

292.19

ARTICLE 14

292.20

DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

292.21 Section 1. **[142A.045] CHILDREN, YOUTH, AND FAMILIES**

292.22 **INTERGOVERNMENTAL ADVISORY COMMITTEE.**

292.23 (a) An intergovernmental advisory committee is established to provide advice,

292.24 consultation, and recommendations to the commissioner on the planning, design,

292.25 administration, funding, and evaluation of services to children, youth, and families.

292.26 Notwithstanding section 15.059, the commissioner, the Association of Minnesota Counties,

292.27 and the Minnesota Association of County Social Services Administrators must codevelop

292.28 and execute a process to administer the committee that ensures each county is represented.

292.29 The committee must meet at least quarterly and special meetings may be called by the

292.30 committee chair or a majority of the members.

293.1 (b) Subject to section 15.059, the commissioner may reimburse committee members or

293.2 their alternates for allowable expenses while engaged in their official duties as committee

293.3 members.

293.4 (c) Notwithstanding section 15.059, the intergovernmental advisory committee does not

293.5 expire.

293.6 Sec. 2. **[142B.47] TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT**

293.7 **DEATH AND ABUSIVE HEAD TRAUMA FOR CHILD FOSTER CARE**

293.8 **PROVIDERS.**

293.9 (a) Licensed child foster care providers that care for infants or children through five

293.10 years of age must document that before caregivers assist in the care of infants or children

293.11 through five years of age, they are instructed on the standards in section 142B.46 and receive

293.12 training on reducing the risk of sudden unexpected infant death and abusive head trauma

293.13 from shaking infants and young children. This section does not apply to emergency relative

293.14 placement under section 142B.06. The training on reducing the risk of sudden unexpected

293.15 infant death and abusive head trauma may be provided as:

293.16 (1) orientation training to child foster care providers who care for infants or children

293.17 through five years of age under Minnesota Rules, part 2960.3070, subpart 1; or

293.18 (2) in-service training to child foster care providers who care for infants or children

293.19 through five years of age under Minnesota Rules, part 2960.3070, subpart 2.

293.20 (b) Training required under this section must be at least one hour in length and must be

293.21 completed at least once every five years. At a minimum, the training must address the risk

293.22 factors related to sudden unexpected infant death and abusive head trauma, means of reducing

293.23 the risk of sudden unexpected infant death and abusive head trauma, and license holder

25.6

ARTICLE 5

25.7

DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

25.8 Section 1. **[142A.045] CHILDREN, YOUTH, AND FAMILIES**

25.9 **INTERGOVERNMENTAL ADVISORY COMMITTEE.**

25.10 (a) An intergovernmental advisory committee is established to provide advice,

25.11 consultation, and recommendations to the commissioner on the planning, design,

25.12 administration, funding, and evaluation of services to children, youth, and families.

25.13 Notwithstanding section 15.059, the commissioner, the Association of Minnesota Counties,

25.14 and the Minnesota Association of County Social Services Administrators must codevelop

25.15 and execute a process to administer the committee that ensures each county is represented.

25.16 The committee must meet at least quarterly and special meetings may be called by the

25.17 committee chair or a majority of the members.

25.18 (b) Subject to section 15.059, the commissioner may reimburse committee members or

25.19 their alternates for allowable expenses while engaged in their official duties as committee

25.20 members.

25.21 (c) Notwithstanding section 15.059, the intergovernmental advisory committee does not

25.22 expire.

293.24 communication with parents regarding reducing the risk of sudden unexpected infant death
293.25 and abusive head trauma.

293.26 (c) Training for child foster care providers must be approved by the county or private
293.27 licensing agency that is responsible for monitoring the child foster care provider under
293.28 section 142B.30. The approved training fulfills, in part, training required under Minnesota
293.29 Rules, part 2960.3070.

25.23 Sec. 2. Minnesota Statutes 2022, section 245.975, subdivision 2, is amended to read:

25.24 Subd. 2. **Duties.** (a) The ombudsperson's duties shall include:

25.25 (1) advocating on behalf of a family child care provider to address all areas of concern
25.26 related to the provision of child care services, including licensing monitoring activities,
25.27 licensing actions, and other interactions with state and county licensing staff;

25.28 (2) providing recommendations for family child care improvement or family child care
25.29 provider education;

26.1 (3) operating a telephone line to answer questions, receive complaints, and discuss
26.2 agency actions when a family child care provider believes that the provider's rights or
26.3 program may have been adversely affected; and

26.4 (4) assisting a family child care license applicant with navigating the application process.

26.5 (b) The ombudsperson must report annually by December 31 to the commissioner of
26.6 children, youth, and families and the chairs and ranking minority members of the legislative
26.7 committees with jurisdiction over child care on the services provided by the ombudsperson
26.8 to child care providers, including the number and locations of child care providers served
26.9 and the activities of the ombudsperson in carrying out the duties under this section. The
26.10 commissioner shall determine the form of the report and may specify additional reporting
26.11 requirements.

26.12 Sec. 3. Minnesota Statutes 2022, section 245.975, subdivision 4, is amended to read:

26.13 Subd. 4. **Access to records.** (a) The ombudsperson or designee, excluding volunteers,
26.14 has access to any data of a state agency necessary for the discharge of the ombudsperson's
26.15 duties, including records classified as confidential data on individuals or private data on
26.16 individuals under chapter 13 or any other law. The ombudsperson's data request must relate
26.17 to a specific case and is subject to section 13.03, subdivision 4. If the data concerns an
26.18 individual, the ombudsperson or designee shall first obtain the individual's consent. If the
26.19 individual is unable to consent and has no parent or legal guardian, then the ombudsperson's
26.20 or designee's access to the data is authorized by this section.

294.1 Sec. 3. Minnesota Statutes 2022, section 245A.10, subdivision 1, as amended by Laws
294.2 2024, chapter 80, article 2, section 48, is amended to read:

294.3 Subdivision 1. **Application or license fee required, programs exempt from fee.** (a)
294.4 Unless exempt under paragraph (b), the commissioner shall charge a fee for evaluation of
294.5 applications and inspection of programs which are licensed under this chapter.

294.6 (b) Except as provided under subdivision 2, no application or license fee shall be charged
294.7 for a child foster residence setting, adult foster care, or a community residential setting.

294.8 Sec. 4. Minnesota Statutes 2022, section 245A.10, subdivision 2, as amended by Laws
294.9 2024, chapter 80, article 2, section 49, is amended to read:

294.10 Subd. 2. **County fees for applications and licensing inspections.** (a) For purposes of
294.11 adult foster care and child foster residence setting licensing and licensing the physical plant
294.12 of a community residential setting, under this chapter, a county agency may charge a fee to
294.13 a corporate applicant or corporate license holder to recover the actual cost of licensing
294.14 inspections, not to exceed \$500 annually.

294.15 (b) Counties may elect to reduce or waive the fees in paragraph (a) under the following
294.16 circumstances:

294.17 (1) in cases of financial hardship;

294.18 (2) if the county has a shortage of providers in the county's area; or

294.19 (3) for new providers.

26.21 (b) The ombudsperson and designees must adhere to the Minnesota Government Data
26.22 Practices Act and must not disseminate any private or confidential data on individuals unless
26.23 specifically authorized by state, local, or federal law or pursuant to a court order.

26.24 (c) The commissioner of human services; the commissioner of children, youth, and
26.25 families; and any county agency must provide the ombudsperson copies of all fix-it tickets,
26.26 correction orders, and licensing actions issued to family child care providers.

26.27 Sec. 4. Minnesota Statutes 2022, section 245.975, subdivision 9, is amended to read:

26.28 Subd. 9. **Posting.** (a) The commissioner of children, youth, and families shall post on
26.29 the department's website the mailing address, email address, and telephone number for the
26.30 office of the ombudsperson. The commissioner shall provide family child care providers
26.31 with the mailing address, email address, and telephone number of the ombudsperson's office
26.32 on the family child care licensing website and upon request of a family child care applicant
27.1 or provider. Counties must provide family child care applicants and providers with the
27.2 name, mailing address, email address, and telephone number of the ombudsperson's office
27.3 upon request.

27.4 (b) The ombudsperson must approve all postings and notices required by the department
27.5 and counties under this subdivision.

294.20 Sec. 5. Minnesota Statutes 2022, section 245A.144, is amended to read:

294.21 **245A.144 TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT DEATH**
294.22 **AND ABUSIVE HEAD TRAUMA FOR CHILD FOSTER CARE PROVIDERS.**

294.23 (a) Licensed child foster care providers that care for infants or children through five
294.24 years of age must document that before staff persons ~~and caregivers~~ assist in the care of
294.25 infants or children through five years of age, they are instructed on the standards in section
294.26 ~~245A.1435~~ 142B.46 and receive training on reducing the risk of sudden unexpected infant
294.27 death and abusive head trauma from shaking infants and young children. ~~This section does~~
294.28 ~~not apply to emergency relative placement under section 245A.035.~~ The training on reducing
294.29 the risk of sudden unexpected infant death and abusive head trauma may be provided as:

294.30 (1) orientation training to child foster care providers, who care for infants or children
294.31 through five years of age, under Minnesota Rules, part 2960.3070, subpart 1; or

295.1 (2) in-service training to child foster care providers, who care for infants or children
295.2 through five years of age, under Minnesota Rules, part 2960.3070, subpart 2.

295.3 (b) Training required under this section must be at least one hour in length and must be
295.4 completed at least once every five years. At a minimum, the training must address the risk
295.5 factors related to sudden unexpected infant death and abusive head trauma, means of reducing
295.6 the risk of sudden unexpected infant death and abusive head trauma, and license holder
295.7 communication with parents regarding reducing the risk of sudden unexpected infant death
295.8 and abusive head trauma.

295.9 (c) Training for child foster care providers must be approved by the county ~~or private~~
295.10 ~~licensing agency~~ that is responsible for monitoring the child foster care provider under
295.11 section 245A.16. The approved training fulfills, in part, training required under Minnesota
295.12 Rules, part 2960.3070.

295.13 Sec. 6. Minnesota Statutes 2023 Supplement, section 245A.16, subdivision 1, as amended
295.14 by Laws 2024, chapter 80, article 2, section 65, is amended to read:

295.15 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies that have been
295.16 designated by the commissioner to perform licensing functions and activities under section
295.17 245A.04; to recommend denial of applicants under section 245A.05; to issue correction
295.18 orders, to issue variances, and recommend a conditional license under section 245A.06; or
295.19 to recommend suspending or revoking a license or issuing a fine under section 245A.07,
295.20 shall comply with rules and directives of the commissioner governing those functions and
295.21 with this section. The following variances are excluded from the delegation of variance
295.22 authority and may be issued only by the commissioner:

295.23 (1) ~~dual licensure of family child foster care and family adult foster care; dual licensure~~
295.24 ~~of child foster residence setting and community residential setting; and dual licensure of~~
295.25 ~~family adult foster care and family child care;~~

UES4699-2, ART. 10, SEC. 12, ALSO AMENDS M.S. SEC. 245A.16, SUBD. 1,
BUT MATCHES WITH S4699-3, ART 18, SEC. 15.

- 295.26 (2) until the responsibility for family child foster care transfers to the commissioner of
295.27 children, youth, and families under Laws 2023, chapter 70, article 12, section 30, dual
295.28 licensure of family child foster care and family adult foster care;
- 295.29 (3) until the responsibility for family child care transfers to the commissioner of children,
295.30 youth, and families under Laws 2023, chapter 70, article 12, section 30, dual licensure of
295.31 family adult foster care and family child care;
- 295.32 (4) adult foster care maximum capacity;
- 295.33 ~~(5)~~ (5) adult foster care minimum age requirement;
- 296.1 ~~(4)~~ (6) child foster care maximum age requirement;
- 296.2 ~~(5)~~ (7) variances regarding disqualified individuals;
- 296.3 ~~(6)~~ (8) the required presence of a caregiver in the adult foster care residence during
296.4 normal sleeping hours;
- 296.5 ~~(7)~~ (9) variances to requirements relating to chemical use problems of a license holder
296.6 or a household member of a license holder; and
- 296.7 ~~(8)~~ (10) variances to section 142B.46 for the use of a cradleboard for a cultural
296.8 accommodation.
- 296.9 (b) Once the respective responsibilities transfer from the commissioner of human services
296.10 to the commissioner of children, youth, and families, under Laws 2023, chapter 70, article
296.11 12, section 30, the commissioners of human services and children, youth, and families must
296.12 both approve a variance for dual licensure of family child foster care and family adult foster
296.13 care or family adult foster care and family child care. Variances under this paragraph are
296.14 excluded from the delegation of variance authority and may be issued only by both
296.15 commissioners.
- 296.16 ~~(b)~~ (c) For family adult day services programs, the commissioner may authorize licensing
296.17 reviews every two years after a licensee has had at least one annual review.
- 296.18 ~~(c)~~ (d) A license issued under this section may be issued for up to two years.
- 296.19 ~~(d)~~ (e) During implementation of chapter 245D, the commissioner shall consider:
- 296.20 (1) the role of counties in quality assurance;
- 296.21 (2) the duties of county licensing staff; and
- 296.22 (3) the possible use of joint powers agreements, according to section 471.59, with counties
296.23 through which some licensing duties under chapter 245D may be delegated by the
296.24 commissioner to the counties.

296.25 Any consideration related to this paragraph must meet all of the requirements of the corrective
296.26 action plan ordered by the federal Centers for Medicare and Medicaid Services.

296.27 ~~(e)~~ (f) Licensing authority specific to section 245D.06, subdivisions 5, 6, 7, and 8, or
296.28 successor provisions; and section 245D.061 or successor provisions, for family child foster
296.29 care programs providing out-of-home respite, as identified in section 245D.03, subdivision
296.30 1, paragraph (b), clause (1), is excluded from the delegation of authority to county agencies.

297.1 Sec. 7. Minnesota Statutes 2022, section 245A.175, is amended to read:

297.2 **245A.175 CHILD FOSTER CARE TRAINING REQUIREMENT; MENTAL**
297.3 **HEALTH TRAINING; FETAL ALCOHOL SPECTRUM DISORDERS TRAINING.**

297.4 Prior to a nonemergency placement of a child in a foster care home, the child foster care
297.5 license holder and caregivers in foster family and treatment foster care settings, and all staff
297.6 providing care in foster residence settings must complete two hours of training that addresses
297.7 the causes, symptoms, and key warning signs of mental health disorders; cultural
297.8 considerations; and effective approaches for dealing with a child's behaviors. At least one
297.9 hour of the annual training requirement for the foster family license holder and caregivers,
297.10 and foster residence staff must be on children's mental health issues and treatment. Except
297.11 for providers and services under chapter 245D, the annual training must also include at least
297.12 one hour of training on fetal alcohol spectrum disorders, which must be counted toward the
297.13 12 hours of required in-service training per year. Short-term substitute caregivers are exempt
297.14 from these requirements. Training curriculum shall be approved by the commissioner of
297.15 human services.

297.16 Sec. 8. Minnesota Statutes 2023 Supplement, section 245A.66, subdivision 4, as amended
297.17 by Laws 2024, chapter 80, article 2, section 73, is amended to read:

297.18 Subd. 4. **Ongoing training requirement.** (a) In addition to the orientation training
297.19 required by the applicable licensing rules and statutes, children's residential facility license
297.20 holders must provide a training annually on the maltreatment of minors reporting
297.21 requirements and definitions in chapter 260E to each mandatory reporter, as described in
297.22 section 260E.06, subdivision 1.

297.23 (b) In addition to the orientation training required by the applicable licensing rules and
297.24 statutes, all foster residence setting staff and volunteers that are mandatory reporters as
297.25 described in section 260E.06, subdivision 1, must complete training each year on the
297.26 maltreatment of minors reporting requirements and definitions in chapter 260E.

