

270.16

**ARTICLE 10**

270.17

**CHILD PROTECTION AND WELFARE**

270.18 Section 1. Minnesota Statutes 2023 Supplement, section 256.01, subdivision 12b, is  
270.19 amended to read:

270.20 Subd. 12b. **Department of Human Services systemic critical incident review team.** (a)  
270.21 The commissioner may establish a Department of Human Services systemic critical incident  
270.22 review team to review critical incidents reported as required under section 626.557 for  
270.23 which the Department of Human Services is responsible under section 626.5572, subdivision  
270.24 13; chapter 245D; ~~or~~ Minnesota Rules, chapter 9544; or child fatalities and near fatalities  
270.25 that occur in licensed facilities and are not due to natural causes. When reviewing a critical  
270.26 incident, the systemic critical incident review team shall identify systemic influences to the  
270.27 incident rather than determine the culpability of any actors involved in the incident. The  
270.28 systemic critical incident review may assess the entire critical incident process from the  
270.29 point of an entity reporting the critical incident through the ongoing case management  
270.30 process. Department staff shall lead and conduct the reviews and may utilize county staff  
270.31 as reviewers. The systemic critical incident review process may include but is not limited  
270.32 to:

271.1 (1) data collection about the incident and actors involved. Data may include the relevant  
271.2 critical services; the service provider's policies and procedures applicable to the incident;  
271.3 the community support plan as defined in section 245D.02, subdivision 4b, for the person  
271.4 receiving services; or an interview of an actor involved in the critical incident or the review  
271.5 of the critical incident. Actors may include:

271.6 (i) staff of the provider agency;

271.7 (ii) lead agency staff administering home and community-based services delivered by  
271.8 the provider;

271.9 (iii) Department of Human Services staff with oversight of home and community-based  
271.10 services;

271.11 (iv) Department of Health staff with oversight of home and community-based services;

271.12 (v) members of the community including advocates, legal representatives, health care  
271.13 providers, pharmacy staff, or others with knowledge of the incident or the actors in the  
271.14 incident; and

271.15 (vi) staff from the Office of the Ombudsman for Mental Health and Developmental  
271.16 Disabilities and the Office of Ombudsman for Long-Term Care;

271.17 (2) systemic mapping of the critical incident. The team conducting the systemic mapping  
271.18 of the incident may include any actors identified in clause (1), designated representatives  
271.19 of other provider agencies, regional teams, and representatives of the local regional quality  
271.20 council identified in section 256B.097; and

1.22

**ARTICLE 1**

1.23

**CHILD PROTECTION AND SUPPORT**

1.24 Section 1. Minnesota Statutes 2023 Supplement, section 256.01, subdivision 12b, is  
1.25 amended to read:

1.26 Subd. 12b. **Department of Human Services systemic critical incident review team.** (a)  
1.27 The commissioner may establish a Department of Human Services systemic critical incident  
1.28 review team to review (1) critical incidents reported as required under section 626.557 for  
1.29 which the Department of Human Services is responsible under section 626.5572, subdivision  
2.1 13; chapter 245D; ~~or~~ Minnesota Rules, chapter 9544; or (2) child fatalities and near fatalities  
2.2 that occur in licensed facilities and are not due to natural causes. When reviewing a critical  
2.3 incident, the systemic critical incident review team shall identify systemic influences to the  
2.4 incident rather than determine the culpability of any actors involved in the incident. The  
2.5 systemic critical incident review may assess the entire critical incident process from the  
2.6 point of an entity reporting the critical incident through the ongoing case management  
2.7 process. Department staff shall lead and conduct the reviews and may utilize county staff  
2.8 as reviewers. The systemic critical incident review process may include but is not limited  
2.9 to:

2.10 (1) data collection about the incident and actors involved. Data may include the relevant  
2.11 critical services; the service provider's policies and procedures applicable to the incident;  
2.12 the community support plan as defined in section 245D.02, subdivision 4b, for the person  
2.13 receiving services; or an interview of an actor involved in the critical incident or the review  
2.14 of the critical incident. Actors may include:

2.15 (i) staff of the provider agency;

2.16 (ii) lead agency staff administering home and community-based services delivered by  
2.17 the provider;

2.18 (iii) Department of Human Services staff with oversight of home and community-based  
2.19 services;

2.20 (iv) Department of Health staff with oversight of home and community-based services;

2.21 (v) members of the community including advocates, legal representatives, health care  
2.22 providers, pharmacy staff, or others with knowledge of the incident or the actors in the  
2.23 incident; and

2.24 (vi) staff from the Office of the Ombudsman for Mental Health and Developmental  
2.25 Disabilities and the Office of Ombudsman for Long-Term Care;

2.26 (2) systemic mapping of the critical incident. The team conducting the systemic mapping  
2.27 of the incident may include any actors identified in clause (1), designated representatives  
2.28 of other provider agencies, regional teams, and representatives of the local regional quality  
2.29 council identified in section 256B.097; and

271.21 (3) analysis of the case for systemic influences.

271.22 Data collected by the critical incident review team shall be aggregated and provided to  
271.23 regional teams, participating regional quality councils, and the commissioner. The regional  
271.24 teams and quality councils shall analyze the data and make recommendations to the  
271.25 commissioner regarding systemic changes that would decrease the number and severity of  
271.26 critical incidents in the future or improve the quality of the home and community-based  
271.27 service system.

271.28 (b) Cases selected for the systemic critical incident review process shall be selected by  
271.29 a selection committee among the following critical incident categories:

271.30 (1) cases of caregiver neglect identified in section 626.5572, subdivision 17;  
271.31 (2) cases involving financial exploitation identified in section 626.5572, subdivision 9;  
271.32 (3) incidents identified in section 245D.02, subdivision 11;  
272.1 (4) behavior interventions identified in Minnesota Rules, part 9544.0110;  
272.2 (5) service terminations reported to the department in accordance with section 245D.10,  
272.3 subdivision 3a; and  
272.4 (6) other incidents determined by the commissioner.

272.5 (c) The systemic critical incident review under this section shall not replace the process  
272.6 for screening or investigating cases of alleged maltreatment of an adult under section 626.557  
272.7 or of a child under chapter 260E. The department may select cases for systemic critical  
272.8 incident review, under the jurisdiction of the commissioner, reported for suspected  
272.9 maltreatment and closed following initial or final disposition.

272.10 (d) The proceedings and records of the review team are confidential data on individuals  
272.11 or protected nonpublic data as defined in section 13.02, subdivisions 3 and 13. Data that  
272.12 document a person's opinions formed as a result of the review are not subject to discovery  
272.13 or introduction into evidence in a civil or criminal action against a professional, the state,  
272.14 or a county agency arising out of the matters that the team is reviewing. Information,  
272.15 documents, and records otherwise available from other sources are not immune from  
272.16 discovery or use in a civil or criminal action solely because the information, documents,  
272.17 and records were assessed or presented during proceedings of the review team. A person  
272.18 who presented information before the systemic critical incident review team or who is a  
272.19 member of the team shall not be prevented from testifying about matters within the person's  
272.20 knowledge. In a civil or criminal proceeding, a person shall not be questioned about opinions  
272.21 formed by the person as a result of the review.

272.22 (e) By October 1 of each year, the commissioner shall prepare an annual public report  
272.23 containing the following information:

2.30 (3) analysis of the case for systemic influences.

2.31 Data collected by the critical incident review team shall be aggregated and provided to  
2.32 regional teams, participating regional quality councils, and the commissioner. The regional  
2.33 teams and quality councils shall analyze the data and make recommendations to the  
3.1 commissioner regarding systemic changes that would decrease the number and severity of  
3.2 critical incidents in the future or improve the quality of the home and community-based  
3.3 service system.

3.4 (b) Cases selected for the systemic critical incident review process shall be selected by  
3.5 a selection committee among the following critical incident categories:

3.6 (1) cases of caregiver neglect identified in section 626.5572, subdivision 17;  
3.7 (2) cases involving financial exploitation identified in section 626.5572, subdivision 9;  
3.8 (3) incidents identified in section 245D.02, subdivision 11;  
3.9 (4) behavior interventions identified in Minnesota Rules, part 9544.0110;  
3.10 (5) service terminations reported to the department in accordance with section 245D.10,  
3.11 subdivision 3a; and  
3.12 (6) other incidents determined by the commissioner.

3.13 (c) The systemic critical incident review under this section shall not replace the process  
3.14 for screening or investigating cases of alleged maltreatment of an adult under section 626.557  
3.15 or of a child under chapter 260E. The department may select cases for systemic critical  
3.16 incident review, under the jurisdiction of the commissioner, reported for suspected  
3.17 maltreatment and closed following initial or final disposition.

