

491.9

ARTICLE 14

491.10

CHILD SUPPORT, SAFETY, AND PERMANENCY

491.11 Section 1. [245.0962] QUALITY PARENTING INITIATIVE GRANT PROGRAM.

491.12 Subdivision 1. **Establishment.** The commissioner of human services must establish a  
491.13 quality parenting initiative grant program to implement quality parenting initiative principles  
491.14 and practices to support children and families experiencing foster care placements.

491.15 Subd. 2. **Eligible applicants.** To be eligible for a grant under this section, applicants  
491.16 must be a nonprofit organization or a nongovernmental organization and must have  
491.17 experience providing training and technical assistance on how to implement quality parenting  
491.18 initiative principles and practices.

491.19 Subd. 3. **Application.** An organization seeking a grant under this section must apply to  
491.20 the commissioner in the time and manner specified by the commissioner.

491.21 Subd. 4. **Grant activities.** Grant money must be used to provide training and technical  
491.22 assistance to county and Tribal agencies, community-based agencies, and other stakeholders  
491.23 on:

491.24 (1) conducting initial foster care telephone calls under section 260C.219, subdivision 6;

491.25 (2) supporting practices that create birth family to foster family partnerships; and

491.26 (3) informing child welfare practices by supporting youth leadership and the participation  
491.27 of individuals with experience in the foster care system.

33.20

ARTICLE 2

33.21

CHILD SAFETY AND PERMANENCY

THE FOLLOWING PARAGRAPH WAS COPIED FROM H0238-3 ARTICLE 8, SECTION 2, SUBD. 18.

227.24 (h) Quality Parenting Initiative. \$100,000  
227.25 in fiscal year 2024 and \$100,000 in fiscal year  
227.26 2025 are for a grant to Quality Parenting  
227.27 Initiative Minnesota to implement quality  
227.28 parenting initiative principles and practices  
227.29 and support children and families experiencing  
227.30 foster care placements.

33.22 Section 1. [256.4792] SUPPORT BEYOND 21 GRANT PROGRAM.

33.23 Subdivision 1. **Establishment and authority.** The commissioner shall establish the  
33.24 support beyond 21 grant program to distribute grants to one or more community-based  
33.25 organizations to provide services and financial support to youth eligible for the support  
33.26 beyond 21 program under section 260C.451, subdivision 8b.

33.27 Subd. 2. **Distribution of money by the grantee.** (a) The grantee shall distribute support  
33.28 beyond 21 grant program money to eligible youth to be used for basic well-being needs and  
33.29 housing as determined solely by the youth.

34.1 (b) The grantee shall distribute support beyond 21 grant money to eligible youth on a  
34.2 monthly basis for 12 months.

- 34.3 (c) Once a youth has completed the program, the youth must receive a stipend to complete  
 34.4 an exit survey on the youth's experiences in the program.
- 34.5 (d) A grantee may not deny funding to a youth based on any criteria beyond a youth's  
 34.6 eligibility for the support beyond 21 program under section 260C.451, subdivision 8b.
- 34.7 Subd. 3. **Reporting.** The selected grantee or grantees must report quarterly to the  
 34.8 commissioner of human services in order to receive the quarterly payment. The selected  
 34.9 grantee or grantees must include the following information in a quarterly report:
- 34.10 (1) a list of eligible youth who have been referred;
- 34.11 (2) the amount of money that has been distributed to each youth per month;
- 34.12 (3) any surveys completed by youth leaving the support beyond 21 program; and
- 34.13 (4) other data as determined by the commissioner.
- 34.14 Sec. 2. **[256.4793] FAMILY FIRST PREVENTION SERVICES ACT SUPPORT**  
 34.15 **AND DEVELOPMENT GRANT PROGRAM.**
- 34.16 Subdivision 1. **Authorization.** The commissioner shall establish a grant program to  
 34.17 support prevention and early intervention services provided by community-based agencies  
 34.18 to implement and build upon Minnesota's Family First Prevention Services Act Title IV-E  
 34.19 prevention services plan.
- 34.20 Subd. 2. **Uses.** Funds granted to community-based agencies must be used to:
- 34.21 (1) implement or expand any Family First Prevention Services Act service or program  
 34.22 that is included in Minnesota's prevention services plan;
- 34.23 (2) implement or expand any proposed future Family First Prevention Services Act  
 34.24 service or program;
- 34.25 (3) implement or expand any prevention or family preservation service or programming;  
 34.26 or
- 34.27 (4) evaluate any of the above programs or services.
- 34.28 Subd. 3. **Special revenue account established.** Funds appropriated under this section  
 34.29 shall be transferred to a special revenue account. The commissioner shall retain federal  
 34.30 reimbursement generated under this section. Federal reimbursement shall be transferred to  
 34.31 the special revenue account.
- 35.13 Sec. 4. Minnesota Statutes 2022, section 256N.24, subdivision 12, is amended to read:
- 35.14 Subd. 12. **Approval of initial assessments, special assessments, and reassessments.** (a)  
 35.15 Any agency completing initial assessments, special assessments, or reassessments must  
 35.16 designate one or more supervisors or other staff to examine and approve assessments

491.28      Sec. 2. Minnesota Statutes 2022, section 256N.26, subdivision 12, is amended to read:

491.29            Subd. 12. **Treatment of Supplemental Security Income.** ~~If a child placed in foster~~  
491.30 ~~care receives benefits through Supplemental Security Income (SSI) at the time of foster~~  
491.31 ~~care placement or subsequent to placement in foster care, the financially responsible agency~~  
492.1 ~~may apply to be the payee for the child for the duration of the child's placement in foster~~  
492.2 ~~care. If a child continues to be eligible for SSI Supplemental Security Income benefits after~~  
492.3 ~~finalization of the adoption or transfer of permanent legal and physical custody and is~~  
492.4 ~~determined to be eligible for a payment under Northstar Care for Children, a permanent~~  
492.5 ~~caregiver may choose to receive payment from both programs simultaneously. The permanent~~  
492.6 ~~caregiver is responsible to report the amount of the payment to the Social Security~~  
492.7 ~~Administration and the SSI Supplemental Security Income payment will be reduced as~~  
492.8 ~~required by the Social Security Administration.~~

35.17      completed by others in the agency under subdivision 2. The person approving an assessment  
35.18      must not be the case manager or staff member completing that assessment.

35.19            (b) In cases where a special assessment or reassessment for Northstar kinship assistance  
35.20      and adoption assistance is required under subdivision 8 or 11, the commissioner shall review  
35.21      and approve the assessment as part of the eligibility determination process outlined in section  
35.22      256N.22, subdivision 7, for Northstar kinship assistance, or section 256N.23, subdivision  
35.23      7, for adoption assistance. The assessment determines the maximum of the negotiated  
35.24      agreement amount under section 256N.25.

35.25            (c) The effective date of the new rate is ~~effective the calendar month that the assessment~~  
35.26      ~~is approved, or the effective date of the agreement, whichever is later.~~ determined as follows:

35.27            (1) for initial assessments of children in foster care, the new rate is effective based on  
35.28      the emergency foster care rate for initial placement pursuant to section 256N.26, subdivision  
35.29      6;

35.30            (2) for special assessments, the new rate is effective on the date of the finalized adoption  
35.31      decree or the date of the court order that transfers permanent legal and physical custody to  
35.32      a relative;

36.1            (3) for postpermanency reassessments, the new rate is effective on the date that the  
36.2      commissioner signs the amendment to the Northstar Adoption Assistance or Northstar  
36.3      Kinship Assistance benefit agreement.

54.17      Sec. 30. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; FOSTER**  
54.18      **CARE FEDERAL CASH ASSISTANCE BENEFITS PRESERVATION.**

54.19            (a) The commissioner of human services must develop a plan to preserve and make  
54.20      available the income and resources attributable to a child in foster care to meet the best  
54.21      interests of the child. The plan must include recommendations on:

54.22            (1) policies for youth and caregiver access to preserved federal cash assistance benefit  
54.23      payments;

54.24            (2) representative payees for children in voluntary foster care for treatment pursuant to  
54.25      Minnesota Statutes, chapter 260D; and

54.26            (3) family preservation and reunification.

- 54.27 (b) For purposes of this section, "income and resources attributed to a child" means all  
54.28 benefits from programs administered by the Social Security Administration, including but  
54.29 not limited to retirement, survivors benefits, disability insurance programs, Supplemental  
54.30 Security Income, veterans benefits, and railroad retirement benefits.
- 54.31 (c) When developing the plan under this section, the commissioner shall consult or  
54.32 engage with:
- 55.1 (1) individuals or entities with experience in managing trusts and investment;
- 55.2 (2) individuals or entities with expertise in providing tax advice;
- 55.3 (3) individuals or entities with expertise in preserving assets to avoid any negative impact  
55.4 on public assistance eligibility;
- 55.5 (4) other relevant state agencies;
- 55.6 (5) Tribal social services agencies;
- 55.7 (6) counties;
- 55.8 (7) the Children's Justice Initiative;
- 55.9 (8) organizations that serve and advocate for children and families in the child protection  
55.10 system;
- 55.11 (9) parents, legal custodians, foster families, and kinship caregivers, to the extent possible;
- 55.12 (10) youth who have been or are currently in out-of-home placement; and
- 55.13 (11) other relevant stakeholders.
- 55.14 (d) By December 15, 2023, each county shall provide the following data for fiscal years  
55.15 2018 and 2021 to the commissioner or the commissioner's designee in a form prescribed  
55.16 by the commissioner:
- 55.17 (1) the nonduplicated number of children in foster care in the county who received  
55.18 income and resources attributable to a child as defined in paragraph (b);
- 55.19 (2) the number of children for whom the county was the representative payee for income  
55.20 and resources attributable to a child;
- 55.21 (3) the amount of money that the county received from income and resources attributable  
55.22 to children in out-of-home placement for whom the county served as the representative  
55.23 payee;
- 55.24 (4) the county's policies and standards regarding collection and use of this money,  
55.25 including;
- 55.26 (i) how long after a child is in out-of-home placement does the county agency become  
55.27 the representative payee;

492.9       Sec. 3. [256N.262] FOSTER CHILDREN BENEFITS TRUST.  
492.10       Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
492.11 the meanings given.  
492.12       (b) "Beneficiary" means a current or former child in foster care who is or was entitled  
492.13 to cash benefits.

55.28       (ii) the disposition of any money that exceeds the costs for out-of-home placement for  
55.29 a child;  
56.1       (iii) how the county complies with federal reporting requirements related to the use of  
56.2 income and resources attributable to a child;  
56.3       (iv) whether the county uses income and resources attributable to a child for out-of-home  
56.4 placement costs for other children who do not receive federal cash assistance benefit  
56.5 payments; and  
56.6       (v) whether the county seeks repayment of federal income and resources attributable to  
56.7 a child from the child's parents, who may have received such payments or resources while  
56.8 the child is in out-of-home placement, and the ratio of requests for repayment to money  
56.9 collected on an annual basis; and  
56.10       (5) other information as determined by the commissioner.  
56.11       (e) By January 15, 2025, the commissioner shall submit a report to the chairs and ranking  
56.12 minority members of the legislative committees with jurisdiction over human services and  
56.13 child welfare outlining the plan developed under this section. The report must include a  
56.14 projected timeline for implementing the plan, estimated implementation costs, and any  
56.15 legislative actions that may be required to implement the plan. The report must also include  
56.16 data provided by counties related to the requirements for the parent or custodian of a child  
56.17 to reimburse a county for the cost of care, examination, or treatment in subdivision (f), and  
56.18 a list of counties that failed to provide complete information and data to the commissioner  
56.19 or the commissioner's designee as required under paragraph (d).  
56.20       (f) By December 15, 2023, every county shall provide the commissioner of human  
56.21 services with the following data from fiscal years 2018 and 2021 in a form prescribed by  
56.22 the commissioner:  
56.23       (1) the nonduplicated number of cases in which the county received payments from a  
56.24 parent or custodian of a child to reimburse the cost of care, examination, or treatment; and  
56.25       (2) the total amount in payments that the county collected from a parent or custodian of  
56.26 a child to reimburse the cost of care, examination or treatment.  
56.27       (g) The commissioner may contract with an individual or entity to collect and analyze  
56.28 financial data reported by counties in paragraphs (d) and (f).

492.14 (c) "Cash benefits" means all sources of income a child in foster care is entitled to,  
492.15 including death benefits; survivor benefits; crime victim impact payments; federal cash  
492.16 benefits from programs administered by the Social Security Administration, including from  
492.17 the Supplemental Security Income and the Retirement, Survivors, Disability Insurance  
492.18 programs; and any other eligible income as determined by the Office of the Foster Youth  
492.19 Ombudsperson.

492.20 Subd. 2. **Establishment.** (a) The foster children benefits trust is established. The trust  
492.21 must be funded by appropriations to the Office of the Foster Youth Ombudsperson to  
492.22 compensate beneficiaries for cash benefits taken by a financially responsible agency to pay  
492.23 for the beneficiaries' care. The trust must be managed to ensure the stability and growth of  
492.24 the trust.

492.25 (b) All assets of the trust are held in trust for the exclusive benefit of beneficiaries. Assets  
492.26 must be held in a separate account in the state treasury to be known as the foster children  
492.27 benefits trust account or in accounts with the third-party provider selected pursuant to  
492.28 subdivision 9.

492.29 Subd. 3. **Requirements of financially responsible agencies.** (a) A financially responsible  
492.30 agency must assess whether each child the agency is responsible for is eligible to receive  
492.31 any cash benefits as soon as the custody of the child is transferred to a child placing agency  
492.32 or responsible social services agency pursuant to section 260C.201, subdivision 1, or custody  
492.33 of the child is otherwise transferred to the state.

493.1 (b) If a child placed in foster care is eligible to receive cash benefits, the financially  
493.2 responsible agency must:

493.3 (1) apply to be the payee for the child for the duration of the child's placement in foster  
493.4 care;

493.5 (2) at least monthly, transfer all cash benefits received on behalf of a beneficiary to the  
493.6 Office of the Foster Youth Ombudsperson to be deposited in the trust;

493.7 (3) at least annually, notify the Office of the Foster Youth Ombudsperson of all cash  
493.8 benefits received for each beneficiary along with documentation identifying the beneficiary  
493.9 and amounts received for the child;

493.10 (4) notify each beneficiary 18 years of age or older that the beneficiary may be entitled  
493.11 to disbursements pursuant to the foster children benefits trust and inform the child how to  
493.12 contact the Office of the Foster Youth Ombudsperson about the trust; and

493.13 (5) retain all documentation related to cash benefits received for a beneficiary for at least  
493.14 five years after the agency is no longer the beneficiary's financially responsible agency.

493.15 (c) The financially responsible agency is liable to a beneficiary for any benefit payment  
493.16 that the agency receives as payee for a beneficiary that is not included in the documentation  
493.17 sent to the Office of the Foster Youth Ombudsperson as required by this subdivision.

493.18 Subd. 4. **Deposits.** The Office of the Foster Youth Ombudsperson must deposit an  
493.19 amount equal to the cash benefits received by a financially responsible agency in a separate  
493.20 account for each beneficiary.

493.21 Subd. 5. **Ombudsperson's duties.** (a) The Office of the Foster Youth Ombudsperson  
493.22 must keep a record of the amounts deposited pursuant to subdivision 4 and all disbursements  
493.23 for each beneficiary's account.

493.24 (b) Annually, the Office of the Foster Youth Ombudsperson must determine the annual  
493.25 interest earnings of the trust, which include realized capital gains and losses.

493.26 (c) The Office of the Foster Youth Ombudsperson must apportion any annual capital  
493.27 gains earnings to the separate beneficiaries' accounts. The rate to be used in this  
493.28 apportionment, computed to the last full quarter percent, must be determined by dividing  
493.29 the capital gains earnings by the total invested assets of the trust.

493.30 (d) For each beneficiary between the ages of 14 and 18, the Office of the Foster Youth  
493.31 Ombudsperson must notify the beneficiary of the amount of cash benefits received on the  
494.1 beneficiary's behalf in the prior calendar year and the tax implications of those benefits by  
494.2 February 1 of each year.

494.3 (e) Account owner data, account data, and data on beneficiaries of accounts are private  
494.4 data on individuals or nonpublic data as defined in section 13.02.

494.5 Subd. 6. **Account protections.** (a) Trust assets are not subject to claims by creditors of  
494.6 the state, are not part of the general fund, and are not subject to appropriation by the state.

494.7 (b) Trust assets may not be used as collateral, as a part of a structured settlement, or in  
494.8 any way contracted to be paid to anyone who is not the beneficiary.

494.9 (c) Trust assets are not subject to seizure or garnishment as assets or income of the  
494.10 beneficiary.

494.11 Subd. 7. **Reports.** (a) By December 1, 2024, the Office of the Foster Youth  
494.12 Ombudsperson must submit a report to the legislative committees with jurisdiction over  
494.13 human services on the potential tax and state and federal benefit impacts of the trust and  
494.14 disbursements on beneficiaries and include recommendations on how best to minimize any  
494.15 increased tax burden or benefit reduction due to the trust.

494.16 (b) By December 1 of each year, the Office of the Foster Youth Ombudsperson must  
494.17 submit a report to the legislative committees with jurisdiction over foster youth on the cost  
494.18 of depositing into the trust pursuant to subdivision 4 and a projection for future costs.

494.19 Subd. 8. **Disbursements.** (a) Once a beneficiary has reached 18 years of age, the Office  
494.20 of the Foster Youth Ombudsperson must disburse \$700 each month to the beneficiary until  
494.21 the beneficiary's account is depleted. If the total amount remaining in a beneficiary's account

494.22 is less than \$700, the Office of the Foster Youth Ombudsperson must disburse that total  
 494.23 amount remaining to the beneficiary.

494.24 (b) With each disbursement, the Office of the Foster Youth Ombudsperson must include  
 494.25 information about the potential tax and benefits consequences of the disbursement.

494.26 (c) On petition of a minor beneficiary who is 14 years of age or older, a court may order  
 494.27 the Office of the Foster Youth Ombudsperson to deliver or pay to the beneficiary or expend  
 494.28 for the beneficiary's benefit the amount of the beneficiary's trust account as the court  
 494.29 considers advisable for the use and benefit of the beneficiary.

494.30 Subd. 9. **Administration.** The Office of the Foster Youth Ombudsperson must administer  
 494.31 the program pursuant to this section. The Office of the Foster Youth Ombudsperson may  
 494.32 contract with one or more third parties to carry out some or all of these administrative duties,  
 494.33 including managing the assets of the trust and ensuring that records are maintained.

495.1 Subd. 10. **Repayment program.** (a) No later than January 1, 2025, the Office of the  
 495.2 Foster Youth Ombudsperson must identify every person for whom a financially responsible  
 495.3 agency received cash benefits as the person's representative payee between August 1, 2018,  
 495.4 and July 31, 2023, and the amount of money diverted to the financially responsible agency  
 495.5 during that time. The Office of the Foster Youth Ombudsperson must attempt to notify  
 495.6 every individual identified in this paragraph of the individual's potential eligibility for  
 495.7 repayment pursuant to this subdivision no later than July 1, 2025.

495.8 (b) No later than January 1, 2026, the Office of the Foster Youth Ombudsperson must  
 495.9 begin accepting applications for individuals described in paragraph (a) to receive  
 495.10 compensation for cash benefits diverted to the individual's financially responsible agency  
 495.11 between August 1, 2018, and July 31, 2023. The Office of the Foster Youth Ombudsperson  
 495.12 must develop a system to process the applications and approve all applications that can  
 495.13 show that the applicant had cash benefits diverted to a financially responsible agency between  
 495.14 August 1, 2018, and July 31, 2023.

495.15 (c) For every beneficiary already enrolled in the foster youth benefits trust that the Office  
 495.16 of the Foster Youth Ombudsperson determines had cash benefits diverted to a financially  
 495.17 responsible agency between August 1, 2018, and July 31, 2023, the Office of the Foster  
 495.18 Youth Ombudsperson must deposit an amount equal to the cash benefits diverted to a  
 495.19 financially responsible agency between August 1, 2018, and July 31, 2023, into the  
 495.20 beneficiary's trust account. The Office of the Foster Youth Ombudsperson must screen  
 495.21 beneficiaries for eligibility under this paragraph automatically without requiring an  
 495.22 application from the beneficiaries.

495.23 (d) For every applicant under paragraph (b) who is not already enrolled in the foster  
 495.24 youth benefits trust, the Office of the Foster Youth Ombudsperson must directly award the  
 495.25 applicant an amount equal to the cash benefits diverted to a financially responsible agency  
 495.26 between August 1, 2018, and July 31, 2023.



495.27 (e) No later than January 31, 2025, the Office of the Foster Youth Ombudsperson must  
495.28 issue a report to the chairs and ranking minority members of the legislative committees with  
495.29 jurisdiction over foster youth. The report must include:

495.30 (1) the number of persons identified for whom a financially responsible agency received  
495.31 cash benefits as the person's representative payee between August 1, 2018, and July 31,  
495.32 2023; and

495.33 (2) the Office of the Foster Youth Ombudsperson's plan for notifying eligible persons  
495.34 described in paragraph (a).

496.1 Subd. 11. **Rulemaking authority.** The Office of the Foster Youth Ombudsperson is  
496.2 authorized, subject to the provisions of chapter 14, to make rules necessary to the operation  
496.3 of the foster youth benefits trust and repayment program and to aid in performing its  
496.4 administrative duties and ensuring an equitable result for beneficiaries and former foster  
496.5 youths.

496.6 Sec. 4. **[260.014] FAMILY FIRST PREVENTION AND EARLY INTERVENTION**  
496.7 **ALLOCATION PROGRAM.**

496.8 Subdivision 1. **Authorization.** The commissioner shall establish a program that allocates  
496.9 money to counties and federally recognized Tribes in Minnesota to provide prevention and  
496.10 early intervention services.

496.11 Subd. 2. **Uses.** (a) Money allocated to counties and Tribes may be used for the following  
496.12 purposes:

496.13 (1) to implement or expand any Family First Prevention Services Act service or program  
496.14 that is included in the state's prevention plan;

496.15 (2) to implement or expand any proposed Family First Prevention Services Act service  
496.16 or program;

496.17 (3) to implement or expand any existing Family First Prevention Services Act service  
496.18 or programming; and

496.19 (4) any other use approved by the commissioner.

496.20 A county or a Tribe must use at least ten percent of the allocation to provide services and  
496.21 supports directly to families.

496.22 Subd. 3. **Payments.** (a) The commissioner shall allocate state money appropriated under  
496.23 this section to each county board or Tribe on a calendar-year basis using a formula established  
496.24 by the commissioner.

496.25 (b) Notwithstanding this subdivision, to the extent that money is available, no county  
496.26 or Tribe shall be allocated less than:

36.4 Sec. 5. **[260.014] FAMILY FIRST PREVENTION AND EARLY INTERVENTION**  
36.5 **ALLOCATION PROGRAM.**

36.6 Subdivision 1. **Authorization.** The commissioner shall establish a program that allocates  
36.7 money to counties and federally recognized Tribes in Minnesota to provide prevention and  
36.8 early intervention services under the Family First Prevention Services Act.

36.9 Subd. 2. **Uses.** (a) Money allocated to counties and Tribes may be used for the following  
36.10 purposes:

36.11 (1) to implement or expand any service or program that is included in the state's  
36.12 prevention plan;

36.13 (2) to implement or expand any proposed service or program;

36.14 (3) to implement or expand any existing service or program; and

36.15 (4) any other use approved by the commissioner.

36.16 A county or a Tribe must use at least ten percent of the allocation to provide services and  
36.17 supports directly to families.

36.18 Subd. 3. **Payments.** (a) The commissioner shall allocate state money appropriated under  
36.19 this section to each county board or Tribe on a calendar-year basis using a formula established  
36.20 by the commissioner.

36.21 (b) Notwithstanding this subdivision, to the extent that money is available, no county  
36.22 or Tribe may be allocated less than:

496.27        (1) \$25,000 in calendar year 2024;  
496.28        (2) \$50,000 in calendar year 2025; and  
496.29        (3) \$75,000 in calendar year 2026 and each year thereafter.  
496.30        (c) A county agency or an initiative Tribe must submit a plan and report the use of money  
496.31 as determined by the commissioner.  
497.1        (d) The commissioner may distribute money under this section for a two-year period.  
497.2        Subd. 4. **Prohibition on supplanting existing money.** Money received under this section  
497.3 must be used to address prevention and early intervention staffing, programming, and other  
497.4 activities as determined by the commissioner. Money must not be used to supplant current  
497.5 county or Tribal expenditures for these purposes.  
497.6        Sec. 5. **[260.0141] FAMILY FIRST PREVENTION SERVICES ACT KINSHIP**  
497.7 **NAVIGATOR GRANT PROGRAM.**  
497.8        Subdivision 1. **Establishment.** The commissioner of human services must establish a  
497.9 kinship navigator grant program as outlined by the federal Family First Prevention Services  
497.10 Act.  
497.11        Subd. 2. **Uses.** Eligible grantees must use grant funds to assess and provide support to  
497.12 meet kinship caregiver needs, provide connection to local and statewide resources, and  
497.13 provide case management to assist with complex cases.  
  
497.14        Sec. 6. Minnesota Statutes 2022, section 260.761, subdivision 2, as amended by Laws  
497.15 2023, chapter 16, section 16, is amended to read:  
497.16        Subd. 2. **Notice to Tribes of services or court proceedings involving an Indian**  
497.17 **child.** (a) When a child-placing agency has information that a family assessment ~~or,~~  
497.18 investigation, ~~or noncaregiver sex trafficking assessment~~ being conducted may involve an  
497.19 Indian child, the child-placing agency shall notify the Indian child's Tribe of the family  
497.20 assessment ~~or,~~ investigation, ~~or noncaregiver sex trafficking assessment~~ according to section  
497.21 260E.18. The child-placing agency shall provide initial notice ~~shall be provided~~ by telephone  
497.22 and by email or facsimile and shall include the child's full name and date of birth; the full  
497.23 names and dates of birth of the child's biological parents; and if known the full names and  
497.24 dates of birth of the child's grandparents and of the child's Indian custodian. If information  
497.25 regarding the child's grandparents or Indian custodian is not immediately available, the  
497.26 child-placing agency shall continue to request this information and shall notify the Tribe  
497.27 when it is received. Notice shall be provided to all Tribes to which the child may have any  
497.28 Tribal lineage. The child-placing agency shall request that the Tribe or a designated Tribal

36.23        (1) \$25,000 in calendar year 2024;  
36.24        (2) \$50,000 in calendar year 2025; and  
36.25        (3) \$75,000 in calendar year 2026 and each year thereafter.  
36.26        (c) A county agency or an initiative Tribe must submit a plan and report the use of money  
36.27 as determined by the commissioner.  
36.28        (d) The commissioner may distribute money under this section for a two-year period.  
36.29        Subd. 4. **Prohibition on supplanting existing money.** Money received under this section  
36.30 must be used to address prevention and early intervention staffing, programming, and other  
37.1 activities as determined by the commissioner. Money must not be used to supplant current  
37.2 county or Tribal expenditures for these purposes.  
35.1        Sec. 3. **[256.4794] FAMILY FIRST PREVENTION SERVICES ACT KINSHIP**  
35.2 **NAVIGATOR PROGRAM.**  
35.3        Subdivision 1. **Authorization.** The commissioner shall establish a grant program for  
35.4 Kinship Navigator programs as outlined by the federal Family First Prevention Services  
35.5 Act.  
35.6        Subd. 2. **Uses.** Eligible grantees must use funds to assess kinship caregiver needs, provide  
35.7 connection to local and statewide resources, provide case management to assist with complex  
35.8 cases, and provide support to meet caregiver needs.  
35.9        Subd. 3. **Special revenue account established.** Funds appropriated under this section  
35.10 shall be transferred to a special revenue account. The commissioner shall retain federal  
35.11 reimbursement generated under this section. Federal reimbursement shall be transferred to  
35.12 the special revenue account.  
37.3        Sec. 6. Minnesota Statutes 2022, section 260.761, subdivision 2, as amended by Laws  
37.4 2023, chapter 16, section 16, is amended to read:  
37.5        Subd. 2. **Notice to Tribes of services or court proceedings involving an Indian**  
37.6 **child.** (a) When a child-placing agency has information that a family assessment ~~or,~~  
37.7 investigation, ~~or noncaregiver sex trafficking assessment~~ being conducted may involve an  
37.8 Indian child, the child-placing agency shall notify the Indian child's Tribe of the family  
37.9 assessment ~~or,~~ investigation, ~~or noncaregiver sex trafficking assessment~~ according to section  
37.10 260E.18. The child-placing agency shall provide initial notice ~~shall be provided~~ by telephone  
37.11 and by email or facsimile and shall include the child's full name and date of birth; the full  
37.12 names and dates of birth of the child's biological parents; and if known the full names and  
37.13 dates of birth of the child's grandparents and of the child's Indian custodian. If information  
37.14 regarding the child's grandparents or Indian custodian is not immediately available, the  
37.15 child-placing agency shall continue to request this information and shall notify the Tribe  
37.16 when it is received. Notice shall be provided to all Tribes to which the child may have any  
37.17 Tribal lineage. The child-placing agency shall request that the Tribe or a designated Tribal

497.29 representative participate in evaluating the family circumstances, identifying family and  
 497.30 Tribal community resources, and developing case plans. The child-placing agency shall  
 497.31 continue to include the Tribe in service planning and updates as to the progress of the case.