297.27 Sec. 9. Minnesota Statutes 2022, section 256.029, as amended by Laws 2024, chapter 80,
297.28 article 1, section 66, is amended to read:

297.29 **256.029 DOMESTIC VIOLENCE INFORMATIONAL BROCHURE.**

297.30 (a) The commissioner shall provide a domestic violence informational brochure that
297.31 provides information about the existence of domestic violence waivers for eligible public

297.32 assistance applicants to all applicants of general assistance, medical assistance, and
297.33 MinnesotaCare. The brochure must explain that eligible applicants may be temporarily
298.1 waived from certain program requirements due to domestic violence. The brochure must
298.2 provide information about services and other programs to help victims of domestic violence.

298.3 (b) The brochure must be funded with TANF funds.

298.4 (c) The commissioner must work with the commissioner of children, youth, and families
298.5 to create a brochure that meets the requirements of this section and section 142G.05.

298.6 Sec. 10. Minnesota Statutes 2023 Supplement, section 256.043, subdivision 3, is amended
298.7 to read:

298.8 Subd. 3. **Appropriations from registration and license fee account.** (a) The
298.9 appropriations in paragraphs (b) to (n) shall be made from the registration and license fee
298.10 account on a fiscal year basis in the order specified.

298.11 (b) The appropriations specified in Laws 2019, chapter 63, article 3, section 1, paragraphs
298.12 (b), (f), (g), and (h), as amended by Laws 2020, chapter 115, article 3, section 35, shall be
298.13 made accordingly.

298.14 (c) \$100,000 is appropriated to the commissioner of human services for grants for opiate
298.15 antagonist distribution. Grantees may utilize funds for opioid overdose prevention,
298.16 community asset mapping, education, and opiate antagonist distribution.

298.17 (d) \$2,000,000 is appropriated to the commissioner of human services for grants to Tribal
298.18 nations and five urban Indian communities for traditional healing practices for American
298.19 Indians and to increase the capacity of culturally specific providers in the behavioral health
298.20 workforce.

298.21 (e) \$400,000 is appropriated to the commissioner of human services for competitive
298.22 grants for opioid-focused Project ECHO programs.

298.23 (f) \$277,000 in fiscal year 2024 and \$321,000 each year thereafter is appropriated to the
298.24 commissioner of human services to administer the funding distribution and reporting
298.25 requirements in paragraph (o).

298.26 (g) \$3,000,000 in fiscal year 2025 and \$3,000,000 each year thereafter is appropriated
298.27 to the commissioner of human services for safe recovery sites start-up and capacity building
298.28 grants under section 254B.18.

298.29 (h) \$395,000 in fiscal year 2024 and \$415,000 each year thereafter is appropriated to
298.30 the commissioner of human services for the opioid overdose surge alert system under section
298.31 245.891.

299.1 (i) \$300,000 is appropriated to the commissioner of management and budget for
299.2 evaluation activities under section 256.042, subdivision 1, paragraph (c).

27.6 Sec. 5. Minnesota Statutes 2023 Supplement, section 256.043, subdivision 3, is amended
27.7 to read:

27.8 Subd. 3. **Appropriations from registration and license fee account.** (a) The
27.9 appropriations in paragraphs (b) to (n) shall be made from the registration and license fee
27.10 account on a fiscal year basis in the order specified.

27.11 (b) The appropriations specified in Laws 2019, chapter 63, article 3, section 1, paragraphs
27.12 (b), (f), (g), and (h), as amended by Laws 2020, chapter 115, article 3, section 35, shall be
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27.24 commissioner of human services to administer the funding distribution and reporting
27.25 requirements in paragraph (o).

27.26 (g) \$3,000,000 in fiscal year 2025 and \$3,000,000 each year thereafter is appropriated
27.27 to the commissioner of human services for safe recovery sites start-up and capacity building
27.28 grants under section 254B.18.

27.29 (h) \$395,000 in fiscal year 2024 and \$415,000 each year thereafter is appropriated to
27.30 the commissioner of human services for the opioid overdose surge alert system under section
27.31 245.891.

28.1 (i) \$300,000 is appropriated to the commissioner of management and budget for
28.2 evaluation activities under section 256.042, subdivision 1, paragraph (c).

299.3 (j) \$261,000 is appropriated to the commissioner of human services for the provision of
299.4 administrative services to the Opiate Epidemic Response Advisory Council and for the
299.5 administration of the grants awarded under paragraph (n).

299.6 (k) \$126,000 is appropriated to the Board of Pharmacy for the collection of the registration
299.7 fees under section 151.066.

299.8 (l) \$672,000 is appropriated to the commissioner of public safety for the Bureau of
299.9 Criminal Apprehension. Of this amount, \$384,000 is for drug scientists and lab supplies
299.10 and \$288,000 is for special agent positions focused on drug interdiction and drug trafficking.

299.11 (m) After the appropriations in paragraphs (b) to (l) are made, 50 percent of the remaining
299.12 amount is appropriated to the commissioner of ~~human services children, youth, and families~~
299.13 for distribution to county social service agencies and Tribal social service agency initiative
299.14 projects authorized under section 256.01, subdivision 14b, to provide child protection
299.15 services to children and families who are affected by addiction. The commissioner shall
299.16 distribute this money proportionally to county social service agencies and Tribal social
299.17 service agency initiative projects based on out-of-home placement episodes where parental
299.18 drug abuse is the primary reason for the out-of-home placement using data from the previous
299.19 calendar year. County social service agencies and Tribal social service agency initiative
299.20 projects receiving funds from the opiate epidemic response fund must annually report to
299.21 the commissioner on how the funds were used to provide child protection services, including
299.22 measurable outcomes, as determined by the commissioner. County social service agencies
299.23 and Tribal social service agency initiative projects must not use funds received under this
299.24 paragraph to supplant current state or local funding received for child protection services
299.25 for children and families who are affected by addiction.

299.26 (n) After the appropriations in paragraphs (b) to (m) are made, the remaining amount in
299.27 the account is appropriated to the commissioner of human services to award grants as
299.28 specified by the Opiate Epidemic Response Advisory Council in accordance with section
299.29 256.042, unless otherwise appropriated by the legislature.

299.30 (o) Beginning in fiscal year 2022 and each year thereafter, funds for county social service
299.31 agencies and Tribal social service agency initiative projects under paragraph (m) and grant
299.32 funds specified by the Opiate Epidemic Response Advisory Council under paragraph (n)
299.33 may be distributed on a calendar year basis.

300.1 (p) Notwithstanding section 16A.28, subdivision 3, funds appropriated in paragraphs
300.2 (c), (d), (e), (g), (m), and (n) are available for three years after the funds are appropriated.

300.3 Sec. 11. Minnesota Statutes 2023 Supplement, section 256.043, subdivision 3a, is amended
300.4 to read:

300.5 Subd. 3a. **Appropriations from settlement account.** (a) The appropriations in paragraphs
300.6 (b) to (e) shall be made from the settlement account on a fiscal year basis in the order
300.7 specified.

28.3 (j) \$261,000 is appropriated to the commissioner of human services for the provision of
28.4 administrative services to the Opiate Epidemic Response Advisory Council and for the
28.5 administration of the grants awarded under paragraph (n).

28.6 (k) \$126,000 is appropriated to the Board of Pharmacy for the collection of the registration
28.7 fees under section 151.066.

28.8 (l) \$672,000 is appropriated to the commissioner of public safety for the Bureau of
28.9 Criminal Apprehension. Of this amount, \$384,000 is for drug scientists and lab supplies
28.10 and \$288,000 is for special agent positions focused on drug interdiction and drug trafficking.

28.11 (m) After the appropriations in paragraphs (b) to (l) are made, 50 percent of the remaining
28.12 amount is appropriated to the commissioner of ~~human services children, youth, and families~~
28.13 for distribution to county social service agencies and Tribal social service agency initiative
28.14 projects authorized under section 256.01, subdivision 14b, to provide child protection
28.15 services to children and families who are affected by addiction. The commissioner shall
28.16 distribute this money proportionally to county social service agencies and Tribal social
28.17 service agency initiative projects based on out-of-home placement episodes where parental
28.18 drug abuse is the primary reason for the out-of-home placement using data from the previous
28.19 calendar year. County social service agencies and Tribal social service agency initiative
28.20 projects receiving funds from the opiate epidemic response fund must annually report to
28.21 the commissioner on how the funds were used to provide child protection services, including
28.22 measurable outcomes, as determined by the commissioner. County social service agencies
28.23 and Tribal social service agency initiative projects must not use funds received under this
28.24 paragraph to supplant current state or local funding received for child protection services
28.25 for children and families who are affected by addiction.

28.26 (n) After the appropriations in paragraphs (b) to (m) are made, the remaining amount in
28.27 the account is appropriated to the commissioner of human services to award grants as
28.28 specified by the Opiate Epidemic Response Advisory Council in accordance with section
28.29 256.042, unless otherwise appropriated by the legislature.

28.30 (o) Beginning in fiscal year 2022 and each year thereafter, funds for county social service
28.31 agencies and Tribal social service agency initiative projects under paragraph (m) and grant
28.32 funds specified by the Opiate Epidemic Response Advisory Council under paragraph (n)
28.33 may be distributed on a calendar year basis.

29.1 (p) Notwithstanding section 16A.28, subdivision 3, funds appropriated in paragraphs
29.2 (c), (d), (e), (g), (m), and (n) are available for three years after the funds are appropriated.

29.3 Sec. 6. Minnesota Statutes 2023 Supplement, section 256.043, subdivision 3a, is amended
29.4 to read:

29.5 Subd. 3a. **Appropriations from settlement account.** (a) The appropriations in paragraphs
29.6 (b) to (e) shall be made from the settlement account on a fiscal year basis in the order
29.7 specified.

300.8 (b) If the balance in the registration and license fee account is not sufficient to fully fund
300.9 the appropriations specified in subdivision 3, paragraphs (b) to (l), an amount necessary to
300.10 meet any insufficiency shall be transferred from the settlement account to the registration
300.11 and license fee account to fully fund the required appropriations.

300.12 (c) \$209,000 in fiscal year 2023 and \$239,000 in fiscal year 2024 and subsequent fiscal
300.13 years are appropriated to the commissioner of human services for the administration of
300.14 grants awarded under paragraph (e). \$276,000 in fiscal year 2023 and \$151,000 in fiscal
300.15 year 2024 and subsequent fiscal years are appropriated to the commissioner of human
300.16 services to collect, collate, and report data submitted and to monitor compliance with
300.17 reporting and settlement expenditure requirements by grantees awarded grants under this
300.18 section and municipalities receiving direct payments from a statewide opioid settlement
300.19 agreement as defined in section 256.042, subdivision 6.

300.20 (d) After any appropriations necessary under paragraphs (b) and (c) are made, an amount
300.21 equal to the calendar year allocation to Tribal social service agency initiative projects under
300.22 subdivision 3, paragraph (m), is appropriated from the settlement account to the commissioner
300.23 of ~~human services children, youth, and families~~ for distribution to Tribal social service
300.24 agency initiative projects to provide child protection services to children and families who
300.25 are affected by addiction. The requirements related to proportional distribution, annual
300.26 reporting, and maintenance of effort specified in subdivision 3, paragraph (m), also apply
300.27 to the appropriations made under this paragraph.

300.28 (e) After making the appropriations in paragraphs (b), (c), and (d), the remaining amount
300.29 in the account is appropriated to the commissioner of human services to award grants as
300.30 specified by the Opiate Epidemic Response Advisory Council in accordance with section
300.31 256.042.

301.1 (f) Funds for Tribal social service agency initiative projects under paragraph (d) and
301.2 grant funds specified by the Opiate Epidemic Response Advisory Council under paragraph
301.3 (e) may be distributed on a calendar year basis.

301.4 (g) Notwithstanding section 16A.28, subdivision 3, funds appropriated in paragraphs
301.5 (d) and (e) are available for three years after the funds are appropriated.

301.6 Sec. 12. Minnesota Statutes 2023 Supplement, section 256.045, subdivision 3, as amended
301.7 by Laws 2024, chapter 79, article 3, section 3, and Laws 2024, chapter 80, article 1, section
301.8 67, is amended to read:

301.9 Subd. 3. **State agency hearings.** (a) State agency hearings are available for the following:

301.10 (1) any person:

301.11 (i) applying for, receiving or having received public assistance, medical care, or a program
301.12 of social services administered by the commissioner or a county agency on behalf of the
301.13 commissioner; and

29.8 (b) If the balance in the registration and license fee account is not sufficient to fully fund
29.9 the appropriations specified in subdivision 3, paragraphs (b) to (l), an amount necessary to
29.10 meet any insufficiency shall be transferred from the settlement account to the registration
29.11 and license fee account to fully fund the required appropriations.

29.12 (c) \$209,000 in fiscal year 2023 and \$239,000 in fiscal year 2024 and subsequent fiscal
29.13 years are appropriated to the commissioner of human services for the administration of
29.14 grants awarded under paragraph (e). \$276,000 in fiscal year 2023 and \$151,000 in fiscal
29.15 year 2024 and subsequent fiscal years are appropriated to the commissioner of human
29.16 services to collect, collate, and report data submitted and to monitor compliance with
29.17 reporting and settlement expenditure requirements by grantees awarded grants under this
29.18 section and municipalities receiving direct payments from a statewide opioid settlement
29.19 agreement as defined in section 256.042, subdivision 6.

29.20 (d) After any appropriations necessary under paragraphs (b) and (c) are made, an amount
29.21 equal to the calendar year allocation to Tribal social service agency initiative projects under
29.22 subdivision 3, paragraph (m), is appropriated from the settlement account to the commissioner
29.23 of ~~human services children, youth, and families~~ for distribution to Tribal social service
29.24 agency initiative projects to provide child protection services to children and families who
29.25 are affected by addiction. The requirements related to proportional distribution, annual
29.26 reporting, and maintenance of effort specified in subdivision 3, paragraph (m), also apply
29.27 to the appropriations made under this paragraph.

29.28 (e) After making the appropriations in paragraphs (b), (c), and (d), the remaining amount
29.29 in the account is appropriated to the commissioner of human services to award grants as
29.30 specified by the Opiate Epidemic Response Advisory Council in accordance with section
29.31 256.042.

30.1 (f) Funds for Tribal social service agency initiative projects under paragraph (d) and
30.2 grant funds specified by the Opiate Epidemic Response Advisory Council under paragraph
30.3 (e) may be distributed on a calendar year basis.

30.4 (g) Notwithstanding section 16A.28, subdivision 3, funds appropriated in paragraphs
30.5 (d) and (e) are available for three years after the funds are appropriated.