3.18 (d) The proceedings and records of the review team are confidential data on individuals  
3.19 or protected nonpublic data as defined in section 13.02, subdivisions 3 and 13. Data that  
3.20 document a person's opinions formed as a result of the review are not subject to discovery  
3.21 or introduction into evidence in a civil or criminal action against a professional, the state,  
3.22 or a county agency arising out of the matters that the team is reviewing. Information,  
3.23 documents, and records otherwise available from other sources are not immune from  
3.24 discovery or use in a civil or criminal action solely because the information, documents,  
3.25 and records were assessed or presented during proceedings of the review team. A person  
3.26 who presented information before the systemic critical incident review team or who is a  
3.27 member of the team shall not be prevented from testifying about matters within the person's  
3.28 knowledge. In a civil or criminal proceeding, a person shall not be questioned about opinions  
3.29 formed by the person as a result of the review.

3.30 (e) By October 1 of each year, the commissioner shall prepare an annual public report  
3.31 containing the following information:

272.24 (1) the number of cases reviewed under each critical incident category identified in  
272.25 paragraph (b) and a geographical description of where cases under each category originated;

272.26 (2) an aggregate summary of the systemic themes from the critical incidents examined  
272.27 by the critical incident review team during the previous year;

272.28 (3) a synopsis of the conclusions, incident analyses, or exploratory activities taken in  
272.29 regard to the critical incidents examined by the critical incident review team; and

272.30 (4) recommendations made to the commissioner regarding systemic changes that could  
272.31 decrease the number and severity of critical incidents in the future or improve the quality  
272.32 of the home and community-based service system.

272.33 **EFFECTIVE DATE.** This section is effective July 1, 2025.

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

273.2 Subd. 12. **Treatment of Supplemental Security Income.** (a) If a child placed in foster  
273.3 care receives benefits through Supplemental Security Income (SSI) at the time of foster  
273.4 care placement or subsequent to placement in foster care, the financially responsible agency  
273.5 may apply to be the payee for the child for the duration of the child's placement in foster  
273.6 care. If a child continues to be eligible for SSI after finalization of the adoption or transfer  
273.7 of permanent legal and physical custody and is determined to be eligible for a payment  
273.8 under Northstar Care for Children, a permanent caregiver may choose to receive payment  
273.9 from both programs simultaneously. The permanent caregiver is responsible to report the  
273.10 amount of the payment to the Social Security Administration and the SSI payment will be  
273.11 reduced as required by the Social Security Administration.

273.12 (b) If a financially responsible agency applies to be the payee for a child who receives  
273.13 benefits through SSI, or receives the benefits under this subdivision on behalf of a child,  
273.14 the financially responsible agency must provide written notice by certified mail, return  
273.15 receipt requested to:

273.16 (1) the child, if the child is 13 years of age or older;

273.17 (2) the child's parent, guardian, or custodian or if there is no legal parent or custodian  
273.18 the child's relative selected by the agency;

273.19 (3) the guardian ad litem;

273.20 (4) the legally responsible agency; and

273.21 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

273.22 (c) If a financially responsible agency receives benefits under this subdivision on behalf  
273.23 of a child 13 years of age or older, the legally responsible agency and the guardian ad litem  
273.24 must disclose this information to the child in person in a manner that best helps the child

4.1 (1) the number of cases reviewed under each critical incident category identified in  
4.2 paragraph (b) and a geographical description of where cases under each category originated;

4.3 (2) an aggregate summary of the systemic themes from the critical incidents examined  
4.4 by the critical incident review team during the previous year;

4.5 (3) a synopsis of the conclusions, incident analyses, or exploratory activities taken in  
4.6 regard to the critical incidents examined by the critical incident review team; and

4.7 (4) recommendations made to the commissioner regarding systemic changes that could  
4.8 decrease the number and severity of critical incidents in the future or improve the quality  
4.9 of the home and community-based service system.

4.10 **EFFECTIVE DATE.** This section is effective July 1, 2025.

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

4.12 Subd. 12. **Treatment of Supplemental Security Income.** (a) If a child placed in foster  
4.13 care receives benefits through Supplemental Security Income (SSI) at the time of foster  
4.14 care placement or subsequent to placement in foster care, the financially responsible agency  
4.15 may apply to be the payee for the child for the duration of the child's placement in foster  
4.16 care. If a child continues to be eligible for SSI after finalization of the adoption or transfer  
4.17 of permanent legal and physical custody and is determined to be eligible for a payment  
4.18 under Northstar Care for Children, a permanent caregiver may choose to receive payment  
4.19 from both programs simultaneously. The permanent caregiver is responsible to report the  
4.20 amount of the payment to the Social Security Administration and the SSI payment will be  
4.21 reduced as required by the Social Security Administration.

4.22 (b) If a financially responsible agency applies to be the payee for a child who receives  
4.23 benefits through SSI, or receives the benefits under this subdivision on behalf of a child,  
4.24 the financially responsible agency must provide written notice by certified mail, return  
4.25 receipt requested to:

4.26 (1) the child, if the child is 13 years of age or older;

4.27 (2) the child's next of kin;

4.28 (3) the guardian ad litem;

4.29 (4) the legally responsible agency; and

4.30 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

5.1 (c) If a financially responsible agency receives benefits under this subdivision on behalf  
5.2 of a child 13 years of age or older, the legally responsible agency and the guardian ad litem  
5.3 must disclose this information to the child in person in a manner that best helps the child

273.25 understand the information. This paragraph does not apply in circumstances where the child  
273.26 is living outside of Minnesota.

273.27 (d) If a financially responsible agency receives the benefits under this subdivision on  
273.28 behalf of a child, it cannot use those funds for any other purpose than the care of that child.  
273.29 The financially responsible agency must not commingle any benefits received under this  
273.30 subdivision and must not put the benefits received on behalf of a child under this subdivision  
273.31 into a general fund.

273.32 (e) If a financially responsible agency receives any benefits under this subdivision, it  
273.33 must keep a record of:

274.1 (1) the total dollar amount it received on behalf of all children it receives benefits for;

274.2 (2) the total number of children it applied to be a payee for; and

274.3 (3) the total number of children it received benefits for.

274.4 (f) By January 1 of each year, each financially responsible agency must submit a report  
274.5 to the commissioner of human services that includes the information required under paragraph  
274.6 (c). By January 31 of each year, the commissioner must submit a report to the chairs and  
274.7 ranking minority members of the legislative committees with jurisdiction over child  
274.8 protection that compiles the information provided to the commissioner by each financially  
274.9 responsible agency under paragraph (e); subdivision 13, paragraph (e); and section  
274.10 260C.4411, subdivision 3, paragraph (d). This paragraph expires January 31, 2034.

274.11 Sec. 3. Minnesota Statutes 2022, section 256N.26, subdivision 13, is amended to read:

274.12 Subd. 13. **Treatment of retirement survivor's disability insurance, veteran's benefits,**  
274.13 **railroad retirement benefits, and black lung benefits.** (a) If a child placed in foster care  
274.14 receives retirement survivor's disability insurance, veteran's benefits, railroad retirement  
274.15 benefits, or black lung benefits at the time of foster care placement or subsequent to  
274.16 placement in foster care, the financially responsible agency may apply to be the payee for  
274.17 the child for the duration of the child's placement in foster care. If it is anticipated that a  
274.18 child will be eligible to receive retirement survivor's disability insurance, veteran's benefits,  
274.19 railroad retirement benefits, or black lung benefits after finalization of the adoption or  
274.20 assignment of permanent legal and physical custody, the permanent caregiver shall apply  
274.21 to be the payee of those benefits on the child's behalf.

274.22 (b) If the financially responsible agency applies to be the payee for a child who receives  
274.23 retirement survivor's disability insurance, veteran's benefits, railroad retirement benefits,  
274.24 or black lung benefits, or receives the benefits under this subdivision on behalf of a child,  
274.25 the financially responsible agency must provide written notice by certified mail, return  
274.26 receipt requested to:

274.27 (1) the child, if the child is 13 years of age or older;

5.4 understand the information. This paragraph does not apply in circumstances where the child  
5.5 is living outside of Minnesota.

5.6 (d) If a financially responsible agency receives the benefits under this subdivision on  
5.7 behalf of a child, it cannot use those funds for any other purpose than the care of that child.  
5.8 The financially responsible agency must not commingle any benefits received under this  
5.9 subdivision and must not put the benefits received on behalf of a child under this subdivision  
5.10 into a general fund.

5.11 (e) If a financially responsible agency receives any benefits under this subdivision, it  
5.12 must keep a record of:

5.13 (1) the total dollar amount it received on behalf of all children it receives benefits for;

5.14 (2) the total number of children it applied to be a payee for; and

5.15 (3) the total number of children it received benefits for.

5.16 (f) By July 1, 2025, and each July 1 thereafter, each financially responsible agency must  
5.17 submit a report to the commissioner of human services that includes the information required  
5.18 under paragraph (e). By September 1 of each year, the commissioner must submit a report  
5.19 to the chairs and ranking minority members of the legislative committees with jurisdiction  
5.20 over child protection that compiles the information provided to the commissioner by each  
5.21 financially responsible agency under paragraph (e); subdivision 13, paragraph (e); and  
5.22 section 260C.331, subdivision 7, paragraph (d).

