly codified under chapter 256D;

309.18 (11) local and state welfare agencies for the purpose of identifying employment, wages,
309.19 and other information to assist in the collection of an overpayment debt in an assistance
309.20 program;

309.21 (12) local, state, and federal law enforcement agencies for the purpose of ascertaining
309.22 the last known address and employment location of an individual who is the subject of a
309.23 criminal investigation;

309.24 (13) the United States Immigration and Customs Enforcement has access to data on
309.25 specific individuals and specific employers provided the specific individual or specific
309.26 employer is the subject of an investigation by that agency;

309.27 (14) the Department of Health for the purposes of epidemiologic investigations;

309.28 (15) the Department of Corrections for the purposes of case planning and internal research
309.29 for preprobation, probation, and postprobation employment tracking of offenders sentenced
309.30 to probation and preconfinement and postconfinement employment tracking of committed
309.31 offenders;

309.32 (16) the state auditor to the extent necessary to conduct audits of job opportunity building
309.33 zones as required under section 469.3201; and

310.1 (17) the Office of Higher Education for purposes of supporting program improvement,
310.2 system evaluation, and research initiatives including the Statewide Longitudinal Education
310.3 Data System.

310.4 (b) Data on individuals and employers that are collected, maintained, or used by the
310.5 department in an investigation under section 268.182 are confidential as to data on individuals
310.6 and protected nonpublic data not on individuals as defined in section 13.02, subdivisions 3
310.7 and 13, and must not be disclosed except under statute or district court order or to a party
310.8 named in a criminal proceeding, administrative or judicial, for preparation of a defense.

695.31 (c) Data gathered by the department in the administration of the Minnesota unemployment
695.32 insurance program must not be made the subject or the basis for any suit in any civil
695.33 proceedings, administrative or judicial, unless the action is initiated by the department.

696.1 Sec. 4. **REVISOR INSTRUCTION.**

696.2 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column
696.3 A with the number listed in column B. The revisor shall also make necessary grammatical
696.4 and cross-reference changes consistent with the renumbering.

696.5	<u>Column A</u>	<u>Column B</u>
696.6	<u>256D.051, subdivision 20</u>	<u>256D.60, subdivision 1</u>
696.7	<u>256D.051, subdivision 21</u>	<u>256D.60, subdivision 2</u>
696.8	<u>256D.051, subdivision 22</u>	<u>256D.60, subdivision 3</u>
696.9	<u>256D.051, subdivision 23</u>	<u>256D.60, subdivision 4</u>
696.10	<u>256D.051, subdivision 24</u>	<u>256D.60, subdivision 5</u>
696.11	<u>256D.0512</u>	<u>256D.61</u>
696.12	<u>256D.0515</u>	<u>256D.62</u>
696.13	<u>256D.0516</u>	<u>256D.63</u>
696.14	<u>256D.053</u>	<u>256D.64</u>

696.15 Sec. 5. **REPEALER.**

696.16 Minnesota Statutes 2020, section 256D.055, is repealed.

310.9 (c) Data gathered by the department in the administration of the Minnesota unemployment
310.10 insurance program must not be made the subject or the basis for any suit in any civil
310.11 proceedings, administrative or judicial, unless the action is initiated by the department.