30.6 Sec. 7. Minnesota Statutes 2023 Supplement, section 256.045, subdivision 3, as amended
30.7 by Laws 2024, chapter 79, article 3, section 3, and Laws 2024, chapter 80, article 1, section
30.8 67, is amended to read:

30.9 Subd. 3. **State agency hearings.** (a) State agency hearings are available for the following:

30.10 (1) any person:

30.11 (i) applying for, receiving or having received public assistance, medical care, or a program
30.12 of social services administered by the commissioner or a county agency on behalf of the
30.13 commissioner; and

301.14 (ii) whose application for assistance is denied, not acted upon with reasonable promptness,
301.15 or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly
301.16 paid;

301.17 (2) any patient or relative aggrieved by an order of the commissioner under section
301.18 252.27;

301.19 (3) a party aggrieved by a ruling of a prepaid health plan;

301.20 (4) except as provided under chapter 245C, any individual or facility determined by a
301.21 lead investigative agency to have maltreated a vulnerable adult under section 626.557 after
301.22 they have exercised their right to administrative reconsideration under section 626.557;

301.23 (5) any person to whom a right of appeal according to this section is given by other
301.24 provision of law;

301.25 (6) an applicant aggrieved by an adverse decision to (6) an application for a hardship waiver
301.26 under section 256B.15;

301.27 (7) an applicant aggrieved by an adverse decision to an application or redetermination
301.28 for a Medicare Part D prescription drug subsidy under section 256B.04, subdivision 4a;

301.29 (8) except as provided under chapter 245A, an individual or facility determined to have
301.30 maltreated a minor under chapter 260E, after the individual or facility has exercised the
301.31 right to administrative reconsideration under chapter 260E;

302.1 ~~(8)~~ (9) except as provided under chapter 245C ~~and except for a subject of a background~~
302.2 ~~study that the commissioner has conducted on behalf of another agency for a program or~~
302.3 ~~facility not otherwise overseen by the commissioner,~~ an individual disqualified under sections
302.4 245C.14 and 245C.15, following a reconsideration decision issued under section 245C.23,
302.5 on the basis of serious or recurring maltreatment; a preponderance of the evidence that the
302.6 individual has committed an act or acts that meet the definition of any of the crimes listed
302.7 in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under section
302.8 260E.06, subdivision 1, or 626.557, subdivision 3. Hearings regarding a maltreatment
302.9 determination under clause (4) or (8) ~~or section 142A.20, subdivision 3, clause (4), and a~~
302.10 ~~disqualification under this clause in which the basis for a disqualification is serious or~~
302.11 ~~recurring maltreatment, shall be consolidated into a single fair hearing. In such cases, the~~
302.12 ~~scope of review by the human services judge shall include both the maltreatment~~
302.13 ~~determination and the disqualification. The failure to exercise the right to an administrative~~
302.14 ~~reconsideration shall not be a bar to a hearing under this section if federal law provides an~~
302.15 ~~individual the right to a hearing to dispute a finding of maltreatment;~~

302.16 ~~(9)~~ (10) any person with an outstanding debt resulting from receipt of public assistance
302.17 administered by the commissioner or medical care who is contesting a setoff claim by the
302.18 Department of Human Services or a county agency. The scope of the appeal is the validity
302.19 of the claimant agency's intention to request a setoff of a refund under chapter 270A against
302.20 the debt;

30.14 (ii) whose application for assistance is denied, not acted upon with reasonable promptness,
30.15 or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly
30.16 paid;

30.17 (2) any patient or relative aggrieved by an order of the commissioner under section
30.18 252.27;

30.19 (3) a party aggrieved by a ruling of a prepaid health plan;

30.20 (4) except as provided under chapter 245C, any individual or facility determined by a
30.21 lead investigative agency to have maltreated a vulnerable adult under section 626.557 after
30.22 they have exercised their right to administrative reconsideration under section 626.557;

30.23 (5) any person to whom a right of appeal according to this section is given by other
30.24 provision of law;

30.25 (6) an applicant aggrieved by an adverse decision to (6) an application for a hardship waiver
30.26 under section 256B.15;

30.27 (7) an applicant aggrieved by an adverse decision to an application or redetermination
30.28 for a Medicare Part D prescription drug subsidy under section 256B.04, subdivision 4a;

30.29 (8) except as provided under chapter 245A, an individual or facility determined to have
30.30 maltreated a minor under chapter 260E, after the individual or facility has exercised the
30.31 right to administrative reconsideration under chapter 260E;

31.1 ~~(8)~~ (9) except as provided under chapter 245C ~~and except for a subject of a background~~
31.2 ~~study that the commissioner has conducted on behalf of another agency for a program or~~
31.3 ~~facility not otherwise overseen by the commissioner,~~ an individual disqualified under sections
31.4 245C.14 and 245C.15, following a reconsideration decision issued under section 245C.23,
31.5 on the basis of serious or recurring maltreatment; a preponderance of the evidence that the
31.6 individual has committed an act or acts that meet the definition of any of the crimes listed
31.7 in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under section
31.8 260E.06, subdivision 1, or 626.557, subdivision 3. Hearings regarding a maltreatment
31.9 determination under clause (4) or (8) ~~or section 142A.20, subdivision 3, clause (4), and a~~
31.10 ~~disqualification under this clause in which the basis for a disqualification is serious or~~
31.11 ~~recurring maltreatment, shall be consolidated into a single fair hearing. In such cases, the~~
31.12 ~~scope of review by the human services judge shall include both the maltreatment~~
31.13 ~~determination and the disqualification. The failure to exercise the right to an administrative~~
31.14 ~~reconsideration shall not be a bar to a hearing under this section if federal law provides an~~
31.15 ~~individual the right to a hearing to dispute a finding of maltreatment;~~

31.16 ~~(9)~~ (10) any person with an outstanding debt resulting from receipt of public assistance
31.17 administered by the commissioner or medical care who is contesting a setoff claim by the
31.18 Department of Human Services or a county agency. The scope of the appeal is the validity
31.19 of the claimant agency's intention to request a setoff of a refund under chapter 270A against
31.20 the debt;

302.21 ~~(10)~~ (11) a person issued a notice of service termination under section 245D.10,
302.22 subdivision 3a, by a licensed provider of any residential supports or services listed in section
302.23 245D.03, subdivision 1, paragraphs (b) and (c), that is not otherwise subject to appeal under
302.24 subdivision 4a;

302.25 ~~(11)~~ (12) an individual disability waiver recipient based on a denial of a request for a
302.26 rate exception under section 256B.4914;

302.27 ~~(12)~~ (13) a person issued a notice of service termination under section 245A.11,
302.28 subdivision 11, that is not otherwise subject to appeal under subdivision 4a; or

302.29 ~~(13)~~ (14) a recovery community organization seeking medical assistance vendor eligibility
302.30 under section 254B.01, subdivision 8, that is aggrieved by a membership or accreditation
302.31 determination and that believes the organization meets the requirements under section
302.32 254B.05, subdivision 1, paragraph (d), clauses (1) to (10). The scope of the review by the
302.33 human services judge shall be limited to whether the organization meets each of the
302.34 requirements under section 254B.05, subdivision 1, paragraph (d), clauses (1) to (10).

303.1 (b) The hearing for an individual or facility under paragraph (a), clause (4), (8), or (9),
303.2 is the only administrative appeal to the final agency determination specifically, including
303.3 a challenge to the accuracy and completeness of data under section 13.04. Hearings requested
303.4 under paragraph (a), clause (4), apply only to incidents of maltreatment that occur on or
303.5 after October 1, 1995. Hearings requested by nursing assistants in nursing homes alleged
303.6 to have maltreated a resident prior to October 1, 1995, shall be held as a contested case
303.7 proceeding under the provisions of chapter 14. Hearings requested under paragraph (a),
303.8 clause (8), apply only to incidents of maltreatment that occur on or after July 1, 1997. A
303.9 hearing for an individual or facility under paragraph (a), clause (4), (8), or (9), is only
303.10 available when there is no district court action pending. If such action is filed in district
303.11 court while an administrative review is pending that arises out of some or all of the events
303.12 or circumstances on which the appeal is based, the administrative review must be suspended
303.13 until the judicial actions are completed. If the district court proceedings are completed,
303.14 dismissed, or overturned, the matter may be considered in an administrative hearing.

303.15 (c) For purposes of this section, bargaining unit grievance procedures are not an
303.16 administrative appeal.

303.17 (d) The scope of hearings involving claims to foster care payments under section 142A.20,
303.18 subdivision 2, clause (2), shall be limited to the issue of whether the county is legally
303.19 responsible for a child's placement under court order or voluntary placement agreement
303.20 and, if so, the correct amount of foster care payment to be made on the child's behalf and
303.21 shall not include review of the propriety of the county's child protection determination or
303.22 child placement decision.

303.23 ~~(e)~~ (e) The scope of hearings under paragraph (a), clauses (11) and (13), shall be limited
303.24 to whether the proposed termination of services is authorized under section 245D.10,
303.25 subdivision 3a, paragraph (b), or 245A.11, subdivision 11, and whether the requirements

31.21 ~~(10)~~ (11) a person issued a notice of service termination under section 245D.10,
31.22 subdivision 3a, by a licensed provider of any residential supports or services listed in section
31.23 245D.03, subdivision 1, paragraphs (b) and (c), that is not otherwise subject to appeal under
31.24 subdivision 4a;

31.25 ~~(11)~~ (12) an individual disability waiver recipient based on a denial of a request for a
31.26 rate exception under section 256B.4914;

31.27 ~~(12)~~ (13) a person issued a notice of service termination under section 245A.11,
31.28 subdivision 11, that is not otherwise subject to appeal under subdivision 4a; or

31.29 ~~(13)~~ (14) a recovery community organization seeking medical assistance vendor eligibility
31.30 under section 254B.01, subdivision 8, that is aggrieved by a membership or accreditation
31.31 determination and that believes the organization meets the requirements under section
31.32 254B.05, subdivision 1, paragraph (d), clauses (1) to (10). The scope of the review by the
31.33 human services judge shall be limited to whether the organization meets each of the
31.34 requirements under section 254B.05, subdivision 1, paragraph (d), clauses (1) to (10).

32.1 (b) The hearing for an individual or facility under paragraph (a), clause (4), (8), or (9),
32.2 is the only administrative appeal to the final agency determination specifically, including
32.3 a challenge to the accuracy and completeness of data under section 13.04. Hearings requested
32.4 under paragraph (a), clause (4), apply only to incidents of maltreatment that occur on or
32.5 after October 1, 1995. Hearings requested by nursing assistants in nursing homes alleged
32.6 to have maltreated a resident prior to October 1, 1995, shall be held as a contested case
32.7 proceeding under the provisions of chapter 14. Hearings requested under paragraph (a),
32.8 clause (8), apply only to incidents of maltreatment that occur on or after July 1, 1997. A
32.9 hearing for an individual or facility under paragraph (a), clause (4), (8), or (9), is only
32.10 available when there is no district court action pending. If such action is filed in district
32.11 court while an administrative review is pending that arises out of some or all of the events
32.12 or circumstances on which the appeal is based, the administrative review must be suspended
32.13 until the judicial actions are completed. If the district court proceedings are completed,
32.14 dismissed, or overturned, the matter may be considered in an administrative hearing.

32.15 (c) For purposes of this section, bargaining unit grievance procedures are not an
32.16 administrative appeal.

32.17 (d) The scope of hearings involving claims to foster care payments under section 142A.20,
32.18 subdivision 2, clause (2), shall be limited to the issue of whether the county is legally
32.19 responsible for a child's placement under court order or voluntary placement agreement
32.20 and, if so, the correct amount of foster care payment to be made on the child's behalf and
32.21 shall not include review of the propriety of the county's child protection determination or
32.22 child placement decision.

32.23 ~~(e)~~ (e) The scope of hearings under paragraph (a), clauses (11) and (13), shall be limited
32.24 to whether the proposed termination of services is authorized under section 245D.10,
32.25 subdivision 3a, paragraph (b), or 245A.11, subdivision 11, and whether the requirements

303.26 of section 245D.10, subdivision 3a, paragraphs (c) to (e), or 245A.11, subdivision 2a,
303.27 paragraphs (d) and (e), were met. If the appeal includes a request for a temporary stay of
303.28 termination of services, the scope of the hearing shall also include whether the case
303.29 management provider has finalized arrangements for a residential facility, a program, or
303.30 services that will meet the assessed needs of the recipient by the effective date of the service
303.31 termination.

303.32 ~~(e)~~ (f) A vendor of medical care as defined in section 256B.02, subdivision 7, or a vendor
303.33 under contract with a county agency to provide social services is not a party and may not
303.34 request a hearing under this section, except if assisting a recipient as provided in subdivision
303.35 4.

304.1 ~~(g)~~ (g) An applicant or recipient is not entitled to receive social services beyond the
304.2 services prescribed under chapter 256M or other social services the person is eligible for
304.3 under state law.

304.4 ~~(g)~~ (h) The commissioner may summarily affirm the county or state agency's proposed
304.5 action without a hearing when the sole issue is an automatic change due to a change in state
304.6 or federal law, except in matters covered by paragraph ~~(h)~~ (i).

304.7 ~~(h)~~ (i) When the subject of an administrative review is a matter within the jurisdiction
304.8 of the direct care and treatment executive board as a part of the board's powers and duties
304.9 under chapter 246C, the executive board may summarily affirm the county or state agency's
304.10 proposed action without a hearing when the sole issue is an automatic change due to a
304.11 change in state or federal law.

304.12 ~~(i)~~ (j) Unless federal or Minnesota law specifies a different time frame in which to file
304.13 an appeal, an individual or organization specified in this section may contest the specified
304.14 action, decision, or final disposition before the state agency by submitting a written request
304.15 for a hearing to the state agency within 30 days after receiving written notice of the action,
304.16 decision, or final disposition, or within 90 days of such written notice if the applicant,
304.17 recipient, patient, or relative shows good cause, as defined in section 256.0451, subdivision
304.18 13, why the request was not submitted within the 30-day time limit. The individual filing
304.19 the appeal has the burden of proving good cause by a preponderance of the evidence.

304.20 Sec. 13. Minnesota Statutes 2022, section 256.045, subdivision 3b, as amended by Laws
304.21 2024, chapter 80, article 1, section 68, is amended to read:

304.22 Subd. 3b. **Standard of evidence for maltreatment and disqualification hearings.** (a)
304.23 The state human services judge shall determine that maltreatment has occurred if a
304.24 preponderance of evidence exists to support the final disposition under section 626.557 and
304.25 chapter 260E. For purposes of hearings regarding disqualification, the state human services
304.26 judge shall affirm the proposed disqualification in an appeal under subdivision 3, paragraph
304.27 (a), clause (9), if a preponderance of the evidence shows the individual has:

304.28 (1) committed maltreatment under section 626.557 or chapter 260E that is serious or
304.29 recurring;

32.26 of section 245D.10, subdivision 3a, paragraphs (c) to (e), or 245A.11, subdivision 2a,
32.27 paragraphs (d) and (e), were met. If the appeal includes a request for a temporary stay of
32.28 termination of services, the scope of the hearing shall also include whether the case
32.29 management provider has finalized arrangements for a residential facility, a program, or
32.30 services that will meet the assessed needs of the recipient by the effective date of the service
32.31 termination.

32.32 ~~(e)~~ (f) A vendor of medical care as defined in section 256B.02, subdivision 7, or a vendor
32.33 under contract with a county agency to provide social services is not a party and may not
32.34 request a hearing under this section, except if assisting a recipient as provided in subdivision
32.35 4.

33.1 ~~(g)~~ (g) An applicant or recipient is not entitled to receive social services beyond the
33.2 services prescribed under chapter 256M or other social services the person is eligible for
33.3 under state law.

33.4 ~~(g)~~ (h) The commissioner may summarily affirm the county or state agency's proposed
33.5 action without a hearing when the sole issue is an automatic change due to a change in state
33.6 or federal law, except in matters covered by paragraph ~~(h)~~ (i).

33.7 ~~(h)~~ (i) When the subject of an administrative review is a matter within the jurisdiction
33.8 of the direct care and treatment executive board as a part of the board's powers and duties
33.9 under chapter 246C, the executive board may summarily affirm the county or state agency's
33.10 proposed action without a hearing when the sole issue is an automatic change due to a
33.11 change in state or federal law.

33.12 ~~(i)~~ (j) Unless federal or Minnesota law specifies a different time frame in which to file
33.13 an appeal, an individual or organization specified in this section may contest the specified
33.14 action, decision, or final disposition before the state agency by submitting a written request
33.15 for a hearing to the state agency within 30 days after receiving written notice of the action,
33.16 decision, or final disposition, or within 90 days of such written notice if the applicant,
33.17 recipient, patient, or relative shows good cause, as defined in section 256.0451, subdivision
33.18 13, why the request was not submitted within the 30-day time limit. The individual filing
33.19 the appeal has the burden of proving good cause by a preponderance of the evidence.

33.20 Sec. 8. Minnesota Statutes 2022, section 256.045, subdivision 3b, as amended by Laws
33.21 2024, chapter 80, article 1, section 68, is amended to read:

33.22 Subd. 3b. **Standard of evidence for maltreatment and disqualification hearings.** (a)
33.23 The state human services judge shall determine that maltreatment has occurred if a
33.24 preponderance of evidence exists to support the final disposition under section 626.557 and
33.25 chapter 260E. For purposes of hearings regarding disqualification, the state human services
33.26 judge shall affirm the proposed disqualification in an appeal under subdivision 3, paragraph
33.27 (a), clause (9), if a preponderance of the evidence shows the individual has:

33.28 (1) committed maltreatment under section 626.557 or chapter 260E that is serious or
33.29 recurring;

304.30 (2) committed an act or acts meeting the definition of any of the crimes listed in section
304.31 245C.15, subdivisions 1 to 4; or

305.1 (3) failed to make required reports under section 626.557 or chapter 260E, for incidents
305.2 in which the final disposition under section 626.557 or chapter 260E was substantiated
305.3 maltreatment that was serious or recurring.