5.23 Sec. 3. Minnesota Statutes 2022, section 256N.26, subdivision 13, is amended to read:

5.24 Subd. 13. **Treatment of retirement, survivor's, and disability insurance, veteran's**  
5.25 **benefits, railroad retirement benefits, and black lung benefits.** (a) If a child placed in  
5.26 foster care receives retirement, survivor's, and disability insurance, veteran's benefits, railroad  
5.27 retirement benefits, or black lung benefits at the time of foster care placement or subsequent  
5.28 to placement in foster care, the financially responsible agency may apply to be the payee  
5.29 for the child for the duration of the child's placement in foster care. If it is anticipated that  
5.30 a child will be eligible to receive retirement, survivor's, and disability insurance, veteran's  
5.31 benefits, railroad retirement benefits, or black lung benefits after finalization of the adoption  
5.32 or assignment of permanent legal and physical custody, the permanent caregiver shall apply  
5.33 to be the payee of those benefits on the child's behalf.

6.1 (b) If the financially responsible agency applies to be the payee for a child who receives  
6.2 retirement, survivor's, and disability insurance, veteran's benefits, railroad retirement benefits,  
6.3 or black lung benefits, or receives the benefits under this subdivision on behalf of a child,  
6.4 the financially responsible agency must provide written notice by certified mail, return  
6.5 receipt requested to:

6.6 (1) the child, if the child is 13 years of age or older;

274.28 (2) the child's parent, guardian, or custodian or if there is no legal parent or custodian  
274.29 the child's relative selected by the agency;

274.30 (3) the guardian ad litem;

274.31 (4) the legally responsible agency; and

274.32 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

275.1 (c) If a financially responsible agency receives benefits under this subdivision on behalf  
275.2 of a child 13 years of age or older, the legally responsible agency and the guardian ad litem  
275.3 must disclose this information to the child in person in a manner that best helps the child  
275.4 understand the information. This paragraph does not apply in circumstances where the child  
275.5 is living outside of Minnesota.

275.6 (d) If a financially responsible agency receives the benefits under this subdivision on  
275.7 behalf of a child, it cannot use those funds for any other purpose than the care of that child.  
275.8 The financially responsible agency must not commingle any benefits received under this  
275.9 subdivision and must not put the benefits received on behalf of a child under this subdivision  
275.10 into a general fund.

275.11 (e) If a financially responsible agency receives any benefits under this subdivision, it  
275.12 must keep a record of:

275.13 (1) the total dollar amount it received on behalf of all children it receives benefits for;

275.14 (2) the total number of children it applied to be a payee for; and

275.15 (3) the total number of children it received benefits for.

275.16 (f) By January 1 of each year, each financially responsible agency must submit a report  
275.17 to the commissioner of human services that includes the information required under paragraph  
275.18 (e).

275.19 Sec. 4. Minnesota Statutes 2023 Supplement, section 260.014, is amended by adding a  
275.20 subdivision to read:

275.21 Subd. 5. **Carryforward authority.** Funds appropriated under this section are available  
275.22 for two fiscal years.

275.23 Sec. 5. Minnesota Statutes 2022, section 260C.4411, is amended by adding a subdivision  
275.24 to read:

275.25 Subd. 3. **Notice.** (a) If the county of financial responsibility under section 256G.02 or  
275.26 Tribal agency authorized under section 256.01, subdivision 14b, receives any benefits under

6.7 (2) the child's next of kin;

6.8 (3) the guardian ad litem;

6.9 (4) the legally responsible agency; and

6.10 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

6.11 (c) If a financially responsible agency receives benefits under this subdivision on behalf  
6.12 of a child 13 years of age or older, the legally responsible agency and the guardian ad litem  
6.13 must disclose this information to the child in person in a manner that best helps the child  
6.14 understand the information. This paragraph does not apply in circumstances where the child  
6.15 is living outside of Minnesota.

6.16 (d) If a financially responsible agency receives the benefits under this subdivision on  
6.17 behalf of a child, it cannot use those funds for any other purpose than the care of that child.  
6.18 The financially responsible agency must not commingle any benefits received under this  
6.19 subdivision and must not put the benefits received on behalf of a child under this subdivision  
6.20 into a general fund.

6.21 (e) If a financially responsible agency receives any benefits under this subdivision, it  
6.22 must keep a record of:

6.23 (1) the total dollar amount it received on behalf of all children it receives benefits for;

6.24 (2) the total number of children it applied to be a payee for; and

6.25 (3) the total number of children it received benefits for.

6.26 (f) By January 1 of each year, each financially responsible agency must submit a report  
6.27 to the commissioner of human services that includes the information required under paragraph  
6.28 (e).

H2476-3 ART. 1, SEC. 4, HAS BEEN MOVED TO MATCH WITH S4699-3 ART. 17, SEC. 31.

8.25 Sec. 5. Minnesota Statutes 2022, section 260C.331, is amended by adding a subdivision  
8.26 to read:

8.27 Subd. 7. **Notice.** (a) If the responsible social services agency receives retirement,  
8.28 survivor's, and disability insurance, Supplemental Security Income, veteran's benefits,

275.27 subdivision 2 on behalf of a child, it must provide written notice by certified mail, return  
275.28 receipt requested to:

275.29 (1) the child, if the child is 13 years of age or older;

275.30 (2) the child's parent, guardian, or custodian or if there is no legal parent or custodian  
275.31 the child's relative selected by the agency;

276.1 (3) the guardian ad litem;

276.2 (4) the legally responsible agency as defined in section 256N.02, subdivision 14; and

276.3 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

276.4 (b) If the county of financial responsibility under section 256G.02 or Tribal agency  
276.5 authorized under section 256.01, subdivision 14b, receives benefits under subdivision 2 on  
276.6 behalf of a child 13 years of age or older, the legally responsible agency as defined in section  
276.7 256N.02, subdivision 14, and the guardian ad litem must disclose this information to the  
276.8 child in person in a manner that best helps the child understand the information. This  
276.9 paragraph does not apply in circumstances where the child is living outside of Minnesota.

276.10 (c) If the county of financial responsibility under section 256G.02 or Tribal agency  
276.11 authorized under section 256.01, subdivision 14b, receives the benefits under subdivision  
276.12 2 on behalf of a child, it cannot use those funds for any other purpose than the care of that  
276.13 child. The county of financial responsibility or Tribal agency must not commingle any  
276.14 benefits received under subdivision 2 and must not put the benefits received on behalf of a  
276.15 child under subdivision 2 into a general fund.

276.16 (d) If the county of financial responsibility under section 256G.02 or Tribal agency  
276.17 authorized under section 256.01, subdivision 14b, receives any benefits under subdivision  
276.18 2, it must keep a record of the total dollar amount it received on behalf of all children it  
276.19 receives benefits for and the total number of children it receives benefits for. By January 1  
276.20 of each year, the county of financial responsibility and Tribal agency must submit a report  
276.21 to the commissioner of human services that includes the information required under this  
276.22 paragraph.

276.23 Sec. 6. **[260E.021] CHILD PROTECTION ADVISORY COUNCIL.**

276.24 Subdivision 1. Membership. The Child Protection Advisory Council consists of 24  
276.25 members, appointed as follows:

8.29 railroad retirement benefits, or black lung benefits on behalf of a child, it must provide  
8.30 written notice by certified mail, return receipt requested to:

8.31 (1) the child, if the child is 13 years of age or older;

9.1 (2) the child's next of kin;

9.2 (3) the guardian ad litem;

9.3 (4) the legally responsible agency as defined in section 256N.02, if different than the  
9.4 responsible social services agency; and

9.5 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

9.6 (b) If the responsible social services agency receives benefits under this subdivision on  
9.7 behalf of a child 13 years of age or older, the legally responsible agency as defined in section  
9.8 256N.02, subdivision 14, if different, and the guardian ad litem must disclose this information  
9.9 to the child in person in a manner that best helps the child understand the information. This  
9.10 paragraph does not apply in circumstances where the child is living outside of Minnesota.

9.11 (c) If the responsible social services agency receives the benefits listed under this  
9.12 subdivision on behalf of a child, it cannot use those funds for any other purpose than the  
9.13 care of that child. The responsible social services agency must not commingle any benefits  
9.14 received under this subdivision and must not put the benefits received on behalf of a child  
9.15 into a general fund.

9.16 (d) If the responsible social services agency receives any benefits listed under this  
9.17 subdivision, it must keep a record of the total dollar amount it received on behalf of all  
9.18 children it receives benefits for and the total number of children it receives benefits for. By  
9.19 July 1, 2025, and each July 1 thereafter, the responsible social services agency must submit  
9.20 a report to the commissioner that includes the information required under this paragraph.