497.32 (b) When a child-placing agency has information that a child receiving services may be  
 497.33 an Indian child, the child-placing agency shall notify the Tribe by telephone and by email  
 498.1 or facsimile of the child's full name and date of birth, the full names and dates of birth of  
 498.2 the child's biological parents, and, if known, the full names and dates of birth of the child's  
 498.3 grandparents and of the child's Indian custodian. This notification must be provided ~~so~~ for  
 498.4 the Tribe ~~can~~ to determine if the child is a member or eligible for Tribal membership ~~in the~~  
 498.5 Tribe, and ~~must be provided~~ the agency must provide the notification to the Tribe within  
 498.6 seven days of receiving information that the child may be an Indian child. If information  
 498.7 regarding the child's grandparents or Indian custodian is not available within the seven-day  
 498.8 period, the child-placing agency shall continue to request this information and shall notify  
 498.9 the Tribe when it is received. Notice shall be provided to all Tribes to which the child may  
 498.10 have any Tribal lineage.

498.11 (c) In all child placement proceedings, when a court has reason to believe that a child  
 498.12 placed in emergency protective care is an Indian child, the court administrator or a designee  
 498.13 shall, as soon as possible and before a hearing takes place, notify the Tribal social services  
 498.14 agency by telephone and by email or facsimile of the date, time, and location of the  
 498.15 emergency protective care or other initial hearing. The court shall make efforts to allow  
 498.16 appearances by telephone or video conference for Tribal representatives, parents, and Indian  
 498.17 custodians.

498.18 (d) The child-placing agency or individual petitioner shall effect service of any petition  
 498.19 governed by sections 260.751 to 260.835 by certified mail or registered mail, return receipt  
 498.20 requested upon the Indian child's parents, Indian custodian, and Indian child's Tribe at least  
 498.21 10 days before the admit-deny hearing is held. If the identity or location of the Indian child's  
 498.22 parents or Indian custodian and Tribe cannot be determined, the child-placing agency shall  
 498.23 provide the notice required in this paragraph to the United States Secretary of the Interior,  
 498.24 Bureau of Indian Affairs by certified mail, return receipt requested.

498.25 (e) A Tribe, the Indian child's parents, or the Indian custodian may request up to 20  
 498.26 additional days to prepare for the admit-deny hearing. The court shall allow appearances  
 498.27 by telephone, video conference, or other electronic medium for Tribal representatives, the  
 498.28 Indian child's parents, or the Indian custodian.

498.29 (f) A child-placing agency or individual petitioner must provide the notices required  
 498.30 under this subdivision at the earliest possible time to facilitate involvement of the Indian  
 498.31 child's Tribe. Nothing in this subdivision is intended to hinder the ability of the child-placing  
 498.32 agency, individual petitioner, and the court to respond to an emergency situation. Lack of  
 498.33 participation by a Tribe shall not prevent the Tribe from intervening in services and  
 498.34 proceedings at a later date. A Tribe may participate in a case at any time. At any stage of  
 498.35 the child-placing agency's involvement with an Indian child, the agency shall provide full  
 499.1 cooperation to the Tribal social services agency, including disclosure of all data concerning

37.18 representative participate in evaluating the family circumstances, identifying family and  
 37.19 Tribal community resources, and developing case plans. The child-placing agency shall  
 37.20 continue to include the Tribe in service planning and updates as to the progress of the case.

37.21 (b) When a child-placing agency has information that a child receiving services may be  
 37.22 an Indian child, the child-placing agency shall notify the Tribe by telephone and by email  
 37.23 or facsimile of the child's full name and date of birth, the full names and dates of birth of  
 37.24 the child's biological parents, and, if known, the full names and dates of birth of the child's  
 37.25 grandparents and of the child's Indian custodian. This notification must be provided ~~so~~ for  
 37.26 the Tribe ~~can~~ to determine if the child is a member or eligible for Tribal membership ~~in the~~  
 37.27 Tribe, and ~~must be provided~~ the agency must provide this notification to the Tribe within  
 37.28 seven days of receiving information that the child may be an Indian child. If information  
 37.29 regarding the child's grandparents or Indian custodian is not available within the seven-day  
 37.30 period, the child-placing agency shall continue to request this information and shall notify  
 37.31 the Tribe when it is received. Notice shall be provided to all Tribes to which the child may  
 37.32 have any Tribal lineage.

37.33 (c) In all child placement proceedings, when a court has reason to believe that a child  
 37.34 placed in emergency protective care is an Indian child, the court administrator or a designee  
 38.1 shall, as soon as possible and before a hearing takes place, notify the Tribal social services  
 38.2 agency by telephone and by email or facsimile of the date, time, and location of the  
 38.3 emergency protective care or other initial hearing. The court shall make efforts to allow  
 38.4 appearances by telephone or video conference for Tribal representatives, parents, and Indian  
 38.5 custodians.

38.6 (d) The child-placing agency or individual petitioner shall effect service of any petition  
 38.7 governed by sections 260.751 to 260.835 by certified mail or registered mail, return receipt  
 38.8 requested upon the Indian child's parents, Indian custodian, and Indian child's Tribe at least  
 38.9 10 days before the admit-deny hearing is held. If the identity or location of the Indian child's  
 38.10 parents or Indian custodian and Tribe cannot be determined, the child-placing agency shall  
 38.11 provide the notice required in this paragraph to the United States Secretary of the Interior,  
 38.12 Bureau of Indian Affairs by certified mail, return receipt requested.

38.13 (e) A Tribe, the Indian child's parents, or the Indian custodian may request up to 20  
 38.14 additional days to prepare for the admit-deny hearing. The court shall allow appearances  
 38.15 by telephone, video conference, or other electronic medium for Tribal representatives, the  
 38.16 Indian child's parents, or the Indian custodian.

38.17 (f) A child-placing agency or individual petitioner must provide the notices required  
 38.18 under this subdivision at the earliest possible time to facilitate involvement of the Indian  
 38.19 child's Tribe. Nothing in this subdivision is intended to hinder the ability of the child-placing  
 38.20 agency, individual petitioner, and the court to respond to an emergency situation. Lack of  
 38.21 participation by a Tribe shall not prevent the Tribe from intervening in services and  
 38.22 proceedings at a later date. A Tribe may participate in a case at any time. At any stage of  
 38.23 the child-placing agency's involvement with an Indian child, the agency shall provide full  
 38.24 cooperation to the Tribal social services agency, including disclosure of all data concerning

499.2 the Indian child. Nothing in this subdivision relieves the child-placing agency of satisfying  
499.3 the notice requirements in state or federal law.

499.4 Sec. 7. Minnesota Statutes 2022, section 260C.007, subdivision 6, is amended to read:

499.5 Subd. 6. **Child in need of protection or services.** "Child in need of protection or  
499.6 services" means a child who is in need of protection or services because the child:

499.7 (1) is abandoned or without parent, guardian, or custodian;

499.8 (2)(i) has been a victim of physical or sexual abuse as defined in section 260E.03,  
499.9 subdivision 18 or 20, (ii) resides with or has resided with a victim of child abuse as defined  
499.10 in subdivision 5 or domestic child abuse as defined in subdivision 13, (iii) resides with or  
499.11 would reside with a perpetrator of domestic child abuse as defined in subdivision 13 or child  
499.12 abuse as defined in subdivision 5 or 13, or (iv) is a victim of emotional maltreatment as  
499.13 defined in subdivision 15;

499.14 (3) is without necessary food, clothing, shelter, education, or other required care for the  
499.15 child's physical or mental health or morals because the child's parent, guardian, or custodian  
499.16 is unable or unwilling to provide that care;

38.25 the Indian child. Nothing in this subdivision relieves the child-placing agency of satisfying  
38.26 the notice requirements in state or federal law.

38.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

38.28 Sec. 7. **[260.786] CHILD WELFARE STAFF ALLOCATION FOR TRIBES.**

38.29 Subdivision 1. **Allocations.** The commissioner shall allocate \$80,000 annually to each  
38.30 of Minnesota's federally recognized Tribes that, at the beginning of the fiscal year, have not  
38.31 joined the American Indian Child welfare initiative under section 256.01, subdivision 14b.  
38.32 Tribes not participating in or planning to join the initiative as of July 1, 2023, are: Bois Fort  
38.33 Band of Chippewa, Fond du Lac Band of Lake Superior Chippewa, Grand Portage Band  
39.1 of Lake Superior Chippewa, Lower Sioux Indian Community, Prairie Island Indian  
39.2 Community, and Upper Sioux Indian Community.

39.3 Subd. 2. **Purposes.** Money must be used to address staffing for responding to notifications  
39.4 under the Indian Child Welfare Act and the Minnesota Indian Family Preservation Act, to  
39.5 the extent necessary, or to provide other child protection and child welfare services. Money  
39.6 must not be used to supplant current Tribal expenditures for these purposes.

39.7 Subd. 3. **Reporting.** By June 1 each year, Tribes receiving this money shall provide a  
39.8 report to the commissioner. The report shall be written in a manner prescribed by the  
39.9 commissioner and must include an accounting of money spent, staff hired, job duties, and  
39.10 other information as required by the commissioner.

39.11 Subd. 4. **Redistribution of money.** If a Tribe joins the American Indian child welfare  
39.12 initiative, the payment for that Tribe shall be distributed equally among the remaining Tribes  
39.13 receiving an allocation under this section.

499.17 (4) is without the special care made necessary by a physical, mental, or emotional  
499.18 condition because the child's parent, guardian, or custodian is unable or unwilling to provide  
499.19 that care. Parents of children reported to be in an emergency department or hospital setting  
499.20 due to mental health or a disability who cannot be safely discharged to their family and are  
499.21 unable to access necessary services must not be viewed as unable or unwilling to provide  
499.22 care unless there are other factors present;

499.23 (5) is medically neglected, which includes, but is not limited to, the withholding of  
499.24 medically indicated treatment from an infant with a disability with a life-threatening  
499.25 condition. The term "withholding of medically indicated treatment" means the failure to  
499.26 respond to the infant's life-threatening conditions by providing treatment, including  
499.27 appropriate nutrition, hydration, and medication which, in the treating physician's, advanced  
499.28 practice registered nurse's, or physician assistant's reasonable medical judgment, will be  
499.29 most likely to be effective in ameliorating or correcting all conditions, except that the term  
499.30 does not include the failure to provide treatment other than appropriate nutrition, hydration,  
499.31 or medication to an infant when, in the treating physician's, advanced practice registered  
499.32 nurse's, or physician assistant's reasonable medical judgment:

499.33 (i) the infant is chronically and irreversibly comatose;

500.1 (ii) the provision of the treatment would merely prolong dying, not be effective in  
500.2 ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be  
500.3 futile in terms of the survival of the infant; or

500.4 (iii) the provision of the treatment would be virtually futile in terms of the survival of  
500.5 the infant and the treatment itself under the circumstances would be inhumane;

500.6 (6) is one whose parent, guardian, or other custodian for good cause desires to be relieved  
500.7 of the child's care and custody, including a child who entered foster care under a voluntary  
500.8 placement agreement between the parent and the responsible social services agency under  
500.9 section 260C.227;

500.10 (7) has been placed for adoption or care in violation of law;

500.11 (8) is without proper parental care because of the emotional, mental, or physical disability,  
500.12 or state of immaturity of the child's parent, guardian, or other custodian;

500.13 (9) is one whose behavior, condition, or environment is such as to be injurious or  
500.14 dangerous to the child or others. An injurious or dangerous environment may include, but  
500.15 is not limited to, the exposure of a child to criminal activity in the child's home;

500.16 (10) is experiencing growth delays, which may be referred to as failure to thrive, that  
500.17 have been diagnosed by a physician and are due to parental neglect;

500.18 (11) is a sexually exploited youth;

500.19 (12) has committed a delinquent act or a juvenile petty offense before becoming ten  
500.20 years old;

500.21 (13) is a runaway;

500.22 (14) is a habitual truant;

500.23 (15) has been found incompetent to proceed or has been found not guilty by reason of

500.24 mental illness or mental deficiency in connection with a delinquency proceeding, a

500.25 certification under section 260B.125, an extended jurisdiction juvenile prosecution, or a

500.26 proceeding involving a juvenile petty offense; or

500.27 (16) has a parent whose parental rights to one or more other children were involuntarily

500.28 terminated or whose custodial rights to another child have been involuntarily transferred to

500.29 a relative and there is a case plan prepared by the responsible social services agency

500.30 documenting a compelling reason why filing the termination of parental rights petition under

500.31 section 260C.503, subdivision 2, is not in the best interests of the child.

501.1 Sec. 8. Minnesota Statutes 2022, section 260C.007, subdivision 14, is amended to read:

501.2 Subd. 14. **Egregious harm.** "Egregious harm" means the infliction of bodily harm to a

501.3 child or neglect of a child which demonstrates a grossly inadequate ability to provide

501.4 minimally adequate parental care. The egregious harm need not have occurred in the state

501.5 or in the county where a termination of parental rights action is otherwise properly venued,

501.6 has proper venue. Egregious harm includes, but is not limited to:

501.7 (1) conduct ~~towards~~ toward a child that constitutes a violation of sections 609.185 to

501.8 609.2114, 609.222, subdivision 2, 609.223, or any other similar law of any other state;

501.9 (2) the infliction of "substantial bodily harm" to a child, as defined in section 609.02,

501.10 subdivision 7a;

501.11 (3) conduct ~~towards~~ toward a child that constitutes felony malicious punishment of a

501.12 child under section 609.377;

501.13 (4) conduct ~~towards~~ toward a child that constitutes felony unreasonable restraint of a

501.14 child under section 609.255, subdivision 3;

501.15 (5) conduct ~~towards~~ toward a child that constitutes felony neglect or endangerment of

501.16 a child under section 609.378;

501.17 (6) conduct ~~towards~~ toward a child that constitutes assault under section 609.221, 609.222,

501.18 or 609.223;

501.19 (7) conduct ~~towards~~ toward a child that constitutes sex trafficking, solicitation,

501.20 inducement, ~~or~~ promotion of, or receiving profit derived from prostitution under section

501.21 609.322;

501.22 (8) conduct ~~towards~~ toward a child that constitutes murder or voluntary manslaughter

501.23 as defined by United States Code, title 18, section 1111(a) or 1112(a);

39.14 Sec. 8. Minnesota Statutes 2022, section 260C.007, subdivision 14, is amended to read:

39.15 Subd. 14. **Egregious harm.** "Egregious harm" means the infliction of bodily harm to a

39.16 child or neglect of a child which demonstrates a grossly inadequate ability to provide

39.17 minimally adequate parental care. The egregious harm need not have occurred in the state

39.18 or in the county where a termination of parental rights action is otherwise properly venued,

39.19 has proper venue. Egregious harm includes, but is not limited to:

39.20 (1) conduct ~~towards~~ toward a child that constitutes a violation of sections 609.185 to

39.21 609.2114, 609.222, subdivision 2, 609.223, or any other similar law of any other state;

39.22 (2) the infliction of "substantial bodily harm" to a child, as defined in section 609.02,

39.23 subdivision 7a;

39.24 (3) conduct ~~towards~~ toward a child that constitutes felony malicious punishment of a

39.25 child under section 609.377;

39.26 (4) conduct ~~towards~~ toward a child that constitutes felony unreasonable restraint of a

39.27 child under section 609.255, subdivision 3;

39.28 (5) conduct ~~towards~~ toward a child that constitutes felony neglect or endangerment of

39.29 a child under section 609.378;

39.30 (6) conduct ~~towards~~ toward a child that constitutes assault under section 609.221, 609.222,

39.31 or 609.223;

40.1 (7) conduct ~~towards~~ toward a child that constitutes sex trafficking, solicitation,

40.2 inducement, ~~or~~ promotion of, or receiving profit derived from prostitution under section

40.3 609.322;

40.4 (8) conduct ~~towards~~ toward a child that constitutes murder or voluntary manslaughter

40.5 as defined by United States Code, title 18, section 1111(a) or 1112(a);

501.24 (9) conduct ~~towards~~ toward a child that constitutes aiding or abetting, attempting,  
501.25 conspiring, or soliciting to commit a murder or voluntary manslaughter that constitutes a  
501.26 violation of United States Code, title 18, section 1111(a) or 1112(a); or

501.27 (10) conduct toward a child that constitutes criminal sexual conduct under sections  
501.28 609.342 to 609.345 or sexual extortion under section 609.3458.

40.6 (9) conduct ~~towards~~ toward a child that constitutes aiding or abetting, attempting,  
40.7 conspiring, or soliciting to commit a murder or voluntary manslaughter that constitutes a  
40.8 violation of United States Code, title 18, section 1111(a) or 1112(a); or

40.9 (10) conduct toward a child that constitutes criminal sexual conduct under sections  
40.10 609.342 to 609.345 or sexual extortion under section 609.3458.

40.11 Sec. 9. Minnesota Statutes 2022, section 260C.221, subdivision 1, is amended to read:

40.12 Subdivision 1. **Relative search requirements.** (a) The responsible social services agency  
40.13 shall exercise due diligence to identify and notify adult relatives, as defined in section  
40.14 260C.007, subdivision 27, and current caregivers of a child's sibling, prior to placement or  
40.15 within 30 days after the child's removal from the parent, regardless of whether a child is  
40.16 placed in a relative's home, as required under subdivision 2. The relative search required  
40.17 by this section shall be comprehensive in scope.

40.18 (b) The relative search required by this section shall include both maternal and paternal  
40.19 adult relatives of the child; all adult grandparents; all legal parents, guardians, or custodians  
40.20 of the child's siblings; and any other adult relatives suggested by the child's parents, subject  
40.21 to the exceptions due to family violence in subdivision 5, paragraph (b). The search shall  
40.22 also include getting information from the child in an age-appropriate manner about who the  
40.23 child considers to be family members and important friends with whom the child has resided  
40.24 or had significant contact. The relative search required under this section must fulfill the  
40.25 agency's duties under the Indian Child Welfare Act regarding active efforts to prevent the  
40.26 breakup of the Indian family under United States Code, title 25, section 1912(d), and to  
40.27 meet placement preferences under United States Code, title 25, section 1915.

40.28 (c) The responsible social services agency has a continuing responsibility to search for  
40.29 and identify relatives of a child and send the notice to relatives that is required under  
40.30 subdivision 2, unless the court has relieved the agency of this duty under subdivision 5,  
40.31 paragraph (e).

41.1 Sec. 10. Minnesota Statutes 2022, section 260C.317, subdivision 3, is amended to read:

41.2 Subd. 3. **Order; retention of jurisdiction.** (a) A certified copy of the findings and the  
41.3 order terminating parental rights, and a summary of the court's information concerning the  
41.4 child shall be furnished by the court to the commissioner or the agency to which guardianship  
41.5 is transferred.

41.6 (b) The orders shall be on a document separate from the findings. The court shall furnish  
41.7 the guardian a copy of the order terminating parental rights.

41.8 (c) When the court orders guardianship pursuant to this section, the guardian ad litem  
41.9 and counsel for the child shall continue on the case until an adoption decree is entered. An  
41.10 in-court appearance hearing must be held every 90 days following termination of parental  
41.11 rights for the court to review progress toward an adoptive placement and the specific  
41.12 recruitment efforts the agency has taken to find an adoptive family for the child and to



- 41.13 finalize the adoption or other permanency plan. Review of the progress toward adoption of  
41.14 a child under guardianship of the commissioner of human services shall be conducted  
41.15 according to section 260C.607.
- 41.16 (d) Upon terminating parental rights or upon a parent's consent to adoption under  
41.17 ~~Minnesota Statutes 2010, section 260C.201, subdivision 11, or section 260C.515, subdivision~~  
41.18 ~~5 3,~~ resulting in an order for guardianship to the commissioner of human services, the court  
41.19 shall retain jurisdiction:
- 41.20 (1) until the child is adopted;
- 41.21 (2) through the child's minority; or
- 41.22 (3) as long as the child continues in or reenters foster care, until the individual becomes  
41.23 21 years of age according to sections 260C.193, subdivision 6, and 260C.451.
- 41.24 Sec. 11. ~~Minnesota Statutes 2022, section 260C.451, is amended by adding a subdivision~~  
41.25 ~~to read:~~
- 41.26 Subd. 8a. **Transition planning.** (a) For a youth who will be discharged from foster care  
41.27 at 21 years of age or older, the responsible social services agency must develop an individual  
41.28 transition plan as directed by the youth during the 180-day period immediately prior to the  
41.29 youth's expected date of discharge according to section 260C.452, subdivision 4. The youth's  
41.30 individual transition plan may be shared with a contracted agency providing case management  
41.31 services to the youth under section 260C.452.
- 42.1 (b) As part of transition planning, the responsible social services agency must inform a  
42.2 youth preparing to leave extended foster care of the youth's eligibility for the support beyond  
42.3 21 program under subdivision 8b and must include that program in the individual transition  
42.4 plan for the eligible youth. Consistent with section 13.46, the local social services agency  
42.5 or initiative Tribe must refer a youth to the support beyond 21 program by providing the  
42.6 contracted agency with the youth's contact information.
- 42.7 Sec. 12. ~~Minnesota Statutes 2022, section 260C.451, is amended by adding a subdivision~~  
42.8 ~~to read:~~
- 42.9 Subd. 8b. **Support beyond 21 program.** (a) The commissioner shall establish the support  
42.10 beyond 21 program to provide financial assistance to a youth leaving foster care to help  
42.11 ensure that the youth's basic needs are met as the youth transitions into adulthood.
- 42.12 (b) An individual who has left extended foster care and was discharged at the age of 21  
42.13 under subdivision 3 is eligible for the support beyond 21 program.
- 42.14 (c) An eligible youth receiving benefits under the support beyond 21 program is also  
42.15 eligible for the successful transition to adulthood program under section 260C.452.



42.16 (d) A youth who transitions to adult residential services under section 256B.092 or  
 42.17 256B.49 or a youth in a correctional facility licensed under section 241.021 is not eligible  
 42.18 for the support beyond 21 program.

42.19 (e) To the extent that money is available under section 256.4792, an eligible youth who  
 42.20 participates in the support beyond 21 program must receive monthly financial assistance  
 42.21 for 12 months after the youth is discharged from extended foster care under subdivision 3.  
 42.22 The money is available to assist the youth in meeting basic well-being and housing needs  
 42.23 as determined solely by the youth. A grantee must reduce monthly payments quarterly.  
 42.24 Payments must be made by a grantee according to the requirements of section 256.4792.

42.25 Sec. 13. Minnesota Statutes 2022, section 260C.704, is amended to read:

42.26 **260C.704 REQUIREMENTS FOR THE QUALIFIED INDIVIDUAL'S**  
 42.27 **ASSESSMENT OF THE CHILD FOR PLACEMENT IN A QUALIFIED**  
 42.28 **RESIDENTIAL TREATMENT PROGRAM.**

42.29 (a) A qualified individual must complete an assessment of the child prior to the child's  
 42.30 placement in a qualified residential treatment program in a format approved by the  
 42.31 commissioner of human services unless, due to a crisis, the child must immediately be  
 42.32 placed in a qualified residential treatment program. When a child must immediately be  
 43.1 placed in a qualified residential treatment program without an assessment, the qualified  
 43.2 individual must complete the child's assessment within 30 days of the child's placement.  
 43.3 The qualified individual must:

43.4 (1) assess the child's needs and strengths, using an age-appropriate, evidence-based,  
 43.5 validated, functional assessment approved by the commissioner of human services;

43.6 (2) determine whether the child's needs can be met by the child's family members or  
 43.7 through placement in a family foster home; or, if not, determine which residential setting  
 43.8 would provide the child with the most effective and appropriate level of care to the child  
 43.9 in the least restrictive environment;

43.10 (3) develop a list of short- and long-term mental and behavioral health goals for the  
 43.11 child; and

43.12 (4) work with the child's family and permanency team using culturally competent  
 43.13 practices.

43.14 If a level of care determination was conducted under section 245.4885, that information  
 43.15 must be shared with the qualified individual and the juvenile treatment screening team.

43.16 (b) The child and the child's parents, when appropriate, may request that a specific  
 43.17 culturally competent qualified individual complete the child's assessment. The agency shall  
 43.18 make efforts to refer the child to the identified qualified individual to complete the  
 43.19 assessment. The assessment must not be delayed for a specific qualified individual to  
 43.20 complete the assessment.

43.21 (c) The qualified individual must provide the assessment, when complete, to the  
43.22 responsible social services agency. If the assessment recommends placement of the child  
43.23 in a qualified residential treatment facility, the agency must distribute the assessment to the  
43.24 child's parent or legal guardian and file the assessment with the court report as required in  
43.25 section 260C.71, subdivision 2. If the assessment does not recommend placement in a  
43.26 qualified residential treatment facility, the agency must provide a copy of the assessment  
43.27 to the parents or legal guardians and the guardian ad litem and file the assessment  
43.28 determination with the court at the next required hearing as required in section 260C.71,  
43.29 subdivision 5. If court rules and chapter 13 permit disclosure of the results of the child's  
43.30 assessment, the agency may share the results of the child's assessment with the child's foster  
43.31 care provider, other members of the child's family, and the family and permanency team.  
43.32 The agency must not share the child's private medical data with the family and permanency  
43.33 team unless: (1) chapter 13 permits the agency to disclose the child's private medical data  
44.1 to the family and permanency team; or (2) the child's parent has authorized the agency to  
44.2 disclose the child's private medical data to the family and permanency team.

44.3 (d) For an Indian child, the assessment of the child must follow the order of placement  
44.4 preferences in the Indian Child Welfare Act of 1978, United States Code, title 25, section  
44.5 1915.

44.6 (e) In the assessment determination, the qualified individual must specify in writing:

44.7 (1) the reasons why the child's needs cannot be met by the child's family or in a family  
44.8 foster home. A shortage of family foster homes is not an acceptable reason for determining  
44.9 that a family foster home cannot meet a child's needs;

44.10 (2) why the recommended placement in a qualified residential treatment program will  
44.11 provide the child with the most effective and appropriate level of care to meet the child's  
44.12 needs in the least restrictive environment possible and how placing the child at the treatment  
44.13 program is consistent with the short-term and long-term goals of the child's permanency  
44.14 plan; and

44.15 (3) if the qualified individual's placement recommendation is not the placement setting  
44.16 that the parent, family and permanency team, child, or tribe prefer, the qualified individual  
44.17 must identify the reasons why the qualified individual does not recommend the parent's,  
44.18 family and permanency team's, child's, or tribe's placement preferences. The out-of-home  
44.19 placement plan under section 260C.708 must also include reasons why the qualified  
44.20 individual did not recommend the preferences of the parents, family and permanency team,  
44.21 child, or tribe.

44.22 (f) If the qualified individual determines that the child's family or a family foster home  
44.23 or other less restrictive placement may meet the child's needs, the agency must move the  
44.24 child out of the qualified residential treatment program and transition the child to a less  
44.25 restrictive setting within 30 days of the determination. If the responsible social services  
44.26 agency has placement authority of the child, the agency must make a plan for the child's

44.27 placement according to section 260C.212, subdivision 2. The agency must file the child's  
44.28 assessment determination with the court at the next required hearing.

44.29 (g) If the qualified individual recommends placing the child in a qualified residential  
44.30 treatment program and if the responsible social services agency has placement authority of  
44.31 the child, the agency shall make referrals to appropriate qualified residential treatment  
44.32 programs and, upon acceptance by an appropriate program, place the child in an approved  
44.33 or certified qualified residential treatment program.

45.1 (h) The commissioner shall establish a review process for a qualified individual's  
45.2 completed assessment of a child. The commissioner must develop the review process with  
45.3 county and Tribal agency representatives. The review process must ensure that the qualified  
45.4 individual's assessment is an independent, objective assessment that recommends the least  
45.5 restrictive setting to meet the child's needs.