305.4 (b) If the disqualification is affirmed, the state human services judge shall determine
305.5 whether the individual poses a risk of harm in accordance with the requirements of section
305.6 245C.22, and whether the disqualification should be set aside or not set aside. In determining
305.7 whether the disqualification should be set aside, the human services judge shall consider
305.8 all of the characteristics that cause the individual to be disqualified, including those
305.9 characteristics that were not subject to review under paragraph (a), in order to determine
305.10 whether the individual poses a risk of harm. A decision to set aside a disqualification that
305.11 is the subject of the hearing constitutes a determination that the individual does not pose a
305.12 risk of harm and that the individual may provide direct contact services in the individual
305.13 program specified in the set aside.

305.14 (c) If a disqualification is based solely on a conviction or is conclusive for any reason
305.15 under section 245C.29, the disqualified individual does not have a right to a hearing under
305.16 this section.

305.17 (d) The state human services judge shall recommend an order to the commissioner of
305.18 health; ~~education; children, youth, and families;~~ or human services, as applicable, who
305.19 shall issue a final order. The commissioner shall affirm, reverse, or modify the final
305.20 disposition. Any order of the commissioner issued in accordance with this subdivision is
305.21 conclusive upon the parties unless appeal is taken in the manner provided in subdivision 7.
305.22 In any licensing appeal under chapters 245A and 245C and sections 144.50 to 144.58 and
305.23 144A.02 to 144A.482, the commissioner's determination as to maltreatment is conclusive,
305.24 as provided under section 245C.29.

305.25 Sec. 14. Minnesota Statutes 2022, section 256.045, subdivision 5, as amended by Laws
305.26 2024, chapter 79, article 3, section 4, is amended to read:

305.27 Subd. 5. **Orders of the commissioner of human services.** (a) Except as provided for
305.28 under subdivision 5a for matters under the jurisdiction of the direct care and treatment
305.29 executive board ~~and for hearings held under section 142A.20, subdivision 2,~~ a state human
305.30 services judge shall conduct a hearing on the appeal and shall recommend an order to the
305.31 commissioner of human services. The recommended order must be based on all relevant
305.32 evidence and must not be limited to a review of the propriety of the state or county agency's
305.33 action. A human services judge may take official notice of adjudicative facts. The
305.34 commissioner of human services may accept the recommended order of a state human
306.1 services judge and issue the order to the county agency and the applicant, recipient, former
306.2 recipient, or prepaid health plan. The commissioner on refusing to accept the recommended
306.3 order of the state human services judge, shall notify the petitioner, the agency, or prepaid
306.4 health plan of that fact and shall state reasons therefor and shall allow each party ten days'

33.30 (2) committed an act or acts meeting the definition of any of the crimes listed in section
33.31 245C.15, subdivisions 1 to 4; or

34.1 (3) failed to make required reports under section 626.557 or chapter 260E, for incidents
34.2 in which the final disposition under section 626.557 or chapter 260E was substantiated
34.3 maltreatment that was serious or recurring.

34.4 (b) If the disqualification is affirmed, the state human services judge shall determine
34.5 whether the individual poses a risk of harm in accordance with the requirements of section
34.6 245C.22, and whether the disqualification should be set aside or not set aside. In determining
34.7 whether the disqualification should be set aside, the human services judge shall consider
34.8 all of the characteristics that cause the individual to be disqualified, including those
34.9 characteristics that were not subject to review under paragraph (a), in order to determine
34.10 whether the individual poses a risk of harm. A decision to set aside a disqualification that
34.11 is the subject of the hearing constitutes a determination that the individual does not pose a
34.12 risk of harm and that the individual may provide direct contact services in the individual
34.13 program specified in the set aside.

34.14 (c) If a disqualification is based solely on a conviction or is conclusive for any reason
34.15 under section 245C.29, the disqualified individual does not have a right to a hearing under
34.16 this section.

34.17 (d) The state human services judge shall recommend an order to the commissioner of
34.18 health; ~~education; children, youth, and families;~~ or human services, as applicable, who
34.19 shall issue a final order. The commissioner shall affirm, reverse, or modify the final
34.20 disposition. Any order of the commissioner issued in accordance with this subdivision is
34.21 conclusive upon the parties unless appeal is taken in the manner provided in subdivision 7.
34.22 In any licensing appeal under chapters 245A and 245C and sections 144.50 to 144.58 and
34.23 144A.02 to 144A.482, the commissioner's determination as to maltreatment is conclusive,
34.24 as provided under section 245C.29.

34.25 Sec. 9. Minnesota Statutes 2022, section 256.045, subdivision 5, as amended by Laws
34.26 2024, chapter 79, article 3, section 4, is amended to read:

34.27 Subd. 5. **Orders of the commissioner of human services.** (a) Except as provided for
34.28 under subdivision 5a for matters under the jurisdiction of the direct care and treatment
34.29 executive board ~~and for hearings held under section 142A.20, subdivision 2,~~ a state human
34.30 services judge shall conduct a hearing on the appeal and shall recommend an order to the
34.31 commissioner of human services. The recommended order must be based on all relevant
34.32 evidence and must not be limited to a review of the propriety of the state or county agency's
34.33 action. A human services judge may take official notice of adjudicative facts. The
34.34 commissioner of human services may accept the recommended order of a state human
35.1 services judge and issue the order to the county agency and the applicant, recipient, former
35.2 recipient, or prepaid health plan. The commissioner on refusing to accept the recommended
35.3 order of the state human services judge, shall notify the petitioner, the agency, or prepaid
35.4 health plan of that fact and shall state reasons therefor and shall allow each party ten days'

306.5 time to submit additional written argument on the matter. After the expiration of the ten-day
306.6 period, the commissioner shall issue an order on the matter to the petitioner, the agency, or
306.7 prepaid health plan.

306.8 (b) A party aggrieved by an order of the commissioner may appeal under subdivision
306.9 7, or request reconsideration by the commissioner within 30 days after the date the
306.10 commissioner issues the order. The commissioner may reconsider an order upon request of
306.11 any party or on the commissioner's own motion. A request for reconsideration does not stay
306.12 implementation of the commissioner's order. The person seeking reconsideration has the
306.13 burden to demonstrate why the matter should be reconsidered. The request for reconsideration
306.14 may include legal argument and proposed additional evidence supporting the request. If
306.15 proposed additional evidence is submitted, the person must explain why the proposed
306.16 additional evidence was not provided at the time of the hearing. If reconsideration is granted,
306.17 the other participants must be sent a copy of all material submitted in support of the request
306.18 for reconsideration and must be given ten days to respond. Upon reconsideration, the
306.19 commissioner may issue an amended order or an order affirming the original order.

306.20 (c) Any order of the commissioner issued under this subdivision shall be conclusive
306.21 upon the parties unless appeal is taken in the manner provided by subdivision 7. Any order
306.22 of the commissioner is binding on the parties and must be implemented by the state agency,
306.23 a county agency, or a prepaid health plan according to subdivision 3a, until the order is
306.24 reversed by the district court, or unless the commissioner or a district court orders monthly
306.25 assistance or aid or services paid or provided under subdivision 10.

306.26 (d) A vendor of medical care as defined in section 256B.02, subdivision 7, or a vendor
306.27 under contract with a county agency to provide social services is not a party and may not
306.28 request a hearing or seek judicial review of an order issued under this section, unless assisting
306.29 a recipient as provided in subdivision 4. A prepaid health plan is a party to an appeal under
306.30 subdivision 3a, but cannot seek judicial review of an order issued under this section.

306.31 Sec. 15. Minnesota Statutes 2022, section 256.045, subdivision 7, as amended by Laws
306.32 2024, chapter 79, article 3, section 7, is amended to read:

306.33 Subd. 7. **Judicial review.** Except for a prepaid health plan, any party who is aggrieved
306.34 by an order of the commissioner of human services; the commissioner of health; or the
307.1 commissioner of children, youth, and families in appeals within the commissioner's
307.2 jurisdiction under subdivision 3b; or the direct care and treatment executive board in appeals
307.3 within the jurisdiction of the executive board under subdivision 5a may appeal the order to
307.4 the district court of the county responsible for furnishing assistance, or, in appeals under
307.5 subdivision 3b, the county where the maltreatment occurred, by serving a written copy of
307.6 a notice of appeal upon the applicable commissioner or executive board and any adverse
307.7 party of record within 30 days after the date the commissioner or executive board issued
307.8 the order, the amended order, or order affirming the original order, and by filing the original
307.9 notice and proof of service with the court administrator of the district court. Service may
307.10 be made personally or by mail; service by mail is complete upon mailing; no filing fee shall
307.11 be required by the court administrator in appeals taken pursuant to this subdivision, with

35.5 time to submit additional written argument on the matter. After the expiration of the ten-day
35.6 period, the commissioner shall issue an order on the matter to the petitioner, the agency, or
35.7 prepaid health plan.

35.8 (b) A party aggrieved by an order of the commissioner may appeal under subdivision
35.9 7, or request reconsideration by the commissioner within 30 days after the date the
35.10 commissioner issues the order. The commissioner may reconsider an order upon request of
35.11 any party or on the commissioner's own motion. A request for reconsideration does not stay
35.12 implementation of the commissioner's order. The person seeking reconsideration has the
35.13 burden to demonstrate why the matter should be reconsidered. The request for reconsideration
35.14 may include legal argument and proposed additional evidence supporting the request. If
35.15 proposed additional evidence is submitted, the person must explain why the proposed
35.16 additional evidence was not provided at the time of the hearing. If reconsideration is granted,
35.17 the other participants must be sent a copy of all material submitted in support of the request
35.18 for reconsideration and must be given ten days to respond. Upon reconsideration, the
35.19 commissioner may issue an amended order or an order affirming the original order.

35.20 (c) Any order of the commissioner issued under this subdivision shall be conclusive
35.21 upon the parties unless appeal is taken in the manner provided by subdivision 7. Any order
35.22 of the commissioner is binding on the parties and must be implemented by the state agency,
35.23 a county agency, or a prepaid health plan according to subdivision 3a, until the order is
35.24 reversed by the district court, or unless the commissioner or a district court orders monthly
35.25 assistance or aid or services paid or provided under subdivision 10.

35.26 (d) A vendor of medical care as defined in section 256B.02, subdivision 7, or a vendor
35.27 under contract with a county agency to provide social services is not a party and may not
35.28 request a hearing or seek judicial review of an order issued under this section, unless assisting
35.29 a recipient as provided in subdivision 4. A prepaid health plan is a party to an appeal under
35.30 subdivision 3a, but cannot seek judicial review of an order issued under this section.

35.31 Sec. 10. Minnesota Statutes 2022, section 256.045, subdivision 7, as amended by Laws
35.32 2024, chapter 79, article 3, section 7, is amended to read:

35.33 Subd. 7. **Judicial review.** Except for a prepaid health plan, any party who is aggrieved
35.34 by an order of the commissioner of human services; the commissioner of health; or the
36.1 commissioner of children, youth, and families in appeals within the commissioner's
36.2 jurisdiction under subdivision 3b; or the direct care and treatment executive board in appeals
36.3 within the jurisdiction of the executive board under subdivision 5a may appeal the order to
36.4 the district court of the county responsible for furnishing assistance, or, in appeals under
36.5 subdivision 3b, the county where the maltreatment occurred, by serving a written copy of
36.6 a notice of appeal upon the applicable commissioner or executive board and any adverse
36.7 party of record within 30 days after the date the commissioner or executive board issued
36.8 the order, the amended order, or order affirming the original order, and by filing the original
36.9 notice and proof of service with the court administrator of the district court. Service may
36.10 be made personally or by mail; service by mail is complete upon mailing; no filing fee shall
36.11 be required by the court administrator in appeals taken pursuant to this subdivision, with

307.12 the exception of appeals taken under subdivision 3b. The applicable commissioner or
307.13 executive board may elect to become a party to the proceedings in the district court. Except
307.14 for appeals under subdivision 3b, any party may demand that the commissioner or executive
307.15 board furnish all parties to the proceedings with a copy of the decision, and a transcript of
307.16 any testimony, evidence, or other supporting papers from the hearing held before the human
307.17 services judge, by serving a written demand upon the applicable commissioner or executive
307.18 board within 30 days after service of the notice of appeal. Any party aggrieved by the failure
307.19 of an adverse party to obey an order issued by the commissioner or executive board under
307.20 subdivisions 5 or 5a may compel performance according to the order in the manner prescribed
307.21 in sections 586.01 to 586.12.

307.22 Sec. 16. Minnesota Statutes 2022, section 256.0451, subdivision 1, as amended by Laws
307.23 2024, chapter 80, article 1, section 72, is amended to read:

307.24 Subdivision 1. **Scope.** (a) The requirements in this section apply to all fair hearings and
307.25 appeals under ~~section~~ sections 142A.20, subdivision 2, and 256.045, subdivision 3, paragraph
307.26 (a), clauses (1), (2), (3), (5), (6), (7), ~~(8), (11) (10)~~, and ~~(13) (12)~~. Except as provided in
307.27 subdivisions 3 and 19, the requirements under this section apply to fair hearings and appeals
307.28 under section 256.045, subdivision 3, paragraph (a), clauses (4), (8), (9), ~~(10)~~, and ~~(12) (11)~~.

307.29 (b) For purposes of this section, "person" means an individual who, on behalf of
307.30 themselves or their household, is appealing or disputing or challenging an action, a decision,
307.31 or a failure to act, by an agency in the human services system. When a person involved in
307.32 a proceeding under this section is represented by an attorney or by an authorized
307.33 representative, the term "person" also means the person's attorney or authorized
307.34 representative. Any notice sent to the person involved in the hearing must also be sent to
307.35 the person's attorney or authorized representative.

308.1 (c) For purposes of this section, "agency" means the county human services agency, the
308.2 state human services agency, and, where applicable, any entity involved under a contract,
308.3 subcontract, grant, or subgrant with the state agency or with a county agency, that provides
308.4 or operates programs or services in which appeals are governed by section 256.045.

308.5 Sec. 17. Minnesota Statutes 2022, section 256.0451, subdivision 22, is amended to read:

308.6 Subd. 22. **Decisions.** A timely, written decision must be issued in every appeal. Each
308.7 decision must contain a clear ruling on the issues presented in the appeal hearing and should
308.8 contain a ruling only on questions directly presented by the appeal and the arguments raised
308.9 in the appeal.

308.10 (a) A written decision must be issued within 90 days of the date the person involved
308.11 requested the appeal unless a shorter time is required by law. An additional 30 days is
308.12 provided in those cases where the commissioner refuses to accept the recommended decision.
308.13 In appeals of maltreatment determinations or disqualifications filed pursuant to section
308.14 256.045, subdivision 3, paragraph (a), clause (4), (8), or (9), ~~or (10)~~, that also give rise to

36.12 the exception of appeals taken under subdivision 3b. The applicable commissioner or
36.13 executive board may elect to become a party to the proceedings in the district court. Except
36.14 for appeals under subdivision 3b, any party may demand that the commissioner or executive
36.15 board furnish all parties to the proceedings with a copy of the decision, and a transcript of
36.16 any testimony, evidence, or other supporting papers from the hearing held before the human
36.17 services judge, by serving a written demand upon the applicable commissioner or executive
36.18 board within 30 days after service of the notice of appeal. Any party aggrieved by the failure
36.19 of an adverse party to obey an order issued by the commissioner or executive board under
36.20 subdivisions 5 or 5a may compel performance according to the order in the manner prescribed
36.21 in sections 586.01 to 586.12.