15.11 Sec. 9. **SUPREME COURT COUNCIL ON CHILD PROTECTION.**

15.12 Subdivision 1. Establishment. The chief justice of the supreme court is invited to  
15.13 establish a Supreme Court Council on Child Protection as part of Minnesota's Court  
15.14 Improvement Program, the Children's Justice Initiative, authorized under Public Law  
15.15 116-260, Division CC, title III, section 305, of the Consolidated Appropriations Act of  
15.16 2021, to develop a comprehensive blueprint to improve Minnesota's child protection system.

15.17 Subd. 2. Membership. The council must consist of the following members:

- 276.26 (1) the commissioner of human services or a designee;
- 276.27 (2) the commissioner of children, youth, and families or a designee;
- 276.28 (3) the ombudsperson for foster youth or a designee;
- 276.29 (4) two members of the house of representatives, one appointed by the speaker of the  
276.30 house and one appointed by the minority leader of the house of representatives;
- 276.31 (5) two members of the senate, one appointed by the senate majority leader and one  
276.32 appointed by the senate minority leader;
- 277.1 (6) a representative from the Association of Minnesota Counties appointed by the  
277.2 association;
- 277.3 (7) two members representing county social services agencies appointed by the Minnesota  
277.4 Association of County Social Service Administrators, one from a county outside the  
277.5 seven-county metropolitan area and one from a county within the seven-county metropolitan  
277.6 area;
- 277.7 (8) one member with experience working and advocating for children with disabilities  
277.8 in the child welfare system, appointed by the Minnesota Council on Disability;
- 277.9 (9) two members appointed by Indian Child Welfare Advisory Council, one from a  
277.10 county outside the seven-county metropolitan area and one from a county within the  
277.11 seven-county metropolitan area;
- 277.12 (10) one member appointed by the ombudsperson of American Indian Families;

- 15.18 (1) the chief justice of the supreme court or a designee;
- 15.19 (2) the commissioner of children, youth, and families or a designee;
- 15.20 (3) two members of the house of representatives, one appointed by the speaker of the  
15.21 house and one appointed by the house minority leader;
- 15.22 (4) two members of the senate, one appointed by the senate majority leader and one  
15.23 appointed by the senate minority leader;
- 15.24 (5) members representing Indian Tribes, including Tribal courts, appointed by the  
15.25 executive board of the Minnesota Indian Affairs Council;
- 15.26 (6) professionals, including law enforcement officers, with substantial experience  
15.27 responding to reports of child maltreatment, appointed by the chief justice of the supreme  
15.28 court;
- 15.29 (7) professionals with experience providing child protective services, foster care, adoption  
15.30 services, and postpermanency services, appointed by the chief justice of the supreme court;
- 16.1 (8) legal professionals and guardians ad litem with significant experience in juvenile  
16.2 protection matters, appointed by the chief justice of the supreme court;
- 16.3 (9) educational professionals, including professionals with experience in early childhood  
16.4 education and providing educational services to children with disabilities, appointed by the  
16.5 chief justice of the supreme court;

277.13 (11) one member appointed by the Children's Alliance;

277.14 (12) three members appointed by the ombudsperson for families;

277.15 (13) two members from the Children's Justice Task Force, one with experience as an  
277.16 attorney or judge working in the child welfare system and one with experience as a peace  
277.17 officer working in the child welfare system; and

277.18 (14) four members of the public appointed by the governor, including:

277.19 (i) one member 18 years of age or older who has lived experience with the child welfare  
277.20 system;

277.21 (ii) one member 18 years of age or older who has lived experience with the child welfare  
277.22 system as a parent or caregiver;

277.23 (iii) one member who is an advocate who has experience working within the child welfare  
277.24 system and who has experience working with members of the LGBTQ+ community or  
277.25 persons who are Black, Indigenous, or people of color; and

277.26 (iv) one member with experience working as a pediatrician or nurse specializing in child  
277.27 abuse.

277.28 Subd. 2. Council administration. (a) For members appointed under subdivision 1,  
277.29 clauses (6) to (14), section 15.059, subdivisions 1 to 4, apply.

277.30 (b) The commissioner of administration shall provide the advisory council with staff  
277.31 support, office space, and access to office equipment and services.

16.6 (10) professionals from nonprofit community organizations with experience providing  
16.7 services and supports to children, parents, and relatives involved in child maltreatment and  
16.8 juvenile protection matters, appointed by the chief justice of the supreme court;

16.9 (11) professionals with expertise on childhood trauma and adverse childhood experiences,  
16.10 appointed by the chief justice of the supreme court;

16.11 (12) professionals with expertise providing services to persons with disabilities involved  
16.12 with the child protection system, appointed by the chief justice of the supreme court; and

16.13 (13) persons with lived experience as a parent or child involved with the child protection  
16.14 system, appointed by the chief justice of the supreme court.



278.1 Subd. 3. **Meetings.** (a) The advisory council must meet at least quarterly but may meet  
278.2 more frequently at the call of the chairperson or at the request of a majority of advisory  
278.3 council members.

278.4 (b) Meetings of the advisory council are subject to the Minnesota Open Meeting Law  
278.5 under chapter 13D.

278.6 Subd. 4. **Chairperson.** (a) The advisory council must elect a chairperson from among  
278.7 the members of the executive committee and other officers as it deems necessary and in  
278.8 accordance with the advisory council's operating procedures.

278.9 (b) The advisory council is governed by an executive committee elected by the members  
278.10 of the advisory council.

278.11 (c) The advisory council shall appoint an executive director. The advisory council may  
278.12 delegate to the executive director any powers and duties under this section that do not require  
278.13 advisory council approval. The executive director serves in the unclassified service and  
278.14 may be removed at any time by a majority vote of the advisory council. The executive  
278.15 director may employ and direct staff necessary to carry out advisory council mandates,  
278.16 policies, activities, and objectives.

278.17 (d) The executive committee may appoint additional subcommittees and work groups  
278.18 as necessary to fulfill the duties of the advisory council.

278.19 Subd. 5. **Duties.** (a) The advisory council must:

278.20 (1) review annual reports prepared by the child mortality review panel under section  
278.21 260E.39;

278.22 (2) review child welfare data provided by the Department of Human Services and  
278.23 counties;

278.24 (3) review and provide guidance on the Family First Prevention Services Act  
278.25 implementation; and

16.15 Subd. 3. **Organization and administration.** (a) The council is governed by Minnesota  
16.16 Statutes, section 15.059, except that subdivision 6 does not apply. The state court  
16.17 administrator must provide the council with staff support, office and meeting space, and  
16.18 access to office equipment and services.

16.19 (b) Council members serve at the pleasure of the appointing authority. The chief justice  
16.20 of the supreme court must select a chair from among the members. The council may select  
16.21 other officers, subcommittees, and work groups as it deems necessary.

16.22 Subd. 4. **Meetings.** (a) The council must meet at the call of the chair.

16.23 (b) The chair must convene the council's first meeting, which must occur by September  
16.24 15, 2024.

16.25 Subd. 5. **Duties.** The council must develop a comprehensive blueprint for improvement  
16.26 that addresses all aspects of the child protection system, including prevention and early  
16.27 intervention, by:

16.28 (1) reviewing policies, laws, practices, latest research, and data related to children in the  
16.29 child protection system;

16.30 (2) gathering information through surveys or focus groups, including consultation with  
16.31 individuals who have lived experience with the child protection system; and

17.1 (3) making recommendations for changes in policies and law that are designed to improve  
17.2 outcomes for children in the child protection system or at risk of maltreatment.

278.26 (4) work with the commissioner of human services to evaluate child protection grants  
278.27 to address disparities in child welfare pursuant to section 256E.28.

278.28 (b) The advisory council may collect additional topic areas for study and evaluation  
278.29 from the public. For the advisory council to study and evaluate a topic, the topic must be  
278.30 approved for study and evaluation by the advisory council.

278.31 (c) Legislative members may not deliberate about or vote on decisions related to the  
278.32 issuance of grants of state money.

279.1 Subd. 6. **Report.** By January 1, 2025, and annually thereafter, the advisory council must  
279.2 submit a report to the chairs and ranking minority members of the legislative committees  
279.3 with jurisdiction over child protection and child welfare on the advisory council's activities  
279.4 under subdivision 5 and other issues on which the advisory council may choose to report.

279.5 Subd. 7. **Expiration.** The Child Protection Advisory Council expires June 30, 2027.

279.6 Sec. 7. **[260E.39] CHILD FATALITY AND NEAR FATALITY REVIEW.**

279.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
279.8 the meanings given.

279.9 (b) "Critical incident" means a child fatality or near fatality in which maltreatment was  
279.10 a known or suspected contributing cause.

279.11 (c) "Joint review" means the critical incident review conducted by the child mortality  
279.12 review panel jointly with the local review team under subdivision 4, paragraph (b).

279.13 (d) "Local review" means the local critical incident review conducted by the local review  
279.14 team under subdivision 4, paragraph (c).

279.15 (e) "Local review team" means a local child mortality review team established under  
279.16 subdivision 2.

279.17 (f) "Panel" means the child mortality review panel established under subdivision 3.