45.6 Sec. 14. Minnesota Statutes 2022, section 260C.708, is amended to read:

45.7 **260C.708 OUT-OF-HOME PLACEMENT PLAN FOR QUALIFIED**  
45.8 **RESIDENTIAL TREATMENT PROGRAM PLACEMENTS.**

45.9 (a) When the responsible social services agency places a child in a qualified residential  
45.10 treatment program as defined in section 260C.007, subdivision 26d, the out-of-home  
45.11 placement plan must include:

45.12 (1) the case plan requirements in section 260C.212;

45.13 (2) the reasonable and good faith efforts of the responsible social services agency to  
45.14 identify and include all of the individuals required to be on the child's family and permanency  
45.15 team under section 260C.007;

45.16 (3) all contact information for members of the child's family and permanency team and  
45.17 for other relatives who are not part of the family and permanency team;

45.18 (4) evidence that the agency scheduled meetings of the family and permanency team,  
45.19 including meetings relating to the assessment required under section 260C.704, at a time  
45.20 and place convenient for the family;

45.21 (5) evidence that the family and permanency team is involved in the assessment required  
45.22 under section 260C.704 to determine the appropriateness of the child's placement in a  
45.23 qualified residential treatment program;

45.24 (6) the family and permanency team's placement preferences for the child in the  
45.25 assessment required under section 260C.704. When making a decision about the child's  
45.26 placement preferences, the family and permanency team must recognize:

45.27 (i) that the agency should place a child with the child's siblings unless a court finds that  
45.28 placing a child with the child's siblings is not possible due to a child's specialized placement  
45.29 needs or is otherwise contrary to the child's best interests; and

501.29     Sec. 9. Minnesota Statutes 2022, section 260C.80, subdivision 1, is amended to read:

501.30             Subdivision 1. **Office of the Foster Youth Ombudsperson.** The Office of the Foster

501.31 Youth Ombudsperson is hereby created. The ombudsperson ~~serves at the pleasure of the~~

502.1 ~~governor in the unclassified service~~, must be selected without regard to political affiliation,

502.2 and must be a person highly competent and qualified to work to improve the lives of youth

502.3 in the foster care system, while understanding the administration and public policy related

502.4 to youth in the foster care system. The ombudsperson may be removed only for just cause.

45.30             (ii) that the agency should place an Indian child according to the requirements of the

45.31 Indian Child Welfare Act, the Minnesota Family Preservation Act under sections 260.751

45.32 to 260.835, and section 260C.193, subdivision 3, paragraph (g);

46.1             (7) when reunification of the child with the child's parent or legal guardian is the agency's

46.2 goal, evidence demonstrating that the parent or legal guardian provided input about the

46.3 members of the family and permanency team under section 260C.706;

46.4             (8) when the agency's permanency goal is to reunify the child with the child's parent or

46.5 legal guardian, the out-of-home placement plan must identify services and supports that

46.6 maintain the parent-child relationship and the parent's legal authority, decision-making, and

46.7 responsibility for ongoing planning for the child. In addition, the agency must assist the

46.8 parent with visiting and contacting the child;

46.9             (9) when the agency's permanency goal is to transfer permanent legal and physical

46.10 custody of the child to a proposed guardian or to finalize the child's adoption, the case plan

46.11 must document the agency's steps to transfer permanent legal and physical custody of the

46.12 child or finalize adoption, as required in section 260C.212, subdivision 1, paragraph (c),

46.13 clauses (6) and (7); and

46.14             (10) the qualified individual's recommendation regarding the child's placement in a

46.15 qualified residential treatment program and the court approval or disapproval of the placement

46.16 as required in section 260C.71.

46.17             (b) If the placement preferences of the family and permanency team, child, and tribe, if

46.18 applicable, are not consistent with the placement setting that the qualified individual

46.19 recommends, the case plan must include the reasons why the qualified individual did not

46.20 recommend following the preferences of the family and permanency team, child, and the

46.21 tribe.

46.22             (c) The agency must file the out-of-home placement plan with the court as part of the

46.23 60-day court order under section 260C.71.

46.24             (d) The agency must provide aftercare services as defined by the federal Family First

46.25 Prevention Services Act to the child for the six months following discharge from the qualified

46.26 residential treatment program. The services may include clinical care consultation, as defined

46.27 in section 256B.0671, subdivision 7, and family and youth peer specialists under section

46.28 256B.0616.

46.29     Sec. 15. Minnesota Statutes 2022, section 260C.80, subdivision 1, is amended to read:

46.30             Subdivision 1. **Office of the Foster Youth Ombudsperson.** The Office of the Foster

46.31 Youth Ombudsperson is hereby created. The ombudsperson ~~serves at the pleasure of the~~

46.32 ~~governor in the unclassified service~~, must be selected without regard to political affiliation,

46.33 and must be a person highly competent and qualified to work to improve the lives of youth

47.1 in the foster care system, while understanding the administration and public policy related

47.2 to youth in the foster care system. The ombudsperson may be removed only for just cause.

502.5 No person may serve as the foster youth ombudsperson while holding any other public  
502.6 office. The foster youth ombudsperson is accountable to the governor and may investigate  
502.7 decisions, acts, and other matters related to the health, safety, and welfare of youth in foster  
502.8 care to promote the highest attainable standards of competence, efficiency, and justice for  
502.9 youth who are in the care of the state.

502.10 Sec. 10. Minnesota Statutes 2022, section 260E.01, is amended to read:

502.11 **260E.01 POLICY.**

502.12 (a) The legislature hereby declares that the public policy of this state is to protect children  
502.13 whose health or welfare may be jeopardized through maltreatment. While it is recognized  
502.14 that most parents want to keep their children safe, sometimes circumstances or conditions  
502.15 interfere with their ability to do so. When this occurs, the health and safety of the children  
502.16 must be of paramount concern. Intervention and prevention efforts must address immediate  
502.17 concerns for child safety and the ongoing risk of maltreatment and should engage the  
502.18 protective capacities of families. In furtherance of this public policy, it is the intent of the  
502.19 legislature under this chapter to:

502.20 (1) protect children and promote child safety;

502.21 (2) strengthen the family;

502.22 (3) make the home, school, and community safe for children by promoting responsible  
502.23 child care in all settings; and

502.24 (4) provide, when necessary, a safe temporary or permanent home environment for  
502.25 maltreated children.

502.26 (b) In addition, it is the policy of this state to:

502.27 (1) require the reporting of maltreatment of children in the home, school, and community  
502.28 settings;

502.29 (2) provide for the voluntary reporting of maltreatment of children;

502.30 (3) require an investigation when the report alleges sexual abuse or substantial child  
502.31 endangerment, except when the report alleges sex trafficking by a noncaregiver sex trafficker;

503.1 (4) provide a family assessment, if appropriate, when the report does not allege sexual  
503.2 abuse or substantial child endangerment; and

503.3 (5) provide a noncaregiver sex trafficking assessment when the report alleges sex  
503.4 trafficking by a noncaregiver sex trafficker; and

503.5 (6) provide protective, family support, and family preservation services when needed  
503.6 in appropriate cases.

47.3 No person may serve as the foster youth ombudsperson while holding any other public  
47.4 office. The foster youth ombudsperson is accountable to the governor and may investigate  
47.5 decisions, acts, and other matters related to the health, safety, and welfare of youth in foster  
47.6 care to promote the highest attainable standards of competence, efficiency, and justice for  
47.7 youth who are in the care of the state.

47.8 Sec. 16. Minnesota Statutes 2022, section 260E.01, is amended to read:

47.9 **260E.01 POLICY.**

47.10 (a) The legislature hereby declares that the public policy of this state is to protect children  
47.11 whose health or welfare may be jeopardized through maltreatment. While it is recognized  
47.12 that most parents want to keep their children safe, sometimes circumstances or conditions  
47.13 interfere with their ability to do so. When this occurs, the health and safety of the children  
47.14 must be of paramount concern. Intervention and prevention efforts must address immediate  
47.15 concerns for child safety and the ongoing risk of maltreatment and should engage the  
47.16 protective capacities of families. In furtherance of this public policy, it is the intent of the  
47.17 legislature under this chapter to:

47.18 (1) protect children and promote child safety;

47.19 (2) strengthen the family;

47.20 (3) make the home, school, and community safe for children by promoting responsible  
47.21 child care in all settings, including through the reporting of child maltreatment; and

47.22 (4) provide protective, family support, and family preservation services when appropriate;  
47.23 and

47.24 (4) (5) provide, when necessary, a safe temporary or permanent home environment for  
47.25 maltreated children.

47.26 (b) In addition, it is the policy of this state to:

47.27 (1) require the reporting of maltreatment of children in the home, school, and community  
47.28 settings;

47.29 (2) provide for the voluntary reporting of maltreatment of children;

47.30 (3) require an investigation when the report alleges sexual abuse or substantial child  
47.31 endangerment;

48.1 (4) provide a family assessment, if appropriate, when the report does not allege sexual  
48.2 abuse or substantial child endangerment; and

48.3 (5) provide protective, family support, and family preservation services when needed  
48.4 in appropriate cases.

503.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

503.8 Sec. 11. Minnesota Statutes 2022, section 260E.02, subdivision 1, is amended to read:

503.9 Subdivision 1. **Establishment of team.** A county shall establish a multidisciplinary  
503.10 child protection team that may include, but is not ~~be~~ limited to, the director of the local  
503.11 welfare agency or designees, the county attorney or designees, the county sheriff or designees,  
503.12 representatives of health and education, representatives of mental health, representatives of  
503.13 agencies providing specialized services or responding to youth who experience or are at  
503.14 risk of experiencing sex trafficking or sexual exploitation, or other appropriate human  
503.15 services or community-based agencies, and parent groups. As used in this section, a  
503.16 "community-based agency" may include, but is not limited to, schools, social services  
503.17 agencies, family service and mental health collaboratives, children's advocacy centers, early  
503.18 childhood and family education programs, Head Start, or other agencies serving children  
503.19 and families. A member of the team must be designated as the lead person of the team  
503.20 responsible for the planning process to develop standards for the team's activities with  
503.21 battered women's and domestic abuse programs and services.

503.22 Sec. 12. Minnesota Statutes 2022, section 260E.03, is amended by adding a subdivision  
503.23 to read:

503.24 Subd. 15a. **Noncaregiver sex trafficker.** "Noncaregiver sex trafficker" means an  
503.25 individual who is alleged to have engaged in the act of sex trafficking a child and who is  
503.26 not a person responsible for the child's care, who does not have a significant relationship  
503.27 with the child as defined in section 609.341, and who is not a person in a current or recent  
503.28 position of authority as defined in section 609.341, subdivision 10.

503.29 **EFFECTIVE DATE.** This section is effective July 1, 2024.

504.1 Sec. 13. Minnesota Statutes 2022, section 260E.03, is amended by adding a subdivision  
504.2 to read:

504.3 Subd. 15b. **Noncaregiver sex trafficking assessment.** "Noncaregiver sex trafficking  
504.4 assessment" is a comprehensive assessment of child safety, the risk of subsequent child  
504.5 maltreatment, and strengths and needs of the child and family. The local welfare agency  
504.6 shall only perform a noncaregiver sex trafficking assessment when a maltreatment report  
504.7 alleges sex trafficking of a child by someone other than the child's caregiver. A noncaregiver  
504.8 sex trafficking assessment does not include a determination of whether child maltreatment  
504.9 occurred. A noncaregiver sex trafficking assessment includes a determination of a family's  
504.10 need for services to address the safety of the child or children, the safety of family members,  
504.11 and the risk of subsequent child maltreatment.

504.12 **EFFECTIVE DATE.** This section is effective July 1, 2024.

504.13 Sec. 14. Minnesota Statutes 2022, section 260E.03, subdivision 22, is amended to read:

504.14 Subd. 22. **Substantial child endangerment.** "Substantial child endangerment" means  
504.15 that a person responsible for a child's care, by act or omission, commits or attempts to

48.5 Sec. 17. Minnesota Statutes 2022, section 260E.02, subdivision 1, is amended to read:

48.6 Subdivision 1. **Establishment of team.** A county shall establish a multidisciplinary  
48.7 child protection team that may include, but is not ~~be~~ limited to, the director of the local  
48.8 welfare agency or designees, the county attorney or designees, the county sheriff or designees,  
48.9 representatives of health and education, representatives of mental health, representatives of  
48.10 agencies providing specialized services or responding to youth who experience or are at  
48.11 risk of experiencing sex trafficking or sexual exploitation, or other appropriate human  
48.12 services or community-based agencies, and parent groups. As used in this section, a  
48.13 "community-based agency" may include, but is not limited to, schools, social services  
48.14 agencies, family service and mental health collaboratives, children's advocacy centers, early  
48.15 childhood and family education programs, Head Start, or other agencies serving children  
48.16 and families. A member of the team must be designated as the lead person of the team  
48.17 responsible for the planning process to develop standards for the team's activities with  
48.18 battered women's and domestic abuse programs and services.

48.19 Sec. 18. Minnesota Statutes 2022, section 260E.03, is amended by adding a subdivision  
48.20 to read:

48.21 Subd. 15a. **Noncaregiver sex trafficker.** "Noncaregiver sex trafficker" means an  
48.22 individual who is alleged to have engaged in the act of sex trafficking a child and who is  
48.23 not a person responsible for the child's care, who does not have a significant relationship  
48.24 with the child as defined in section 609.341, and who is not a person in a current or recent  
48.25 position of authority as defined in section 609.341, subdivision 10.

48.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

48.27 Sec. 19. Minnesota Statutes 2022, section 260E.03, is amended by adding a subdivision  
48.28 to read:

48.29 Subd. 15b. **Noncaregiver sex trafficking assessment.** "Noncaregiver sex trafficking  
48.30 assessment" is a comprehensive assessment of child safety, the risk of subsequent child  
48.31 maltreatment, and strengths and needs of the child and family. The local welfare agency  
48.32 shall only perform a noncaregiver sex trafficking assessment when a maltreatment report  
49.1 alleges sex trafficking of a child by someone other than the child's caregiver. A noncaregiver  
49.2 sex trafficking assessment does not include a determination of whether child maltreatment  
49.3 occurred. A noncaregiver sex trafficking assessment includes a determination of a family's  
49.4 need for services to address the safety of the child or children, the safety of family members,  
49.5 and the risk of subsequent child maltreatment.

49.6 **EFFECTIVE DATE.** This section is effective July 1, 2024.

49.7 Sec. 20. Minnesota Statutes 2022, section 260E.03, subdivision 22, is amended to read:

49.8 Subd. 22. **Substantial child endangerment.** "Substantial child endangerment" means  
49.9 that a person responsible for a child's care, by act or omission, commits or attempts to

504.16 commit an act against a child ~~under their~~ in the person's care that constitutes any of the  
504.17 following:

504.18 (1) egregious harm under subdivision 5;

504.19 (2) abandonment under section 260C.301, subdivision 2;

504.20 (3) neglect under subdivision 15, paragraph (a), clause (2), that substantially endangers  
504.21 the child's physical or mental health, including a growth delay, which may be referred to  
504.22 as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

504.23 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

504.24 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

504.25 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

504.26 (7) sex trafficking, solicitation, inducement, ~~and~~ or promotion of prostitution under  
504.27 section 609.322;

504.28 (8) criminal sexual conduct under sections 609.342 to 609.3451;

504.29 (9) sexual extortion under section 609.3458;

504.30 (10) solicitation of children to engage in sexual conduct under section 609.352;

505.1 (11) malicious punishment or neglect or endangerment of a child under section 609.377  
505.2 or 609.378;

505.3 (12) use of a minor in sexual performance under section 617.246; or

505.4 (13) parental behavior, status, or condition ~~that mandates that~~ requiring the county  
505.5 attorney to file a termination of parental rights petition under section 260C.503, subdivision  
505.6 2.

505.7 Sec. 15. Minnesota Statutes 2022, section 260E.14, subdivision 2, is amended to read:

505.8 Subd. 2. **Sexual abuse.** (a) The local welfare agency is the agency responsible for  
505.9 investigating an allegation of sexual abuse if the alleged offender is the parent, guardian,  
505.10 sibling, or an individual functioning within the family unit as a person responsible for the  
505.11 child's care, or a person with a significant relationship to the child if that person resides in  
505.12 the child's household.

505.13 (b) The local welfare agency is also responsible for assessing or investigating when a  
505.14 child is identified as a victim of sex trafficking.

505.15 EFFECTIVE DATE. This section is effective July 1, 2024.

49.10 commit an act against a child ~~under their~~ in the person's care that constitutes any of the  
49.11 following:

49.12 (1) egregious harm under subdivision 5;

49.13 (2) abandonment under section 260C.301, subdivision 2;

49.14 (3) neglect under subdivision 15, paragraph (a), clause (2), that substantially endangers  
49.15 the child's physical or mental health, including a growth delay, which may be referred to  
49.16 as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

49.17 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

49.18 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

49.19 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

49.20 (7) sex trafficking, solicitation, inducement, ~~and~~ or promotion of prostitution under  
49.21 section 609.322;

49.22 (8) criminal sexual conduct under sections 609.342 to 609.3451;

49.23 (9) sexual extortion under section 609.3458;

49.24 (10) solicitation of children to engage in sexual conduct under section 609.352;

49.25 (11) malicious punishment or neglect or endangerment of a child under section 609.377  
49.26 or 609.378;

49.27 (12) use of a minor in sexual performance under section 617.246; or

49.28 (13) parental behavior, status, or condition ~~that mandates that~~ requiring the county  
49.29 attorney to file a termination of parental rights petition under section 260C.503, subdivision  
49.30 2.

50.1 Sec. 21. Minnesota Statutes 2022, section 260E.14, subdivision 2, is amended to read:

50.2 Subd. 2. **Sexual abuse.** (a) The local welfare agency is the agency responsible for  
50.3 investigating an allegation of sexual abuse if the alleged offender is the parent, guardian,  
50.4 sibling, or an individual functioning within the family unit as a person responsible for the  
50.5 child's care, or a person with a significant relationship to the child if that person resides in  
50.6 the child's household.

50.7 (b) The local welfare agency is also responsible for assessing or investigating when a  
50.8 child is identified as a victim of sex trafficking.

50.9 EFFECTIVE DATE. This section is effective July 1, 2024.

505.16 Sec. 16. Minnesota Statutes 2022, section 260E.14, subdivision 5, is amended to read:

505.17 Subd. 5. **Law enforcement.** (a) The local law enforcement agency is the agency  
505.18 responsible for investigating a report of maltreatment if a violation of a criminal statute is  
505.19 alleged.

505.20 (b) Law enforcement and the responsible agency must coordinate their investigations  
505.21 or assessments as required under this chapter when ~~the~~: (1) a report alleges maltreatment  
505.22 that is a violation of a criminal statute by a person who is a parent, guardian, sibling, person  
505.23 responsible for the child's care ~~functioning~~ within the family unit, or ~~by~~ a person who lives  
505.24 in the child's household and who has a significant relationship to the child; in a setting other  
505.25 than a facility as defined in section 260E.03; or (2) a report alleges sex trafficking of a child.

505.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

505.27 Sec. 17. Minnesota Statutes 2022, section 260E.17, subdivision 1, is amended to read:

505.28 Subdivision 1. **Local welfare agency.** (a) Upon receipt of a report, the local welfare  
505.29 agency shall determine whether to conduct a family assessment ~~or~~, an investigation, or a  
505.30 noncaregiver sex trafficking assessment as appropriate to prevent or provide a remedy for  
505.31 maltreatment.

506.1 (b) The local welfare agency shall conduct an investigation when the report involves  
506.2 sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.

506.3 (c) The local welfare agency shall begin an immediate investigation ~~if~~, at any time when  
506.4 the local welfare agency is ~~using~~ responding with a family assessment ~~response~~, and the  
506.5 local welfare agency determines that there is reason to believe that sexual abuse ~~or~~, substantial  
506.6 child endangerment, or a serious threat to the child's safety exists.

506.7 (d) The local welfare agency may conduct a family assessment for reports that do not  
506.8 allege sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.  
506.9 In determining that a family assessment is appropriate, the local welfare agency may consider  
506.10 issues of child safety, parental cooperation, and the need for an immediate response.

506.11 (e) The local welfare agency may conduct a family assessment ~~on~~ for a report that was  
506.12 initially screened and assigned for an investigation. In determining that a complete  
506.13 investigation is not required, the local welfare agency must document the reason for  
506.14 terminating the investigation and notify the local law enforcement agency if the local law  
506.15 enforcement agency is conducting a joint investigation.

506.16 (f) The local welfare agency shall conduct a noncaregiver sex trafficking assessment  
506.17 when a maltreatment report alleges sex trafficking of a child and the alleged offender is a  
506.18 noncaregiver sex trafficker as defined by section 260E.03, subdivision 15a.

506.19 (g) During a noncaregiver sex trafficking assessment, the local welfare agency shall  
506.20 initiate an immediate investigation if there is reason to believe that a child's parent, caregiver,

50.10 Sec. 22. Minnesota Statutes 2022, section 260E.14, subdivision 5, is amended to read:

50.11 Subd. 5. **Law enforcement.** (a) The local law enforcement agency is the agency  
50.12 responsible for investigating a report of maltreatment if a violation of a criminal statute is  
50.13 alleged.

50.14 (b) Law enforcement and the responsible agency must coordinate their investigations  
50.15 or assessments as required under this chapter when ~~the~~: (1) a report alleges maltreatment  
50.16 that is a violation of a criminal statute by a person who is a parent, guardian, sibling, person  
50.17 responsible for the child's care ~~functioning~~ within the family unit, or ~~by~~ a person who lives  
50.18 in the child's household and who has a significant relationship to the child; in a setting other  
50.19 than a facility as defined in section 260E.03; or (2) a report alleges sex trafficking of a child.

50.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

50.21 Sec. 23. Minnesota Statutes 2022, section 260E.17, subdivision 1, is amended to read:

50.22 Subdivision 1. **Local welfare agency.** (a) Upon receipt of a report, the local welfare  
50.23 agency shall determine whether to conduct a family assessment ~~or~~, an investigation, or a  
50.24 noncaregiver sex trafficking assessment as appropriate to prevent or provide a remedy for  
50.25 maltreatment.

50.26 (b) The local welfare agency shall conduct an investigation when the report involves  
50.27 sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.

50.28 (c) The local welfare agency shall begin an immediate investigation ~~if~~, at any time when  
50.29 the local welfare agency is ~~using~~ responding with a family assessment ~~response~~, and the  
50.30 local welfare agency determines that there is reason to believe that sexual abuse ~~or~~, substantial  
50.31 child endangerment, or a serious threat to the child's safety exists.

51.1 (d) The local welfare agency may conduct a family assessment for reports that do not  
51.2 allege sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.  
51.3 In determining that a family assessment is appropriate, the local welfare agency may consider  
51.4 issues of child safety, parental cooperation, and the need for an immediate response.

51.5 (e) The local welfare agency may conduct a family assessment ~~on~~ for a report that was  
51.6 initially screened and assigned for an investigation. In determining that a complete  
51.7 investigation is not required, the local welfare agency must document the reason for  
51.8 terminating the investigation and notify the local law enforcement agency if the local law  
51.9 enforcement agency is conducting a joint investigation.

51.10 (f) The local welfare agency shall conduct a noncaregiver sex trafficking assessment  
51.11 when a maltreatment report alleges sex trafficking of a child and the alleged offender is a  
51.12 noncaregiver sex trafficker as defined by section 260E.03, subdivision 15a.

51.13 (g) During a noncaregiver sex trafficking assessment, the local welfare agency shall  
51.14 initiate an immediate investigation if there is reason to believe that a child's parent, caregiver,



506.21 or household member allegedly engaged in the act of sex trafficking a child or was alleged  
506.22 to have engaged in any conduct requiring the agency to conduct an investigation.

506.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

506.24 Sec. 18. Minnesota Statutes 2022, section 260E.18, is amended to read:

506.25 **260E.18 NOTICE TO CHILD'S TRIBE.**

506.26 The local welfare agency shall provide immediate notice, according to section 260.761,  
506.27 subdivision 2, to an Indian child's **Tribe** when the agency has reason to believe that the  
506.28 family assessment ~~or~~ investigation, or noncaregiver sex trafficking assessment may involve  
506.29 an Indian child. For purposes of this section, "immediate notice" means notice provided  
506.30 within 24 hours.

506.31 **EFFECTIVE DATE.** This section is effective July 1, 2024.

507.1 Sec. 19. Minnesota Statutes 2022, section 260E.20, subdivision 2, is amended to read:

507.2 Subd. 2. **Face-to-face contact.** (a) Upon receipt of a screened in report, the local welfare  
507.3 agency shall ~~conduct a~~ have face-to-face contact with the child reported to be maltreated  
507.4 and with the child's primary caregiver sufficient to complete a safety assessment and ensure  
507.5 the immediate safety of the child. When it is possible and the report alleges substantial child  
507.6 endangerment or sexual abuse, the local welfare agency is not required to provide notice  
507.7 before conducting the initial face-to-face contact with the child and the child's primary  
507.8 caregiver.

507.9 (b) Except in a noncaregiver sex trafficking assessment, the local welfare agency shall  
507.10 have face-to-face contact with the child and primary caregiver ~~shall occur~~ immediately after  
507.11 the agency screens in a report if sexual abuse or substantial child endangerment is alleged  
507.12 and within five calendar days of a screened in report for all other reports. If the alleged  
507.13 offender was not already interviewed as the primary caregiver, the local welfare agency  
507.14 shall also conduct a face-to-face interview with the alleged offender in the early stages of  
507.15 the assessment or investigation, except in a noncaregiver sex trafficking assessment.  
507.16 Face-to-face contact with the child and primary caregiver in response to a report alleging  
507.17 sexual abuse or substantial child endangerment may be postponed for no more than five  
507.18 calendar days if the child is residing in a location that is confirmed to restrict contact with  
507.19 the alleged offender as established in guidelines issued by the commissioner, or if the local  
507.20 welfare agency is pursuing a court order for the child's caregiver to produce the child for  
507.21 questioning under section 260E.22, subdivision 5.

507.22 (c) At the initial contact with the alleged offender, the local welfare agency or the agency  
507.23 responsible for assessing or investigating the report must inform the alleged offender of the  
507.24 complaints or allegations made against the individual in a manner consistent with laws  
507.25 protecting the rights of the person who made the report. The interview with the alleged  
507.26 offender may be postponed if it would jeopardize an active law enforcement investigation.

51.15 or household member allegedly engaged in the act of sex trafficking a child or was alleged  
51.16 to have engaged in any conduct requiring the agency to conduct an investigation.

51.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

51.18 Sec. 24. Minnesota Statutes 2022, section 260E.18, is amended to read:

51.19 **260E.18 NOTICE TO CHILD'S TRIBE.**

51.20 The local welfare agency shall provide immediate notice, according to section 260.761,  
51.21 subdivision 2, to an Indian child's **tribe** when the agency has reason to believe that the family  
51.22 assessment ~~or~~ investigation, or noncaregiver sex trafficking assessment may involve an  
51.23 Indian child. For purposes of this section, "immediate notice" means notice provided within  
51.24 24 hours.

51.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

51.26 Sec. 25. Minnesota Statutes 2022, section 260E.20, subdivision 2, is amended to read:

51.27 Subd. 2. **Face-to-face contact.** (a) Upon receipt of a screened in report, the local welfare  
51.28 agency shall ~~conduct a~~ have face-to-face contact with the child reported to be maltreated  
51.29 and with the child's primary caregiver sufficient to complete a safety assessment and ensure  
51.30 the immediate safety of the child. When it is possible and the report alleges substantial child  
51.31 endangerment or sexual abuse, the local welfare agency is not required to provide notice  
52.1 before conducting the initial face-to-face contact with the child and the child's primary  
52.2 caregiver.

52.3 (b) Except in a noncaregiver sex trafficking assessment, the local welfare agency shall  
52.4 have face-to-face contact with the child and primary caregiver ~~shall occur~~ immediately after  
52.5 the agency screens in a report if sexual abuse or substantial child endangerment is alleged  
52.6 and within five calendar days of a screened in report for all other reports. If the alleged  
52.7 offender was not already interviewed as the primary caregiver, the local welfare agency  
52.8 shall also conduct a face-to-face interview with the alleged offender in the early stages of  
52.9 the assessment or investigation, except in a noncaregiver sex trafficking assessment.  
52.10 Face-to-face contact with the child and primary caregiver in response to a report alleging  
52.11 sexual abuse or substantial child endangerment may be postponed for no more than five  
52.12 calendar days if the child is residing in a location that is confirmed to restrict contact with  
52.13 the alleged offender as established in guidelines issued by the commissioner, or if the local  
52.14 welfare agency is pursuing a court order for the child's caregiver to produce the child for  
52.15 questioning under section 260E.22, subdivision 5.

52.16 (c) At the initial contact with the alleged offender, the local welfare agency or the agency  
52.17 responsible for assessing or investigating the report must inform the alleged offender of the  
52.18 complaints or allegations made against the individual in a manner consistent with laws  
52.19 protecting the rights of the person who made the report. The interview with the alleged  
52.20 offender may be postponed if it would jeopardize an active law enforcement investigation.

507.27 In a noncaregiver sex trafficking assessment, the local child welfare agency is not required  
 507.28 to inform or interview the alleged offender.

507.29 (d) The local welfare agency or the agency responsible for assessing or investigating  
 507.30 the report must provide the alleged offender with an opportunity to make a statement, except  
 507.31 in a noncaregiver sex trafficking assessment. The alleged offender may submit supporting  
 507.32 documentation relevant to the assessment or investigation.

507.33 **EFFECTIVE DATE.** This section is effective July 1, 2024.

508.1 Sec. 20. Minnesota Statutes 2022, section 260E.24, subdivision 2, is amended to read:

508.2 Subd. 2. **Determination after family assessment or a noncaregiver sex trafficking**  
 508.3 **assessment.** After conducting a family assessment or a noncaregiver sex trafficking  
 508.4 assessment, the local welfare agency shall determine whether child protective services are  
 508.5 needed to address the safety of the child and other family members and the risk of subsequent  
 508.6 maltreatment. The local welfare agency must document the information collected under  
 508.7 section 260E.20, subdivision 3, related to the completed family assessment in the child's or  
 508.8 family's case notes.