36.22 Sec. 11. Minnesota Statutes 2022, section 256.0451, subdivision 1, as amended by Laws
36.23 2024, chapter 80, article 1, section 72, is amended to read:

36.24 Subdivision 1. **Scope.** (a) The requirements in this section apply to all fair hearings and
36.25 appeals under ~~section~~ sections 142A.20, subdivision 2, and 256.045, subdivision 3, paragraph
36.26 (a), clauses (1), (2), (3), (5), (6), (7), ~~(8), (11) (10)~~, and ~~(13) (12)~~. Except as provided in
36.27 subdivisions 3 and 19, the requirements under this section apply to fair hearings and appeals
36.28 under section 256.045, subdivision 3, paragraph (a), clauses (4), ~~(9) (8)~~, ~~(10) (9)~~, and ~~(12)~~
36.29 (11).

36.30 (b) For purposes of this section, "person" means an individual who, on behalf of
36.31 themselves or their household, is appealing or disputing or challenging an action, a decision,
36.32 or a failure to act, by an agency in the human services system. When a person involved in
36.33 a proceeding under this section is represented by an attorney or by an authorized
36.34 representative, the term "person" also means the person's attorney or authorized
37.1 representative. Any notice sent to the person involved in the hearing must also be sent to
37.2 the person's attorney or authorized representative.

37.3 (c) For purposes of this section, "agency" means the county human services agency, the
37.4 state human services agency, and, where applicable, any entity involved under a contract,
37.5 subcontract, grant, or subgrant with the state agency or with a county agency, that provides
37.6 or operates programs or services in which appeals are governed by section 256.045.

37.7 Sec. 12. Minnesota Statutes 2022, section 256.0451, subdivision 22, is amended to read:

37.8 Subd. 22. **Decisions.** A timely, written decision must be issued in every appeal. Each
37.9 decision must contain a clear ruling on the issues presented in the appeal hearing and should
37.10 contain a ruling only on questions directly presented by the appeal and the arguments raised
37.11 in the appeal.

37.12 (a) A written decision must be issued within 90 days of the date the person involved
37.13 requested the appeal unless a shorter time is required by law. An additional 30 days is
37.14 provided in those cases where the commissioner refuses to accept the recommended decision.
37.15 In appeals of maltreatment determinations or disqualifications filed pursuant to section
37.16 256.045, subdivision 3, paragraph (a), clause (4), ~~(9) (8)~~, or ~~(10) (9)~~, that also give rise to

308.15 possible licensing actions, the 90-day period for issuing final decisions does not begin until
308.16 the later of the date that the licensing authority provides notice to the appeals division that
308.17 the authority has made the final determination in the matter or the date the appellant files
308.18 the last appeal in the consolidated matters.

308.19 (b) The decision must contain both findings of fact and conclusions of law, clearly
308.20 separated and identified. The findings of fact must be based on the entire record. Each
308.21 finding of fact made by the human services judge shall be supported by a preponderance
308.22 of the evidence unless a different standard is required under the regulations of a particular
308.23 program. The "preponderance of the evidence" means, in light of the record as a whole, the
308.24 evidence leads the human services judge to believe that the finding of fact is more likely to
308.25 be true than not true. The legal claims or arguments of a participant do not constitute either
308.26 a finding of fact or a conclusion of law, except to the extent the human services judge adopts
308.27 an argument as a finding of fact or conclusion of law.

308.28 The decision shall contain at least the following:

308.29 (1) a listing of the date and place of the hearing and the participants at the hearing;

308.30 (2) a clear and precise statement of the issues, including the dispute under consideration
308.31 and the specific points which must be resolved in order to decide the case;

308.32 (3) a listing of the material, including exhibits, records, reports, placed into evidence at
308.33 the hearing, and upon which the hearing decision is based;

309.1 (4) the findings of fact based upon the entire hearing record. The findings of fact must
309.2 be adequate to inform the participants and any interested person in the public of the basis
309.3 of the decision. If the evidence is in conflict on an issue which must be resolved, the findings
309.4 of fact must state the reasoning used in resolving the conflict;

309.5 (5) conclusions of law that address the legal authority for the hearing and the ruling, and
309.6 which give appropriate attention to the claims of the participants to the hearing;

309.7 (6) a clear and precise statement of the decision made resolving the dispute under
309.8 consideration in the hearing; and

309.9 (7) written notice of the right to appeal to district court or to request reconsideration,
309.10 and of the actions required and the time limits for taking appropriate action to appeal to
309.11 district court or to request a reconsideration.

309.12 (c) The human services judge shall not independently investigate facts or otherwise rely
309.13 on information not presented at the hearing. The human services judge may not contact
309.14 other agency personnel, except as provided in subdivision 18. The human services judge's
309.15 recommended decision must be based exclusively on the testimony and evidence presented
309.16 at the hearing, and legal arguments presented, and the human services judge's research and
309.17 knowledge of the law.

37.17 possible licensing actions, the 90-day period for issuing final decisions does not begin until
37.18 the later of the date that the licensing authority provides notice to the appeals division that
37.19 the authority has made the final determination in the matter or the date the appellant files
37.20 the last appeal in the consolidated matters.

37.21 (b) The decision must contain both findings of fact and conclusions of law, clearly
37.22 separated and identified. The findings of fact must be based on the entire record. Each
37.23 finding of fact made by the human services judge shall be supported by a preponderance
37.24 of the evidence unless a different standard is required under the regulations of a particular
37.25 program. The "preponderance of the evidence" means, in light of the record as a whole, the
37.26 evidence leads the human services judge to believe that the finding of fact is more likely to
37.27 be true than not true. The legal claims or arguments of a participant do not constitute either
37.28 a finding of fact or a conclusion of law, except to the extent the human services judge adopts
37.29 an argument as a finding of fact or conclusion of law.

37.30 The decision shall contain at least the following:

37.31 (1) a listing of the date and place of the hearing and the participants at the hearing;

37.32 (2) a clear and precise statement of the issues, including the dispute under consideration
37.33 and the specific points which must be resolved in order to decide the case;

38.1 (3) a listing of the material, including exhibits, records, reports, placed into evidence at
38.2 the hearing, and upon which the hearing decision is based;

38.3 (4) the findings of fact based upon the entire hearing record. The findings of fact must
38.4 be adequate to inform the participants and any interested person in the public of the basis
38.5 of the decision. If the evidence is in conflict on an issue which must be resolved, the findings
38.6 of fact must state the reasoning used in resolving the conflict;

38.7 (5) conclusions of law that address the legal authority for the hearing and the ruling, and
38.8 which give appropriate attention to the claims of the participants to the hearing;

38.9 (6) a clear and precise statement of the decision made resolving the dispute under
38.10 consideration in the hearing; and

38.11 (7) written notice of the right to appeal to district court or to request reconsideration,
38.12 and of the actions required and the time limits for taking appropriate action to appeal to
38.13 district court or to request a reconsideration.

38.14 (c) The human services judge shall not independently investigate facts or otherwise rely
38.15 on information not presented at the hearing. The human services judge may not contact
38.16 other agency personnel, except as provided in subdivision 18. The human services judge's
38.17 recommended decision must be based exclusively on the testimony and evidence presented
38.18 at the hearing, and legal arguments presented, and the human services judge's research and
38.19 knowledge of the law.

309.18 (d) The commissioner will review the recommended decision and accept or refuse to
309.19 accept the decision according to section 142A.20, subdivision 3, or 256.045, subdivision
309.20 5.

309.21 Sec. 18. Minnesota Statutes 2022, section 256.0451, subdivision 24, is amended to read:

309.22 Subd. 24. **Reconsideration.** (a) Reconsideration may be requested within 30 days of
309.23 the date of the commissioner's final order. If reconsideration is requested under section
309.24 142A.20, subdivision 3, or 256.045, subdivision 5, the other participants in the appeal shall
309.25 be informed of the request. The person seeking reconsideration has the burden to demonstrate
309.26 why the matter should be reconsidered. The request for reconsideration may include legal
309.27 argument and may include proposed additional evidence supporting the request. The other
309.28 participants shall be sent a copy of all material submitted in support of the request for
309.29 reconsideration and must be given ten days to respond.

309.30 (b) When the requesting party raises a question as to the appropriateness of the findings
309.31 of fact, the commissioner shall review the entire record.

309.32 (c) When the requesting party questions the appropriateness of a conclusion of law, the
309.33 commissioner shall consider the recommended decision, the decision under reconsideration,
310.1 and the material submitted in connection with the reconsideration. The commissioner shall
310.2 review the remaining record as necessary to issue a reconsidered decision.

310.3 (d) The commissioner shall issue a written decision on reconsideration in a timely fashion.
310.4 The decision must clearly inform the parties that this constitutes the final administrative
310.5 decision, advise the participants of the right to seek judicial review, and the deadline for
310.6 doing so.

310.7 Sec. 19. Minnesota Statutes 2022, section 256.046, subdivision 2, as amended by Laws
310.8 2024, chapter 80, article 1, section 75, is amended to read:

310.9 Subd. 2. **Combined hearing.** ~~(a)~~ The human services judge may combine a fair hearing
310.10 under section 142A.20 or 256.045 and administrative fraud disqualification hearing under
310.11 this section or section 142A.27 into a single hearing if the factual issues arise out of the
310.12 same, or related, circumstances; ~~the commissioner of human services has jurisdiction over~~
310.13 ~~at least one of the hearings~~; and the individual receives prior notice that the hearings will
310.14 be combined. If the administrative fraud disqualification hearing and fair hearing are
310.15 combined, the time frames for administrative fraud disqualification hearings specified in
310.16 Code of Federal Regulations, title 7, section 273.16, apply. If the individual accused of
310.17 wrongfully obtaining assistance is charged under section 256.98 for the same act or acts
310.18 which are the subject of the hearing, the individual may request that the hearing be delayed
310.19 until the criminal charge is decided by the court or withdrawn.

310.20 ~~(b) The human services judge must conduct any hearings under section 142A.20 or~~
310.21 ~~142A.27 pursuant to the relevant laws and rules governing children, youth, and families~~
310.22 ~~judges.~~

38.20 (d) The commissioner will review the recommended decision and accept or refuse to
38.21 accept the decision according to section 142A.20, subdivision 3, or 256.045, subdivision
38.22 5.

38.23 Sec. 13. Minnesota Statutes 2022, section 256.0451, subdivision 24, is amended to read:

38.24 Subd. 24. **Reconsideration.** (a) Reconsideration may be requested within 30 days of
38.25 the date of the commissioner's final order. If reconsideration is requested under section
38.26 142A.20, subdivision 3, or 256.045, subdivision 5, the other participants in the appeal shall
38.27 be informed of the request. The person seeking reconsideration has the burden to demonstrate
38.28 why the matter should be reconsidered. The request for reconsideration may include legal
38.29 argument and may include proposed additional evidence supporting the request. The other
38.30 participants shall be sent a copy of all material submitted in support of the request for
38.31 reconsideration and must be given ten days to respond.

38.32 (b) When the requesting party raises a question as to the appropriateness of the findings
38.33 of fact, the commissioner shall review the entire record.

39.1 (c) When the requesting party questions the appropriateness of a conclusion of law, the
39.2 commissioner shall consider the recommended decision, the decision under reconsideration,
39.3 and the material submitted in connection with the reconsideration. The commissioner shall
39.4 review the remaining record as necessary to issue a reconsidered decision.

39.5 (d) The commissioner shall issue a written decision on reconsideration in a timely fashion.
39.6 The decision must clearly inform the parties that this constitutes the final administrative
39.7 decision, advise the participants of the right to seek judicial review, and the deadline for
39.8 doing so.

39.9 Sec. 14. Minnesota Statutes 2022, section 256.046, subdivision 2, as amended by Laws
39.10 2024, chapter 80, article 1, section 75, is amended to read:

39.11 Subd. 2. **Combined hearing.** ~~(a)~~ The human services judge may combine a fair hearing
39.12 under section 142A.20 or 256.045 and administrative fraud disqualification hearing under
39.13 this section or section 142A.27 into a single hearing if the factual issues arise out of the
39.14 same, or related, circumstances; ~~the commissioner of human services has jurisdiction over~~
39.15 ~~at least one of the hearings~~; and the individual receives prior notice that the hearings will
39.16 be combined. If the administrative fraud disqualification hearing and fair hearing are
39.17 combined, the time frames for administrative fraud disqualification hearings specified in
39.18 Code of Federal Regulations, title 7, section 273.16, apply. If the individual accused of
39.19 wrongfully obtaining assistance is charged under section 256.98 for the same act or acts
39.20 which are the subject of the hearing, the individual may request that the hearing be delayed
39.21 until the criminal charge is decided by the court or withdrawn.

39.22 ~~(b) The human services judge must conduct any hearings under section 142A.20 or~~
39.23 ~~142A.27 pursuant to the relevant laws and rules governing children, youth, and families~~
39.24 ~~judges.~~

310.23 Sec. 20. Minnesota Statutes 2023 Supplement, section 256M.42, is amended by adding a
310.24 subdivision to read:

310.25 Subd. 7. Adult protection grant allocation under Reform 2020. The requirements of
310.26 subdivisions 2 to 6 apply to the Reform 2020 adult protection state grants in Minnesota
310.27 Statutes 2013 Supplement, section 256M.40, subdivision 1, and Laws 2013, chapter 108,
310.28 article 15. The Reform 2020 state adult protection grant must be allocated annually consistent
310.29 with the calendar year 2023 allocation made under section 256M.40.

310.30 Sec. 21. Laws 2023, chapter 70, article 12, section 30, subdivision 2, is amended to read:

310.31 Subd. 2. **Department of Human Services.** The powers and duties of the Department
310.32 of Human Services with respect to the following responsibilities and related elements are
311.1 transferred to the Department of Children, Youth, and Families according to Minnesota
311.2 Statutes, section 15.039:

311.3 (1) family services and community-based collaboratives under Minnesota Statutes,
311.4 section 124D.23;

311.5 (2) child care programs under Minnesota Statutes, chapter 119B;

311.6 (3) Parent Aware quality rating and improvement system under Minnesota Statutes,
311.7 section 124D.142;

311.8 (4) migrant child care services under Minnesota Statutes, section 256M.50;

311.9 (5) early childhood and school-age professional development training under Laws 2007,
311.10 chapter 147, article 2, section 56;

311.11 (6) licensure of family child care and child care centers, child foster care, and private
311.12 child placing agencies under Minnesota Statutes, chapter 245A;

311.13 (7) certification of license-exempt child care centers under Minnesota Statutes, chapter
311.14 245H;

311.15 (8) program integrity and fraud related to the Child Care Assistance Program (CCAP),
311.16 the Minnesota Family Investment Program (MFIP), and the Supplemental Nutrition
311.17 Assistance Program (SNAP) under Minnesota Statutes, chapters 119B and 245E;

311.18 (9) SNAP under Minnesota Statutes, sections 256D.60 to 256D.63;

311.19 (10) electronic benefit transactions under Minnesota Statutes, sections 256.9862,
311.20 256.9863, 256.9865, 256.987, 256.9871, 256.9872, and 256J.77;

311.21 (11) Minnesota food assistance program under Minnesota Statutes, section 256D.64;

311.22 (12) Minnesota food shelf program under Minnesota Statutes, section 256E.34;

311.23 (13) MFIP and Temporary Assistance for Needy Families (TANF) under Minnesota
311.24 Statutes, sections 256.9864 and 256.9865 and chapters 256J and 256P;

39.25 Sec. 15. Laws 2023, chapter 70, article 12, section 30, subdivision 2, is amended to read:

39.26 Subd. 2. **Department of Human Services.** The powers and duties of the Department
39.27 of Human Services with respect to the following responsibilities and related elements are
39.28 transferred to the Department of Children, Youth, and Families according to Minnesota
39.29 Statutes, section 15.039:

39.30 (1) family services and community-based collaboratives under Minnesota Statutes,
39.31 section 124D.23;

39.32 (2) child care programs under Minnesota Statutes, chapter 119B;

40.1 (3) Parent Aware quality rating and improvement system under Minnesota Statutes,
40.2 section 124D.142;

40.3 (4) migrant child care services under Minnesota Statutes, section 256M.50;

40.4 (5) early childhood and school-age professional development training under Laws 2007,
40.5 chapter 147, article 2, section 56;