279.18 Subd. 2. **Local child mortality review teams.** (a) Each county shall establish a  
279.19 multidisciplinary local child mortality review team and shall participate in local critical  
279.20 incident reviews that are based on safety science principles to support a culture of learning.  
279.21 The local welfare agency's child protection team may serve as the local review team. The  
279.22 local review team shall include but not be limited to professionals with knowledge of the  
279.23 critical incident being reviewed.

17.3 Subd. 6. **Reports.** By January 15, 2025, the Supreme Court Council on Child Protection  
17.4 must submit a progress report on the council's duties under subdivision 5 to the governor,  
17.5 the chief justice of the supreme court, and the chairs and ranking minority members of the  
17.6 legislative committees with jurisdiction over child protection. By January 15, 2026, the  
17.7 council must submit its final report to the governor, the chief justice of the supreme court,  
17.8 and the chairs and ranking minority members of the legislative committees with jurisdiction  
17.9 over child protection, detailing the comprehensive blueprint developed under subdivision  
17.10 5.

17.11 Subd. 7. **Expiration.** The Supreme Court Council on Child Protection expires upon the  
17.12 submission of its final report under subdivision 6.

9.21 Sec. 6. **[260E.39] CHILD FATALITY AND NEAR FATALITY REVIEW.**

9.22 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the  
9.23 meanings given:

9.24 (1) "critical incident" means a child fatality or near fatality in which maltreatment was  
9.25 a known or suspected contributing cause;

9.26 (2) "joint review" means the critical incident review conducted by the child mortality  
9.27 review panel jointly with the local review team under subdivision 4, paragraph (b);

9.28 (3) "local review" means the local critical incident review conducted by the local review  
9.29 team under subdivision 4, paragraph (c);

9.30 (4) "local review team" means a local child mortality review team established under  
9.31 subdivision 2; and

10.1 (5) "panel" means the child mortality review panel established under subdivision 3.

10.2 Subd. 2. **Local child mortality review teams.** (a) Each county shall establish a  
10.3 multidisciplinary local child mortality review team and shall participate in local critical  
10.4 incident reviews that are based on safety science principles to support a culture of learning.  
10.5 The local welfare agency's child protection team may serve as the local review team. The  
10.6 local review team shall include but not be limited to professionals with knowledge of the  
10.7 critical incident being reviewed and, if the critical incident being reviewed involved an

279.24 (b) The local review team shall conduct reviews of critical incidents jointly with the  
279.25 child mortality review panel or as otherwise required under subdivision 4, paragraph (c).

279.26 Subd. 3. Child mortality review panel; establishment and membership. (a) The  
279.27 commissioner shall establish a child mortality review panel to review critical incidents  
279.28 attributed to child maltreatment. The purpose of the panel is to identify systemic changes  
279.29 to improve child safety and well-being and recommend modifications in statutes, rules,  
279.30 policies, and procedures.

279.31 (b) The panel shall consist of:

280.1 (1) the commissioner of children, youth, and families or a designee;

280.2 (2) the commissioner of human services or a designee;

280.3 (3) the commissioner of health or a designee;

280.4 (4) the commissioner of education or a designee;

280.5 (5) a judge appointed by the Minnesota judicial branch; and

280.6 (6) other members appointed by the governor, including but not limited to:

280.7 (i) a physician who is a medical examiner;

280.8 (ii) a physician who is a child abuse specialist pediatrician;

280.9 (iii) a county attorney who works on child protection cases;

280.10 (iv) two current child protection supervisors for local welfare agencies, each of whom  
280.11 has previous experience as a frontline child protection worker;

280.12 (v) a current local welfare agency director who has previous experience as a frontline  
280.13 child protection worker or supervisor;

280.14 (vi) two current child protection supervisors or directors for Tribal child welfare agencies,  
280.15 each of whom has previous experience as a frontline child protection worker or supervisor;

280.16 (vii) a county public health worker; and

280.17 (viii) a member representing law enforcement.

280.18 (c) The governor shall designate one member as chair of the panel from the members  
280.19 listed in paragraph (b), clauses (5) and (6).

10.8 Indian child as defined in section 260.755, subdivision 8, at least one representative from  
10.9 the child's Tribe.

10.10 (b) The local review team shall conduct reviews of critical incidents jointly with the  
10.11 child mortality review panel or as otherwise required under subdivision 4, paragraph (c).

10.12 Subd. 3. Child mortality review panel; establishment and membership. (a) The  
10.13 commissioner shall establish a child mortality review panel to review critical incidents  
10.14 attributed to child maltreatment. The purpose of the panel is to identify systemic changes  
10.15 to improve child safety and well-being and recommend modifications in statute, rule, policy,  
10.16 and procedure.

10.17 (b) The panel shall consist of:

10.18 (1) the commissioner of children, youth, and families, or a designee;

10.19 (2) the commissioner of human services, or a designee;

10.20 (3) the commissioner of health, or a designee;

10.21 (4) the commissioner of education, or a designee;

10.22 (5) the superintendent of the Bureau of Criminal Apprehension, or a designee;

10.23 (6) a judge, appointed by the Minnesota judicial branch; and  
10.24 (7) other members appointed by the governor, including but not limited to:

10.25 (i) a physician who is a medical examiner;

10.26 (ii) a physician who is a child abuse specialist pediatrician;

10.27 (iii) a county attorney who works on child protection cases;

10.28 (iv) two current child protection supervisors for local welfare agencies, each of whom  
10.29 has previous experience as a frontline child protection worker;

10.30 (v) a current local welfare agency director who has previous experience as a frontline  
10.31 child protection worker or supervisor;

11.1 (vi) two current child protection supervisors or directors for Tribal child welfare agencies,  
11.2 each of whom has previous experience as a frontline child protection worker or supervisor;

11.3 (vii) a county or Tribal public health worker; and

11.4 (viii) a member representing law enforcement.

11.5 (c) The governor shall designate one member as chair of the panel from the members  
11.6 listed in paragraph (b), clauses (6) and (7).

280.20 (d) Members of the panel shall serve terms of four years for an unlimited number of  
280.21 terms. A member of the panel may be removed by the appointing authority for the member.

280.22 (e) The commissioner shall employ an executive director for the panel to provide  
280.23 administrative support to the panel and the chair, including providing the panel with critical  
280.24 incident notices submitted by local welfare agencies; compile and synthesize information  
280.25 for the panel; draft recommendations and reports for the panel's final approval; and conduct  
280.26 or otherwise direct training and consultation under subdivision 7.

280.27 Subd. 4. Critical incident review process. (a) A local welfare agency that has determined  
280.28 that maltreatment was the cause of or a contributing factor in a critical incident must notify  
280.29 the commissioner of children, youth, and families and the executive director of the panel  
280.30 within three business days of making the determination.

281.1 (b) The panel shall conduct a joint review with the local review team for:

281.2 (1) any critical incident relating to a family, child, or caregiver involved in a local welfare  
281.3 agency family assessment or investigation within the 12 months preceding the critical  
281.4 incident;

281.5 (2) a critical incident the governor or commissioner directs the panel to review; and

281.6 (3) any other critical incident the panel chooses for review.

281.7 (c) The local review team must review all critical incident cases not subject to joint  
281.8 review under paragraph (b).

281.9 (d) Within 120 days of initiating a joint review or local review of a critical incident,  
281.10 except as provided under paragraph (h), the panel or local review team shall complete the  
281.11 joint review or local review and compile a report. The report must include any systemic  
281.12 learnings that may increase child safety and well-being, and may include policy or practice  
281.13 considerations for systems changes that may improve child well-being and safety.

281.14 (e) A local review team must provide its report following a local review to the panel  
281.15 within three business days after the report is complete. After receiving the local review team  
281.16 report, the panel may conduct a further joint review.

11.7 (d) Members of the panel shall serve terms of four years for an unlimited number of  
11.8 terms. A member of the panel may be removed by the appointing authority for the member.

11.9 (e) The commissioner shall employ an executive director for the panel to:

11.10 (1) provide administrative support to the panel and the chair, including providing the  
11.11 panel with critical incident notices submitted by local welfare agencies;

11.12 (2) compile and synthesize information for the panel;

11.13 (3) draft recommendations and reports for the panel's final approval; and

11.14 (4) conduct or otherwise direct training and consultation under subdivision 7.

11.15 Subd. 4. Critical incident review process. (a) A local welfare agency that has determined  
11.16 that maltreatment was the cause of or a contributing factor in a critical incident must notify  
11.17 the commissioner and the executive director of the panel within three business days of  
11.18 making the determination.

11.19 (b) The panel shall conduct a joint review with the local review team for:

11.20 (1) any critical incident relating to a family, child, or caregiver involved in a local welfare  
11.21 agency family assessment or investigation within the 12 months preceding the critical  
11.22 incident;

11.23 (2) a critical incident the governor or commissioner directs the panel to review; and

11.24 (3) any other critical incident the panel chooses for review.

11.25 (c) The local review team must review all critical incident cases not subject to joint  
11.26 review under paragraph (b).