508.9 **EFFECTIVE DATE.** This section is effective July 1, 2024.

508.10 Sec. 21. Minnesota Statutes 2022, section 260E.24, subdivision 7, is amended to read:

508.11 Subd. 7. **Notification at conclusion of family assessment or a noncaregiver sex**  
 508.12 **trafficking assessment.** Within ten working days of the conclusion of a family assessment  
 508.13 or a noncaregiver sex trafficking assessment, the local welfare agency shall notify the parent  
 508.14 or guardian of the child of the need for services to address child safety concerns or significant  
 508.15 risk of subsequent maltreatment. The local welfare agency and the family may also jointly  
 508.16 agree that family support and family preservation services are needed.

508.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

508.18 Sec. 22. Minnesota Statutes 2022, section 260E.33, subdivision 1, is amended to read:

508.19 Subdivision 1. **Following a family assessment or a noncaregiver sex trafficking**  
 508.20 **assessment.** Administrative reconsideration is not applicable to a family assessment or  
 508.21 noncaregiver sex trafficking assessment since no determination concerning maltreatment  
 508.22 is made.

508.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

508.24 Sec. 23. Minnesota Statutes 2022, section 260E.35, subdivision 6, is amended to read:

508.25 Subd. 6. **Data retention.** (a) Notwithstanding sections 138.163 and 138.17, a record  
 508.26 maintained or a record derived from a report of maltreatment by a local welfare agency,  
 508.27 agency responsible for assessing or investigating the report, court services agency, or school  
 508.28 under this chapter shall be destroyed as provided in paragraphs (b) to (e) by the responsible  
 508.29 authority.

52.21 In a noncaregiver sex trafficking assessment, the local child welfare agency is not required  
 52.22 to inform or interview the alleged offender.

52.23 (d) The local welfare agency or the agency responsible for assessing or investigating  
 52.24 the report must provide the alleged offender with an opportunity to make a statement, except  
 52.25 in a noncaregiver sex trafficking assessment. The alleged offender may submit supporting  
 52.26 documentation relevant to the assessment or investigation.

52.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

52.28 Sec. 26. Minnesota Statutes 2022, section 260E.24, subdivision 2, is amended to read:

52.29 Subd. 2. **Determination after family assessment or a noncaregiver sex trafficking**  
 52.30 **assessment.** After conducting a family assessment or a noncaregiver sex trafficking  
 52.31 assessment, the local welfare agency shall determine whether child protective services are  
 52.32 needed to address the safety of the child and other family members and the risk of subsequent  
 52.33 maltreatment. The local welfare agency must document the information collected under  
 53.1 section 260E.20, subdivision 3, related to the completed family assessment in the child's or  
 53.2 family's case notes.

53.3 **EFFECTIVE DATE.** This section is effective July 1, 2024.

53.4 Sec. 27. Minnesota Statutes 2022, section 260E.24, subdivision 7, is amended to read:

53.5 Subd. 7. **Notification at conclusion of family assessment or a noncaregiver sex**  
 53.6 **trafficking assessment.** Within ten working days of the conclusion of a family assessment  
 53.7 or a noncaregiver sex trafficking assessment, the local welfare agency shall notify the parent  
 53.8 or guardian of the child of the need for services to address child safety concerns or significant  
 53.9 risk of subsequent maltreatment. The local welfare agency and the family may also jointly  
 53.10 agree that family support and family preservation services are needed.

53.11 **EFFECTIVE DATE.** This section is effective July 1, 2024.

53.12 Sec. 28. Minnesota Statutes 2022, section 260E.33, subdivision 1, is amended to read:

53.13 Subdivision 1. **Following a family assessment or a noncaregiver sex trafficking**  
 53.14 **assessment.** Administrative reconsideration is not applicable to a family assessment or  
 53.15 noncaregiver sex trafficking assessment since no determination concerning maltreatment  
 53.16 is made.

53.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

53.18 Sec. 29. Minnesota Statutes 2022, section 260E.35, subdivision 6, is amended to read:

53.19 Subd. 6. **Data retention.** (a) Notwithstanding sections 138.163 and 138.17, a record  
 53.20 maintained or a record derived from a report of maltreatment by a local welfare agency,  
 53.21 agency responsible for assessing or investigating the report, court services agency, or school  
 53.22 under this chapter shall be destroyed as provided in paragraphs (b) to (e) by the responsible  
 53.23 authority.

508.30 (b) For a report alleging maltreatment that was not accepted for an assessment or an  
508.31 investigation, a family assessment case, a ~~noncaregiver sex trafficking~~ assessment case, and  
509.1 a case where an investigation results in no determination of maltreatment or the need for  
509.2 child protective services, the record must be maintained for a period of five years after the  
509.3 date that the report was not accepted for assessment or investigation or the date of the final  
509.4 entry in the case record. A record of a report that was not accepted must contain sufficient  
509.5 information to identify the subjects of the report, the nature of the alleged maltreatment,  
509.6 and the reasons ~~as to~~ why the report was not accepted. Records under this paragraph may  
509.7 not be used for employment, background checks, or purposes other than to assist in future  
509.8 screening decisions and risk and safety assessments.

509.9 (c) All records relating to reports that, upon investigation, indicate ~~either~~ maltreatment  
509.10 or a need for child protective services shall be maintained for ten years after the date of the  
509.11 final entry in the case record.

509.12 (d) All records regarding a report of maltreatment, including a notification of intent to  
509.13 interview that was received by a school under section 260E.22, subdivision 7, shall be  
509.14 destroyed by the school when ordered to do so by the agency conducting the assessment or  
509.15 investigation. The agency shall order the destruction of the notification when other records  
509.16 relating to the report under investigation or assessment are destroyed under this subdivision.

509.17 (e) Private or confidential data released to a court services agency under subdivision 3,  
509.18 paragraph (d), must be destroyed by the court services agency when ordered to do so by the  
509.19 local welfare agency that released the data. The local welfare agency or agency responsible  
509.20 for assessing or investigating the report shall order destruction of the data when other records  
509.21 relating to the assessment or investigation are destroyed under this subdivision.

509.22 EFFECTIVE DATE. This section is effective July 1, 2024.

509.23 Sec. 24. Minnesota Statutes 2022, section 518A.31, is amended to read:

509.24 **518A.31 SOCIAL SECURITY OR VETERANS' BENEFIT PAYMENTS**  
509.25 **RECEIVED ON BEHALF OF THE CHILD.**

509.26 (a) The amount of the monthly Social Security benefits or apportioned veterans' benefits  
509.27 provided for a joint child shall be included in the gross income of the parent on whose  
509.28 eligibility the benefits are based.

509.29 (b) The amount of the monthly survivors' and dependents' educational assistance provided  
509.30 for a joint child shall be included in the gross income of the parent on whose eligibility the  
509.31 benefits are based.

509.32 (c) If Social Security or apportioned veterans' benefits are provided for a joint child  
509.33 based on the eligibility of the obligor, and are received by the obligee as a representative

53.24 (b) For a report alleging maltreatment that was not accepted for an assessment or an  
53.25 investigation, a family assessment case, a ~~noncaregiver sex trafficking~~ assessment case, and  
53.26 a case where an investigation results in no determination of maltreatment or the need for  
53.27 child protective services, the record must be maintained for a period of five years after the  
53.28 date that the report was not accepted for assessment or investigation or the date of the final  
53.29 entry in the case record. A record of a report that was not accepted must contain sufficient  
53.30 information to identify the subjects of the report, the nature of the alleged maltreatment,  
53.31 and the reasons ~~as to~~ why the report was not accepted. Records under this paragraph may  
54.1 not be used for employment, background checks, or purposes other than to assist in future  
54.2 screening decisions and risk and safety assessments.

54.3 (c) All records relating to reports that, upon investigation, indicate ~~either~~ maltreatment  
54.4 or a need for child protective services shall be maintained for ten years after the date of the  
54.5 final entry in the case record.

54.6 (d) All records regarding a report of maltreatment, including a notification of intent to  
54.7 interview that was received by a school under section 260E.22, subdivision 7, shall be  
54.8 destroyed by the school when ordered to do so by the agency conducting the assessment or  
54.9 investigation. The agency shall order the destruction of the notification when other records  
54.10 relating to the report under investigation or assessment are destroyed under this subdivision.

54.11 (e) Private or confidential data released to a court services agency under subdivision 3,  
54.12 paragraph (d), must be destroyed by the court services agency when ordered to do so by the  
54.13 local welfare agency that released the data. The local welfare agency or agency responsible  
54.14 for assessing or investigating the report shall order destruction of the data when other records  
54.15 relating to the assessment or investigation are destroyed under this subdivision.

54.16 EFFECTIVE DATE. This section is effective July 1, 2024.

61.24 **ARTICLE 3**

61.25 **CHILD SUPPORT**

61.26 Section 1. Minnesota Statutes 2022, section 518A.31, is amended to read:

61.27 **518A.31 SOCIAL SECURITY OR VETERANS' BENEFIT PAYMENTS**  
61.28 **RECEIVED ON BEHALF OF THE CHILD.**

61.29 (a) The amount of the monthly Social Security benefits or apportioned veterans' benefits  
61.30 provided for a joint child shall be included in the gross income of the parent on whose  
61.31 eligibility the benefits are based.

62.1 (b) The amount of the monthly survivors' and dependents' educational assistance provided  
62.2 for a joint child shall be included in the gross income of the parent on whose eligibility the  
62.3 benefits are based.

62.4 (c) If Social Security or apportioned veterans' benefits are provided for a joint child  
62.5 based on the eligibility of the obligor, and are received by the obligee as a representative

510.1 payee for the child or by the child attending school, then the amount of the benefits shall  
 510.2 also be subtracted from the obligor's net child support obligation as calculated pursuant to  
 510.3 section 518A.34.

510.4 (d) If the survivors' and dependents' educational assistance is provided for a joint child  
 510.5 based on the eligibility of the obligor, and is received by the obligee as a representative  
 510.6 payee for the child or by the child attending school, then the amount of the assistance shall  
 510.7 also be subtracted from the obligor's net child support obligation as calculated under section  
 510.8 518A.34.

510.9 (e) Upon a motion to modify child support, any regular or lump sum payment of Social  
 510.10 Security or apportioned veterans' benefit received by the obligee for the benefit of the joint  
 510.11 child based upon the obligor's disability prior to filing the motion to modify may be used  
 510.12 to satisfy arrears that remain due for the period of time for which the benefit was received.  
 510.13 This paragraph applies only if the derivative benefit was not considered in the guidelines  
 510.14 calculation of the previous child support order.

510.15 **EFFECTIVE DATE.** This section is effective January 1, 2025.

510.16 Sec. 25. Minnesota Statutes 2022, section 518A.32, subdivision 3, is amended to read:

510.17 Subd. 3. **Parent not considered voluntarily unemployed, underemployed, or employed**  
 510.18 **on a less than full-time basis.** A parent is not considered voluntarily unemployed,  
 510.19 underemployed, or employed on a less than full-time basis upon a showing by the parent  
 510.20 that:

510.21 (1) the unemployment, underemployment, or employment on a less than full-time basis  
 510.22 is temporary and will ultimately lead to an increase in income;

510.23 (2) the unemployment, underemployment, or employment on a less than full-time basis  
 510.24 represents a bona fide career change that outweighs the adverse effect of that parent's  
 510.25 diminished income on the child; ~~or~~

510.26 (3) the unemployment, underemployment, or employment on a less than full-time basis  
 510.27 is because a parent is physically or mentally incapacitated or due to incarceration; or

510.28 (4) a governmental agency authorized to determine eligibility for general assistance or  
 510.29 supplemental Social Security income has determined that the individual is eligible to receive  
 510.30 general assistance or supplemental Social Security income. Actual income earned by the  
 510.31 parent may be considered for the purpose of calculating child support.

510.32 **EFFECTIVE DATE.** This section is effective January 1, 2025.

511.1 Sec. 26. Minnesota Statutes 2022, section 518A.32, subdivision 4, is amended to read:

511.2 Subd. 4. **TANF or MFIP recipient.** If the parent of a joint child is a recipient of a  
 511.3 temporary assistance to a needy family (TANF) cash grant; or comparable state-funded

62.6 payee for the child or by the child attending school, then the amount of the benefits shall  
 62.7 also be subtracted from the obligor's net child support obligation as calculated pursuant to  
 62.8 section 518A.34.

62.9 (d) If the survivors' and dependents' educational assistance is provided for a joint child  
 62.10 based on the eligibility of the obligor, and is received by the obligee as a representative  
 62.11 payee for the child or by the child attending school, then the amount of the assistance shall  
 62.12 also be subtracted from the obligor's net child support obligation as calculated under section  
 62.13 518A.34.

62.14 (e) Upon a motion to modify child support, any regular or lump sum payment of Social  
 62.15 Security or apportioned veterans' benefit received by the obligee for the benefit of the joint  
 62.16 child based upon the obligor's disability prior to filing the motion to modify may be used  
 62.17 to satisfy arrears that remain due for the period of time for which the benefit was received.  
 62.18 This paragraph applies only if the derivative benefit was not considered in the guidelines  
 62.19 calculation of the previous child support order.

62.20 **EFFECTIVE DATE.** This section is effective January 1, 2025.

62.21 Sec. 2. Minnesota Statutes 2022, section 518A.32, subdivision 3, is amended to read:

62.22 Subd. 3. **Parent not considered voluntarily unemployed, underemployed, or employed**  
 62.23 **on a less than full-time basis.** A parent is not considered voluntarily unemployed,  
 62.24 underemployed, or employed on a less than full-time basis upon a showing by the parent  
 62.25 that:

62.26 (1) the unemployment, underemployment, or employment on a less than full-time basis  
 62.27 is temporary and will ultimately lead to an increase in income;

62.28 (2) the unemployment, underemployment, or employment on a less than full-time basis  
 62.29 represents a bona fide career change that outweighs the adverse effect of that parent's  
 62.30 diminished income on the child; ~~or~~

62.31 (3) the unemployment, underemployment, or employment on a less than full-time basis  
 62.32 is because a parent is physically or mentally incapacitated or due to incarceration; or

63.1 (4) a governmental agency authorized to determine eligibility for general assistance or  
 63.2 supplemental Social Security income has determined that the individual is eligible to receive  
 63.3 general assistance or supplemental Social Security income. Actual income earned by the  
 63.4 parent may be considered for the purpose of calculating child support.

63.5 **EFFECTIVE DATE.** This section is effective January 1, 2025.

63.6 Sec. 3. Minnesota Statutes 2022, section 518A.32, subdivision 4, is amended to read:

63.7 Subd. 4. **TANF or MFIP recipient.** If the parent of a joint child is a recipient of a  
 63.8 temporary assistance to a needy family (TANF) cash grant; or comparable state-funded

511.4 Minnesota family investment program (MFIP) benefits, no potential income is to be imputed  
511.5 to that parent.

511.6 **EFFECTIVE DATE.** This section is effective January 1, 2025.

511.7 Sec. 27. Minnesota Statutes 2022, section 518A.34, is amended to read:

511.8 **518A.34 COMPUTATION OF CHILD SUPPORT OBLIGATIONS.**

511.9 (a) To determine the presumptive child support obligation of a parent, the court shall  
511.10 follow the procedure set forth in this section.

511.11 (b) To determine the obligor's basic support obligation, the court shall:

511.12 (1) determine the gross income of each parent under section 518A.29;

511.13 (2) calculate the parental income for determining child support (PICS) of each parent,  
511.14 by subtracting from the gross income the credit, if any, for each parent's nonjoint children  
511.15 under section 518A.33;

511.16 (3) determine the percentage contribution of each parent to the combined PICS by  
511.17 dividing the combined PICS into each parent's PICS;

511.18 (4) determine the combined basic support obligation by application of the guidelines in  
511.19 section 518A.35;

511.20 (5) determine each parent's share of the combined basic support obligation by multiplying  
511.21 the percentage figure from clause (3) by the combined basic support obligation in clause  
511.22 (4); and

511.23 (6) apply the parenting expense adjustment formula provided in section 518A.36 to  
511.24 determine the obligor's basic support obligation.

511.25 (c) If the parents have split custody of joint children, child support must be calculated  
511.26 for each joint child as follows:

511.27 (1) the court shall determine each parent's basic support obligation under paragraph (b)  
511.28 and include the amount of each parent's obligation in the court order. If the basic support  
511.29 calculation results in each parent owing support to the other, the court shall offset the higher  
511.30 basic support obligation with the lower basic support obligation to determine the amount  
511.31 to be paid by the parent with the higher obligation to the parent with the lower obligation.  
512.1 For the purpose of the cost-of-living adjustment required under section 518A.75, the  
512.2 adjustment must be based on each parent's basic support obligation prior to offset. For the  
512.3 purposes of this paragraph, "split custody" means that there are two or more joint children  
512.4 and each parent has at least one joint child more than 50 percent of the time;

512.5 (2) if each parent pays all child care expenses for at least one joint child, the court shall  
512.6 calculate child care support for each joint child as provided in section 518A.40. The court  
512.7 shall determine each parent's child care support obligation and include the amount of each

63.9 Minnesota family investment program (MFIP) benefits, no potential income is to be imputed  
63.10 to that parent.

63.11 **EFFECTIVE DATE.** This section is effective January 1, 2025.

63.12 Sec. 4. Minnesota Statutes 2022, section 518A.34, is amended to read:

63.13 **518A.34 COMPUTATION OF CHILD SUPPORT OBLIGATIONS.**

63.14 (a) To determine the presumptive child support obligation of a parent, the court shall  
63.15 follow the procedure set forth in this section.

63.16 (b) To determine the obligor's basic support obligation, the court shall:

63.17 (1) determine the gross income of each parent under section 518A.29;

63.18 (2) calculate the parental income for determining child support (PICS) of each parent,  
63.19 by subtracting from the gross income the credit, if any, for each parent's nonjoint children  
63.20 under section 518A.33;

63.21 (3) determine the percentage contribution of each parent to the combined PICS by  
63.22 dividing the combined PICS into each parent's PICS;

63.23 (4) determine the combined basic support obligation by application of the guidelines in  
63.24 section 518A.35;

63.25 (5) determine each parent's share of the combined basic support obligation by multiplying  
63.26 the percentage figure from clause (3) by the combined basic support obligation in clause  
63.27 (4); and

63.28 (6) apply the parenting expense adjustment formula provided in section 518A.36 to  
63.29 determine the obligor's basic support obligation.

64.1 (c) If the parents have split custody of joint children, child support must be calculated  
64.2 for each joint child as follows:

64.3 (1) the court shall determine each parent's basic support obligation under paragraph (b)  
64.4 and include the amount of each parent's obligation in the court order. If the basic support  
64.5 calculation results in each parent owing support to the other, the court shall offset the higher  
64.6 basic support obligation with the lower basic support obligation to determine the amount  
64.7 to be paid by the parent with the higher obligation to the parent with the lower obligation.  
64.8 For the purpose of the cost-of-living adjustment required under section 518A.75, the  
64.9 adjustment must be based on each parent's basic support obligation prior to offset. For the  
64.10 purposes of this paragraph, "split custody" means that there are two or more joint children  
64.11 and each parent has at least one joint child more than 50 percent of the time;

64.12 (2) if each parent pays all child care expenses for at least one joint child, the court shall  
64.13 calculate child care support for each joint child as provided in section 518A.40. The court  
64.14 shall determine each parent's child care support obligation and include the amount of each

512.8 parent's obligation in the court order. If the child care support calculation results in each  
512.9 parent owing support to the other, the court shall offset the higher child care support  
512.10 obligation with the lower child care support obligation to determine the amount to be paid  
512.11 by the parent with the higher obligation to the parent with the lower obligation; and

512.12 (3) if each parent pays all medical or dental insurance expenses for at least one joint  
512.13 child, medical support shall be calculated for each joint child as provided in section 518A.41.  
512.14 The court shall determine each parent's medical support obligation and include the amount  
512.15 of each parent's obligation in the court order. If the medical support calculation results in  
512.16 each parent owing support to the other, the court shall offset the higher medical support  
512.17 obligation with the lower medical support obligation to determine the amount to be paid by  
512.18 the parent with the higher obligation to the parent with the lower obligation. Unreimbursed  
512.19 and uninsured medical expenses are not included in the presumptive amount of support  
512.20 owed by a parent and are calculated and collected as provided in section 518A.41.

512.21 (d) The court shall determine the child care support obligation for the obligor as provided  
512.22 in section 518A.40.

512.23 (e) The court shall determine the medical support obligation for each parent as provided  
512.24 in section 518A.41. Unreimbursed and uninsured medical expenses are not included in the  
512.25 presumptive amount of support owed by a parent and are calculated and collected as described  
512.26 in section 518A.41.

512.27 (f) The court shall determine each parent's total child support obligation by adding  
512.28 together each parent's basic support, child care support, and health care coverage obligations  
512.29 as provided in this section.

512.30 (g) If Social Security benefits or veterans' benefits are received by one parent as a  
512.31 representative payee for a joint child based on the other parent's eligibility, the court shall  
512.32 subtract the amount of benefits from the other parent's net child support obligation, if any.  
512.33 Any benefit received by the obligee for the benefit of the joint child based upon the obligor's  
513.1 disability or past earnings in any given month in excess of the child support obligation must  
513.2 not be treated as an arrearage payment or a future payment.

513.3 (h) The final child support order shall separately designate the amount owed for basic  
513.4 support, child care support, and medical support. If applicable, the court shall use the  
513.5 self-support adjustment and minimum support adjustment under section 518A.42 to determine  
513.6 the obligor's child support obligation.

513.7 **EFFECTIVE DATE.** This section is effective January 1, 2025.

513.8 Sec. 28. Minnesota Statutes 2022, section 518A.41, is amended to read:

513.9 **518A.41 MEDICAL SUPPORT.**

513.10 Subdivision 1. **Definitions.** The definitions in this subdivision apply to this chapter and  
513.11 chapter 518.

64.15 parent's obligation in the court order. If the child care support calculation results in each  
64.16 parent owing support to the other, the court shall offset the higher child care support  
64.17 obligation with the lower child care support obligation to determine the amount to be paid  
64.18 by the parent with the higher obligation to the parent with the lower obligation; and

64.19 (3) if each parent pays all medical or dental insurance expenses for at least one joint  
64.20 child, medical support shall be calculated for each joint child as provided in section 518A.41.  
64.21 The court shall determine each parent's medical support obligation and include the amount  
64.22 of each parent's obligation in the court order. If the medical support calculation results in  
64.23 each parent owing support to the other, the court shall offset the higher medical support  
64.24 obligation with the lower medical support obligation to determine the amount to be paid by  
64.25 the parent with the higher obligation to the parent with the lower obligation. Unreimbursed  
64.26 and uninsured medical expenses are not included in the presumptive amount of support  
64.27 owed by a parent and are calculated and collected as provided in section 518A.41.

64.28 (d) The court shall determine the child care support obligation for the obligor as provided  
64.29 in section 518A.40.

64.30 (e) The court shall determine the medical support obligation for each parent as provided  
64.31 in section 518A.41. Unreimbursed and uninsured medical expenses are not included in the  
64.32 presumptive amount of support owed by a parent and are calculated and collected as described  
64.33 in section 518A.41.

65.1 (f) The court shall determine each parent's total child support obligation by adding  
65.2 together each parent's basic support, child care support, and health care coverage obligations  
65.3 as provided in this section.

65.4 (g) If Social Security benefits or veterans' benefits are received by one parent as a  
65.5 representative payee for a joint child based on the other parent's eligibility, the court shall  
65.6 subtract the amount of benefits from the other parent's net child support obligation, if any.  
65.7 Any benefit received by the obligee for the benefit of the joint child based upon the obligor's  
65.8 disability or past earnings in any given month in excess of the child support obligation must  
65.9 not be treated as an arrearage payment or a future payment.

65.10 (h) The final child support order shall separately designate the amount owed for basic  
65.11 support, child care support, and medical support. If applicable, the court shall use the  
65.12 self-support adjustment and minimum support adjustment under section 518A.42 to determine  
65.13 the obligor's child support obligation.

65.14 **EFFECTIVE DATE.** This section is effective January 1, 2025.

65.15 Sec. 5. Minnesota Statutes 2022, section 518A.41, is amended to read:

65.16 **518A.41 MEDICAL SUPPORT.**

65.17 Subdivision 1. **Definitions.** The definitions in this subdivision apply to this chapter and  
65.18 chapter 518.

513.12 (a) "Health care coverage" means ~~medical, dental, or other health care benefits that are~~  
 513.13 ~~provided by one or more health plans. Health care coverage does not include any form of~~  
 513.14 ~~public coverage~~ private health care coverage, including fee for service, health maintenance  
 513.15 organization, preferred provider organization, and other types of private health care coverage.  
 513.16 Health care coverage also means public health care coverage under which medical or dental  
 513.17 services could be provided to a dependent child.

513.18 (b) "Health carrier" means a carrier as defined in sections 62A.011, subdivision 2, and  
 513.19 ~~62L.02, subdivision 16.~~

513.20 (c) "Health plan" (b) "Private health care coverage" means a health plan, ~~other than any~~  
 513.21 ~~form of public coverage~~, that provides medical, dental, or other health care benefits and is:

513.22 (1) provided on an individual or group basis;

513.23 (2) provided by an employer or union;

513.24 (3) purchased in the private market; ~~or~~

513.25 (4) provided through MinnesotaCare under chapter 256L; or

513.26 ~~(4)~~ (5) available to a person eligible to carry insurance for the joint child, including a  
 513.27 party's spouse or parent.

513.28 ~~Health plan~~ Private health care coverage includes, but is not limited to, a health plan meeting  
 513.29 the definition under section 62A.011, subdivision 3, except that the exclusion of coverage  
 513.30 designed solely to provide dental or vision care under section 62A.011, subdivision 3, clause  
 513.31 (6), does not apply to the definition of ~~health plan~~ private health care coverage under this  
 514.1 section; a group health plan governed under the federal Employee Retirement Income  
 514.2 Security Act of 1974 (ERISA); a self-insured plan under sections 43A.23 to 43A.317 and  
 514.3 471.617; and a policy, contract, or certificate issued by a community-integrated service  
 514.4 network licensed under chapter 62N.

514.5 (c) "Public health care coverage" means health care benefits provided by any form of  
 514.6 medical assistance under chapter 256B. Public health care coverage does not include  
 514.7 MinnesotaCare or health plans subsidized by federal premium tax credits or federal  
 514.8 cost-sharing reductions.

514.9 (d) "Medical support" means providing health care coverage for a joint child ~~by carrying~~  
 514.10 ~~health care coverage for the joint child or~~ by contributing to the cost of health care coverage;  
 514.11 ~~public coverage~~; unreimbursed ~~medical~~ health-related expenses, and uninsured ~~medical~~  
 514.12 ~~health-related~~ expenses of the joint child.

514.13 (e) "National medical support notice" means an administrative notice issued by the public  
 514.14 authority to enforce health insurance provisions of a support order in accordance with Code  
 514.15 of Federal Regulations, title 45, section 303.32, in cases where the public authority provides  
 514.16 support enforcement services.

65.19 (a) "Health care coverage" means ~~medical, dental, or other health care benefits that are~~  
 65.20 ~~provided by one or more health plans. Health care coverage does not include any form of~~  
 65.21 ~~public coverage~~ private health care coverage, including fee for service, health maintenance  
 65.22 organization, preferred provider organization, and other types of private health care coverage.  
 65.23 Health care coverage also means public health care coverage under which medical or dental  
 65.24 services could be provided to a dependent child.

65.25 (b) "Health carrier" means a carrier as defined in sections 62A.011, subdivision 2, and  
 65.26 ~~62L.02, subdivision 16.~~

65.27 (c) "Health plan" (b) "Private health care coverage" means a health plan, ~~other than any~~  
 65.28 ~~form of public coverage~~, that provides medical, dental, or other health care benefits and is:

65.29 (1) provided on an individual or group basis;

65.30 (2) provided by an employer or union;

65.31 (3) purchased in the private market; ~~or~~

66.1 (4) provided through MinnesotaCare under chapter 256L; or

66.2 ~~(4)~~ (5) available to a person eligible to carry insurance for the joint child, including a  
 66.3 party's spouse or parent.

66.4 ~~Health plan~~ Private health care coverage includes, but is not limited to, a health plan meeting  
 66.5 the definition under section 62A.011, subdivision 3, except that the exclusion of coverage  
 66.6 designed solely to provide dental or vision care under section 62A.011, subdivision 3, clause  
 66.7 (6), does not apply to the definition of ~~health plan~~ private health care coverage under this  
 66.8 section; a group health plan governed under the federal Employee Retirement Income  
 66.9 Security Act of 1974 (ERISA); a self-insured plan under sections 43A.23 to 43A.317 and  
 66.10 471.617; and a policy, contract, or certificate issued by a community-integrated service  
 66.11 network licensed under chapter 62N.