40.6 (6) licensure of family child care and child care centers, child foster care, and private
40.7 child placing agencies under Minnesota Statutes, chapter 245A;

40.8 (7) certification of license-exempt child care centers under Minnesota Statutes, chapter
40.9 245H;

40.10 (8) program integrity and fraud related to the Child Care Assistance Program (CCAP),
40.11 the Minnesota Family Investment Program (MFIP), and the Supplemental Nutrition
40.12 Assistance Program (SNAP) under Minnesota Statutes, chapters 119B and 245E;

40.13 (9) SNAP under Minnesota Statutes, sections 256D.60 to 256D.63;

40.14 (10) electronic benefit transactions under Minnesota Statutes, sections 256.9862,
40.15 256.9863, 256.9865, 256.987, 256.9871, 256.9872, and 256J.77;

40.16 (11) Minnesota food assistance program under Minnesota Statutes, section 256D.64;

40.17 (12) Minnesota food shelf program under Minnesota Statutes, section 256E.34;

40.18 (13) MFIP and Temporary Assistance for Needy Families (TANF) under Minnesota
40.19 Statutes, sections 256.9864 and 256.9865 and chapters 256J and 256P;

311.25 (14) Diversionary Work Program (DWP) under Minnesota Statutes, section 256J.95;
311.26 (15) ~~resettlement programs under Minnesota Statutes, section 256B.06, subdivision 6~~
311.27 American Indian food sovereignty program under Minnesota Statutes, section 256E.342;
311.28 (16) child abuse under Minnesota Statutes, chapter 256E;
311.29 (17) reporting of the maltreatment of minors under Minnesota Statutes, chapter 260E;
312.1 (18) children in voluntary foster care for treatment under Minnesota Statutes, chapter
312.2 260D;
312.3 (19) juvenile safety and placement under Minnesota Statutes, chapter 260C;
312.4 (20) the Minnesota Indian Family Preservation Act under Minnesota Statutes, sections
312.5 260.751 to 260.835;
312.6 (21) the Interstate Compact for Juveniles under Minnesota Statutes, section 260.515,
312.7 and the Interstate Compact on the Placement of Children under Minnesota Statutes, sections
312.8 260.851 to 260.93;
312.9 (22) adoption under Minnesota Statutes, sections 259.20 to 259.89;
312.10 (23) Northstar Care for Children under Minnesota Statutes, chapter 256N;
312.11 (24) child support under Minnesota Statutes, chapters 13, 13B, 214, 256, 256J, 257, 259,
312.12 518, 518A, 518C, 551, 552, 571, and 588, and Minnesota Statutes, section 609.375;
312.13 (25) community action programs under Minnesota Statutes, sections 256E.30 to 256E.32;
312.14 ~~and~~
312.15 (26) Family Assets for Independence in Minnesota under Minnesota Statutes, section
312.16 256E.35;
312.17 (27) capital for emergency food distribution facilities under Laws 2023, chapter 70,
312.18 article 20, section 2, subdivision 24, paragraph (i);
312.19 (28) community resource centers under Laws 2023, chapter 70, article 14, section 42;
312.20 (29) diaper distribution grant program under Minnesota Statutes, section 256E.38;
312.21 (30) emergency services program under Minnesota Statutes, section 256E.36;
312.22 (31) emergency shelter facilities grants under Laws 2023, chapter 70, article 11, section
312.23 14;
312.24 (32) Family First Prevention Services Act support and development grant program under
312.25 Minnesota Statutes, section 256.4793;

40.20 (14) Diversionary Work Program (DWP) under Minnesota Statutes, section 256J.95;
40.21 (15) ~~resettlement programs under Minnesota Statutes, section 256B.06, subdivision 6~~
40.22 American Indian food sovereignty program under Minnesota Statutes, section 256E.342;
40.23 (16) child abuse under Minnesota Statutes, chapter 256E;
40.24 (17) reporting of the maltreatment of minors under Minnesota Statutes, chapter 260E;
40.25 (18) children in voluntary foster care for treatment under Minnesota Statutes, chapter
40.26 260D;
40.27 (19) juvenile safety and placement under Minnesota Statutes, chapter 260C;
40.28 (20) the Minnesota Indian Family Preservation Act under Minnesota Statutes, sections
40.29 260.751 to 260.835;
41.1 (21) the Interstate Compact for Juveniles under Minnesota Statutes, section 260.515,
41.2 and the Interstate Compact on the Placement of Children under Minnesota Statutes, sections
41.3 260.851 to 260.93;
41.4 (22) adoption under Minnesota Statutes, sections 259.20 to 259.89;
41.5 (23) Northstar Care for Children under Minnesota Statutes, chapter 256N;
41.6 (24) child support under Minnesota Statutes, chapters 13, 13B, 214, 256, 256J, 257, 259,
41.7 518, 518A, 518C, 551, 552, 571, and 588, and Minnesota Statutes, section 609.375;
41.8 (25) community action programs under Minnesota Statutes, sections 256E.30 to 256E.32;
41.9 ~~and~~
41.10 (26) Family Assets for Independence in Minnesota under Minnesota Statutes, section
41.11 256E.35;
41.12 (27) capital for emergency food distribution facilities under Laws 2023, chapter 70,
41.13 article 20, section 2, subdivision 24, paragraph (i);
41.14 (28) community resource centers under Laws 2023, chapter 70, article 14, section 42;
41.15 (29) diaper distribution grant program under Minnesota Statutes, section 256E.38;
41.16 (30) Family First Prevention Services Act support and development grant program under
41.17 Minnesota Statutes, section 256.4793;

312.26 (33) Family First Prevention Services Act kinship navigator program under Minnesota
312.27 Statutes, section 256.4794;

312.28 (34) family first prevention and early intervention allocation program under Minnesota
312.29 Statutes, section 260.014;

313.1 (35) grants for prepared meals food relief under Laws 2023, chapter 70, article 12, section
313.2 33;

313.3 (36) Homeless Youth Act under Minnesota Statutes, sections 256K.45 to 256K.451;

313.4 (37) homeless youth cash stipend pilot under Laws 2023, chapter 70, article 11, section
313.5 13;

313.6 (38) independent living skills for foster youth under Laws 2023, chapter 70, article 14,
313.7 section 41;

313.8 (39) legacy adoption assistance under Minnesota Statutes, chapter 259A;

313.9 (40) quality parenting initiative grant program under Minnesota Statutes, section
313.10 245.0962;

313.11 (41) relative custody assistance under Minnesota Statutes, section 257.85;

313.12 (42) reimbursement to counties and Tribes for certain out-of-home placements under
313.13 Minnesota Statutes, section 477A.0126;

313.14 (43) safe harbor shelter and housing under Minnesota Statutes, section 256K.47;

313.15 (44) shelter-linked youth mental health grants under Minnesota Statutes, section 256K.46;

313.16 (45) Supplemental Nutrition Assistance Program outreach under Minnesota Statutes,
313.17 section 256D.65; and

313.18 (46) transitional housing programs under Minnesota Statutes, section 256E.33.

313.19 Sec. 22. Laws 2023, chapter 70, article 12, section 30, subdivision 3, is amended to read:

313.20 Subd. 3. **Department of Education.** The powers and duties of the Department of
313.21 Education with respect to the following responsibilities and related elements are transferred
313.22 to the Department of Children, Youth, and Families according to Minnesota Statutes, section
313.23 15.039:

313.24 (1) Head Start Program and Early Head Start under Minnesota Statutes, sections 119A.50
313.25 to 119A.545;

41.18 (31) Family First Prevention Services Act kinship navigator program under Minnesota
41.19 Statutes, section 256.4794;

41.20 (32) family first prevention and early intervention allocation program under Minnesota
41.21 Statutes, section 260.014;

41.22 (33) grants for prepared meals food relief under Laws 2023, chapter 70, article 12, section
41.23 33;

41.24 (34) independent living skills for foster youth under Laws 2023, chapter 70, article 14,
41.25 section 41;

41.26 (35) legacy adoption assistance under Minnesota Statutes, chapter 259A;

41.27 (36) quality parenting initiative grant program under Minnesota Statutes, section
41.28 245.0962;

41.29 (37) relative custody assistance under Minnesota Statutes, section 257.85;

42.1 (38) reimbursement to counties and Tribes for certain out-of-home placements under
42.2 Minnesota Statutes, section 477A.0126; and

42.3 (39) Supplemental Nutrition Assistance Program outreach under Minnesota Statutes,
42.4 section 256D.65.

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

42.6 Sec. 16. Laws 2023, chapter 70, article 12, section 30, subdivision 3, is amended to read:

42.7 Subd. 3. **Department of Education.** The powers and duties of the Department of
42.8 Education with respect to the following responsibilities and related elements are transferred
42.9 to the Department of Children, Youth, and Families according to Minnesota Statutes, section
42.10 15.039:

42.11 (1) Head Start Program and Early Head Start under Minnesota Statutes, sections 119A.50
42.12 to 119A.545;

- 313.26 (2) the early childhood screening program under Minnesota Statutes, sections 121A.16
313.27 to 121A.19;
- 313.28 (3) early learning scholarships under Minnesota Statutes, section 124D.165;
- 313.29 (4) the interagency early childhood intervention system under Minnesota Statutes,
313.30 sections 125A.259 to 125A.48;
- 314.1 (5) voluntary prekindergarten programs and school readiness plus programs under
314.2 Minnesota Statutes, section 124D.151;
- 314.3 (6) early childhood family education programs under Minnesota Statutes, sections
314.4 124D.13 to 124D.135;
- 314.5 (7) school readiness under Minnesota Statutes, sections 124D.15 to 124D.16; ~~and~~
- 314.6 (8) after-school community learning programs under Minnesota Statutes, section
314.7 124D.2211; and
- 314.8 (9) grow your own program under Minnesota Statutes, section 122A.731.

314.9 Sec. 23. Laws 2024, chapter 80, article 1, section 38, subdivision 1, is amended to read:

314.10 Subdivision 1. ~~Children, youth, and families judges; appointment Hearings held by~~
314.11 ~~the Department of Human Services. The commissioner of children, youth, and families~~
314.12 ~~may appoint one or more state children, youth, and families judges to conduct hearings and~~
314.13 ~~recommend orders in accordance with subdivisions 2, 3, and 5. Children, youth, and families~~
314.14 ~~judges designated pursuant to this section may administer oaths and shall be under the~~
314.15 ~~control and supervision of the commissioner of children, youth, and families and shall not~~
314.16 ~~be a part of the Office of Administrative Hearings established pursuant to sections 14.48 to~~
314.17 ~~14.56. The commissioner shall only appoint as a full-time children, youth, and families~~
314.18 ~~judge an individual who is licensed to practice law in Minnesota and who is:~~

- 314.19 (1) ~~in active status;~~
- 314.20 (2) ~~an inactive resident;~~
- 314.21 (3) ~~retired;~~
- 314.22 (4) ~~on disabled status; or~~
- 314.23 (5) ~~on retired senior status.~~

314.24 All state agency hearings under subdivision 2 must be heard by a human services judge
314.25 pursuant to sections 256.045 and 256.0451.

314.26 Sec. 24. Laws 2024, chapter 80, article 1, section 38, subdivision 2, is amended to read:

314.27 Subd. 2. **State agency hearings.** ~~(a)~~ State agency hearings are available for the following:

- 42.13 (2) the early childhood screening program under Minnesota Statutes, sections 121A.16
42.14 to 121A.19;
- 42.15 (3) early learning scholarships under Minnesota Statutes, section 124D.165;
- 42.16 (4) the interagency early childhood intervention system under Minnesota Statutes,
42.17 sections 125A.259 to 125A.48;
- 42.18 (5) voluntary prekindergarten programs and school readiness plus programs under
42.19 Minnesota Statutes, section 124D.151;
- 42.20 (6) early childhood family education programs under Minnesota Statutes, sections
42.21 124D.13 to 124D.135;
- 42.22 (7) school readiness under Minnesota Statutes, sections 124D.15 to 124D.16; ~~and~~
- 42.23 (8) after-school community learning programs under Minnesota Statutes, section
42.24 124D.2211; and
- 42.25 (9) grow your own program under Minnesota Statutes, section 122A.731.

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

42.27 Sec. 17. Laws 2024, chapter 80, article 1, section 38, subdivision 1, is amended to read:

42.28 Subdivision 1. ~~Children, youth, and families judges; appointment Hearings held by~~
42.29 ~~the Department of Human Services. The commissioner of children, youth, and families~~
42.30 ~~may appoint one or more state children, youth, and families judges to conduct hearings and~~
42.31 ~~recommend orders in accordance with subdivisions 2, 3, and 5. Children, youth, and families~~
42.32 ~~judges designated pursuant to this section may administer oaths and shall be under the~~
42.33 ~~control and supervision of the commissioner of children, youth, and families and shall not~~
42.34 ~~be a part of the Office of Administrative Hearings established pursuant to sections 14.48 to~~
42.35 ~~14.56. The commissioner shall only appoint as a full-time children, youth, and families~~
42.36 ~~judge an individual who is licensed to practice law in Minnesota and who is:~~

- 43.7 (1) ~~in active status;~~
- 43.8 (2) ~~an inactive resident;~~
- 43.9 (3) ~~retired;~~
- 43.10 (4) ~~on disabled status; or~~
- 43.11 (5) ~~on retired senior status.~~

43.12 All state agency hearings under subdivision 2 must be heard by a human services judge
43.13 pursuant to sections 256.045 and 256.0451.

43.14 Sec. 18. Laws 2024, chapter 80, article 1, section 38, subdivision 2, is amended to read:

43.15 Subd. 2. **State agency hearings.** ~~(a)~~ State agency hearings are available for the following:

314.28 (1) any person:

315.1 (i) applying for, receiving, or having received public assistance or a program of social
315.2 services administered by the commissioner or a county agency on behalf of the commissioner
315.3 or the federal Food and Nutrition Act; and

315.4 (ii) whose application for assistance is denied, not acted upon with reasonable promptness,
315.5 or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly
315.6 paid;

315.7 (2) any person whose claim for foster care payment according to a placement of the
315.8 child resulting from a child protection assessment under chapter 260E is denied or not acted
315.9 upon with reasonable promptness, regardless of funding source;

315.10 (3) any person to whom a right of appeal according to this section is given by other
315.11 provision of law; and

315.12 ~~(4) except as provided under chapter 142B, an individual or facility determined to have~~
315.13 ~~maltreated a minor under chapter 260E, after the individual or facility has exercised the~~
315.14 ~~right to administrative reconsideration under chapter 260E;~~

315.15 ~~(5) except as provided under chapter 245C, an individual disqualified under sections~~
315.16 ~~245C.14 and 245C.15, following a reconsideration decision issued under section 245C.23,~~
315.17 ~~on the basis of serious or recurring maltreatment; of a preponderance of the evidence that~~
315.18 ~~the individual has committed an act or acts that meet the definition of any of the crimes~~
315.19 ~~listed in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under~~
315.20 ~~section 260E.06, subdivision 1, or 626.557, subdivision 3. Hearings regarding a maltreatment~~
315.21 ~~determination under clause (4) and a disqualification under this clause in which the basis~~
315.22 ~~for a disqualification is serious or recurring maltreatment shall be consolidated into a single~~
315.23 ~~fair hearing. In such cases, the scope of review by the children, youth, and families judge~~
315.24 ~~shall include both the maltreatment determination and the disqualification. The failure to~~
315.25 ~~exercise the right to an administrative reconsideration shall not be a bar to a hearing under~~
315.26 ~~this section if federal law provides an individual the right to a hearing to dispute a finding~~
315.27 ~~of maltreatment; and~~

315.28 ~~(6) (4) any person with an outstanding debt resulting from receipt of public assistance~~
315.29 ~~or the federal Food and Nutrition Act who is contesting a setoff claim by the commissioner~~
315.30 ~~of children, youth, and families or a county agency. The scope of the appeal is the validity~~
315.31 ~~of the claimant agency's intention to request a setoff of a refund under chapter 270A against~~
315.32 ~~the debt.~~