11.27 (d) Within 120 days of initiating a joint review or local review of a critical incident,  
11.28 except as provided under paragraph (h), the panel or local review team shall complete the  
11.29 joint review or local review and compile a report. The report must include any systemic  
11.30 learnings that may increase child safety and well-being, and may include policy or practice  
11.31 considerations for systems changes that may improve child well-being and safety.

12.1 (e) A local review team must provide its report following a local review to the panel  
12.2 within three business days after the report is complete. After receiving the local review team  
12.3 report, the panel may conduct a further joint review.

281.17 (f) Following the panel's joint review or after receiving a local review team report, the  
281.18 panel may make recommendations to any state or local agency, branch of government, or  
281.19 system partner to improve child safety and well-being.

281.20 (g) The commissioner shall conduct additional information gathering as requested by  
281.21 the panel or the local review team. The commissioner must conduct information gathering  
281.22 for all cases for which the panel requests assistance. The commissioner shall compile a  
281.23 summary report for each critical incident for which information gathering is conducted and  
281.24 provide the report to the panel and the local welfare agency that reported the critical incident.

281.25 (h) If the panel or local review team requests information gathering from the  
281.26 commissioner, the panel or local review team may conduct the joint review or local review  
281.27 and compile the report under paragraph (d) after receiving the commissioner's summary  
281.28 information gathering report. The timeline for a local or joint review under paragraph (d)  
281.29 may be extended if the panel or local review team requests additional information gathering  
281.30 to complete their review. If the local review team extends the timeline for its review and  
281.31 report, the local welfare agency must notify the executive director of the panel of the  
281.32 extension and the expected completion date.

282.1 (i) The review of any critical incident shall proceed as specified in this section, regardless  
282.2 of the status of any pending litigation or other active investigation.

282.3 Subd. 5. Critical incident reviews; data practices and immunity. (a) In conducting  
282.4 reviews, the panel, the local review team, and the commissioner shall have access to not  
282.5 public data under chapter 13 maintained by state agencies, statewide systems, or political  
282.6 subdivisions that are related to the child's critical incident or circumstances surrounding the  
282.7 care of the child. The panel, the local review team, and the commissioner shall also have  
282.8 access to records of private hospitals as necessary to carry out the duties prescribed by this  
282.9 section. A state agency, statewide system, or political subdivision shall provide the data  
282.10 upon request from the commissioner. Not public data may be shared with members of the  
282.11 panel, a local review team, or the commissioner in connection with an individual case.

282.12 (b) Notwithstanding the data's classification in the possession of any other agency, data  
282.13 acquired by a local review team, the panel, or the commissioner in the exercise of their  
282.14 duties are protected nonpublic or confidential data as defined in section 13.02 but may be  
282.15 disclosed as necessary to carry out the duties of the review team, panel, or commissioner.  
282.16 The data are not subject to subpoena or discovery.

282.17 (c) The commissioner shall disclose information regarding a critical incident upon request  
282.18 but shall not disclose data that was classified as confidential or private data on decedents  
282.19 under section 13.10 or private, confidential, or protected nonpublic data in the disseminating  
282.20 agency, except that the commissioner may disclose local social service agency data as  
282.21 provided in section 260E.35 on individual cases involving a critical incident with a person  
282.22 served by the local social service agency prior to the date of the critical incident.

12.4 (f) Following the panel's joint review or after receiving a local review team report, the  
12.5 panel may make recommendations to any state or local agency, branch of government, or  
12.6 system partner to improve child safety and well-being.

12.7 (g) The commissioner shall conduct additional information gathering as requested by  
12.8 the panel or the local review team. The commissioner must conduct information gathering  
12.9 for all cases for which the panel requests assistance. The commissioner shall compile a  
12.10 summary report for each critical incident for which information gathering is conducted and  
12.11 provide the report to the panel and the local welfare agency that reported the critical incident.

12.12 (h) If the panel or local review team requests information gathering from the  
12.13 commissioner, the panel or local review team may conduct the joint review or local review  
12.14 and compile its report under paragraph (d) after receiving the commissioner's summary  
12.15 information-gathering report. The timeline for a local or joint review under paragraph (d)  
12.16 may be extended if the panel or local review team requests additional information gathering  
12.17 to complete their review. If the local review team extends the timeline for its review and  
12.18 report, the local welfare agency must notify the executive director of the panel of the  
12.19 extension and the expected completion date.

12.20 (i) The review of any critical incident shall proceed as specified in this section, regardless  
12.21 of the status of any pending litigation or other active investigation.

12.22 Subd. 5. Critical incident reviews; data practices and immunity. (a) In conducting  
12.23 reviews, the panel, the local review team, and the commissioner shall have access to not  
12.24 public data under chapter 13 maintained by state agencies, statewide systems, or political  
12.25 subdivisions that are related to the child's critical incident or circumstances surrounding the  
12.26 care of the child. The panel, the local review team, and the commissioner shall also have  
12.27 access to records of private hospitals as necessary to carry out the duties prescribed by this  
12.28 section. A state agency, statewide system, or political subdivision shall provide the data  
12.29 upon request from the commissioner. Not public data may be shared with members of the  
12.30 panel, a local review team, or the commissioner in connection with an individual case.

12.31 (b) Notwithstanding the data's classification in the possession of any other agency, data  
12.32 acquired by a local review team, the panel, or the commissioner in the exercise of their  
12.33 duties are protected nonpublic or confidential data as defined in section 13.02 but may be  
13.1 disclosed as necessary to carry out the duties of the review team, panel, or commissioner.  
13.2 The data are not subject to subpoena or discovery.

13.3 (c) The commissioner shall disclose information regarding a critical incident upon request  
13.4 but shall not disclose data that was classified as confidential or private data on decedents  
13.5 under section 13.10 or private, confidential, or protected nonpublic data in the disseminating  
13.6 agency, except that the commissioner may disclose local social service agency data as  
13.7 provided in section 260E.35 on individual cases involving a critical incident with a person  
13.8 served by the local social service agency prior to the date of the critical incident.

282.23 (d) A person attending a local review team or child mortality review panel meeting shall  
282.24 not disclose what transpired at the meeting except to carry out the purposes of the local  
282.25 review team or panel. The commissioner shall not disclose what transpired during the  
282.26 information gathering process except to carry out the duties of the commissioner. The  
282.27 proceedings and records of the local review team, the panel, and the commissioner are  
282.28 protected nonpublic data as defined in section 13.02, subdivision 13, and are not subject to  
282.29 discovery or introduction into evidence in a civil or criminal action. Information, documents,  
282.30 and records otherwise available from other sources are not immune from discovery or use  
282.31 in a civil or criminal action solely because they were presented during proceedings of the  
282.32 local review team, the panel, or the commissioner.

282.33 (e) A person who presented information before the local review team, the panel, or the  
282.34 commissioner or who is a member of the local review team or the panel, or an employee  
283.1 conducting information gathering as designated by the commissioner, shall not be prevented  
283.2 from testifying about matters within the person's knowledge. However, in a civil or criminal  
283.3 proceeding, a person may not be questioned about the person's presentation of information  
283.4 to the local review team, the panel, or the commissioner, or about the information reviewed  
283.5 or discussed during a critical incident review or the information gathering process, any  
283.6 conclusions drawn or recommendations made related to information gathering or a critical  
283.7 incident review, or opinions formed by the person as a result of the panel or review team  
283.8 meetings.

283.9 (f) A person who presented information before the local review team, the panel, or the  
283.10 commissioner, who is a member of the local review team or the panel, or who is an employee  
283.11 conducting information gathering as designated by the commissioner, is immune from any  
283.12 civil or criminal liability that might otherwise result from the person's presentation or  
283.13 statements if the person was acting in good faith and assisting with information gathering  
283.14 or in a critical incident review under this section.

283.15 Subd. 6. **Child mortality review panel; annual report.** Beginning December 15, 2026,  
283.16 and on or before December 15 annually thereafter, the commissioner shall publish a report  
283.17 of the child mortality review panel. The report shall include but not be limited to de-identified  
283.18 summary data on the number of critical incidents reported to the panel, the number of critical  
283.19 incidents reviewed by the panel and local review teams, and systemic learnings identified  
283.20 by the panel or local review teams during the period covered by the report. The report shall  
283.21 also include recommendations on improving the child protection system, including  
283.22 modifications to statutes, rules, policies, and procedures. The panel may make  
283.23 recommendations to the legislature or any state or local agency at any time, outside of the  
283.24 annual report.

283.25 Subd. 7. **Local welfare agency critical incident review training.** The commissioner  
283.26 shall provide training and support to local review teams and the panel to assist with local  
283.27 or joint review processes and procedures. The commissioner shall also provide consultation  
283.28 to local review teams and the panel conducting local or joint reviews pursuant to this section.