66.12 (c) "Public health care coverage" means health care benefits provided by any form of  
 66.13 medical assistance under chapter 256B. Public health care coverage does not include  
 66.14 MinnesotaCare or health plans subsidized by federal premium tax credits or federal  
 66.15 cost-sharing reductions.

66.16 (d) "Medical support" means providing health care coverage for a joint child ~~by carrying~~  
 66.17 ~~health care coverage for the joint child or~~ by contributing to the cost of health care coverage;  
 66.18 ~~public coverage~~; unreimbursed ~~medical~~ health-related expenses, and uninsured ~~medical~~  
 66.19 ~~health-related~~ expenses of the joint child.

66.20 (e) "National medical support notice" means an administrative notice issued by the public  
 66.21 authority to enforce health insurance provisions of a support order in accordance with Code  
 66.22 of Federal Regulations, title 45, section 303.32, in cases where the public authority provides  
 66.23 support enforcement services.

514.17 ~~(f) "Public coverage" means health care benefits provided by any form of medical~~  
 514.18 ~~assistance under chapter 256B. Public coverage does not include MinnesotaCare or health~~  
 514.19 ~~plans subsidized by federal premium tax credits or federal cost-sharing reductions.~~

514.20 ~~(g) (f) "Uninsured medical health-related expenses" means a joint child's reasonable and~~  
 514.21 ~~necessary health-related medical and dental expenses if the joint child is not covered by a~~  
 514.22 ~~health plan or public coverage private health insurance care when the expenses are incurred.~~

514.23 ~~(h) (g) "Unreimbursed medical health-related expenses" means a joint child's reasonable~~  
 514.24 ~~and necessary health-related medical and dental expenses if a joint child is covered by a~~  
 514.25 ~~health plan or public coverage health care coverage and the plan or health care coverage~~  
 514.26 ~~does not pay for the total cost of the expenses when the expenses are incurred. Unreimbursed~~  
 514.27 ~~medical health-related expenses do not include the cost of premiums. Unreimbursed medical~~  
 514.28 ~~health-related expenses include, but are not limited to, deductibles, co-payments, and~~  
 514.29 ~~expenses for orthodontia, and prescription eyeglasses and contact lenses, but not~~  
 514.30 ~~over-the-counter medications if coverage is under a health plan provided through health~~  
 514.31 ~~care coverage.~~

514.32 Subd. 2. **Order.** (a) A completed national medical support notice issued by the public  
 514.33 authority or a court order that complies with this section is a qualified medical child support  
 515.1 order under the federal Employee Retirement Income Security Act of 1974 (ERISA), United  
 515.2 States Code, title 29, section 1169(a).

515.3 (b) Every order addressing child support must state:

515.4 (1) the names, last known addresses, and Social Security numbers of the parents and the  
 515.5 joint child that is a subject of the order unless the court prohibits the inclusion of an address  
 515.6 or Social Security number and orders the parents to provide the address and Social Security  
 515.7 number to the administrator of the health plan;

515.8 (2) ~~if a joint child is not presently enrolled in health care coverage~~, whether appropriate  
 515.9 health care coverage for the joint child is available and, if so, state:

515.10 (i) the parents' responsibilities for carrying health care coverage;

515.11 (ii) the cost of premiums and how the cost is allocated between the parents; ~~and~~

515.12 (iii) the circumstances, if any, under which an obligation to provide private health care  
 515.13 coverage for the joint child will shift from one parent to the other; ~~and~~

515.14 ~~(3) if appropriate health care coverage is not available for the joint child, (iv) whether~~  
 515.15 ~~a contribution for medical support public health care coverage is required; and~~

515.16 ~~(4) (3) how unreimbursed or uninsured medical health-related expenses will be allocated~~  
 515.17 ~~between the parents.~~

66.24 ~~(f) "Public coverage" means health care benefits provided by any form of medical~~  
 66.25 ~~assistance under chapter 256B. Public coverage does not include MinnesotaCare or health~~  
 66.26 ~~plans subsidized by federal premium tax credits or federal cost-sharing reductions.~~

66.27 ~~(g) (f) "Uninsured medical health-related expenses" means a joint child's reasonable and~~  
 66.28 ~~necessary health-related medical and dental expenses if the joint child is not covered by a~~  
 66.29 ~~health plan or public coverage private health insurance care when the expenses are incurred.~~

66.30 ~~(h) (g) "Unreimbursed medical health-related expenses" means a joint child's reasonable~~  
 66.31 ~~and necessary health-related medical and dental expenses if a joint child is covered by a~~  
 66.32 ~~health plan or public coverage health care coverage and the plan or health care coverage~~  
 66.33 ~~does not pay for the total cost of the expenses when the expenses are incurred. Unreimbursed~~  
 67.1 ~~medical health-related expenses do not include the cost of premiums. Unreimbursed medical~~  
 67.2 ~~health-related expenses include, but are not limited to, deductibles, co-payments, and~~  
 67.3 ~~expenses for orthodontia, and prescription eyeglasses and contact lenses, but not~~  
 67.4 ~~over-the-counter medications if coverage is under a health plan provided through health~~  
 67.5 ~~care coverage.~~

67.6 Subd. 2. **Order.** (a) A completed national medical support notice issued by the public  
 67.7 authority or a court order that complies with this section is a qualified medical child support  
 67.8 order under the federal Employee Retirement Income Security Act of 1974 (ERISA), United  
 67.9 States Code, title 29, section 1169(a).

67.10 (b) Every order addressing child support must state:

67.11 (1) the names, last known addresses, and Social Security numbers of the parents and the  
 67.12 joint child that is a subject of the order unless the court prohibits the inclusion of an address  
 67.13 or Social Security number and orders the parents to provide the address and Social Security  
 67.14 number to the administrator of the health plan;

67.15 (2) ~~if a joint child is not presently enrolled in health care coverage~~, whether appropriate  
 67.16 health care coverage for the joint child is available and, if so, state:

67.17 (i) the parents' responsibilities for carrying health care coverage;

67.18 (ii) the cost of premiums and how the cost is allocated between the parents; ~~and~~

67.19 (iii) the circumstances, if any, under which an obligation to provide private health care  
 67.20 coverage for the joint child will shift from one parent to the other; ~~and~~

67.21 ~~(3) if appropriate health care coverage is not available for the joint child, (iv) whether~~  
 67.22 ~~a contribution for medical support public health care coverage is required; and~~

67.23 ~~(4) (3) how unreimbursed or uninsured medical health-related expenses will be allocated~~  
 67.24 ~~between the parents.~~



515.18 Subd. 3. **Determining appropriate health care coverage.** Public health care coverage  
 515.19 is presumed appropriate. In determining whether a parent has appropriate private health  
 515.20 care coverage for the joint child, the court must consider the following factors:

515.21 (1) comprehensiveness of private health care coverage providing medical benefits.  
 515.22 Dependent private health care coverage providing medical benefits is presumed  
 515.23 comprehensive if it includes medical and hospital coverage and provides for preventive,  
 515.24 emergency, acute, and chronic care; or if it meets the minimum essential coverage definition  
 515.25 in United States Code, title 26, section 5000A(f). If both parents have private health care  
 515.26 coverage providing medical benefits that is presumed comprehensive under this paragraph,  
 515.27 the court must determine which parent's private health care coverage is more comprehensive  
 515.28 by considering what other benefits are included in the private health care coverage;

515.29 (2) accessibility. Dependent private health care coverage is accessible if the covered  
 515.30 joint child can obtain services from a health plan provider with reasonable effort by the  
 515.31 parent with whom the joint child resides. Private health care coverage is presumed accessible  
 515.32 if:

516.1 (i) primary care is available within 30 minutes or 30 miles of the joint child's residence  
 516.2 and specialty care is available within 60 minutes or 60 miles of the joint child's residence;

516.3 (ii) the private health care coverage is available through an employer and the employee  
 516.4 can be expected to remain employed for a reasonable amount of time; and

516.5 (iii) no preexisting conditions exist to unduly delay enrollment in private health care  
 516.6 coverage;

516.7 (3) the joint child's special medical needs, if any; and

516.8 (4) affordability. Dependent private health care coverage is presumed affordable if it is  
 516.9 ~~reasonable in cost. If both parents have health care coverage available for a joint child that~~  
 516.10 ~~is comparable with regard to comprehensiveness of medical benefits, accessibility, and the~~  
 516.11 ~~joint child's special needs, the least costly health care coverage is presumed to be the most~~  
 516.12 ~~appropriate health care coverage for the joint child the premium to cover the marginal cost~~  
 516.13 ~~of the joint child does not exceed five percent of the parents' combined monthly PICS. A~~  
 516.14 ~~court may additionally consider high deductibles and the cost to enroll the parent if the~~  
 516.15 ~~parent must enroll themselves in private health care coverage to access private health care~~  
 516.16 ~~coverage for the child.~~

516.17 Subd. 4. **Ordering health care coverage.** ~~(a) If a joint child is presently enrolled in~~  
 516.18 ~~health care coverage, the court must order that the parent who currently has the joint child~~  
 516.19 ~~enrolled continue that enrollment unless the parties agree otherwise or a party requests a~~  
 516.20 ~~change in coverage and the court determines that other health care coverage is more~~  
 516.21 ~~appropriate.~~

516.22 (b) If a joint child is not presently enrolled in health care coverage providing medical  
 516.23 benefits, upon motion of a parent or the public authority, the court must determine whether

67.25 Subd. 3. **Determining appropriate health care coverage.** Public health care coverage  
 67.26 is presumed appropriate. In determining whether a parent has appropriate private health  
 67.27 care coverage for the joint child, the court must consider the following factors:

67.28 (1) comprehensiveness of private health care coverage providing medical benefits.  
 67.29 Dependent private health care coverage providing medical benefits is presumed  
 67.30 comprehensive if it includes medical and hospital coverage and provides for preventive,  
 67.31 emergency, acute, and chronic care; or if it meets the minimum essential coverage definition  
 67.32 in United States Code, title 26, section 5000A(f). If both parents have private health care  
 68.1 coverage providing medical benefits that is presumed comprehensive under this paragraph,  
 68.2 the court must determine which parent's private health care coverage is more comprehensive  
 68.3 by considering what other benefits are included in the private health care coverage;

68.4 (2) accessibility. Dependent private health care coverage is accessible if the covered  
 68.5 joint child can obtain services from a health plan provider with reasonable effort by the  
 68.6 parent with whom the joint child resides. Private health care coverage is presumed accessible  
 68.7 if:

68.8 (i) primary care is available within 30 minutes or 30 miles of the joint child's residence  
 68.9 and specialty care is available within 60 minutes or 60 miles of the joint child's residence;

68.10 (ii) the private health care coverage is available through an employer and the employee  
 68.11 can be expected to remain employed for a reasonable amount of time; and

68.12 (iii) no preexisting conditions exist to unduly delay enrollment in private health care  
 68.13 coverage;

68.14 (3) the joint child's special medical needs, if any; and

68.15 (4) affordability. Dependent private health care coverage is presumed affordable if it is  
 68.16 ~~reasonable in cost. If both parents have health care coverage available for a joint child that~~  
 68.17 ~~is comparable with regard to comprehensiveness of medical benefits, accessibility, and the~~  
 68.18 ~~joint child's special needs, the least costly health care coverage is presumed to be the most~~  
 68.19 ~~appropriate health care coverage for the joint child the premium to cover the marginal cost~~  
 68.20 ~~of the joint child does not exceed five percent of the parents' combined monthly PICS. A~~  
 68.21 ~~court may additionally consider high deductibles and the cost to enroll the parent if the~~  
 68.22 ~~parent must enroll themselves in private health care coverage to access private health care~~  
 68.23 ~~coverage for the child.~~

68.24 Subd. 4. **Ordering health care coverage.** ~~(a) If a joint child is presently enrolled in~~  
 68.25 ~~health care coverage, the court must order that the parent who currently has the joint child~~  
 68.26 ~~enrolled continue that enrollment unless the parties agree otherwise or a party requests a~~  
 68.27 ~~change in coverage and the court determines that other health care coverage is more~~  
 68.28 ~~appropriate.~~

68.29 (b) If a joint child is not presently enrolled in health care coverage providing medical  
 68.30 benefits, upon motion of a parent or the public authority, the court must determine whether

516.24 ~~one or both parents have appropriate health care coverage providing medical benefits for~~  
516.25 ~~the joint child.~~

516.26 (a) If a joint child is presently enrolled in health care coverage, the court shall order that  
516.27 the parent who currently has the joint child enrolled in health care coverage continue that  
516.28 enrollment if the health care coverage is appropriate as defined under subdivision 3.

516.29 ~~(b)~~ (b) If only one parent has appropriate health care coverage providing medical benefits  
516.30 available, the court must order that parent to carry the coverage for the joint child.

516.31 ~~(c)~~ (c) If both parents have appropriate health care coverage providing medical benefits  
516.32 available, the court must order the parent with whom the joint child resides to carry the  
516.33 health care coverage for the joint child, unless:

517.1 (1) a party expresses a preference for private health care coverage providing medical  
517.2 benefits available through the parent with whom the joint child does not reside;

517.3 (2) the parent with whom the joint child does not reside is already carrying dependent  
517.4 private health care coverage providing medical benefits for other children and the cost of  
517.5 contributing to the premiums of the other parent's health care coverage would cause the  
517.6 parent with whom the joint child does not reside extreme hardship; or

517.7 (3) the parties agree as to which parent will carry health care coverage providing medical  
517.8 benefits and agree on the allocation of costs.

517.9 ~~(d)~~ (d) If the exception in paragraph ~~(c)~~ (c), clause (1) or (2), applies, the court must  
517.10 determine which parent has the most appropriate health care coverage providing medical  
517.11 benefits available and order that parent to carry health care coverage for the joint child.

517.12 ~~(e)~~ (e) If neither parent has appropriate health care coverage available, the court must  
517.13 order the parents to:

517.14 ~~(1)~~ (1) contribute toward the actual health care costs of the joint children based on a pro  
517.15 rata share; ~~or,~~

517.16 ~~(2) if the joint child is receiving any form of public coverage, the parent with whom the~~  
517.17 ~~joint child does not reside shall contribute a monthly amount toward the actual cost of public~~  
517.18 ~~coverage. The amount of the noncustodial parent's contribution is determined by applying~~  
517.19 ~~the noncustodial parent's PICS to the premium scale for MinnesotaCare under section~~  
517.20 ~~256L.15, subdivision 2, paragraph (d). If the noncustodial parent's PICS meets the eligibility~~  
517.21 ~~requirements for MinnesotaCare, the contribution is the amount the noncustodial parent~~  
517.22 ~~would pay for the child's premium. If the noncustodial parent's PICS exceeds the eligibility~~  
517.23 ~~requirements, the contribution is the amount of the premium for the highest eligible income~~  
517.24 ~~on the premium scale for MinnesotaCare under section 256L.15, subdivision 2, paragraph~~  
517.25 ~~(d). For purposes of determining the premium amount, the noncustodial parent's household~~  
517.26 ~~size is equal to one parent plus the child or children who are the subject of the child support~~

68.31 ~~one or both parents have appropriate health care coverage providing medical benefits for~~  
68.32 ~~the joint child.~~

69.1 (a) If a joint child is presently enrolled in health care coverage, the court shall order that  
69.2 the parent who currently has the joint child enrolled in health care coverage continue that  
69.3 enrollment if the health care coverage is appropriate as defined under subdivision 3.

69.4 ~~(b)~~ (b) If only one parent has appropriate health care coverage providing medical benefits  
69.5 available, the court must order that parent to carry the coverage for the joint child.

69.6 ~~(c)~~ (c) If both parents have appropriate health care coverage providing medical benefits  
69.7 available, the court must order the parent with whom the joint child resides to carry the  
69.8 health care coverage for the joint child, unless:

69.9 (1) a party expresses a preference for private health care coverage providing medical  
69.10 benefits available through the parent with whom the joint child does not reside;

69.11 (2) the parent with whom the joint child does not reside is already carrying dependent  
69.12 private health care coverage providing medical benefits for other children and the cost of  
69.13 contributing to the premiums of the other parent's health care coverage would cause the  
69.14 parent with whom the joint child does not reside extreme hardship; or

69.15 (3) the parties agree as to which parent will carry health care coverage providing medical  
69.16 benefits and agree on the allocation of costs.

69.17 ~~(d)~~ (d) If the exception in paragraph ~~(c)~~ (c), clause (1) or (2), applies, the court must  
69.18 determine which parent has the most appropriate health care coverage providing medical  
69.19 benefits available and order that parent to carry health care coverage for the joint child.

69.20 ~~(e)~~ (e) If neither parent has appropriate health care coverage available, the court must  
69.21 order the parents to:

69.22 ~~(1)~~ (1) contribute toward the actual health care costs of the joint children based on a pro  
69.23 rata share; ~~or,~~

69.24 ~~(2) if the joint child is receiving any form of public coverage, the parent with whom the~~  
69.25 ~~joint child does not reside shall contribute a monthly amount toward the actual cost of public~~  
69.26 ~~coverage. The amount of the noncustodial parent's contribution is determined by applying~~  
69.27 ~~the noncustodial parent's PICS to the premium scale for MinnesotaCare under section~~  
69.28 ~~256L.15, subdivision 2, paragraph (d). If the noncustodial parent's PICS meets the eligibility~~  
69.29 ~~requirements for MinnesotaCare, the contribution is the amount the noncustodial parent~~  
69.30 ~~would pay for the child's premium. If the noncustodial parent's PICS exceeds the eligibility~~  
69.31 ~~requirements, the contribution is the amount of the premium for the highest eligible income~~  
69.32 ~~on the premium scale for MinnesotaCare under section 256L.15, subdivision 2, paragraph~~  
69.33 ~~(d). For purposes of determining the premium amount, the noncustodial parent's household~~  
70.1 ~~size is equal to one parent plus the child or children who are the subject of the child support~~

517.27 order. The custodial parent's obligation is determined under the requirements for public  
517.28 coverage as set forth in chapter 256B; or

517.29 (3) if the noncustodial parent's PICS meet the eligibility requirement for public coverage  
517.30 under chapter 256B or the noncustodial parent receives public assistance, the noncustodial  
517.31 parent must not be ordered to contribute toward the cost of public coverage.

518.1 ~~(g)~~ (f) If neither parent has appropriate health care coverage available, the court may  
518.2 order the parent with whom the child resides to apply for public health care coverage for  
518.3 the child.

518.4 ~~(h) The commissioner of human services must publish a table with the premium schedule~~  
518.5 ~~for public coverage and update the chart for changes to the schedule by July 1 of each year.~~

518.6 ~~(i)~~ (g) If a joint child is not presently enrolled in private health care coverage providing  
518.7 dental benefits, upon motion of a parent or the public authority, the court must determine  
518.8 whether one or both parents have appropriate ~~dental~~ private health care coverage providing  
518.9 dental benefits for the joint child, and the court may order a parent with appropriate ~~dental~~  
518.10 private health care coverage providing dental benefits available to carry the health care  
518.11 coverage for the joint child.

518.12 ~~(j)~~ (h) If a joint child is not presently enrolled in available private health care coverage  
518.13 providing benefits other than medical benefits or dental benefits, upon motion of a parent  
518.14 or the public authority, the court may determine whether ~~that other~~ private health care  
518.15 coverage providing other health benefits for the joint child is appropriate, and the court may  
518.16 order a parent with that appropriate private health care coverage available to carry the  
518.17 coverage for the joint child.

518.18 Subd. 5. **Medical support costs; unreimbursed and uninsured ~~medical~~ health-related**  
518.19 **expenses.** (a) Unless otherwise agreed to by the parties and approved by the court, the court  
518.20 must order that the cost of private health care coverage and all unreimbursed and uninsured  
518.21 medical health-related expenses ~~under the health plan~~ be divided between the obligor and  
518.22 obligee based on their proportionate share of the parties' combined monthly PICS. The  
518.23 amount allocated for medical support is considered child support but is not subject to a  
518.24 cost-of-living adjustment under section 518A.75.

518.25 (b) If a party owes a joint child basic support obligation for a joint child and is ordered  
518.26 to carry private health care coverage for the joint child, and the other party is ordered to  
518.27 contribute to the carrying party's cost for coverage, the carrying party's ~~child~~ basic support  
518.28 payment must be reduced by the amount of the contributing party's contribution.

518.29 (c) If a party owes a joint child basic support obligation for a joint child and is ordered  
518.30 to contribute to the other party's cost for carrying private health care coverage for the joint  
518.31 child, the contributing party's child support payment must be increased by the amount of  
518.32 the contribution. The contribution toward private health care coverage must not be charged

70.2 order. The custodial parent's obligation is determined under the requirements for public  
70.3 coverage as set forth in chapter 256B; or

70.4 (3) if the noncustodial parent's PICS meet the eligibility requirement for public coverage  
70.5 under chapter 256B or the noncustodial parent receives public assistance, the noncustodial  
70.6 parent must not be ordered to contribute toward the cost of public coverage.

70.7 ~~(g)~~ (f) If neither parent has appropriate health care coverage available, the court may  
70.8 order the parent with whom the child resides to apply for public health care coverage for  
70.9 the child.

70.10 ~~(h) The commissioner of human services must publish a table with the premium schedule~~  
70.11 ~~for public coverage and update the chart for changes to the schedule by July 1 of each year.~~

70.12 ~~(i)~~ (g) If a joint child is not presently enrolled in private health care coverage providing  
70.13 dental benefits, upon motion of a parent or the public authority, the court must determine  
70.14 whether one or both parents have appropriate ~~dental~~ private health care coverage providing  
70.15 dental benefits for the joint child, and the court may order a parent with appropriate ~~dental~~  
70.16 private health care coverage providing dental benefits available to carry the health care  
70.17 coverage for the joint child.

70.18 ~~(j)~~ (h) If a joint child is not presently enrolled in available private health care coverage  
70.19 providing benefits other than medical benefits or dental benefits, upon motion of a parent  
70.20 or the public authority, the court may determine whether ~~that other~~ private health care  
70.21 coverage providing other health benefits for the joint child is appropriate, and the court may  
70.22 order a parent with that appropriate private health care coverage available to carry the  
70.23 coverage for the joint child.

70.24 Subd. 5. **Medical support costs; unreimbursed and uninsured ~~medical~~ health-related**  
70.25 **expenses.** (a) Unless otherwise agreed to by the parties and approved by the court, the court  
70.26 must order that the cost of private health care coverage and all unreimbursed and uninsured  
70.27 medical health-related expenses ~~under the health plan~~ be divided between the obligor and  
70.28 obligee based on their proportionate share of the parties' combined monthly PICS. The  
70.29 amount allocated for medical support is considered child support but is not subject to a  
70.30 cost-of-living adjustment under section 518A.75.

70.31 (b) If a party owes a joint child basic support obligation for a joint child and is ordered  
70.32 to carry private health care coverage for the joint child, and the other party is ordered to  
70.33 contribute to the carrying party's cost for coverage, the carrying party's ~~child~~ basic support  
70.34 payment must be reduced by the amount of the contributing party's contribution.

71.1 (c) If a party owes a joint child basic support obligation for a joint child and is ordered  
71.2 to contribute to the other party's cost for carrying private health care coverage for the joint  
71.3 child, the contributing party's child support payment must be increased by the amount of  
71.4 the contribution. The contribution toward private health care coverage must not be charged

518.33 in any month in which the party ordered to carry private health care coverage fails to maintain  
 518.34 private coverage.

519.1 (d) If the party ordered to carry private health care coverage for the joint child already  
 519.2 carries dependent private health care coverage for other dependents and would incur no  
 519.3 additional premium costs to add the joint child to the existing health care coverage, the court  
 519.4 must not order the other party to contribute to the premium costs for health care coverage  
 519.5 of the joint child.

519.6 (e) If a party ordered to carry private health care coverage for the joint child does not  
 519.7 already carry dependent private health care coverage but has other dependents who may be  
 519.8 added to the ordered health care coverage, the full premium costs of the dependent private  
 519.9 health care coverage must be allocated between the parties in proportion to the party's share  
 519.10 of the parties' combined monthly PICS, unless the parties agree otherwise.

519.11 (f) If a party ordered to carry private health care coverage for the joint child is required  
 519.12 to enroll in a health plan so that the joint child can be enrolled in dependent private health  
 519.13 care coverage under the plan, the court must allocate the costs of the dependent private  
 519.14 health care coverage between the parties. The costs of the private health care coverage for  
 519.15 the party ordered to carry the health care coverage for the joint child must not be allocated  
 519.16 between the parties.

519.17 (g) If the joint child is receiving any form of public health care coverage:

519.18 (1) the parent with whom the joint child does not reside shall contribute a monthly  
 519.19 amount toward the actual cost of public health care coverage. The amount of the noncustodial  
 519.20 parent's contribution is determined by applying the noncustodial parent's PICS to the premium  
 519.21 scale for MinnesotaCare under section 256L.15, subdivision 2, paragraph (d). If the  
 519.22 noncustodial parent's PICS meets the eligibility requirements for MinnesotaCare, the  
 519.23 contribution is the amount that the noncustodial parent would pay for the child's premium;

519.24 (2) if the noncustodial parent's PICS exceeds the eligibility requirements, the contribution  
 519.25 is the amount of the premium for the highest eligible income on the premium scale for  
 519.26 MinnesotaCare under section 256L.15, subdivision 2, paragraph (d). For purposes of  
 519.27 determining the premium amount, the noncustodial parent's household size is equal to one  
 519.28 parent plus the child or children who are the subject of the order;

519.29 (3) the custodial parent's obligation is determined under the requirements for public  
 519.30 health care coverage in chapter 256B; or

519.31 (4) if the noncustodial parent's PICS is less than 200 percent of the federal poverty  
 519.32 guidelines for one person or the noncustodial parent receives public assistance, the  
 519.33 noncustodial parent must not be ordered to contribute toward the cost of public health care  
 519.34 coverage.

71.5 in any month in which the party ordered to carry private health care coverage fails to maintain  
 71.6 private coverage.

71.7 (d) If the party ordered to carry private health care coverage for the joint child already  
 71.8 carries dependent private health care coverage for other dependents and would incur no  
 71.9 additional premium costs to add the joint child to the existing health care coverage, the court  
 71.10 must not order the other party to contribute to the premium costs for health care coverage  
 71.11 of the joint child.

71.12 (e) If a party ordered to carry private health care coverage for the joint child does not  
 71.13 already carry dependent private health care coverage but has other dependents who may be  
 71.14 added to the ordered health care coverage, the full premium costs of the dependent private  
 71.15 health care coverage must be allocated between the parties in proportion to the party's share  
 71.16 of the parties' combined monthly PICS, unless the parties agree otherwise.

71.17 (f) If a party ordered to carry private health care coverage for the joint child is required  
 71.18 to enroll in a health plan so that the joint child can be enrolled in dependent private health  
 71.19 care coverage under the plan, the court must allocate the costs of the dependent private  
 71.20 health care coverage between the parties. The costs of the private health care coverage for  
 71.21 the party ordered to carry the health care coverage for the joint child must not be allocated  
 71.22 between the parties.

71.23 (g) If the joint child is receiving any form of public health care coverage:

71.24 (1) the parent with whom the joint child does not reside shall contribute a monthly  
 71.25 amount toward the actual cost of public health care coverage. The amount of the noncustodial  
 71.26 parent's contribution is determined by applying the noncustodial parent's PICS to the premium  
 71.27 scale for MinnesotaCare under section 256L.15, subdivision 2, paragraph (d). If the  
 71.28 noncustodial parent's PICS meets the eligibility requirements for MinnesotaCare, the  
 71.29 contribution is the amount that the noncustodial parent would pay for the child's premium;

71.30 (2) if the noncustodial parent's PICS exceeds the eligibility requirements, the contribution  
 71.31 is the amount of the premium for the highest eligible income on the premium scale for  
 71.32 MinnesotaCare under section 256L.15, subdivision 2, paragraph (d). For purposes of  
 71.33 determining the premium amount, the noncustodial parent's household size is equal to one  
 71.34 parent plus the child or children who are the subject of the order;

72.1 (3) the custodial parent's obligation is determined under the requirements for public  
 72.2 health care coverage in chapter 256B; or

72.3 (4) if the noncustodial parent's PICS is less than 200 percent of the federal poverty  
 72.4 guidelines for one person or the noncustodial parent receives public assistance, the  
 72.5 noncustodial parent must not be ordered to contribute toward the cost of public health care  
 72.6 coverage.

520.1 (h) The commissioner of human services must publish a table for section 256L.15,  
 520.2 subdivision 2, paragraph (d), and update the table with changes to the schedule by July 1  
 520.3 of each year.

520.4 Subd. 6. **Notice or court order sent to party's employer, union, or health carrier.** (a)  
 520.5 The public authority must forward a copy of the national medical support notice or court  
 520.6 order for private health care coverage to the party's employer within two business days after  
 520.7 the date the party is entered into the work reporting system under section 256.998.