315.33 ~~(b) The hearing for an individual or facility under paragraph (a), clause (4) or (5), is the~~
315.34 ~~only administrative appeal to the final agency determination specifically, including a~~
316.1 ~~challenge to the accuracy and completeness of data under section 13.04. A hearing for an~~
316.2 ~~individual or facility under paragraph (a), clause (4) or (5), is only available when there is~~
316.3 ~~no district court action pending. If such action is filed in district court while an administrative~~
316.4 ~~review is pending that arises out of some or all of the events or circumstances on which the~~

43.16 (1) any person:

43.17 (i) applying for, receiving, or having received public assistance or a program of social
43.18 services administered by the commissioner or a county agency on behalf of the commissioner
43.19 or the federal Food and Nutrition Act; and

43.20 (ii) whose application for assistance is denied, not acted upon with reasonable promptness,
43.21 or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly
43.22 paid;

43.23 (2) any person whose claim for foster care payment according to a placement of the
43.24 child resulting from a child protection assessment under chapter 260E is denied or not acted
43.25 upon with reasonable promptness, regardless of funding source;

43.26 (3) any person to whom a right of appeal according to this section is given by other
43.27 provision of law; and

43.28 ~~(4) except as provided under chapter 142B, an individual or facility determined to have~~
43.29 ~~maltreated a minor under chapter 260E, after the individual or facility has exercised the~~
43.30 ~~right to administrative reconsideration under chapter 260E;~~

44.1 ~~(5) except as provided under chapter 245C, an individual disqualified under sections~~
44.2 ~~245C.14 and 245C.15, following a reconsideration decision issued under section 245C.23,~~
44.3 ~~on the basis of serious or recurring maltreatment; of a preponderance of the evidence that~~
44.4 ~~the individual has committed an act or acts that meet the definition of any of the crimes~~
44.5 ~~listed in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under~~
44.6 ~~section 260E.06, subdivision 1, or 626.557, subdivision 3. Hearings regarding a maltreatment~~
44.7 ~~determination under clause (4) and a disqualification under this clause in which the basis~~
44.8 ~~for a disqualification is serious or recurring maltreatment shall be consolidated into a single~~
44.9 ~~fair hearing. In such cases, the scope of review by the children, youth, and families judge~~
44.10 ~~shall include both the maltreatment determination and the disqualification. The failure to~~
44.11 ~~exercise the right to an administrative reconsideration shall not be a bar to a hearing under~~
44.12 ~~this section if federal law provides an individual the right to a hearing to dispute a finding~~
44.13 ~~of maltreatment; and~~

44.14 ~~(6) (4) any person with an outstanding debt resulting from receipt of public assistance~~
44.15 ~~or the federal Food and Nutrition Act who is contesting a setoff claim by the commissioner~~
44.16 ~~of children, youth, and families or a county agency. The scope of the appeal is the validity~~
44.17 ~~of the claimant agency's intention to request a setoff of a refund under chapter 270A against~~
44.18 ~~the debt.~~

44.19 ~~(b) The hearing for an individual or facility under paragraph (a), clause (4) or (5), is the~~
44.20 ~~only administrative appeal to the final agency determination specifically, including a~~
44.21 ~~challenge to the accuracy and completeness of data under section 13.04. A hearing for an~~
44.22 ~~individual or facility under paragraph (a), clause (4) or (5), is only available when there is~~
44.23 ~~no district court action pending. If such action is filed in district court while an administrative~~
44.24 ~~review is pending that arises out of some or all of the events or circumstances on which the~~

316.5 appeal is based, the administrative review must be suspended until the judicial actions are
316.6 completed. If the district court proceedings are completed, dismissed, or overturned, the
316.7 matter may be considered in an administrative hearing.

316.8 (e) For purposes of this section, bargaining unit grievance procedures are not an
316.9 administrative appeal.

316.10 (d) The scope of hearings involving claims to foster care payments under paragraph (a),
316.11 clause (2), shall be limited to the issue of whether the county is legally responsible for a
316.12 child's placement under court order or voluntary placement agreement and, if so, the correct
316.13 amount of foster care payment to be made on the child's behalf and shall not include review
316.14 of the propriety of the county's child protection determination or child placement decision.

316.15 (e) An applicant or recipient is not entitled to receive social services beyond the services
316.16 prescribed under chapter 256M or other social services the person is eligible for under state
316.17 law.

316.18 (f) The commissioner may summarily affirm the county or state agency's proposed action
316.19 without a hearing when the sole issue is an automatic change due to a change in state or
316.20 federal law.

316.21 (g) Unless federal or Minnesota law specifies a different time frame in which to file an
316.22 appeal, an individual or organization specified in this section may contest the specified
316.23 action, decision, or final disposition before the state agency by submitting a written request
316.24 for a hearing to the state agency within 30 days after receiving written notice of the action,
316.25 decision, or final disposition or within 90 days of such written notice if the applicant,
316.26 recipient, patient, or relative shows good cause, as defined in section 142A.21, subdivision
316.27 13, why the request was not submitted within the 30-day time limit. The individual filing
316.28 the appeal has the burden of proving good cause by a preponderance of the evidence.

316.29 Sec. 25. Laws 2024, chapter 80, article 1, section 38, subdivision 5, is amended to read:

316.30 Subd. 5. **Orders of the commissioner of children, youth, and families.** (a) A state
316.31 ~~children, youth, and families~~ human services judge shall conduct a hearing on ~~the an~~ appeal
316.32 of a matter listed in subdivision 2 and shall recommend an order to the commissioner of
316.33 children, youth, and families. The recommended order must be based on all relevant evidence
317.1 and must not be limited to a review of the propriety of the state or county agency's action.
317.2 A ~~children, youth, and families~~ state human services judge may take official notice of
317.3 adjudicative facts. The commissioner of children, youth, and families may accept the
317.4 recommended order of a state ~~children, youth, and families~~ human services judge and issue
317.5 the order to the county agency and the applicant, recipient, or former recipient. If the
317.6 commissioner refuses to accept the recommended order of the state ~~children, youth, and~~
317.7 ~~families~~ human services judge, the commissioner shall notify the petitioner or the agency
317.8 of the commissioner's refusal and shall state reasons for the refusal. The commissioner shall
317.9 allow each party ten days' time to submit additional written argument on the matter. After

44.25 appeal is based, the administrative review must be suspended until the judicial actions are
44.26 completed. If the district court proceedings are completed, dismissed, or overturned, the
44.27 matter may be considered in an administrative hearing.

44.28 (e) For purposes of this section, bargaining unit grievance procedures are not an
44.29 administrative appeal.

44.30 (d) The scope of hearings involving claims to foster care payments under paragraph (a),
44.31 clause (2), shall be limited to the issue of whether the county is legally responsible for a
44.32 child's placement under court order or voluntary placement agreement and, if so, the correct
44.33 amount of foster care payment to be made on the child's behalf and shall not include review
44.34 of the propriety of the county's child protection determination or child placement decision.

45.1 (e) An applicant or recipient is not entitled to receive social services beyond the services
45.2 prescribed under chapter 256M or other social services the person is eligible for under state
45.3 law.

45.4 (f) The commissioner may summarily affirm the county or state agency's proposed action
45.5 without a hearing when the sole issue is an automatic change due to a change in state or
45.6 federal law.

45.7 (g) Unless federal or Minnesota law specifies a different time frame in which to file an
45.8 appeal, an individual or organization specified in this section may contest the specified
45.9 action, decision, or final disposition before the state agency by submitting a written request
45.10 for a hearing to the state agency within 30 days after receiving written notice of the action,
45.11 decision, or final disposition or within 90 days of such written notice if the applicant,
45.12 recipient, patient, or relative shows good cause, as defined in section 142A.21, subdivision
45.13 13, why the request was not submitted within the 30-day time limit. The individual filing
45.14 the appeal has the burden of proving good cause by a preponderance of the evidence.

45.15 Sec. 19. Laws 2024, chapter 80, article 1, section 38, subdivision 5, is amended to read:

45.16 Subd. 5. **Orders of the commissioner of children, youth, and families.** (a) A state
45.17 ~~children, youth, and families~~ human services judge shall conduct a hearing on ~~the an~~ appeal
45.18 of a matter listed in subdivision 2 and shall recommend an order to the commissioner of
45.19 children, youth, and families. The recommended order must be based on all relevant evidence
45.20 and must not be limited to a review of the propriety of the state or county agency's action.
45.21 A ~~children, youth, and families~~ state human services judge may take official notice of
45.22 adjudicative facts. The commissioner of children, youth, and families may accept the
45.23 recommended order of a state ~~children, youth, and families~~ human services judge and issue
45.24 the order to the county agency and the applicant, recipient, or former recipient. If the
45.25 commissioner refuses to accept the recommended order of the state ~~children, youth, and~~
45.26 ~~families~~ human services judge, the commissioner shall notify the petitioner or the agency
45.27 of the commissioner's refusal and shall state reasons for the refusal. The commissioner shall
45.28 allow each party ten days' time to submit additional written argument on the matter. After

317.10 the expiration of the ten-day period, the commissioner shall issue an order on the matter to
317.11 the petitioner and the agency.

317.12 (b) A party aggrieved by an order of the commissioner may appeal under subdivision 7,
317.13 5 or request reconsideration by the commissioner within 30 days after the date the
317.14 commissioner issues the order. The commissioner may reconsider an order upon request of
317.15 any party or on the commissioner's own motion. A request for reconsideration does not stay
317.16 implementation of the commissioner's order. The person seeking reconsideration has the
317.17 burden to demonstrate why the matter should be reconsidered. The request for reconsideration
317.18 may include legal argument and proposed additional evidence supporting the request. If
317.19 proposed additional evidence is submitted, the person must explain why the proposed
317.20 additional evidence was not provided at the time of the hearing. If reconsideration is granted,
317.21 the other participants must be sent a copy of all material submitted in support of the request
317.22 for reconsideration and must be given ten days to respond. Upon reconsideration, the
317.23 commissioner may issue an amended order or an order affirming the original order.

317.24 (c) Any order of the commissioner issued under this subdivision shall be conclusive
317.25 upon the parties unless appeal is taken in the manner provided by subdivision 7 5. Any order
317.26 of the commissioner is binding on the parties and must be implemented by the state agency
317.27 or a county agency until the order is reversed by the district court or unless the commissioner
317.28 or a district court orders monthly assistance or aid or services paid or provided under
317.29 subdivision ~~10~~ 8.

317.30 (d) A vendor under contract with a county agency to provide social services is not a
317.31 party and may not request a hearing or seek judicial review of an order issued under this
317.32 section, unless assisting a recipient as provided in section 256.045, subdivision 4.

318.1 Sec. 26. Laws 2024, chapter 80, article 1, section 38, subdivision 6, is amended to read:

318.2 Subd. 6. **Additional powers of commissioner; subpoenas.** (a) The commissioner may
318.3 initiate a review of any action or decision of a county agency and direct that the matter be
318.4 presented to a state ~~children, youth, and families~~ human services judge for a hearing held
318.5 under subdivision 2 or ~~3~~ section 256.045, subdivision 3b. In all matters dealing with children,
318.6 youth, and families committed by law to the discretion of the county agency, the
318.7 commissioner's judgment may be substituted for that of the county agency. The commissioner
318.8 may order an independent examination when appropriate.

318.9 (b) Any party to a hearing held pursuant to subdivision 2 or ~~3~~ section 256.045, subdivision
318.10 3b, may request that the commissioner issue a subpoena to compel the attendance of witnesses
318.11 and the production of records at the hearing. A local agency may request that the
318.12 commissioner issue a subpoena to compel the release of information from third parties prior
318.13 to a request for a hearing under section 142A.21 upon a showing of relevance to such a
318.14 proceeding. The issuance, service, and enforcement of subpoenas under this subdivision is
318.15 governed by section 357.22 and the Minnesota Rules of Civil Procedure.

45.29 the expiration of the ten-day period, the commissioner shall issue an order on the matter to
45.30 the petitioner and the agency.

45.31 (b) A party aggrieved by an order of the commissioner may appeal under subdivision 7,
45.32 5 or request reconsideration by the commissioner within 30 days after the date the
45.33 commissioner issues the order. The commissioner may reconsider an order upon request of
45.34 any party or on the commissioner's own motion. A request for reconsideration does not stay
46.1 implementation of the commissioner's order. The person seeking reconsideration has the
46.2 burden to demonstrate why the matter should be reconsidered. The request for reconsideration
46.3 may include legal argument and proposed additional evidence supporting the request. If
46.4 proposed additional evidence is submitted, the person must explain why the proposed
46.5 additional evidence was not provided at the time of the hearing. If reconsideration is granted,
46.6 the other participants must be sent a copy of all material submitted in support of the request
46.7 for reconsideration and must be given ten days to respond. Upon reconsideration, the
46.8 commissioner may issue an amended order or an order affirming the original order.

46.9 (c) Any order of the commissioner issued under this subdivision shall be conclusive
46.10 upon the parties unless appeal is taken in the manner provided by subdivision 7 5. Any order
46.11 of the commissioner is binding on the parties and must be implemented by the state agency
46.12 or a county agency until the order is reversed by the district court or unless the commissioner
46.13 or a district court orders monthly assistance or aid or services paid or provided under
46.14 subdivision ~~10~~ 8.

46.15 (d) A vendor under contract with a county agency to provide social services is not a
46.16 party and may not request a hearing or seek judicial review of an order issued under this
46.17 section, unless assisting a recipient as provided in section 256.045, subdivision 4.

46.18 Sec. 20. Laws 2024, chapter 80, article 1, section 38, subdivision 6, is amended to read:

46.19 Subd. 6. **Additional powers of commissioner; subpoenas.** (a) The commissioner may
46.20 initiate a review of any action or decision of a county agency and direct that the matter be
46.21 presented to a state ~~children, youth, and families~~ human services judge for a hearing held
46.22 under subdivision 2 or ~~3~~ section 256.045, subdivision 3b. In all matters dealing with children,
46.23 youth, and families committed by law to the discretion of the county agency, the
46.24 commissioner's judgment may be substituted for that of the county agency. The commissioner
46.25 may order an independent examination when appropriate.

46.26 (b) Any party to a hearing held pursuant to subdivision 2 or ~~3~~ section 256.045, subdivision
46.27 3b, may request that the commissioner issue a subpoena to compel the attendance of witnesses
46.28 and the production of records at the hearing. A local agency may request that the
46.29 commissioner issue a subpoena to compel the release of information from third parties prior
46.30 to a request for a hearing under section 142A.21 upon a showing of relevance to such a
46.31 proceeding. The issuance, service, and enforcement of subpoenas under this subdivision is
46.32 governed by section 357.22 and the Minnesota Rules of Civil Procedure.

318.16 ~~(c) The commissioner may issue a temporary order staying a proposed demission by a~~
318.17 ~~residential facility licensed under chapter 142B:~~

318.18 ~~(1) while an appeal by a recipient under subdivision 3 is pending; or~~

318.19 ~~(2) for the period of time necessary for the case management provider to implement the~~
318.20 ~~commissioner's order.~~

318.21 Sec. 27. Laws 2024, chapter 80, article 1, section 38, subdivision 7, is amended to read:

318.22 Subd. 7. **Judicial review.** Any party who is aggrieved by an order of the commissioner
318.23 of children, youth, and families may appeal the order to the district court of the county
318.24 responsible for furnishing assistance, or, in appeals under section 256.045, subdivision 3
318.25 3b, the county where the maltreatment occurred, by serving a written copy of a notice of
318.26 appeal upon the commissioner and any adverse party of record within 30 days after the date
318.27 the commissioner issued the order, the amended order, or order affirming the original order,
318.28 and by filing the original notice and proof of service with the court administrator of the
318.29 district court. Service may be made personally or by mail; service by mail is complete upon
318.30 mailing. The court administrator shall not require a filing fee in appeals taken pursuant to
318.31 this subdivision, except for appeals taken under section 256.045, subdivision 3 3b. The
318.32 commissioner may elect to become a party to the proceedings in the district court. Except
318.33 for appeals under section 256.045, subdivision 3 3b, any party may demand that the
319.1 commissioner furnish all parties to the proceedings with a copy of the decision, and a
319.2 transcript of any testimony, evidence, or other supporting papers from the hearing held
319.3 before the ~~children, youth, and families~~ state human services judge, by serving a written
319.4 demand upon the commissioner within 30 days after service of the notice of appeal. Any
319.5 party aggrieved by the failure of an adverse party to obey an order issued by the commissioner
319.6 under subdivision 5 may compel performance according to the order in the manner prescribed
319.7 in sections 586.01 to 586.12.