13.9 (d) A person attending a local review team or child mortality review panel meeting shall  
13.10 not disclose what transpired at the meeting except to carry out the purposes of the local  
13.11 review team or panel. The commissioner shall not disclose what transpired during its  
13.12 information-gathering process except to carry out the duties of the commissioner. The  
13.13 proceedings and records of the local review team, the panel, and the commissioner are  
13.14 protected nonpublic data as defined in section 13.02, subdivision 13, and are not subject to  
13.15 discovery or introduction into evidence in a civil or criminal action. Information, documents,  
13.16 and records otherwise available from other sources are not immune from discovery or use  
13.17 in a civil or criminal action solely because they were presented during proceedings of the  
13.18 local review team, the panel, or the commissioner.

13.19 (e) A person who presented information before the local review team, the panel, or the  
13.20 commissioner or who is a member of the local review team or the panel, or an employee  
13.21 conducting information gathering as designated by the commissioner, shall not be prevented  
13.22 from testifying about matters within the person's knowledge. However, in a civil or criminal  
13.23 proceeding, a person may not be questioned about the person's presentation of information  
13.24 to the local review team, the panel, or the commissioner, or about the information reviewed  
13.25 or discussed during a critical incident review or the information-gathering process, any  
13.26 conclusions drawn or recommendations made related to information gathering or a critical  
13.27 incident review, or opinions formed by the person as a result of the panel or review team  
13.28 meetings.

13.29 (f) A person who presented information before the local review team, the panel, or the  
13.30 commissioner, or who is a member of the local review team or the panel, or an employee  
13.31 conducting information gathering as designated by the commissioner, is immune from any  
13.32 civil or criminal liability that might otherwise result from the person's presentation or  
13.33 statements if the person was acting in good faith and assisting with information gathering  
13.34 or in a critical incident review under this section.

14.1 Subd. 6. **Child mortality review panel; annual report.** Beginning December 15, 2026,  
14.2 and on or before December 15 annually thereafter, the commissioner shall publish a report  
14.3 of the child mortality review panel. The report shall include but not be limited to de-identified  
14.4 summary data on the number of critical incidents reported to the panel, the number of critical  
14.5 incidents reviewed by the panel and local review teams, and systemic learnings identified  
14.6 by the panel or local review teams during the period covered by the report. The report shall  
14.7 also include recommendations on improving the child protection system, including  
14.8 modifications to statutes, rules, policies, and procedures. The panel may make  
14.9 recommendations to the legislature or any state or local agency at any time, outside of its  
14.10 annual report.

14.11 Subd. 7. **Local welfare agency critical incident review training.** The commissioner  
14.12 shall provide training and support to local review teams and the panel to assist with local  
14.13 or joint review processes and procedures. The commissioner shall also provide consultation  
14.14 to local review teams and the panel conducting local or joint reviews pursuant to this section.

283.29 Subd. 8. **Culture of learning and improvement.** The local review teams and panel  
283.30 shall advance and support a culture of learning and improvement within Minnesota's child  
283.31 welfare system.

283.32 **EFFECTIVE DATE.** This section is effective July 1, 2025.

284.1 Sec. 8. Minnesota Statutes 2023 Supplement, section 518A.42, subdivision 3, is amended  
284.2 to read:

284.3 Subd. 3. **Exception.** (a) ~~This section~~ The minimum basic support amount under  
284.4 subdivision 2 does not apply to an obligor who is incarcerated ~~or is a recipient of a general~~  
284.5 ~~assistance grant, Supplemental Security Income, temporary assistance for needy families~~  
284.6 ~~(TANF) grant, or comparable state-funded Minnesota family investment program (MFIP)~~  
284.7 ~~benefits.~~

284.8 (b) The minimum basic support amount under subdivision 2 does not apply to an obligor  
284.9 who is a recipient of:

284.10 (1) a general assistance grant;

284.11 (2) Supplemental Security Income;

284.12 (3) a Temporary Assistance for Needy Families (TANF) grant; or

284.13 (4) comparable state-funded Minnesota family investment program (MFIP) benefits.

284.14 ~~(b)~~ (c) If the court finds the obligor receives no income and completely lacks the ability  
284.15 to earn income, the minimum basic support amount under this subdivision 2 does not apply.

284.16 ~~(c)~~ (d) If the obligor's basic support amount is reduced below the minimum basic support  
284.17 amount due to the application of the parenting expense adjustment, the minimum basic  
284.18 support amount under this subdivision 2 does not apply and the lesser amount is the guideline  
284.19 basic support.

284.20 Sec. 9. Laws 2023, chapter 70, article 14, section 42, subdivision 6, is amended to read:

284.21 Subd. 6. **Community Resource Center Advisory Council; establishment and**  
284.22 **duties.** (a) The commissioner, in consultation with other relevant state agencies, shall appoint  
284.23 members to the Community Resource Center Advisory Council.

284.24 (b) Membership must be demographically and geographically diverse and include:

284.25 (1) parents and family members with lived experience who lack opportunities;

284.26 (2) community-based organizations serving families who lack opportunities;

284.27 (3) Tribal and urban American Indian representatives;

284.28 (4) county government representatives;

14.15 Subd. 8. **Culture of learning and improvement.** The local review teams and panel  
14.16 shall advance and support a culture of learning and improvement within Minnesota's child  
14.17 welfare system.

14.18 **EFFECTIVE DATE.** This section is effective July 1, 2025.

14.19 Sec. 7. Minnesota Statutes 2023 Supplement, section 518A.42, subdivision 3, is amended  
14.20 to read:

14.21 Subd. 3. **Exception.** (a) ~~This section~~ The minimum basic support amount under  
14.22 subdivision 2 does not apply to an obligor who is incarcerated ~~or is a recipient of a general~~  
14.23 ~~assistance grant, Supplemental Security Income, temporary assistance for needy families~~  
14.24 ~~(TANF) grant, or comparable state-funded Minnesota family investment program (MFIP)~~  
14.25 ~~benefits.~~

14.26 (b) The minimum basic support amount under subdivision 2 does not apply to an obligor  
14.27 who is a recipient of:

14.28 (1) a general assistance grant;

14.29 (2) Supplemental Security Income;

14.30 (3) a Temporary Assistance for Needy Families (TANF) grant; or

14.31 (4) comparable state-funded Minnesota family investment program (MFIP) benefits.

15.1 ~~(b)~~ (c) If the court finds the obligor receives no income and completely lacks the ability  
15.2 to earn income, the minimum basic support amount under this subdivision 2 does not apply.

15.3 ~~(c)~~ (d) If the obligor's basic support amount is reduced below the minimum basic support  
15.4 amount due to the application of the parenting expense adjustment, the minimum basic  
15.5 support amount under this subdivision 2 does not apply and the lesser amount is the guideline  
15.6 basic support.

15.7 Sec. 8. Laws 2023, chapter 70, article 14, section 42, is amended by adding a subdivision  
15.8 to read:



284.29 (5) school and school district representatives; and

284.30 (6) state partner representatives.

285.1 (c) Duties of the Community Resource Center Advisory Council include but are not  
285.2 limited to:

285.3 (1) advising the commissioner on the development and funding of a network of  
285.4 community resource centers;

285.5 (2) advising the commissioner on the development of requests for proposals and grant  
285.6 award processes;

285.7 (3) advising the commissioner on the development of program outcomes and  
285.8 accountability measures; and

285.9 (4) advising the commissioner on ongoing governance and necessary support in the  
285.10 implementation of community resource centers.

285.11 (d) Compensation for members of the Community Resource Center Advisory Council  
285.12 is governed by Minnesota Statutes, section 15.0575, except that a public member may be  
285.13 compensated at the rate of up to \$125 per day.

285.14 (e) A vacancy on the council may be filled by the appointing authority for the remainder  
285.15 of the unexpired term.

285.16 Sec. 10. **CHILD PROTECTION ADVISORY COUNCIL; INITIAL TERMS AND**  
285.17 **APPOINTMENTS AND FIRST MEETING.**

285.18 Subdivision 1. **Initial appointments.** Appointing authorities for the Child Protection  
285.19 Advisory Council under Minnesota Statutes, section 260E.021, must appoint members to  
285.20 the council by September 30, 2024.

285.21 Subd. 2. **Terms.** Members appointed under Minnesota Statutes, section 260E.021,  
285.22 subdivision 1, clauses (7), (8), and (9), serve a term that is coterminous with the governor.  
285.23 Members appointed under Minnesota Statutes, section 260E.021, subdivision 1, clauses  
285.24 (10) and (12), serve a term that ends one year after the governor's term. Members appointed  
285.25 under Minnesota Statutes, section 260E.021, subdivision 1, clauses (6), (11), and (13), serve  
285.26 a term that ends two years after the governor's term. Members appointed under Minnesota  
285.27 Statutes, section 260E.021, subdivision 1, clause (14), serve a term that ends three years  
285.28 after the governor's term.

285.29 Subd. 3. **Chair; first meeting.** The commissioner of children, youth, and families or  
285.30 the commissioner's designee will serve as chair until the council elects a chair. The  
285.31 commissioner must convene the first meeting of the council by October 31, 2024. The  
285.32 council must elect its executive committee and its chair at its first meeting.