520.8 (b) The public authority or a party seeking to enforce an order for private health care  
 520.9 coverage must forward a copy of the national medical support notice or court order to the  
 520.10 obligor's employer or union, or to the health carrier under the following circumstances:

520.11 (1) the party ordered to carry private health care coverage for the joint child fails to  
 520.12 provide written proof to the other party or the public authority, within 30 days of the effective  
 520.13 date of the court order, that the party has applied for private health care coverage for the  
 520.14 joint child;

520.15 (2) the party seeking to enforce the order or the public authority gives written notice to  
 520.16 the party ordered to carry private health care coverage for the joint child of its intent to  
 520.17 enforce medical support. The party seeking to enforce the order or public authority must  
 520.18 mail the written notice to the last known address of the party ordered to carry private health  
 520.19 care coverage for the joint child; and

520.20 (3) the party ordered to carry private health care coverage for the joint child fails, within  
 520.21 15 days after the date on which the written notice under clause (2) was mailed, to provide  
 520.22 written proof to the other party or the public authority that the party has applied for private  
 520.23 health care coverage for the joint child.

520.24 (c) The public authority is not required to forward a copy of the national medical support  
 520.25 notice or court order to the obligor's employer or union, or to the health carrier, if the court  
 520.26 orders private health care coverage for the joint child that is not employer-based or  
 520.27 union-based coverage.

520.28 Subd. 7. **Employer or union requirements.** (a) An employer or union must forward  
 520.29 the national medical support notice or court order to its health plan within 20 business days  
 520.30 after the date on the national medical support notice or after receipt of the court order.

520.31 (b) Upon determination by an employer's or union's health plan administrator that a joint  
 520.32 child is eligible to be covered under the health plan, the employer or union and health plan  
 520.33 must enroll the joint child as a beneficiary in the health plan, and the employer must withhold  
 521.1 any required premiums from the income or wages of the party ordered to carry health care  
 521.2 coverage for the joint child.

521.3 (c) If enrollment of the party ordered to carry private health care coverage for a joint  
 521.4 child is necessary to obtain dependent private health care coverage under the plan, and the

72.7 (h) The commissioner of human services must publish a table for section 256L.15,  
 72.8 subdivision 2, paragraph (d), and update the table with changes to the schedule by July 1  
 72.9 of each year.

72.10 Subd. 6. **Notice or court order sent to party's employer, union, or health carrier.** (a)  
 72.11 The public authority must forward a copy of the national medical support notice or court  
 72.12 order for private health care coverage to the party's employer within two business days after  
 72.13 the date the party is entered into the work reporting system under section 256.998.

72.14 (b) The public authority or a party seeking to enforce an order for private health care  
 72.15 coverage must forward a copy of the national medical support notice or court order to the  
 72.16 obligor's employer or union, or to the health carrier under the following circumstances:

72.17 (1) the party ordered to carry private health care coverage for the joint child fails to  
 72.18 provide written proof to the other party or the public authority, within 30 days of the effective  
 72.19 date of the court order, that the party has applied for private health care coverage for the  
 72.20 joint child;

72.21 (2) the party seeking to enforce the order or the public authority gives written notice to  
 72.22 the party ordered to carry private health care coverage for the joint child of its intent to  
 72.23 enforce medical support. The party seeking to enforce the order or public authority must  
 72.24 mail the written notice to the last known address of the party ordered to carry private health  
 72.25 care coverage for the joint child; and

72.26 (3) the party ordered to carry private health care coverage for the joint child fails, within  
 72.27 15 days after the date on which the written notice under clause (2) was mailed, to provide  
 72.28 written proof to the other party or the public authority that the party has applied for private  
 72.29 health care coverage for the joint child.

72.30 (c) The public authority is not required to forward a copy of the national medical support  
 72.31 notice or court order to the obligor's employer or union, or to the health carrier, if the court  
 72.32 orders private health care coverage for the joint child that is not employer-based or  
 72.33 union-based coverage.

73.1 Subd. 7. **Employer or union requirements.** (a) An employer or union must forward  
 73.2 the national medical support notice or court order to its health plan within 20 business days  
 73.3 after the date on the national medical support notice or after receipt of the court order.

73.4 (b) Upon determination by an employer's or union's health plan administrator that a joint  
 73.5 child is eligible to be covered under the health plan, the employer or union and health plan  
 73.6 must enroll the joint child as a beneficiary in the health plan, and the employer must withhold  
 73.7 any required premiums from the income or wages of the party ordered to carry health care  
 73.8 coverage for the joint child.

73.9 (c) If enrollment of the party ordered to carry private health care coverage for a joint  
 73.10 child is necessary to obtain dependent private health care coverage under the plan, and the

521.5 party is not enrolled in the health plan, the employer or union must enroll the party in the  
521.6 plan.

521.7 (d) Enrollment of dependents and, if necessary, the party ordered to carry private health  
521.8 care coverage for the joint child must be immediate and not dependent upon open enrollment  
521.9 periods. Enrollment is not subject to the underwriting policies under section 62A.048.

521.10 (e) Failure of the party ordered to carry private health care coverage for the joint child  
521.11 to execute any documents necessary to enroll the dependent in the health plan does not  
521.12 affect the obligation of the employer or union and health plan to enroll the dependent in a  
521.13 plan. Information and authorization provided by the public authority, or by a party or  
521.14 guardian, is valid for the purposes of meeting enrollment requirements of the health plan.

521.15 (f) An employer or union that is included under the federal Employee Retirement Income  
521.16 Security Act of 1974 (ERISA), United States Code, title 29, section 1169(a), may not deny  
521.17 enrollment to the joint child or to the parent if necessary to enroll the joint child based on  
521.18 exclusionary clauses described in section 62A.048.

521.19 (g) A new employer or union of a party who is ordered to provide private health care  
521.20 coverage for a joint child must enroll the joint child in the party's health plan as required  
521.21 by a national medical support notice or court order.

521.22 Subd. 8. **Health plan requirements.** (a) If a health plan administrator receives a  
521.23 completed national medical support notice or court order, the plan administrator must notify  
521.24 the parties, and the public authority if the public authority provides support enforcement  
521.25 services, within 40 business days after the date of the notice or after receipt of the court  
521.26 order, of the following:

521.27 (1) whether health care coverage is available to the joint child under the terms of the  
521.28 health plan and, if not, the reason why health care coverage is not available;

521.29 (2) whether the joint child is covered under the health plan;

521.30 (3) the effective date of the joint child's coverage under the health plan; and

521.31 (4) what steps, if any, are required to effectuate the joint child's coverage under the health  
521.32 plan.

522.1 (b) If the employer or union offers more than one plan and the national medical support  
522.2 notice or court order does not specify the plan to be carried, the plan administrator must  
522.3 notify the parents and the public authority if the public authority provides support  
522.4 enforcement services. When there is more than one option available under the plan, the  
522.5 public authority, in consultation with the parent with whom the joint child resides, must  
522.6 promptly select from available plan options.

522.7 (c) The plan administrator must provide the parents and public authority, if the public  
522.8 authority provides support enforcement services, with a notice of the joint child's enrollment,  
522.9 description of the health care coverage, and any documents necessary to effectuate coverage.

73.11 party is not enrolled in the health plan, the employer or union must enroll the party in the  
73.12 plan.

73.13 (d) Enrollment of dependents and, if necessary, the party ordered to carry private health  
73.14 care coverage for the joint child must be immediate and not dependent upon open enrollment  
73.15 periods. Enrollment is not subject to the underwriting policies under section 62A.048.

73.16 (e) Failure of the party ordered to carry private health care coverage for the joint child  
73.17 to execute any documents necessary to enroll the dependent in the health plan does not  
73.18 affect the obligation of the employer or union and health plan to enroll the dependent in a  
73.19 plan. Information and authorization provided by the public authority, or by a party or  
73.20 guardian, is valid for the purposes of meeting enrollment requirements of the health plan.

73.21 (f) An employer or union that is included under the federal Employee Retirement Income  
73.22 Security Act of 1974 (ERISA), United States Code, title 29, section 1169(a), may not deny  
73.23 enrollment to the joint child or to the parent if necessary to enroll the joint child based on  
73.24 exclusionary clauses described in section 62A.048.

73.25 (g) A new employer or union of a party who is ordered to provide private health care  
73.26 coverage for a joint child must enroll the joint child in the party's health plan as required  
73.27 by a national medical support notice or court order.

73.28 Subd. 8. **Health plan requirements.** (a) If a health plan administrator receives a  
73.29 completed national medical support notice or court order, the plan administrator must notify  
73.30 the parties, and the public authority if the public authority provides support enforcement  
73.31 services, within 40 business days after the date of the notice or after receipt of the court  
73.32 order, of the following:

74.1 (1) whether health care coverage is available to the joint child under the terms of the  
74.2 health plan and, if not, the reason why health care coverage is not available;

74.3 (2) whether the joint child is covered under the health plan;

74.4 (3) the effective date of the joint child's coverage under the health plan; and

74.5 (4) what steps, if any, are required to effectuate the joint child's coverage under the health  
74.6 plan.

74.7 (b) If the employer or union offers more than one plan and the national medical support  
74.8 notice or court order does not specify the plan to be carried, the plan administrator must  
74.9 notify the parents and the public authority if the public authority provides support  
74.10 enforcement services. When there is more than one option available under the plan, the  
74.11 public authority, in consultation with the parent with whom the joint child resides, must  
74.12 promptly select from available plan options.

74.13 (c) The plan administrator must provide the parents and public authority, if the public  
74.14 authority provides support enforcement services, with a notice of the joint child's enrollment,  
74.15 description of the health care coverage, and any documents necessary to effectuate coverage.

522.10 (d) The health plan must send copies of all correspondence regarding the private health  
522.11 care coverage to the parents.

522.12 (e) An insured joint child's parent's signature is a valid authorization to a health plan for  
522.13 purposes of processing an insurance reimbursement payment to the medical services provider  
522.14 or to the parent, if medical services have been prepaid by that parent.

522.15 Subd. 9. **Employer or union liability.** (a) An employer or union that willfully fails to  
522.16 comply with the order or notice is liable for any uninsured ~~medical~~ health-related expenses  
522.17 incurred by the dependents while the dependents were eligible to be enrolled in the health  
522.18 plan and for any other premium costs incurred because the employer or union willfully  
522.19 failed to comply with the order or notice.

522.20 (b) An employer or union that fails to comply with the order or notice is subject to a  
522.21 contempt finding, a \$250 civil penalty under section 518A.73, and is subject to a civil penalty  
522.22 of \$500 to be paid to the party entitled to reimbursement or the public authority. Penalties  
522.23 paid to the public authority are designated for child support enforcement services.

522.24 Subd. 10. **Contesting enrollment.** (a) A party may contest a joint child's enrollment in  
522.25 a health plan on the limited grounds that the enrollment is improper due to mistake of fact  
522.26 or that the enrollment meets the requirements of section 518.145.

522.27 (b) If the party chooses to contest the enrollment, the party must do so no later than 15  
522.28 days after the employer notifies the party of the enrollment by doing the following:

522.29 (1) filing a motion in district court or according to section 484.702 and the expedited  
522.30 child support process rules if the public authority provides support enforcement services;

522.31 (2) serving the motion on the other party and public authority if the public authority  
522.32 provides support enforcement services; and

523.1 (3) securing a date for the matter to be heard no later than 45 days after the notice of  
523.2 enrollment.

523.3 (c) The enrollment must remain in place while the party contests the enrollment.

523.4 Subd. 11. **Disenrollment; continuation of coverage; coverage options.** (a) Unless a  
523.5 court order provides otherwise, a child for whom a party is required to provide private health  
523.6 care coverage under this section must be covered as a dependent of the party until the child  
523.7 is emancipated, until further order of the court, or as consistent with the terms of the health  
523.8 care coverage.

523.9 (b) The health carrier, employer, or union may not disenroll or eliminate health care  
523.10 coverage for the child unless:

523.11 (1) the health carrier, employer, or union is provided satisfactory written evidence that  
523.12 the court order is no longer in effect;

74.16 (d) The health plan must send copies of all correspondence regarding the private health  
74.17 care coverage to the parents.

74.18 (e) An insured joint child's parent's signature is a valid authorization to a health plan for  
74.19 purposes of processing an insurance reimbursement payment to the medical services provider  
74.20 or to the parent, if medical services have been prepaid by that parent.

74.21 Subd. 9. **Employer or union liability.** (a) An employer or union that willfully fails to  
74.22 comply with the order or notice is liable for any uninsured ~~medical~~ health-related expenses  
74.23 incurred by the dependents while the dependents were eligible to be enrolled in the health  
74.24 plan and for any other premium costs incurred because the employer or union willfully  
74.25 failed to comply with the order or notice.

74.26 (b) An employer or union that fails to comply with the order or notice is subject to a  
74.27 contempt finding, a \$250 civil penalty under section 518A.73, and is subject to a civil penalty  
74.28 of \$500 to be paid to the party entitled to reimbursement or the public authority. Penalties  
74.29 paid to the public authority are designated for child support enforcement services.

74.30 Subd. 10. **Contesting enrollment.** (a) A party may contest a joint child's enrollment in  
74.31 a health plan on the limited grounds that the enrollment is improper due to mistake of fact  
74.32 or that the enrollment meets the requirements of section 518.145.

75.1 (b) If the party chooses to contest the enrollment, the party must do so no later than 15  
75.2 days after the employer notifies the party of the enrollment by doing the following:

75.3 (1) filing a motion in district court or according to section 484.702 and the expedited  
75.4 child support process rules if the public authority provides support enforcement services;

75.5 (2) serving the motion on the other party and public authority if the public authority  
75.6 provides support enforcement services; and

75.7 (3) securing a date for the matter to be heard no later than 45 days after the notice of  
75.8 enrollment.

75.9 (c) The enrollment must remain in place while the party contests the enrollment.

75.10 Subd. 11. **Disenrollment; continuation of coverage; coverage options.** (a) Unless a  
75.11 court order provides otherwise, a child for whom a party is required to provide private health  
75.12 care coverage under this section must be covered as a dependent of the party until the child  
75.13 is emancipated, until further order of the court, or as consistent with the terms of the health  
75.14 care coverage.

75.15 (b) The health carrier, employer, or union may not disenroll or eliminate health care  
75.16 coverage for the child unless:

75.17 (1) the health carrier, employer, or union is provided satisfactory written evidence that  
75.18 the court order is no longer in effect;

523.13 (2) the joint child is or will be enrolled in comparable private health care coverage  
 523.14 through another health plan that will take effect no later than the effective date of the  
 523.15 disenrollment;

523.16 (3) the employee is no longer eligible for dependent health care coverage; or

523.17 (4) the required premium has not been paid by or on behalf of the joint child.

523.18 (c) The health plan must provide 30 days' written notice to the joint child's parents, and  
 523.19 the public authority if the public authority provides support enforcement services, before  
 523.20 the health plan disenrolls or eliminates the joint child's health care coverage.

523.21 (d) A joint child enrolled in private health care coverage under a qualified medical child  
 523.22 support order, including a national medical support notice, under this section is a dependent  
 523.23 and a qualified beneficiary under the Consolidated Omnibus Budget and Reconciliation Act  
 523.24 of 1985 (COBRA), Public Law 99-272. Upon expiration of the order, the joint child is  
 523.25 entitled to the opportunity to elect continued health care coverage that is available under  
 523.26 the health plan. The employer or union must provide notice to the parties and the public  
 523.27 authority, if it provides support services, within ten days of the termination date.

523.28 (e) If the public authority provides support enforcement services and a plan administrator  
 523.29 reports to the public authority that there is more than one coverage option available under  
 523.30 the health plan, the public authority, in consultation with the parent with whom the joint  
 523.31 child resides, must promptly select health care coverage from the available options.

524.1 Subd. 12. **Spousal or former spousal coverage.** The court must require the parent with  
 524.2 whom the joint child does not reside to provide dependent private health care coverage for  
 524.3 the benefit of the parent with whom the joint child resides if the parent with whom the child  
 524.4 does not reside is ordered to provide dependent private health care coverage for the parties'  
 524.5 joint child and adding the other parent to the health care coverage results in no additional  
 524.6 premium cost.

524.7 Subd. 13. **Disclosure of information.** (a) If the public authority provides support  
 524.8 enforcement services, the parties must provide the public authority with the following  
 524.9 information:

524.10 (1) information relating to dependent health care coverage ~~or public coverage~~ available  
 524.11 for the benefit of the joint child for whom support is sought, including all information  
 524.12 required to be included in a medical support order under this section;

524.13 (2) verification that application for court-ordered health care coverage was made within  
 524.14 30 days of the court's order; and

524.15 (3) the reason that a joint child is not enrolled in court-ordered health care coverage, if  
 524.16 a joint child is not enrolled in health care coverage or subsequently loses health care coverage.

524.17 (b) Upon request from the public authority under section 256.978, an employer, union,  
 524.18 or plan administrator, including an employer subject to the federal Employee Retirement

75.19 (2) the joint child is or will be enrolled in comparable private health care coverage  
 75.20 through another health plan that will take effect no later than the effective date of the  
 75.21 disenrollment;

75.22 (3) the employee is no longer eligible for dependent health care coverage; or

75.23 (4) the required premium has not been paid by or on behalf of the joint child.

75.24 (c) The health plan must provide 30 days' written notice to the joint child's parents, and  
 75.25 the public authority if the public authority provides support enforcement services, before  
 75.26 the health plan disenrolls or eliminates the joint child's health care coverage.

75.27 (d) A joint child enrolled in private health care coverage under a qualified medical child  
 75.28 support order, including a national medical support notice, under this section is a dependent  
 75.29 and a qualified beneficiary under the Consolidated Omnibus Budget and Reconciliation Act  
 75.30 of 1985 (COBRA), Public Law 99-272. Upon expiration of the order, the joint child is  
 75.31 entitled to the opportunity to elect continued health care coverage that is available under  
 76.1 the health plan. The employer or union must provide notice to the parties and the public  
 76.2 authority, if it provides support services, within ten days of the termination date.

76.3 (e) If the public authority provides support enforcement services and a plan administrator  
 76.4 reports to the public authority that there is more than one coverage option available under  
 76.5 the health plan, the public authority, in consultation with the parent with whom the joint  
 76.6 child resides, must promptly select health care coverage from the available options.

76.7 Subd. 12. **Spousal or former spousal coverage.** The court must require the parent with  
 76.8 whom the joint child does not reside to provide dependent private health care coverage for  
 76.9 the benefit of the parent with whom the joint child resides if the parent with whom the child  
 76.10 does not reside is ordered to provide dependent private health care coverage for the parties'  
 76.11 joint child and adding the other parent to the health care coverage results in no additional  
 76.12 premium cost.

76.13 Subd. 13. **Disclosure of information.** (a) If the public authority provides support  
 76.14 enforcement services, the parties must provide the public authority with the following  
 76.15 information:

76.16 (1) information relating to dependent health care coverage ~~or public coverage~~ available  
 76.17 for the benefit of the joint child for whom support is sought, including all information  
 76.18 required to be included in a medical support order under this section;

76.19 (2) verification that application for court-ordered health care coverage was made within  
 76.20 30 days of the court's order; and

76.21 (3) the reason that a joint child is not enrolled in court-ordered health care coverage, if  
 76.22 a joint child is not enrolled in health care coverage or subsequently loses health care coverage.

76.23 (b) Upon request from the public authority under section 256.978, an employer, union,  
 76.24 or plan administrator, including an employer subject to the federal Employee Retirement



524.19 Income Security Act of 1974 (ERISA), United States Code, title 29, section 1169(a), must  
524.20 provide the public authority the following information:

524.21 (1) information relating to dependent private health care coverage available to a party  
524.22 for the benefit of the joint child for whom support is sought, including all information  
524.23 required to be included in a medical support order under this section; and

524.24 (2) information that will enable the public authority to determine whether a health plan  
524.25 is appropriate for a joint child, including, but not limited to, all available plan options, any  
524.26 geographic service restrictions, and the location of service providers.

524.27 (c) The employer, union, or plan administrator must not release information regarding  
524.28 one party to the other party. The employer, union, or plan administrator must provide both  
524.29 parties with insurance identification cards and all necessary written information to enable  
524.30 the parties to utilize the insurance benefits for the covered dependent.

524.31 (d) The public authority is authorized to release to a party's employer, union, or health  
524.32 plan information necessary to verify availability of dependent private health care coverage,  
524.33 or to establish, modify, or enforce medical support.

525.1 (e) An employee must disclose to an employer if medical support is required to be  
525.2 withheld under this section and the employer must begin withholding according to the terms  
525.3 of the order and under section 518A.53. If an employee discloses an obligation to obtain  
525.4 private health care coverage and health care coverage is available through the employer,  
525.5 the employer must make all application processes known to the individual and enroll the  
525.6 employee and dependent in the plan.

525.7 Subd. 14. **Child support enforcement services.** The public authority must take necessary  
525.8 steps to establish, enforce, and modify an order for medical support if the joint child receives  
525.9 public assistance or a party completes an application for services from the public authority  
525.10 under section 518A.51.

525.11 Subd. 15. **Enforcement.** (a) Remedies available for collecting and enforcing child  
525.12 support apply to medical support.

525.13 (b) For the purpose of enforcement, the following are additional support:

525.14 (1) the costs of individual or group health or hospitalization coverage;

525.15 (2) dental coverage;

525.16 (3) medical costs ordered by the court to be paid by either party, including health care  
525.17 coverage premiums paid by the obligee because of the obligor's failure to obtain health care  
525.18 coverage as ordered; and

525.19 (4) liabilities established under this subdivision.

525.20 (c) A party who fails to carry court-ordered dependent private health care coverage is  
525.21 liable for the joint child's uninsured ~~medical~~ health-related expenses unless a court order

76.25 Income Security Act of 1974 (ERISA), United States Code, title 29, section 1169(a), must  
76.26 provide the public authority the following information:

76.27 (1) information relating to dependent private health care coverage available to a party  
76.28 for the benefit of the joint child for whom support is sought, including all information  
76.29 required to be included in a medical support order under this section; and

76.30 (2) information that will enable the public authority to determine whether a health plan  
76.31 is appropriate for a joint child, including, but not limited to, all available plan options, any  
76.32 geographic service restrictions, and the location of service providers.

77.1 (c) The employer, union, or plan administrator must not release information regarding  
77.2 one party to the other party. The employer, union, or plan administrator must provide both  
77.3 parties with insurance identification cards and all necessary written information to enable  
77.4 the parties to utilize the insurance benefits for the covered dependent.

77.5 (d) The public authority is authorized to release to a party's employer, union, or health  
77.6 plan information necessary to verify availability of dependent private health care coverage,  
77.7 or to establish, modify, or enforce medical support.

77.8 (e) An employee must disclose to an employer if medical support is required to be  
77.9 withheld under this section and the employer must begin withholding according to the terms  
77.10 of the order and under section 518A.53. If an employee discloses an obligation to obtain  
77.11 private health care coverage and health care coverage is available through the employer,  
77.12 the employer must make all application processes known to the individual and enroll the  
77.13 employee and dependent in the plan.

77.14 Subd. 14. **Child support enforcement services.** The public authority must take necessary  
77.15 steps to establish, enforce, and modify an order for medical support if the joint child receives  
77.16 public assistance or a party completes an application for services from the public authority  
77.17 under section 518A.51.

77.18 Subd. 15. **Enforcement.** (a) Remedies available for collecting and enforcing child  
77.19 support apply to medical support.

77.20 (b) For the purpose of enforcement, the following are additional support:

77.21 (1) the costs of individual or group health or hospitalization coverage;

77.22 (2) dental coverage;

77.23 (3) medical costs ordered by the court to be paid by either party, including health care  
77.24 coverage premiums paid by the obligee because of the obligor's failure to obtain health care  
77.25 coverage as ordered; and

77.26 (4) liabilities established under this subdivision.

77.27 (c) A party who fails to carry court-ordered dependent private health care coverage is  
77.28 liable for the joint child's uninsured ~~medical~~ health-related expenses unless a court order

525.22 provides otherwise. A party's failure to carry court-ordered health care coverage, or to  
 525.23 provide other medical support as ordered, is a basis for modification of medical support  
 525.24 under section 518A.39, subdivision 8, unless it meets the presumption in section 518A.39,  
 525.25 subdivision 2.

525.26 (d) Payments by the health carrier or employer for services rendered to the dependents  
 525.27 that are directed to a party not owed reimbursement must be endorsed over to and forwarded  
 525.28 to the vendor or appropriate party or the public authority. A party retaining insurance  
 525.29 reimbursement not owed to the party is liable for the amount of the reimbursement.

525.30 Subd. 16. **Offset.** (a) If a party is the parent with primary physical custody as defined  
 525.31 in section 518A.26, subdivision 17, and is an obligor ordered to contribute to the other  
 525.32 party's cost for carrying health care coverage for the joint child, the other party's child  
 525.33 support and spousal maintenance obligations are subject to an offset under subdivision 5.

526.1 (b) The public authority, if the public authority provides child support enforcement  
 526.2 services, may remove the offset to a party's child support obligation when:

526.3 (1) the party's court-ordered private health care coverage for the joint child terminates;

526.4 (2) the party does not enroll the joint child in other private health care coverage; and

526.5 (3) a modification motion is not pending.

526.6 The public authority must provide notice to the parties of the action. If neither party requests  
 526.7 a hearing, the public authority must remove the offset effective the first day of the month  
 526.8 following termination of the joint child's private health care coverage.

526.9 (c) The public authority, if the public authority provides child support enforcement  
 526.10 services, may resume the offset when the party ordered to provide private health care  
 526.11 coverage for the joint child has resumed the court-ordered private health care coverage or  
 526.12 enrolled the joint child in other private health care coverage. The public authority must  
 526.13 provide notice to the parties of the action. If neither party requests a hearing, the public  
 526.14 authority must resume the offset effective the first day of the month following certification  
 526.15 that private health care coverage is in place for the joint child.

526.16 (d) A party may contest the public authority's action to remove or resume the offset to  
 526.17 the child support obligation if the party makes a written request for a hearing within 30 days  
 526.18 after receiving written notice. If a party makes a timely request for a hearing, the public  
 526.19 authority must schedule a hearing and send written notice of the hearing to the parties by  
 526.20 mail to the parties' last known addresses at least 14 days before the hearing. The hearing  
 526.21 must be conducted in district court or in the expedited child support process if section  
 526.22 484.702 applies. The district court or child support magistrate must determine whether  
 526.23 removing or resuming the offset is appropriate and, if appropriate, the effective date for the  
 526.24 removal or resumption.

526.25 Subd. 16a. **Suspension or reinstatement of medical support contribution.** (a) If a  
 526.26 party is the parent with primary physical custody, as defined in section 518A.26, subdivision

77.29 provides otherwise. A party's failure to carry court-ordered health care coverage, or to  
 77.30 provide other medical support as ordered, is a basis for modification of medical support  
 77.31 under section 518A.39, subdivision 8, unless it meets the presumption in section 518A.39,  
 77.32 subdivision 2.

78.1 (d) Payments by the health carrier or employer for services rendered to the dependents  
 78.2 that are directed to a party not owed reimbursement must be endorsed over to and forwarded  
 78.3 to the vendor or appropriate party or the public authority. A party retaining insurance  
 78.4 reimbursement not owed to the party is liable for the amount of the reimbursement.

78.5 Subd. 16. **Offset.** (a) If a party is the parent with primary physical custody as defined  
 78.6 in section 518A.26, subdivision 17, and is an obligor ordered to contribute to the other  
 78.7 party's cost for carrying health care coverage for the joint child, the other party's child  
 78.8 support and spousal maintenance obligations are subject to an offset under subdivision 5.

78.9 (b) The public authority, if the public authority provides child support enforcement  
 78.10 services, may remove the offset to a party's child support obligation when:

78.11 (1) the party's court-ordered private health care coverage for the joint child terminates;

78.12 (2) the party does not enroll the joint child in other private health care coverage; and

78.13 (3) a modification motion is not pending.

78.14 The public authority must provide notice to the parties of the action. If neither party requests  
 78.15 a hearing, the public authority must remove the offset effective the first day of the month  
 78.16 following termination of the joint child's private health care coverage.

78.17 (c) The public authority, if the public authority provides child support enforcement  
 78.18 services, may resume the offset when the party ordered to provide private health care  
 78.19 coverage for the joint child has resumed the court-ordered private health care coverage or  
 78.20 enrolled the joint child in other private health care coverage. The public authority must  
 78.21 provide notice to the parties of the action. If neither party requests a hearing, the public  
 78.22 authority must resume the offset effective the first day of the month following certification  
 78.23 that private health care coverage is in place for the joint child.

78.24 (d) A party may contest the public authority's action to remove or resume the offset to  
 78.25 the child support obligation if the party makes a written request for a hearing within 30 days  
 78.26 after receiving written notice. If a party makes a timely request for a hearing, the public  
 78.27 authority must schedule a hearing and send written notice of the hearing to the parties by  
 78.28 mail to the parties' last known addresses at least 14 days before the hearing. The hearing  
 78.29 must be conducted in district court or in the expedited child support process if section  
 78.30 484.702 applies. The district court or child support magistrate must determine whether  
 78.31 removing or resuming the offset is appropriate and, if appropriate, the effective date for the  
 78.32 removal or resumption.