286.1 Subd. 4. **Expiration.** This section expires June 30, 2027.

15.9 Subd. 9. **Compensation.** Compensation of board members is governed by Minnesota  
15.10 Statutes, section 15.0575.



286.2 **Sec. 11. DIRECTION TO COMMISSIONER; CHILD MALTREATMENT**  
286.3 **REPORTING SYSTEMS REVIEW AND RECOMMENDATIONS.**

286.4 The commissioner of children, youth, and families must review current child maltreatment  
286.5 reporting processes and systems in various states and evaluate the costs and benefits of each  
286.6 reviewed state's system. In consultation with stakeholders, including but not limited to  
286.7 counties, Tribes, and organizations with expertise in child maltreatment prevention and  
286.8 child protection, the commissioner must develop recommendations on implementing a  
286.9 statewide child abuse and neglect reporting system in Minnesota and outline the benefits,  
286.10 challenges, and costs of such a transition. By June 1, 2025, the commissioner must submit  
286.11 a report detailing the commissioner's recommendations to the chairs and ranking minority  
286.12 members of the legislative committees with jurisdiction over child protection. The  
286.13 commissioner must also publish the report on the department's website.

286.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

286.15 **Sec. 12. DIRECTION TO COMMISSIONER OF HUMAN SERVICES; CHILD**  
286.16 **WELFARE WORKFORCE SYSTEM IMPROVEMENTS.**

286.17 When designing, developing, and implementing a data-driven, federally compliant  
286.18 Comprehensive Child Welfare Information System, the commissioner of human services  
286.19 must ensure that the system can do the following:

286.20 (1) allow counties to track various financial information, including benefits received by  
286.21 counties on behalf of children in the child protection system;

286.22 (2) allow counties to track all fees received by counties from parents with children in  
286.23 out-of-home placements;

286.24 (3) provide ombudspersons with direct access to nonprivileged information necessary  
286.25 for the discharge of the ombudsperson's duties, including specific child protection case  
286.26 information;

286.27 (4) provide comprehensive statewide data reports; and

286.28 (5) track demographic information about children in the child protection system, including  
286.29 disability, ethnicity, economic status, and cultural identity.

287.1 **Sec. 13. PREVENTING NONRELATIVE FOSTER CARE PLACEMENT GRANTS.**

287.2 (a) The commissioner of children, youth, and families must award grants to eligible  
287.3 community-based nonprofit organizations to provide culturally competent supports to relative  
287.4 caregivers who are caring for relative children and connection to local and statewide  
287.5 resources.

17.27 **Sec. 11. DIRECTION TO COMMISSIONER OF CHILDREN, YOUTH, AND**  
17.28 **FAMILIES; CHILD MALTREATMENT REPORTING SYSTEMS REVIEW AND**  
17.29 **RECOMMENDATIONS.**

17.30 The commissioner of children, youth, and families must review current child maltreatment  
17.31 reporting processes and systems in various states and evaluate the costs and benefits of each  
17.32 reviewed state's system. In consultation with stakeholders, including but not limited to  
17.33 counties, Tribes, and organizations with expertise in child maltreatment prevention and  
18.1 child protection, the commissioner must develop recommendations on implementing a  
18.2 statewide common entry point system for reporting child maltreatment in Minnesota,  
18.3 outlining the benefits, challenges, and costs of such a transition. By March 1, 2025, the  
18.4 commissioner must submit a report detailing the commissioner's recommendations to the  
18.5 chairs and ranking minority members of the legislative committees with jurisdiction over  
18.6 child protection. The commissioner must also publish the report on the department's website.

18.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

17.13 **Sec. 10. PREVENTING NONRELATIVE FOSTER CARE PLACEMENT GRANTS.**

17.14 (a) The commissioner of children, youth, and families shall award grants to eligible  
17.15 community-based nonprofit organizations to provide culturally competent support and  
17.16 connection to local and statewide resources for relative caregivers who are caring for relative  
17.17 children. Grant funds must be used to serve relative caregivers for children from communities  
17.18 that are disproportionately overrepresented in the child welfare system, as determined by  
17.19 the commissioner, based on available data. Grant funds may be used to assess relative  
17.20 caregiver and child needs, provide connection to local and statewide culturally competent

287.6 (b) Grant funds must be used to serve relative caregivers caring for children from  
287.7 communities that are disproportionately overrepresented in the child welfare system based  
287.8 on available data, as determined by the commissioner.

287.9 (c) Grant funds may be used to assess relative caregiver and child needs, provide  
287.10 connection to local and statewide culturally competent resources, and provide culturally  
287.11 competent case management to assist with complex cases. Grant funds may also be used to  
287.12 provide culturally competent supports to reduce the need for child welfare involvement or  
287.13 risk of child welfare involvement and increase family stability by preventing nonrelative  
287.14 foster care placement.

287.15 (d) For purposes of this section, "relative" has the meaning given in Minnesota Statutes,  
287.16 section 260C.007, subdivision 27.

17.21 resources, provide culturally competent case management to assist with complex cases, and  
17.22 provide culturally competent supports to reduce the need for child welfare involvement or  
17.23 risk of child welfare involvement and increase family stability by preventing nonrelative  
17.24 foster care placement.

17.25 (b) For purposes of this section, "relative" has the meaning given in Minnesota Statutes,  
17.26 section 260C.007, subdivision 27.

18.8 Sec. 12. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; CHILD**  
18.9 **WELFARE FISCAL ANALYSIS.**

18.10 Subdivision 1. **Child welfare fiscal analysis.** The commissioner of human services must  
18.11 contract with a third-party consultant selected according to subdivision 2.

18.12 Subd. 2. **Fiscal analysis consultant selection.** The commissioner, in consultation with  
18.13 the Association of Minnesota Counties, the Minnesota Indian Affairs Council, community  
18.14 nonprofits, community providers, and other child welfare system stakeholders, must select  
18.15 a third-party independent consultant to conduct the fiscal analysis required under this section.  
18.16 The consultant must have expertise in and experience with child welfare systems and  
18.17 conducting fiscal analyses.

18.18 Subd. 3. **Child welfare fiscal analysis requirements.** When conducting the child welfare  
18.19 fiscal analysis under this section, the third-party consultant must evaluate:

18.20 (1) financial systems in Minnesota's child welfare system and funding sources available  
18.21 to the child welfare system;

18.22 (2) state and local agency administrative resources necessary to effectively obtain,  
18.23 manage, and distribute federal funds to counties and Tribal Nations;

18.24 (3) the state's access to and use of funding or reimbursements under federal Title IV-E  
18.25 and Title IV-B, the federal Child Abuse Prevention and Treatment Act, TANF, Medicaid,  
18.26 the federal Social Services Block Grant Program, and other federal funds for expenses  
18.27 related to child welfare, including legal representation, training, and prevention services;

287.17 Sec. 14. **REPEALER.**  
287.18 (a) Minnesota Statutes 2022, section 256.01, subdivisions 12 and 12a, are repealed.  
287.19 (b) Minnesota Rules, part 9560.0232, subpart 5, is repealed.  
287.20 **EFFECTIVE DATE.** This section is effective July 1, 2025.

18.28 (4) relevant information needed to secure available federal funds for the child welfare  
18.29 system;  
18.30 (5) the implementation of the Family First Prevention Services Act and related claim  
18.31 processes; and  
19.1 (6) federal Title IV-E attorney and training reimbursements in the state and all allowable  
19.2 Title IV-E administrative costs.  
19.3 Subd. 4. **Report on fiscal analysis.** By June 30, 2026, the third-party consultant who  
19.4 conducted the child welfare fiscal analysis under this section must submit a final report to  
19.5 the commissioner of human services and the chairs and ranking minority members of the  
19.6 legislative committees with jurisdiction over the child welfare system. The final report must  
19.7 include the findings from the fiscal analysis required in this section. The report must also  
19.8 include recommendations on:  
19.9 (1) whether Minnesota should increase state investment into the child welfare system;  
19.10 (2) how to maximize the state's receipt of federal funding, including reimbursements;  
19.11 (3) legislative proposals for any necessary statutory changes; and  
19.12 (4) administrative and fiscal resources needed to implement necessary statutory changes.  
19.13 Subd. 5. **Tribal participation.** Each of Minnesota's 11 federally recognized Tribal  
19.14 Nations may participate in the fiscal analysis required under this section. Tribal Nations  
19.15 that choose to participate have sovereignty over data they choose to share with the consultant,  
19.16 or other individuals or entities, and may request that their data not be included in any public  
19.17 documents.  
19.18 Sec. 13. **REPEALER.**  
19.19 (a) Minnesota Statutes 2022, section 256.01, subdivisions 12 and 12a, are repealed.  
19.20 (b) Minnesota Rules, part 9560.0232, subpart 5, is repealed.  
19.21 **EFFECTIVE DATE.** This section is effective July 1, 2025.