79.1 Subd. 16a. **Suspension or reinstatement of medical support contribution.** (a) If a  
 79.2 party is the parent with primary physical custody, as defined in section 518A.26, subdivision

526.27 17, and is ordered to carry private health care coverage for the joint child but fails to carry  
 526.28 the court-ordered private health care coverage, the public authority may suspend the medical  
 526.29 support obligation of the other party if that party has been court-ordered to contribute to the  
 526.30 cost of the private health care coverage carried by the parent with primary physical custody  
 526.31 of the joint child.

527.1 (b) If the public authority provides child support enforcement services, the public  
 527.2 authority may suspend the other party's medical support contribution toward private health  
 527.3 care coverage when:

527.4 (1) the party's court-ordered private health care coverage for the joint child terminates;

527.5 (2) the party does not enroll the joint child in other private health care coverage; and

527.6 (3) a modification motion is not pending.

527.7 The public authority must provide notice to the parties of the action. If neither party requests  
 527.8 a hearing, the public authority must remove the medical support contribution effective the  
 527.9 first day of the month following the termination of the joint child's private health care  
 527.10 coverage.

527.11 (c) If the public authority provides child support enforcement services, the public authority  
 527.12 may reinstate the medical support contribution when the party ordered to provide private  
 527.13 health care coverage for the joint child has resumed the joint child's court-ordered private  
 527.14 health care coverage or has enrolled the joint child in other private health care coverage.  
 527.15 The public authority must provide notice to the parties of the action. If neither party requests  
 527.16 a hearing, the public authority must resume the medical support contribution effective the  
 527.17 first day of the month following certification that the joint child is enrolled in private health  
 527.18 care coverage.

527.19 (d) A party may contest the public authority's action to suspend or reinstate the medical  
 527.20 support contribution if the party makes a written request for a hearing within 30 days after  
 527.21 receiving written notice. If a party makes a timely request for a hearing, the public authority  
 527.22 must schedule a hearing and send written notice of the hearing to the parties by mail to the  
 527.23 parties' last known addresses at least 14 days before the hearing. The hearing must be  
 527.24 conducted in district court or in the expedited child support process if section 484.702  
 527.25 applies. The district court or child support magistrate must determine whether suspending  
 527.26 or reinstating the medical support contribution is appropriate and, if appropriate, the effective  
 527.27 date of the removal or reinstatement of the medical support contribution.

527.28 Subd. 17. **Collecting unreimbursed or uninsured ~~medical~~ health-related expenses.** (a)  
 527.29 This subdivision and subdivision 18 apply when a court order has determined and ordered  
 527.30 the parties' proportionate share and responsibility to contribute to unreimbursed or uninsured  
 527.31 ~~medical~~ health-related expenses.

527.32 (b) A party requesting reimbursement of unreimbursed or uninsured ~~medical~~  
 527.33 health-related expenses must initiate a request to the other party within two years of the

79.3 17, and is ordered to carry private health care coverage for the joint child but fails to carry  
 79.4 the court-ordered private health care coverage, the public authority may suspend the medical  
 79.5 support obligation of the other party if that party has been court-ordered to contribute to the  
 79.6 cost of the private health care coverage carried by the parent with primary physical custody  
 79.7 of the joint child.

79.8 (b) If the public authority provides child support enforcement services, the public  
 79.9 authority may suspend the other party's medical support contribution toward private health  
 79.10 care coverage when:

79.11 (1) the party's court-ordered private health care coverage for the joint child terminates;

79.12 (2) the party does not enroll the joint child in other private health care coverage; and

79.13 (3) a modification motion is not pending.

79.14 The public authority must provide notice to the parties of the action. If neither party requests  
 79.15 a hearing, the public authority must remove the medical support contribution effective the  
 79.16 first day of the month following the termination of the joint child's private health care  
 79.17 coverage.

79.18 (c) If the public authority provides child support enforcement services, the public authority  
 79.19 may reinstate the medical support contribution when the party ordered to provide private  
 79.20 health care coverage for the joint child has resumed the joint child's court-ordered private  
 79.21 health care coverage or has enrolled the joint child in other private health care coverage.  
 79.22 The public authority must provide notice to the parties of the action. If neither party requests  
 79.23 a hearing, the public authority must resume the medical support contribution effective the  
 79.24 first day of the month following certification that the joint child is enrolled in private health  
 79.25 care coverage.

79.26 (d) A party may contest the public authority's action to suspend or reinstate the medical  
 79.27 support contribution if the party makes a written request for a hearing within 30 days after  
 79.28 receiving written notice. If a party makes a timely request for a hearing, the public authority  
 79.29 must schedule a hearing and send written notice of the hearing to the parties by mail to the  
 79.30 parties' last known addresses at least 14 days before the hearing. The hearing must be  
 79.31 conducted in district court or in the expedited child support process if section 484.702  
 79.32 applies. The district court or child support magistrate must determine whether suspending  
 79.33 or reinstating the medical support contribution is appropriate and, if appropriate, the effective  
 79.34 date of the removal or reinstatement of the medical support contribution.

80.1 Subd. 17. **Collecting unreimbursed or uninsured ~~medical~~ health-related expenses.** (a)  
 80.2 This subdivision and subdivision 18 apply when a court order has determined and ordered  
 80.3 the parties' proportionate share and responsibility to contribute to unreimbursed or uninsured  
 80.4 ~~medical~~ health-related expenses.

80.5 (b) A party requesting reimbursement of unreimbursed or uninsured ~~medical~~  
 80.6 health-related expenses must initiate a request to the other party within two years of the

528.1 date that the requesting party incurred the unreimbursed or uninsured ~~medical~~ health-related  
 528.2 expenses. If a court order has been signed ordering the contribution ~~towards~~ toward  
 528.3 unreimbursed or uninsured expenses, a two-year limitations provision must be applied to  
 528.4 any requests made on or after January 1, 2007. The provisions of this section apply  
 528.5 retroactively to court orders signed before January 1, 2007. Requests for unreimbursed or  
 528.6 uninsured expenses made on or after January 1, 2007, may include expenses incurred before  
 528.7 January 1, 2007, and on or after January 1, 2005.

528.8 (c) A requesting party must mail a written notice of intent to collect the unreimbursed  
 528.9 or uninsured ~~medical~~ health-related expenses and a copy of an affidavit of health care  
 528.10 expenses to the other party at the other party's last known address.

528.11 (d) The written notice must include a statement that the other party has 30 days from  
 528.12 the date the notice was mailed to (1) pay in full; (2) agree to a payment schedule; or (3) file  
 528.13 a motion requesting a hearing to contest the amount due or to set a court-ordered monthly  
 528.14 payment amount. If the public authority provides services, the written notice also must  
 528.15 include a statement that, if the other party does not respond within the 30 days, the requesting  
 528.16 party may submit the amount due to the public authority for collection.

528.17 (e) The affidavit of health care expenses must itemize and document the joint child's  
 528.18 unreimbursed or uninsured ~~medical~~ health-related expenses and include copies of all bills,  
 528.19 receipts, and insurance company explanations of benefits.

528.20 (f) If the other party does not respond to the request for reimbursement within 30 days,  
 528.21 the requesting party may commence enforcement against the other party under subdivision  
 528.22 18; file a motion for a court-ordered monthly payment amount under paragraph (i); or notify  
 528.23 the public authority, if the public authority provides services, that the other party has not  
 528.24 responded.

528.25 (g) The notice to the public authority must include: a copy of the written notice, a copy  
 528.26 of the affidavit of health care expenses, and copies of all bills, receipts, and insurance  
 528.27 company explanations of benefits.

528.28 (h) If noticed under paragraph (f), the public authority must serve the other party with  
 528.29 a notice of intent to enforce unreimbursed and uninsured ~~medical~~ health-related expenses  
 528.30 and file an affidavit of service by mail with the district court administrator. The notice must  
 528.31 state that the other party has 14 days to (1) pay in full; or (2) file a motion to contest the  
 528.32 amount due or to set a court-ordered monthly payment amount. The notice must also state  
 528.33 that if there is no response within 14 days, the public authority will commence enforcement  
 528.34 of the expenses as arrears under subdivision 18.

529.1 (i) To contest the amount due or set a court-ordered monthly payment amount, a party  
 529.2 must file a timely motion and schedule a hearing in district court or in the expedited child  
 529.3 support process if section 484.702 applies. The moving party must provide the other party  
 529.4 and the public authority, if the public authority provides services, with written notice at  
 529.5 least 14 days before the hearing by mailing notice of the hearing to the public authority and

80.7 date that the requesting party incurred the unreimbursed or uninsured ~~medical~~ health-related  
 80.8 expenses. If a court order has been signed ordering the contribution ~~towards~~ toward  
 80.9 unreimbursed or uninsured expenses, a two-year limitations provision must be applied to  
 80.10 any requests made on or after January 1, 2007. The provisions of this section apply  
 80.11 retroactively to court orders signed before January 1, 2007. Requests for unreimbursed or  
 80.12 uninsured expenses made on or after January 1, 2007, may include expenses incurred before  
 80.13 January 1, 2007, and on or after January 1, 2005.

80.14 (c) A requesting party must mail a written notice of intent to collect the unreimbursed  
 80.15 or uninsured ~~medical~~ health-related expenses and a copy of an affidavit of health care  
 80.16 expenses to the other party at the other party's last known address.

80.17 (d) The written notice must include a statement that the other party has 30 days from  
 80.18 the date the notice was mailed to (1) pay in full; (2) agree to a payment schedule; or (3) file  
 80.19 a motion requesting a hearing to contest the amount due or to set a court-ordered monthly  
 80.20 payment amount. If the public authority provides services, the written notice also must  
 80.21 include a statement that, if the other party does not respond within the 30 days, the requesting  
 80.22 party may submit the amount due to the public authority for collection.

80.23 (e) The affidavit of health care expenses must itemize and document the joint child's  
 80.24 unreimbursed or uninsured ~~medical~~ health-related expenses and include copies of all bills,  
 80.25 receipts, and insurance company explanations of benefits.

80.26 (f) If the other party does not respond to the request for reimbursement within 30 days,  
 80.27 the requesting party may commence enforcement against the other party under subdivision  
 80.28 18; file a motion for a court-ordered monthly payment amount under paragraph (i); or notify  
 80.29 the public authority, if the public authority provides services, that the other party has not  
 80.30 responded.

80.31 (g) The notice to the public authority must include: a copy of the written notice, a copy  
 80.32 of the affidavit of health care expenses, and copies of all bills, receipts, and insurance  
 80.33 company explanations of benefits.

81.1 (h) If noticed under paragraph (f), the public authority must serve the other party with  
 81.2 a notice of intent to enforce unreimbursed and uninsured ~~medical~~ health-related expenses  
 81.3 and file an affidavit of service by mail with the district court administrator. The notice must  
 81.4 state that the other party has 14 days to (1) pay in full; or (2) file a motion to contest the  
 81.5 amount due or to set a court-ordered monthly payment amount. The notice must also state  
 81.6 that if there is no response within 14 days, the public authority will commence enforcement  
 81.7 of the expenses as arrears under subdivision 18.

81.8 (i) To contest the amount due or set a court-ordered monthly payment amount, a party  
 81.9 must file a timely motion and schedule a hearing in district court or in the expedited child  
 81.10 support process if section 484.702 applies. The moving party must provide the other party  
 81.11 and the public authority, if the public authority provides services, with written notice at  
 81.12 least 14 days before the hearing by mailing notice of the hearing to the public authority and

529.6 to the requesting party at the requesting party's last known address. The moving party must  
 529.7 file the affidavit of health care expenses with the court at least five days before the hearing.  
 529.8 The district court or child support magistrate must determine liability for the expenses and  
 529.9 order that the liable party is subject to enforcement of the expenses as arrears under  
 529.10 subdivision 18 or set a court-ordered monthly payment amount.

529.11 Subd. 18. **Enforcing unreimbursed or uninsured ~~medical~~ health-related expenses**  
 529.12 **as arrears.** (a) Unreimbursed or uninsured ~~medical~~ health-related expenses enforced under  
 529.13 this subdivision are collected as arrears.

529.14 (b) If the liable party is the parent with primary physical custody as defined in section  
 529.15 518A.26, subdivision 17, the unreimbursed or uninsured ~~medical~~ health-related expenses  
 529.16 must be deducted from any arrears the requesting party owes the liable party. If unreimbursed  
 529.17 or uninsured expenses remain after the deduction, the expenses must be collected as follows:

529.18 (1) If the requesting party owes a current child support obligation to the liable party, 20  
 529.19 percent of each payment received from the requesting party must be returned to the requesting  
 529.20 party. The total amount returned to the requesting party each month must not exceed 20  
 529.21 percent of the current monthly support obligation.

529.22 (2) If the requesting party does not owe current child support or arrears, a payment  
 529.23 agreement under section 518A.69 is required. If the liable party fails to enter into or comply  
 529.24 with a payment agreement, the requesting party or the public authority, if the public authority  
 529.25 provides services, may schedule a hearing to set a court-ordered payment. The requesting  
 529.26 party or the public authority must provide the liable party with written notice of the hearing  
 529.27 at least 14 days before the hearing.

529.28 (c) If the liable party is not the parent with primary physical custody as defined in section  
 529.29 518A.26, subdivision 17, the unreimbursed or uninsured ~~medical~~ health-related expenses  
 529.30 must be deducted from any arrears the requesting party owes the liable party. If unreimbursed  
 529.31 or uninsured expenses remain after the deduction, the expenses must be added and collected  
 529.32 as arrears owed by the liable party.

529.33 **EFFECTIVE DATE.** This section is effective January 1, 2025.

530.1 Sec. 29. Minnesota Statutes 2022, section 518A.42, subdivision 1, is amended to read:

530.2 Subdivision 1. **Ability to pay.** (a) It is a rebuttable presumption that a child support  
 530.3 order should not exceed the obligor's ability to pay. To determine the amount of child support  
 530.4 the obligor has the ability to pay, the court shall follow the procedure set out in this section.

530.5 (b) The court shall calculate the obligor's income available for support by subtracting a  
 530.6 monthly self-support reserve equal to 120 percent of the federal poverty guidelines for one  
 530.7 person from the obligor's parental income for determining child support (PICS). If benefits  
 530.8 under section 518A.31 are received by the obligee as a representative payee for a joint child  
 530.9 or are received by the child attending school, based on the other parent's eligibility, the court  
 530.10 shall subtract the amount of benefits from the obligor's PICS before subtracting the

81.13 to the requesting party at the requesting party's last known address. The moving party must  
 81.14 file the affidavit of health care expenses with the court at least five days before the hearing.  
 81.15 The district court or child support magistrate must determine liability for the expenses and  
 81.16 order that the liable party is subject to enforcement of the expenses as arrears under  
 81.17 subdivision 18 or set a court-ordered monthly payment amount.

81.18 Subd. 18. **Enforcing unreimbursed or uninsured ~~medical~~ health-related expenses**  
 81.19 **as arrears.** (a) Unreimbursed or uninsured ~~medical~~ health-related expenses enforced under  
 81.20 this subdivision are collected as arrears.

81.21 (b) If the liable party is the parent with primary physical custody as defined in section  
 81.22 518A.26, subdivision 17, the unreimbursed or uninsured ~~medical~~ health-related expenses  
 81.23 must be deducted from any arrears the requesting party owes the liable party. If unreimbursed  
 81.24 or uninsured expenses remain after the deduction, the expenses must be collected as follows:

81.25 (1) If the requesting party owes a current child support obligation to the liable party, 20  
 81.26 percent of each payment received from the requesting party must be returned to the requesting  
 81.27 party. The total amount returned to the requesting party each month must not exceed 20  
 81.28 percent of the current monthly support obligation.

81.29 (2) If the requesting party does not owe current child support or arrears, a payment  
 81.30 agreement under section 518A.69 is required. If the liable party fails to enter into or comply  
 81.31 with a payment agreement, the requesting party or the public authority, if the public authority  
 81.32 provides services, may schedule a hearing to set a court-ordered payment. The requesting  
 81.33 party or the public authority must provide the liable party with written notice of the hearing  
 81.34 at least 14 days before the hearing.

82.1 (c) If the liable party is not the parent with primary physical custody as defined in section  
 82.2 518A.26, subdivision 17, the unreimbursed or uninsured ~~medical~~ health-related expenses  
 82.3 must be deducted from any arrears the requesting party owes the liable party. If unreimbursed  
 82.4 or uninsured expenses remain after the deduction, the expenses must be added and collected  
 82.5 as arrears owed by the liable party.

82.6 **EFFECTIVE DATE.** This section is effective January 1, 2025.

82.7 Sec. 6. Minnesota Statutes 2022, section 518A.42, subdivision 1, is amended to read:

82.8 Subdivision 1. **Ability to pay.** (a) It is a rebuttable presumption that a child support  
 82.9 order should not exceed the obligor's ability to pay. To determine the amount of child support  
 82.10 the obligor has the ability to pay, the court shall follow the procedure set out in this section.

82.11 (b) The court shall calculate the obligor's income available for support by subtracting a  
 82.12 monthly self-support reserve equal to 120 percent of the federal poverty guidelines for one  
 82.13 person from the obligor's parental income for determining child support (PICS). If benefits  
 82.14 under section 518A.31 are received by the obligee as a representative payee for a joint child  
 82.15 or are received by the child attending school, based on the other parent's eligibility, the court  
 82.16 shall subtract the amount of benefits from the obligor's PICS before subtracting the

530.11 self-support reserve. If the obligor's income available for support calculated under this  
 530.12 paragraph is equal to or greater than the obligor's support obligation calculated under section  
 530.13 518A.34, the court shall order child support under section 518A.34.

530.14 (c) If the obligor's income available for support calculated under paragraph (b) is more  
 530.15 than the minimum support amount under subdivision 2, but less than the guideline amount  
 530.16 under section 518A.34, then the court shall apply a reduction to the child support obligation  
 530.17 in the following order, until the support order is equal to the obligor's income available for  
 530.18 support:

530.19 (1) medical support obligation;

530.20 (2) child care support obligation; and

530.21 (3) basic support obligation.

530.22 (d) If the obligor's income available for support calculated under paragraph (b) is equal  
 530.23 to or less than the minimum support amount under subdivision 2 or if the obligor's gross  
 530.24 income is less than 120 percent of the federal poverty guidelines for one person, the minimum  
 530.25 support amount under subdivision 2 applies.

530.26 **EFFECTIVE DATE.** This section is effective January 1, 2025.

530.27 Sec. 30. Minnesota Statutes 2022, section 518A.42, subdivision 3, is amended to read:

530.28 Subd. 3. **Exception.** (a) This section does not apply to an obligor who is incarcerated  
 530.29 or is a recipient of a general assistance grant, Supplemental Security Income, temporary  
 530.30 assistance for needy families (TANF) grant, or comparable state-funded Minnesota family  
 530.31 investment program (MFIP) benefits.

531.1 (b) If the court finds the obligor receives no income and completely lacks the ability to  
 531.2 earn income, the minimum basic support amount under this subdivision does not apply.

531.3 (c) If the obligor's basic support amount is reduced below the minimum basic support  
 531.4 amount due to the application of the parenting expense adjustment, the minimum basic  
 531.5 support amount under this subdivision does not apply and the lesser amount is the guideline  
 531.6 basic support.

531.7 **EFFECTIVE DATE.** This section is effective January 1, 2025.

82.17 self-support reserve. If the obligor's income available for support calculated under this  
 82.18 paragraph is equal to or greater than the obligor's support obligation calculated under section  
 82.19 518A.34, the court shall order child support under section 518A.34.

82.20 (c) If the obligor's income available for support calculated under paragraph (b) is more  
 82.21 than the minimum support amount under subdivision 2, but less than the guideline amount  
 82.22 under section 518A.34, then the court shall apply a reduction to the child support obligation  
 82.23 in the following order, until the support order is equal to the obligor's income available for  
 82.24 support:

82.25 (1) medical support obligation;

82.26 (2) child care support obligation; and

82.27 (3) basic support obligation.

82.28 (d) If the obligor's income available for support calculated under paragraph (b) is equal  
 82.29 to or less than the minimum support amount under subdivision 2 or if the obligor's gross  
 82.30 income is less than 120 percent of the federal poverty guidelines for one person, the minimum  
 82.31 support amount under subdivision 2 applies.

82.32 **EFFECTIVE DATE.** This section is effective January 1, 2025.

83.1 Sec. 7. Minnesota Statutes 2022, section 518A.42, subdivision 3, is amended to read:

83.2 Subd. 3. **Exception.** (a) This section does not apply to an obligor who is incarcerated  
 83.3 or is a recipient of a general assistance grant, Supplemental Security Income, temporary  
 83.4 assistance for needy families (TANF) grant, or comparable state-funded Minnesota family  
 83.5 investment program (MFIP) benefits.

83.6 (b) If the court finds the obligor receives no income and completely lacks the ability to  
 83.7 earn income, the minimum basic support amount under this subdivision does not apply.

83.8 (c) If the obligor's basic support amount is reduced below the minimum basic support  
 83.9 amount due to the application of the parenting expense adjustment, the minimum basic  
 83.10 support amount under this subdivision does not apply and the lesser amount is the guideline  
 83.11 basic support.

83.12 **EFFECTIVE DATE.** This section is effective January 1, 2025.

83.13 Sec. 8. Minnesota Statutes 2022, section 518A.43, subdivision 1b, is amended to read:

83.14 Subd. 1b. **Increase in income of custodial parent.** In a modification of support under  
 83.15 section 518A.39, the court may deviate from the presumptive child support obligation under  
 83.16 section 518A.34 when the only change in circumstances is an increase to the custodial  
 83.17 parent's income and:

83.18 (1) the basic support increases;

531.8 Sec. 31. Minnesota Statutes 2022, section 518A.65, is amended to read:

531.9 **518A.65 DRIVER'S LICENSE SUSPENSION.**

531.10 (a) This paragraph is effective July 1, 2023. Upon motion of an obligee, which has been  
 531.11 properly served on the obligor and upon which there has been an opportunity for hearing,  
 531.12 if a court finds that the obligor has been or may be issued a driver's license by the  
 531.13 commissioner of public safety and the obligor is in arrears in court-ordered child support  
 531.14 or maintenance payments, or both, in an amount equal to or greater than three times the  
 531.15 obligor's total monthly support and maintenance payments and is not in compliance with a  
 531.16 written payment agreement pursuant to section 518A.69 that is approved by the court, a  
 531.17 child support magistrate, or the public authority, the court ~~shall~~ may order the commissioner  
 531.18 of public safety to suspend the obligor's driver's license. The court may consider the  
 531.19 circumstances in paragraph (i) to determine whether driver's license suspension is an  
 531.20 appropriate remedy that is likely to induce the payment of child support. The court may  
 531.21 consider whether driver's license suspension would have a direct harmful effect on the  
 531.22 obligor or joint children that would make driver's license suspension an inappropriate remedy.  
 531.23 The public authority may not administratively reinstate a driver's license suspended by the  
 531.24 court unless specifically authorized in the court order. This paragraph expires December  
 531.25 31, 2025.

531.26 (b) This paragraph is effective January 1, 2026. Upon motion of an obligee, which has  
 531.27 been properly served on the obligor and upon which there has been an opportunity for  
 531.28 hearing, if a court finds that the obligor has a valid driver's license issued by the commissioner  
 531.29 of public safety and the obligor is in arrears in court-ordered child support or maintenance  
 531.30 payments, or both, in an amount equal to or greater than three times the obligor's total  
 531.31 monthly support and maintenance payments and is not in compliance with a written payment  
 531.32 agreement pursuant to section 518A.69 that is approved by the court, a child support  
 531.33 magistrate, or the public authority, the court may order the commissioner of public safety  
 531.34 to suspend the obligor's driver's license. The court may consider the circumstances in  
 532.1 paragraph (i) to determine whether driver's license suspension is an appropriate remedy that  
 532.2 is likely to induce the payment of child support. The court may consider whether driver's  
 532.3 license suspension would have a direct harmful effect on the obligor or joint children that  
 532.4 would make driver's license suspension an inappropriate remedy. The public authority may  
 532.5 not administratively reinstate a driver's license suspended by the court unless specifically  
 532.6 authorized in the court order.

532.7 (c) The court's order must be stayed for 90 days in order to allow the obligor to execute  
 532.8 a written payment agreement pursuant to section 518A.69. The payment agreement must  
 532.9 be approved by either the court or the public authority responsible for child support

83.19 ~~(2) the parties' combined gross income is \$6,000 or less; or~~

83.20 ~~(3) the obligor's income is \$2,000 or less.~~

83.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

83.22 Sec. 9. Minnesota Statutes 2022, section 518A.65, is amended to read:

83.23 **518A.65 DRIVER'S LICENSE SUSPENSION.**

83.24 (a) Upon motion of an obligee, which has been properly served on the obligor and upon  
 83.25 which there has been an opportunity for hearing, if a court finds that the obligor has been  
 83.26 or may be issued a driver's license by the commissioner of public safety and the obligor is  
 83.27 in arrears in court-ordered child support or maintenance payments, or both, in an amount  
 83.28 equal to or greater than three times the obligor's total monthly support and maintenance  
 83.29 payments and is not in compliance with a written payment agreement pursuant to section  
 83.30 518A.69 that is approved by the court, a child support magistrate, or the public authority,  
 83.31 the court ~~shall~~ may order the commissioner of public safety to suspend the obligor's driver's  
 84.1 license. The court may consider the circumstances in paragraph (i) to determine whether  
 84.2 driver's license suspension is an appropriate remedy that is likely to induce the payment of  
 84.3 child support. The court may consider whether driver's license suspension would have a  
 84.4 direct harmful effect on the obligor or joint children that would make driver's license  
 84.5 suspension an inappropriate remedy. The public authority may not administratively reinstate  
 84.6 a driver's license suspended by the court unless specifically authorized to do so in the court  
 84.7 order. This paragraph expires December 31, 2025.

84.8 (b) This paragraph is effective January 1, 2026. Upon the motion of an obligee that has  
 84.9 been properly served on the obligor and for which there has been an opportunity for a  
 84.10 hearing, if a court finds that the obligor has a valid driver's license issued by the commissioner  
 84.11 of public safety and the obligor is in arrears in court-ordered child support or maintenance  
 84.12 payments, or both, in an amount equal to or greater than three times the obligor's total  
 84.13 monthly support and maintenance payments and is not in compliance with a written payment  
 84.14 agreement pursuant to section 518A.69 that is approved by the court, a child support  
 84.15 magistrate, or the public authority, the court may order the commissioner of public safety  
 84.16 to suspend the obligor's driver's license. The court may consider the circumstances in  
 84.17 paragraph (i) to determine whether driver's license suspension is an appropriate remedy that  
 84.18 is likely to induce the payment of child support. The court may consider whether driver's  
 84.19 license suspension would have a direct harmful effect on the obligor or joint children that  
 84.20 would make driver's license suspension an inappropriate remedy. The public authority may  
 84.21 not administratively reinstate a driver's license suspended by the court unless specifically  
 84.22 authorized to do so in the court order.

84.23 (c) The court's order must be stayed for 90 days in order to allow the obligor to execute  
 84.24 a written payment agreement pursuant to section 518A.69. The payment agreement must  
 84.25 be approved by either the court or the public authority responsible for child support

532.10 enforcement. If the obligor has not executed or is not in compliance with a written payment  
 532.11 agreement pursuant to section 518A.69 after the 90 days expires, the court's order becomes  
 532.12 effective and the commissioner of public safety shall suspend the obligor's driver's license.  
 532.13 The remedy under this section is in addition to any other enforcement remedy available to  
 532.14 the court. An obligee may not bring a motion under this paragraph within 12 months of a  
 532.15 denial of a previous motion under this paragraph.

532.16 ~~(b)~~ (d) This paragraph is effective July 1, 2023. If a public authority responsible for child  
 532.17 support enforcement determines that the obligor has been or may be issued a driver's license  
 532.18 by the commissioner of public safety ~~and~~; the obligor is in arrears in court-ordered child  
 532.19 support or maintenance payments or both in an amount equal to or greater than three times  
 532.20 the obligor's total monthly support and maintenance payments and not in compliance with  
 532.21 a written payment agreement pursuant to section 518A.69 that is approved by the court, a  
 532.22 child support magistrate, or the public authority, the public authority shall direct the  
 532.23 commissioner of public safety to suspend the obligor's driver's license unless exercising  
 532.24 administrative discretion under paragraph (i). The remedy under this section is in addition  
 532.25 to any other enforcement remedy available to the public authority. This paragraph expires  
 532.26 December 31, 2025.

532.27 (e) This paragraph is effective January 1, 2026. If a public authority responsible for child  
 532.28 support enforcement determines that:

532.29 (1) the obligor has a valid driver's license issued by the commissioner of public safety;

532.30 (2) the obligor is in arrears in court-ordered child support or maintenance payments or  
 532.31 both in an amount equal to or greater than three times the obligor's total monthly support  
 532.32 and maintenance payments;

533.1 (3) the obligor is not in compliance with a written payment agreement pursuant to section  
 533.2 518A.69 that is approved by the court, a child support magistrate, or the public authority;  
 533.3 and

533.4 (4) the obligor's mailing address is known to the public authority;

533.5 then the public authority shall direct the commissioner of public safety to suspend the  
 533.6 obligor's driver's license unless exercising administrative discretion under paragraph (i).  
 533.7 The remedy under this section is in addition to any other enforcement remedy available to  
 533.8 the public authority.

533.9 ~~(e)~~ (f) At least 90 days prior to notifying the commissioner of public safety according  
 533.10 to paragraph ~~(b)~~ (d), the public authority must mail a written notice to the obligor at the  
 533.11 obligor's last known address, that it intends to seek suspension of the obligor's driver's  
 533.12 license and that the obligor must request a hearing within 30 days in order to contest the  
 533.13 suspension. If the obligor makes a written request for a hearing within 30 days of the date  
 533.14 of the notice, a court hearing must be held. Notwithstanding any law to the contrary, the  
 533.15 obligor must be served with 14 days' notice in writing specifying the time and place of the  
 533.16 hearing and the allegations against the obligor. The notice must include information that

84.26 enforcement. If the obligor has not executed or is not in compliance with a written payment  
 84.27 agreement pursuant to section 518A.69 after the 90 days expires, the court's order becomes  
 84.28 effective and the commissioner of public safety shall suspend the obligor's driver's license.  
 84.29 The remedy under this section is in addition to any other enforcement remedy available to  
 84.30 the court. An obligee may not bring a motion under this paragraph within 12 months of a  
 84.31 denial of a previous motion under this paragraph.

84.32 ~~(b)~~ (d) If a public authority responsible for child support enforcement determines that  
 84.33 the obligor has been or may be issued a driver's license by the commissioner of public safety  
 84.34 ~~and~~; the obligor is in arrears in court-ordered child support or maintenance payments or  
 84.35 both in an amount equal to or greater than three times the obligor's total monthly support  
 85.1 and maintenance payments and not in compliance with a written payment agreement pursuant  
 85.2 to section 518A.69 that is approved by the court, a child support magistrate, or the public  
 85.3 authority, the public authority shall direct the commissioner of public safety to suspend the  
 85.4 obligor's driver's license unless exercising administrative discretion under paragraph (i).  
 85.5 The remedy under this section is in addition to any other enforcement remedy available to  
 85.6 the public authority. This paragraph expires December 31, 2025.

85.7 (e) This paragraph is effective January 1, 2026. If a public authority responsible for child  
 85.8 support enforcement determines that:

85.9 (1) the obligor has a valid driver's license issued by the commissioner of public safety;

85.10 (2) the obligor is in arrears in court-ordered child support or maintenance payments or  
 85.11 both in an amount equal to or greater than three times the obligor's total monthly support  
 85.12 and maintenance payments;

85.13 (3) the obligor is not in compliance with a written payment agreement pursuant to section  
 85.14 518A.69 that is approved by the court, a child support magistrate, or the public authority;  
 85.15 and

85.16 (4) the obligor's mailing address is known to the public authority;

85.17 then the public authority shall direct the commissioner of public safety to suspend the  
 85.18 obligor's driver's license unless exercising administrative discretion under paragraph (i).  
 85.19 The remedy under this section is in addition to any other enforcement remedy available to  
 85.20 the public authority.

85.21 ~~(e)~~ (f) At least 90 days prior to notifying the commissioner of public safety according  
 85.22 to paragraph ~~(b)~~ (d), the public authority must mail a written notice to the obligor at the  
 85.23 obligor's last known address, that it intends to seek suspension of the obligor's driver's  
 85.24 license and that the obligor must request a hearing within 30 days in order to contest the  
 85.25 suspension. If the obligor makes a written request for a hearing within 30 days of the date  
 85.26 of the notice, a court hearing must be held. Notwithstanding any law to the contrary, the  
 85.27 obligor must be served with 14 days' notice in writing specifying the time and place of the  
 85.28 hearing and the allegations against the obligor. The notice must include information that



533.17 appries the obligor of the requirement to develop a written payment agreement that is  
 533.18 approved by a court, a child support magistrate, or the public authority responsible for child  
 533.19 support enforcement regarding child support, maintenance, and any arrearages in order to  
 533.20 avoid license suspension. The notice may be served personally or by mail. If the public  
 533.21 authority does not receive a request for a hearing within 30 days of the date of the notice,  
 533.22 and the obligor does not execute a written payment agreement pursuant to section 518A.69  
 533.23 that is approved by the public authority within 90 days of the date of the notice, the public  
 533.24 authority shall direct the commissioner of public safety to suspend the obligor's driver's  
 533.25 license under paragraph ~~(b)~~ (d).

533.26 ~~(f)~~ (g) At a hearing requested by the obligor under paragraph ~~(e)~~ (f), and on finding that  
 533.27 the obligor is in arrears in court-ordered child support or maintenance payments or both in  
 533.28 an amount equal to or greater than three times the obligor's total monthly support and  
 533.29 maintenance payments, the district court or child support magistrate shall order the  
 533.30 commissioner of public safety to suspend the obligor's driver's license or operating privileges  
 533.31 unless:

533.32 (1) the court or child support magistrate determines that the obligor has executed and is  
 533.33 in compliance with a written payment agreement pursuant to section 518A.69 that is approved  
 533.34 by the court, a child support magistrate, or the public authority; or

534.1 (2) the court, in its discretion, determines that driver's license suspension is unlikely to  
 534.2 induce payment of child support or would have direct harmful effects on the obligor or joint  
 534.3 child that makes driver's license suspension an inappropriate remedy. The court may consider  
 534.4 the circumstances in paragraph (i) in exercising the court's discretion.

534.5 ~~(e)~~ (h) An obligor whose driver's license or operating privileges are suspended may:

534.6 (1) provide proof to the public authority responsible for child support enforcement that  
 534.7 the obligor is in compliance with all written payment agreements pursuant to section 518A.69;

534.8 (2) bring a motion for reinstatement of the driver's license. At the hearing, if the court  
 534.9 or child support magistrate orders reinstatement of the driver's license, the court or child  
 534.10 support magistrate must establish a written payment agreement pursuant to section 518A.69;  
 534.11 or

534.12 (3) seek a limited license under section 171.30. A limited license issued to an obligor  
 534.13 under section 171.30 expires 90 days after the date it is issued.

534.14 Within 15 days of the receipt of that proof or a court order, the public authority shall  
 534.15 inform the commissioner of public safety that the obligor's driver's license or operating  
 534.16 privileges should no longer be suspended.

534.17 (i) Prior to notifying the commissioner of public safety that an obligor's driver's license  
 534.18 should be suspended or after an obligor's driving privileges have been suspended, the public  
 534.19 authority responsible for child support enforcement may use administrative authority to end

85.29 appries the obligor of the requirement to develop a written payment agreement that is  
 85.30 approved by a court, a child support magistrate, or the public authority responsible for child  
 85.31 support enforcement regarding child support, maintenance, and any arrearages in order to  
 85.32 avoid license suspension. The notice may be served personally or by mail. If the public  
 85.33 authority does not receive a request for a hearing within 30 days of the date of the notice,  
 85.34 and the obligor does not execute a written payment agreement pursuant to section 518A.69  
 86.1 that is approved by the public authority within 90 days of the date of the notice, the public  
 86.2 authority shall direct the commissioner of public safety to suspend the obligor's driver's  
 86.3 license under paragraph ~~(b)~~ (d).

86.4 ~~(f)~~ (g) At a hearing requested by the obligor under paragraph ~~(e)~~ (f), and on finding that  
 86.5 the obligor is in arrears in court-ordered child support or maintenance payments or both in  
 86.6 an amount equal to or greater than three times the obligor's total monthly support and  
 86.7 maintenance payments, the district court or child support magistrate shall order the  
 86.8 commissioner of public safety to suspend the obligor's driver's license or operating privileges  
 86.9 unless:

86.10 (1) the court or child support magistrate determines that the obligor has executed and is  
 86.11 in compliance with a written payment agreement pursuant to section 518A.69 that is approved  
 86.12 by the court, a child support magistrate, or the public authority; or

86.13 (2) the court, in its discretion, determines that driver's license suspension is unlikely to  
 86.14 induce payment of child support or would have direct harmful effects on the obligor or joint  
 86.15 child that makes driver's license suspension an inappropriate remedy. The court may consider  
 86.16 the circumstances in paragraph (i) in exercising the court's discretion.

86.17 ~~(e)~~ (h) An obligor whose driver's license or operating privileges are suspended may:

86.18 (1) provide proof to the public authority responsible for child support enforcement that  
 86.19 the obligor is in compliance with all written payment agreements pursuant to section 518A.69;

86.20 (2) bring a motion for reinstatement of the driver's license. At the hearing, if the court  
 86.21 or child support magistrate orders reinstatement of the driver's license, the court or child  
 86.22 support magistrate must establish a written payment agreement pursuant to section 518A.69;  
 86.23 or

86.24 (3) seek a limited license under section 171.30. A limited license issued to an obligor  
 86.25 under section 171.30 expires 90 days after the date it is issued.

86.26 Within 15 days of the receipt of that proof or a court order, the public authority shall  
 86.27 inform the commissioner of public safety that the obligor's driver's license or operating  
 86.28 privileges should no longer be suspended.

86.29 (i) Prior to notifying the commissioner of public safety that an obligor's driver's license  
 86.30 should be suspended or after an obligor's driving privileges have been suspended, the public  
 86.31 authority responsible for child support enforcement may use administrative authority to end

534.20 the suspension process or inform the commissioner of public safety that the obligor's driving  
534.21 privileges should no longer be suspended under any of the following circumstances:

534.22 (1) the full amount of court-ordered payments have been received for at least one month;  
534.23 (2) an income withholding notice has been sent to an employer or payor of money;  
534.24 (3) payments less than the full court-ordered amount have been received and the  
534.25 circumstances of the obligor demonstrate the obligor's substantial intent to comply with the  
534.26 order;

534.27 (4) the obligor receives public assistance;  
534.28 (5) the case is being reviewed by the public authority for downward modification due  
534.29 to changes in the obligor's financial circumstances or a party has filed a motion to modify  
534.30 the child support order;

534.31 (6) the obligor no longer lives in the state and the child support case is in the process of  
534.32 interstate enforcement;

535.1 (7) the obligor is currently incarcerated for one week or more or is receiving in-patient  
535.2 treatment for physical health, mental health, chemical dependency, or other treatment. This  
535.3 clause applies for six months after the obligor is no longer incarcerated or receiving in-patient  
535.4 treatment;

535.5 (8) the obligor is temporarily or permanently disabled and unable to pay child support;  
535.6 (9) the obligor has presented evidence to the public authority that the obligor needs  
535.7 driving privileges to maintain or obtain the obligor's employment;

535.8 (10) the obligor has not had a meaningful opportunity to pay toward arrears; and  
535.9 (11) other circumstances of the obligor indicate that a temporary condition exists for  
535.10 which suspension of a driver's license for the nonpayment of child support is not appropriate.  
535.11 When considering whether driver's license suspension is appropriate, the public authority  
535.12 must assess: (i) whether suspension of the driver's license is likely to induce payment of  
535.13 child support; and (ii) whether suspension of the driver's license would have direct harmful  
535.14 effects on the obligor or joint children that make driver's license suspension an inappropriate  
535.15 remedy.

535.16 The presence of circumstances in this paragraph does not prevent the public authority from  
535.17 proceeding with a suspension of a driver's license.

535.18 ~~(j)~~ (j) In addition to the criteria established under this section for the suspension of an  
535.19 obligor's driver's license, a court, a child support magistrate, or the public authority may  
535.20 direct the commissioner of public safety to suspend the license of a party who has failed,  
535.21 after receiving notice, to comply with a subpoena relating to a paternity or child support  
535.22 proceeding. Notice to an obligor of intent to suspend must be served by first class mail at  
535.23 the obligor's last known address. The notice must inform the obligor of the right to request

86.32 the suspension process or inform the commissioner of public safety that the obligor's driving  
86.33 privileges should no longer be suspended under any of the following circumstances:

87.1 (1) the full amount of court-ordered payments have been received for at least one month;  
87.2 (2) an income withholding notice has been sent to an employer or payor of money;  
87.3 (3) payments less than the full court-ordered amount have been received and the  
87.4 circumstances of the obligor demonstrate the obligor's substantial intent to comply with the  
87.5 order;

87.6 (4) the obligor receives public assistance;  
87.7 (5) the case is being reviewed by the public authority for downward modification due  
87.8 to changes in the obligor's financial circumstances or a party has filed a motion to modify  
87.9 the child support order;

87.10 (6) the obligor no longer lives in the state and the child support case is in the process of  
87.11 interstate enforcement;

87.12 (7) the obligor is currently incarcerated for one week or more or is receiving in-patient  
87.13 treatment for physical health, mental health, chemical dependency, or other treatment. This  
87.14 clause applies for six months after the obligor is no longer incarcerated or receiving in-patient  
87.15 treatment;

87.16 (8) the obligor is temporarily or permanently disabled and unable to pay child support;  
87.17 (9) the obligor has presented evidence to the public authority that the obligor needs  
87.18 driving privileges to maintain or obtain the obligor's employment;

87.19 (10) the obligor has not had a meaningful opportunity to pay toward arrears; or  
87.20 (11) other circumstances of the obligor indicate that a temporary condition exists for  
87.21 which suspension of the obligor's driver's license for the nonpayment of child support is  
87.22 not appropriate. When considering whether suspension of the obligor's driver's license is  
87.23 appropriate, the public authority must assess: (i) whether suspension of the obligor's driver's  
87.24 license is likely to induce payment of child support; and (ii) whether suspension of the  
87.25 obligor's driver's license would have direct harmful effects on the obligor or joint children  
87.26 that make driver's license suspension an inappropriate remedy.

87.27 The presence of circumstances in this paragraph does not prevent the public authority from  
87.28 proceeding with a suspension of the obligor's driver's license.

87.29 ~~(j)~~ (j) In addition to the criteria established under this section for the suspension of an  
87.30 obligor's driver's license, a court, a child support magistrate, or the public authority may  
87.31 direct the commissioner of public safety to suspend the license of a party who has failed,  
87.32 after receiving notice, to comply with a subpoena relating to a paternity or child support  
88.1 proceeding. Notice to an obligor of intent to suspend must be served by first class mail at  
88.2 the obligor's last known address. The notice must inform the obligor of the right to request

535.24 a hearing. If the obligor makes a written request within ten days of the date of the hearing,  
535.25 a hearing must be held. At the hearing, the only issues to be considered are mistake of fact  
535.26 and whether the obligor received the subpoena.

535.27 ~~(g)~~ (k) The license of an obligor who fails to remain in compliance with an approved  
535.28 written payment agreement may be suspended. Prior to suspending a license for  
535.29 noncompliance with an approved written payment agreement, the public authority must  
535.30 mail to the obligor's last known address a written notice that (1) the public authority intends  
535.31 to seek suspension of the obligor's driver's license under this paragraph, and (2) the obligor  
535.32 must request a hearing, within 30 days of the date of the notice, to contest the suspension.  
535.33 If, within 30 days of the date of the notice, the public authority does not receive a written  
535.34 request for a hearing and the obligor does not comply with an approved written payment  
536.1 agreement, the public authority must direct the Department of Public Safety to suspend the  
536.2 obligor's license under paragraph ~~(b)~~ (d). If the obligor makes a written request for a hearing  
536.3 within 30 days of the date of the notice, a court hearing must be held. Notwithstanding any  
536.4 law to the contrary, the obligor must be served with 14 days' notice in writing specifying  
536.5 the time and place of the hearing and the allegations against the obligor. The notice may be  
536.6 served personally or by mail at the obligor's last known address. If the obligor appears at  
536.7 the hearing and the court determines that the obligor has failed to comply with an approved  
536.8 written payment agreement, the court or public authority shall notify the Department of  
536.9 Public Safety to suspend the obligor's license under paragraph ~~(b)~~ (d). If the obligor fails  
536.10 to appear at the hearing, the court or public authority must notify the Department of Public  
536.11 Safety to suspend the obligor's license under paragraph ~~(b)~~ (d).

536.12 **EFFECTIVE DATE.** This section is effective July 1, 2023, unless otherwise specified.

536.13 Sec. 32. Minnesota Statutes 2022, section 518A.77, is amended to read:

536.14 **518A.77 GUIDELINES REVIEW.**

536.15 ~~(a)~~ No later than 2006 and every four years after that, the Department of Human Services  
536.16 must conduct a review of the child support guidelines as required under Code of Federal  
536.17 Regulations, title 45, section 302.56(h).

536.18 ~~(b) This section expires January 1, 2032.~~

88.3 a hearing. If the obligor makes a written request within ten days of the date of the hearing,  
88.4 a hearing must be held. At the hearing, the only issues to be considered are mistake of fact  
88.5 and whether the obligor received the subpoena.

88.6 ~~(g)~~ (k) The license of an obligor who fails to remain in compliance with an approved  
88.7 written payment agreement may be suspended. Prior to suspending a license for  
88.8 noncompliance with an approved written payment agreement, the public authority must  
88.9 mail to the obligor's last known address a written notice that (1) the public authority intends  
88.10 to seek suspension of the obligor's driver's license under this paragraph, and (2) the obligor  
88.11 must request a hearing, within 30 days of the date of the notice, to contest the suspension.  
88.12 If, within 30 days of the date of the notice, the public authority does not receive a written  
88.13 request for a hearing and the obligor does not comply with an approved written payment  
88.14 agreement, the public authority must direct the Department of Public Safety to suspend the  
88.15 obligor's license under paragraph ~~(b)~~ (d). If the obligor makes a written request for a hearing  
88.16 within 30 days of the date of the notice, a court hearing must be held. Notwithstanding any  
88.17 law to the contrary, the obligor must be served with 14 days' notice in writing specifying  
88.18 the time and place of the hearing and the allegations against the obligor. The notice may be  
88.19 served personally or by mail at the obligor's last known address. If the obligor appears at  
88.20 the hearing and the court determines that the obligor has failed to comply with an approved  
88.21 written payment agreement, the court or public authority shall notify the Department of  
88.22 Public Safety to suspend the obligor's license under paragraph ~~(b)~~ (d). If the obligor fails  
88.23 to appear at the hearing, the court or public authority must notify the Department of Public  
88.24 Safety to suspend the obligor's license under paragraph ~~(b)~~ (d).

88.25 Sec. 10. Minnesota Statutes 2022, section 518A.77, is amended to read:

88.26 **518A.77 GUIDELINES REVIEW.**

88.27 ~~(a)~~ No later than 2006 and every four years after that, the Department of Human Services  
88.28 must conduct a review of the child support guidelines as required under Code of Federal  
88.29 Regulations, title 45, section 302.56(h).

88.30 ~~(b) This section expires January 1, 2032.~~

88.31 Sec. 11. **REPEALER.**

88.32 Minnesota Statutes 2022, section 518A.59, is repealed.

89.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

THE FINAL FIVE SECTIONS ARE FROM ARTICLE 2.

56.29      Sec. 31. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES; CHILD**  
56.30 **PROTECTION INFORMATION TECHNOLOGY SYSTEM REVIEW.**

56.31            (a) The commissioner of human services must contract with an independent consultant  
56.32 to perform a thorough evaluation of the social services information system (SSIS) that  
57.1 supports the child protection system in Minnesota. The consultant must make  
57.2 recommendations for improving the current system for usability, system performance, and  
57.3 federal Comprehensive Child Welfare Information System compliance, and must address  
57.4 technical problems and identify any unnecessary or unduly burdensome data entry  
57.5 requirements that have contributed to system capacity issues. The consultant must assist  
57.6 the commissioner with selecting a platform for future development of an information  
57.7 technology system for child protection.

57.8            (b) The commissioner of human services must conduct a study and develop  
57.9 recommendations to streamline and reduce SSIS data entry requirements for child protection  
57.10 cases. The study must be completed in partnership with local social services agencies and  
57.11 other entities, as determined by the commissioner. By June 30, 2024, the commissioner  
57.12 must provide a status report to the chairs and ranking minority members of the legislative  
57.13 committees with jurisdiction over child protection. The status report must include information  
57.14 about the procedures used for soliciting ongoing user input from stakeholders, progress  
57.15 made on soliciting and hiring a consultant to conduct the system evaluation required under  
57.16 paragraph (a), and a report on progress and completed efforts to streamline data entry  
57.17 requirements and improve user experiences.

57.18      Sec. 32. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES;**  
57.19 **SURVEY OF OUT-OF-STATE CHILDREN'S RESIDENTIAL FACILITY**  
57.20 **PLACEMENTS.**

57.21            (a) By September 1, 2023, the commissioner of human services shall develop and make  
57.22 available a survey of all county social services agencies, to gather the following data for  
57.23 fiscal years 2018 to 2022:

57.24            (1) the aggregate number of children who were placed for any period in a children's  
57.25 residential facility under Minnesota Statutes, section 260.93, that is located in another state;  
57.26 and

57.27            (2) the total cost for these placements, including county, state, and federal contributions.

57.28            (b) All county social services agencies shall complete the survey and submit responses  
57.29 as prescribed by the commissioner, by January 31, 2024.

57.30            (c) By March 1, 2024, the commissioner shall submit all survey responses and a list of  
57.31 counties that complied and failed to comply with the requirements under this section to the  
57.32 chairs and ranking minority members of the legislative committees with jurisdiction over  
57.33 human services and child protection.

58.1 Sec. 33. **INDEPENDENT LIVING SKILLS FOR FOSTER YOUTH GRANTS.**

58.2 Subdivision 1. **Program established.** The commissioner shall establish direct grants to  
58.3 local social service agencies, Tribes, and other organizations to provide independent living  
58.4 services to eligible foster youth as described under Minnesota Statutes, section 260C.452.

58.5 Subd. 2. **Grant awards.** The commissioner shall request proposals and make grants to  
58.6 eligible applicants. The commissioner shall determine the timing and form of the application  
58.7 and the criteria for making grant awards to eligible applicants.

58.8 Subd. 3. **Program reporting.** Grant recipients shall provide the commissioner with a  
58.9 report that describes all of the activities and outcomes of services funded by the grant  
58.10 program in a format and at a time determined by the commissioner.

58.11 Subd. 4. **Undistributed funds.** Undistributed funds must be reallocated by the  
58.12 commissioner for the goals of the grant program. Undistributed funds are available until  
58.13 expended.

58.14 Sec. 34. **INFORMAL KINSHIP CAREGIVER SUPPORT GRANT PROGRAM.**

58.15 Subdivision 1. **Establishment.** The informal caregiver support grant program is  
58.16 established in the Department of Human Services for an eligible community-based nonprofit  
58.17 organization to provide informal kinship caregivers, not restricted to familial status, with  
58.18 connection to local and statewide resources and support that reduces the need for child  
58.19 welfare involvement or risk of child welfare involvement.

58.20 Subd. 2. **Eligible grantees.** Eligible grantees are community-based nonprofit  
58.21 organizations with a demonstrated history of kinship caregiver support, ability to increase  
58.22 capacity of caregivers served, and ability to serve racially and geographically diverse  
58.23 populations. Grantees shall be capable of developing informal kinship caregiver support in  
58.24 alignment with a consistent set of replicable standards.

58.25 Subd. 3. **Allowable uses of funds.** Eligible grantees must use funds to assess informal  
58.26 kinship caregiver and child needs, provide connection to local and statewide resources,  
58.27 provide case management to assist with complex cases, and provide supports to reduce the  
58.28 need for child welfare involvement or risk of child welfare involvement.

58.29 Sec. 35. **COMMUNITY RESOURCE CENTERS.**

58.30 Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions  
58.31 apply.

59.1 (b) "Commissioner" means the commissioner of human services or the commissioner's  
59.2 designee.

59.3 (c) "Communities and families who lack opportunities" means any community or family  
59.4 that experiences inequities in accessing supports and services due to the community's or

- 59.5 family's circumstances, including but not limited to racism, income, disability, language,  
59.6 gender, and geography.
- 59.7 (d) "Community resource center" means a community-based coordinated point of entry  
59.8 that provides culturally responsive, relationship-based service navigation and other supportive  
59.9 services for expecting and parenting families and youth.
- 59.10 (e) "Culturally responsive, relationship-based service navigation" means the aiding of  
59.11 families in finding services and supports that are meaningful to them in ways that are built  
59.12 on trust and that use cultural values, beliefs, and practices of families, communities,  
59.13 indigenous families, and Tribal Nations for case planning, service design, and  
59.14 decision-making processes.
- 59.15 (f) "Expecting and parenting family" means any configuration of parents, grandparents,  
59.16 guardians, foster parents, kinship caregivers, and youth who are pregnant or expecting or  
59.17 have children and youth they care for and support.
- 59.18 (g) "Protective factors" means conditions, attributes, or strengths of individuals, families,  
59.19 and communities, and in society that mitigate risk, promote the healthy development and  
59.20 well-being of children, youth, and families, and help support families.
- 59.21 Subd. 2. **Community resource centers established.** The commissioner, in consultation  
59.22 with other state agencies, partners, and the Community Resource Center Advisory Council,  
59.23 may award grants to support planning, implementation, and evaluation of community  
59.24 resource centers to provide culturally responsive, relationship-based service navigation,  
59.25 parent, family, and caregiver supports to expecting and parenting families with a focus on  
59.26 ensuring equitable access to programs and services that promote protective factors and  
59.27 support children and families.
- 59.28 Subd. 3. **Commissioner's duties; related infrastructure.** The commissioner, in  
59.29 consultation with the Community Resource Center Advisory Council, shall:
- 59.30 (1) develop a request for proposals to support community resource centers;
- 59.31 (2) provide outreach and technical assistance to support applicants with data or other  
59.32 matters pertaining to equity of access to funding;
- 60.1 (3) provide technical assistance to grantees, including but not limited to skill building  
60.2 and professional development, trainings, evaluations, communities of practice, networking,  
60.3 and trauma informed mental health consultation;
- 60.4 (4) provide data collection and IT support; and
- 60.5 (5) provide grant coordination and management focused on promoting equity and  
60.6 accountability.
- 60.7 Subd. 4. **Grantee duties.** At a minimum, grantees shall:

- 60.8 (1) provide culturally responsive, relationship-based service navigation and supports for  
60.9 expecting and parenting families;
- 60.10 (2) improve community engagement and feedback gathering to support continuous  
60.11 improvement and program planning to better promote protective factors;
- 60.12 (3) demonstrate community-based planning with multiple partners;
- 60.13 (4) develop or use an existing parent and family advisory council consisting of community  
60.14 members with lived expertise to advise the work of the grantee; and
- 60.15 (5) participate in program evaluation, data collection, and technical assistance activities.
- 60.16 Subd. 5. **Eligibility.** Organizations eligible to receive grant funding under this section  
60.17 include:
- 60.18 (1) community-based organizations, Tribal Nations, urban Indian organizations, local  
60.19 and county government agencies, schools, nonprofit agencies or any cooperative of these  
60.20 organizations; and
- 60.21 (2) organizations or cooperatives supporting communities and families who lack  
60.22 opportunities.
- 60.23 Subd. 6. **Community Resource Center Advisory Council; establishment and  
60.24 duties.** (a) The commissioner, in consultation with other relevant state agencies, shall appoint  
60.25 members to the Community Resource Center Advisory Council.
- 60.26 (b) Membership must be demographically and geographically diverse and include:
- 60.27 (1) parents and family members with lived experience who lack opportunities;
- 60.28 (2) community-based organizations serving families who lack opportunities;
- 60.29 (3) Tribal and urban American Indian representatives;
- 60.30 (4) county government representatives;
- 61.1 (5) school and school district representatives; and
- 61.2 (6) state partner representatives.
- 61.3 (c) Duties of the Community Resource Center Advisory Council include but are not  
61.4 limited to:
- 61.5 (1) advising the commissioner on the development and funding of a network of  
61.6 community resource centers;
- 61.7 (2) advising the commissioner on the development of requests for proposals and grant  
61.8 award processes;

- 61.9           (3) advising the commissioner on the development of program outcomes and
- 61.10 accountability measures; and
- 61.11           (4) advising the commissioner on ongoing governance and necessary support in the
- 61.12 implementation of community resource centers.
- 61.13           Subd. 7. **Grantee reporting.** Grantees must report program data and outcomes to the
- 61.14 commissioner in a manner determined by the commissioner and the Community Resource
- 61.15 Center Advisory Council.
- 61.16           Subd. 8. **Evaluation.** The commissioner, in partnership with the Community Resource
- 61.17 Center Advisory Council, shall develop an outcome and evaluation plan. By July 1, 2025,
- 61.18 the Community Resource Center Advisory Council must provide a report to the commissioner
- 61.19 and the chairs and ranking minority members of the legislative committees with jurisdiction
- 61.20 over health and human services that reflects the duties of the Community Resource Center
- 61.21 Advisory Council in subdivision 6 and may describe outcomes and impacts related to equity,
- 61.22 community partnerships, program and service availability, child development, family
- 61.23 well-being, and child welfare system involvement.