319.8 Sec. 28. Laws 2024, chapter 80, article 1, section 38, subdivision 9, is amended to read:

319.9 Subd. 9. **Appeal.** Any party aggrieved by the order of the district court may appeal the
319.10 order as in other civil cases. Except for appeals under section 256.045, subdivision 3 3b,
319.11 no costs or disbursements shall be taxed against any party nor shall any filing fee or bond
319.12 be required of any party.

319.13 Sec. 29. Laws 2024, chapter 80, article 1, section 96, is amended to read:

319.14 Sec. 96. **REVISOR INSTRUCTION.**

319.15 The revisor of statutes must renumber sections or subdivisions in Column A as Column
319.16 B.

319.17 Column A Column B

319.18 256.01, subdivision 12 142A.03, subdivision 7

46.33 ~~(c) The commissioner may issue a temporary order staying a proposed demission by a~~
46.34 ~~residential facility licensed under chapter 142B:~~

47.1 ~~(1) while an appeal by a recipient under subdivision 3 is pending; or~~

47.2 ~~(2) for the period of time necessary for the case management provider to implement the~~
47.3 ~~commissioner's order.~~

47.4 Sec. 21. Laws 2024, chapter 80, article 1, section 38, subdivision 7, is amended to read:

47.5 Subd. 7. **Judicial review.** Any party who is aggrieved by an order of the commissioner
47.6 of children, youth, and families may appeal the order to the district court of the county
47.7 responsible for furnishing assistance, or, in appeals under section 256.045, subdivision 3
47.8 3b, the county where the maltreatment occurred, by serving a written copy of a notice of
47.9 appeal upon the commissioner and any adverse party of record within 30 days after the date
47.10 the commissioner issued the order, the amended order, or order affirming the original order,
47.11 and by filing the original notice and proof of service with the court administrator of the
47.12 district court. Service may be made personally or by mail; service by mail is complete upon
47.13 mailing. The court administrator shall not require a filing fee in appeals taken pursuant to
47.14 this subdivision, except for appeals taken under section 256.045, subdivision 3 3b. The
47.15 commissioner may elect to become a party to the proceedings in the district court. Except
47.16 for appeals under section 256.045, subdivision 3 3b, any party may demand that the
47.17 commissioner furnish all parties to the proceedings with a copy of the decision, and a
47.18 transcript of any testimony, evidence, or other supporting papers from the hearing held
47.19 before the ~~children, youth, and families~~ state human services judge, by serving a written
47.20 demand upon the commissioner within 30 days after service of the notice of appeal. Any
47.21 party aggrieved by the failure of an adverse party to obey an order issued by the commissioner
47.22 under subdivision 5 may compel performance according to the order in the manner prescribed
47.23 in sections 586.01 to 586.12.

47.24 Sec. 22. Laws 2024, chapter 80, article 1, section 38, subdivision 9, is amended to read:

47.25 Subd. 9. **Appeal.** Any party aggrieved by the order of the district court may appeal the
47.26 order as in other civil cases. Except for appeals under section 256.045, subdivision 3 3b,
47.27 no costs or disbursements shall be taxed against any party nor shall any filing fee or bond
47.28 be required of any party.

48.1 Sec. 23. Laws 2024, chapter 80, article 1, section 96, is amended to read:

48.2 Sec. 96. **REVISOR INSTRUCTION.**

48.3 The revisor of statutes must renumber sections or subdivisions in Column A as Column
48.4 B.

48.5 Column A Column B

48.6 256.01, subdivision 12 142A.03, subdivision 7

319.19	256.01, subdivision 12a	142A.03, subdivision 8	48.7	256.01, subdivision 12a	142A.03, subdivision 8
319.20	256.01, subdivision 15	142A.03, subdivision 10	48.8	256.01, subdivision 15	142A.03, subdivision 10
319.21	256.01, subdivision 36	142A.03, subdivision 22	48.9	256.01, subdivision 36	142A.03, subdivision 22
319.22	256.0112, subdivision 10	142A.07, subdivision 8	48.10	256.0112, subdivision 10	142A.07, subdivision 8
319.23	256.019, subdivision 2	142A.28, subdivision 2	48.11	256.019, subdivision 2	142A.28, subdivision 2
319.24	256.4793	142A.45	48.12	256.4793	142A.45
319.25	256.4794	142A.451	48.13	256.4794	142A.451
319.26	256.82	142A.418	48.14	256.82	142A.418
319.27	256.9831	142A.13, subdivision 14	48.15	256.9831	142A.13, subdivision 14
319.28	256.9862, subdivision 1	142A.13, subdivision 10	48.16	256.9862, subdivision 1	142A.13, subdivision 10
319.29	256.9862, subdivision 2	142A.13, subdivision 11	48.17	256.9862, subdivision 2	142A.13, subdivision 11
319.30	256.9863	142A.13, subdivision 5	48.18	256.9863	142A.13, subdivision 5
319.31	256.9865, subdivision 1	142A.13, subdivision 6	48.19	256.9865, subdivision 1	142A.13, subdivision 6
319.32	256.9865, subdivision 2	142A.13, subdivision 7	48.20	256.9865, subdivision 2	142A.13, subdivision 7
319.33	256.9865, subdivision 3	142A.13, subdivision 8	48.21	256.9865, subdivision 3	142A.13, subdivision 8
320.1	256.9865, subdivision 4	142A.13, subdivision 9	48.22	256.9865, subdivision 4	142A.13, subdivision 9
320.2	256.987, subdivision 2	142A.13, subdivision 2	48.23	256.987, subdivision 2	142A.13, subdivision 2
320.3	256.987, subdivision 3	142A.13, subdivision 3	48.24	256.987, subdivision 3	142A.13, subdivision 3
320.4	256.987, subdivision 4	142A.13, subdivision 4	48.25	256.987, subdivision 4	142A.13, subdivision 4
320.5	256.9871	142A.13, subdivision 12	48.26	256.9871	142A.13, subdivision 12
320.6	256.9872	142A.13, subdivision 13	48.27	256.9872	142A.13, subdivision 13
320.7	256.997	142A.30	48.28	256.997	142A.30
320.8	256.998	142A.29	48.29	256.998	142A.29
320.9	256B.06, subdivision 6	142A.40	48.30	256B.06, subdivision 6	142A.40

320.10	256E.20	142A.41	48.31	256E.20	142A.41
320.11	256E.21	142A.411	48.32	256E.21	142A.411
320.12	256E.22	142A.412	48.33	256E.22	142A.412
320.13	256E.24	142A.413	48.34	256E.24	142A.413
320.14	256E.25	142A.414	48.35	256E.25	142A.414
320.15	256E.26	142A.415	48.36	256E.26	142A.415
320.16	256E.27	142A.416	49.1	256E.27	142A.416
320.17	256E.28	142A.417	49.2	256E.28	142A.417
320.18	<u>256E.38</u>	<u>142A.42</u>	49.3	<u>256E.38</u>	<u>142A.42</u>
320.19	256N.001	142A.60	49.4	256N.001	142A.60
320.20	256N.01	142A.601	49.5	256N.01	142A.601
320.21	256N.02	142A.602	49.6	256N.02	142A.602
320.22	256N.20	142A.603	49.7	256N.20	142A.603
320.23	256N.21	142A.604	49.8	256N.21	142A.604
320.24	256N.22	142A.605	49.9	256N.22	142A.605
320.25	256N.23	142A.606	49.10	256N.23	142A.606
320.26	256N.24	142A.607	49.11	256N.24	142A.607
320.27	256N.25	142A.608	49.12	256N.25	142A.608
320.28	256N.26	142A.609	49.13	256N.26	142A.609
320.29	256N.261	142A.61	49.14	256N.261	142A.61
320.30	256N.27	142A.611	49.15	256N.27	142A.611
320.31	256N.28	142A.612	49.16	256N.28	142A.612
320.32	257.175	142A.03, subdivision 32	49.17	<u>257.85</u>	<u>142A.65</u>
320.33	257.33, subdivision 1	142A.03, subdivision 33	49.18	<u>257.175</u>	142A.03, subdivision 32

320.34	257.33, subdivision 2	142A.03, subdivision 34	49.19	257.33, subdivision 1	142A.03, subdivision 33
320.35	260.014	142A.452	49.20	257.33, subdivision 2	142A.03, subdivision 34
320.36	299A.72	142A.75	49.21	260.014	142A.452
320.37	299A.73	142A.43	49.22	299A.72	142A.75
320.38	299A.95	142A.76	49.23	299A.73	142A.43
			49.24	299A.95	142A.76
321.1	The revisor of statutes must correct any statutory cross-references consistent with this		49.25	The revisor of statutes must correct any statutory cross-references consistent with this	
321.2	renumbering.		49.26	renumbering.	
321.3	Sec. 30. <u>Laws 2024, chapter 80, article 2, section 5, subdivision 21, is amended to read:</u>				
321.4	Subd. 21. Plan for transfer of clients and records upon closure. (a) Except for license				
321.5	holders who reside on the premises and child care providers, an applicant for initial or				
321.6	continuing licensure or certification must submit a written plan indicating how the program				
321.7	or private agency will ensure the transfer of clients and records for both open and closed				
321.8	cases if the program closes. The plan must provide for managing private and confidential				
321.9	information concerning the clients of the program clients or private agency. The plan must				
321.10	also provide for notifying affected clients of the closure at least 25 days prior to closure,				
321.11	including information on how to access their records. A controlling individual of the program				
321.12	or private agency must annually review and sign the plan.				
321.13	(b) Plans for the transfer of open cases and case records must specify arrangements the				
321.14	program or private agency will make to transfer clients to another provider or county agency				
321.15	for continuation of services and to transfer the case record with the client.				
321.16	(c) Plans for the transfer of closed case records must be accompanied by a signed				
321.17	agreement or other documentation indicating that a county or a similarly licensed provider				
321.18	has agreed to accept and maintain the program's or private agency's closed case records and				
321.19	to provide follow-up services as necessary to affected clients.				
321.20	Sec. 31. <u>Laws 2024, chapter 80, article 2, section 7, subdivision 2, is amended to read:</u>				
321.21	Subd. 2. County fees for applications and licensing inspections. (a) A county agency				
321.22	may charge a license fee to an applicant or license holder not to exceed \$50 for a one-year				
321.23	license or \$100 for a two-year license.				
321.24	(b) Counties may allow providers to pay the applicant fee in paragraph (a) on an				
321.25	installment basis for up to one year. If the provider is receiving child care assistance payments				
321.26	from the state, the provider may have the fee under paragraph (a) deducted from the child				
321.27	care assistance payments for up to one year and the state shall reimburse the county for the				
321.28	county fees collected in this manner.				

321.29 ~~(c) For purposes of child foster care licensing under this chapter, a county agency may~~
321.30 ~~charge a fee to a corporate applicant or corporate license holder to recover the actual cost~~
321.31 ~~of licensing inspections, not to exceed \$500 annually.~~

322.1 ~~(d) Counties may elect to reduce or waive the fees in paragraph (c) under the following~~
322.2 ~~circumstances:~~

322.3 ~~(1) in cases of financial hardship;~~

322.4 ~~(2) if the county has a shortage of providers in the county's area; or~~

322.5 ~~(3) for new providers.~~

322.6 Sec. 32. Laws 2024, chapter 80, article 2, section 10, subdivision 6, is amended to read:

322.7 Subd. 6. **Appeal of multiple sanctions.** (a) When the license holder appeals more than
322.8 one licensing action or sanction that were simultaneously issued by the commissioner, the
322.9 license holder shall specify the actions or sanctions that are being appealed.

322.10 (b) If there are different timelines prescribed in statutes for the licensing actions or
322.11 sanctions being appealed, the license holder must submit the appeal within the longest of
322.12 those timelines specified in statutes.

322.13 (c) The appeal must be made in writing by certified mail ~~or, by~~ personal service, or
322.14 through the provider licensing and reporting hub. If mailed, the appeal must be postmarked
322.15 and sent to the commissioner within the prescribed timeline with the first day beginning
322.16 the day after the license holder receives the certified letter. If a request is made by personal
322.17 service, it must be received by the commissioner within the prescribed timeline with the
322.18 first day beginning the day after the license holder receives the certified letter. If the appeal
322.19 is made through the provider hub, the appeal must be received by the commissioner within
322.20 the prescribed timeline with the first day beginning the day after the commissioner issued
322.21 the order through the hub.

322.22 (d) When there are different timelines prescribed in statutes for the appeal of licensing
322.23 actions or sanctions simultaneously issued by the commissioner, the commissioner shall
322.24 specify in the notice to the license holder the timeline for appeal as specified under paragraph
322.25 (b).

322.26 Sec. 33. Laws 2024, chapter 80, article 2, section 16, subdivision 1, is amended to read:

322.27 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies and private
322.28 agencies that have been designated or licensed by the commissioner to perform licensing
322.29 functions and activities under section 142B.10 and background studies for family child care

THE FOLLOWING SECTION IS FROM UES4699-2, ART. 10.
UES4699-2

312.27 Sec. 49. Laws 2024, chapter 80, article 2, section 10, subdivision 6, is amended to read:

312.28 Subd. 6. **Appeal of multiple sanctions.** (a) When the license holder appeals more than
312.29 one licensing action or sanction that were simultaneously issued by the commissioner, the
312.30 license holder shall specify the actions or sanctions that are being appealed.

312.31 (b) If there are different timelines prescribed in statutes for the licensing actions or
312.32 sanctions being appealed, the license holder must submit the appeal within the longest of
312.33 those timelines specified in statutes.

313.1 (c) The appeal must be made in writing by certified mail ~~or, by~~ personal service, or through
313.2 the provider licensing and reporting hub. If mailed, the appeal must be postmarked and sent
313.3 to the commissioner within the prescribed timeline with the first day beginning the day after
313.4 the license holder receives the certified letter. If a request is made by personal service, it
313.5 must be received by the commissioner within the prescribed timeline with the first day
313.6 beginning the day after the license holder receives the certified letter. If the appeal is made
313.7 through the provider hub, the appeal must be received by the commissioner within the
313.8 prescribed timeline with the first day beginning the day after the commissioner issued the
313.9 order through the hub.

313.10 (d) When there are different timelines prescribed in statutes for the appeal of licensing
313.11 actions or sanctions simultaneously issued by the commissioner, the commissioner shall
313.12 specify in the notice to the license holder the timeline for appeal as specified under paragraph
313.13 (b).

- 322.30 ~~under chapter 245C~~; to recommend denial of applicants under section 142B.15; to issue
322.31 correction orders, to issue variances, and to recommend a conditional license under section
322.32 142B.16; or to recommend suspending or revoking a license or issuing a fine under section
323.1 142B.18, shall comply with rules and directives of the commissioner governing those
323.2 functions and with this section. The following variances are excluded from the delegation
323.3 of variance authority and may be issued only by the commissioner:
- 323.4 (1) dual licensure of family child care and family child foster care, ~~dual licensure of~~
323.5 ~~family child foster care and family adult foster care, dual licensure of child foster residence~~
323.6 ~~setting and community residential setting, and dual licensure of family adult foster care and~~
323.7 ~~family child care;~~
- 323.8 (2) child foster care maximum age requirement;
- 323.9 (3) variances regarding disqualified individuals;
- 323.10 (4) variances to requirements relating to chemical use problems of a license holder or a
323.11 household member of a license holder; and
- 323.12 (5) variances to section 142B.74 for a time-limited period. If the commissioner grants
323.13 a variance under this clause, the license holder must provide notice of the variance to all
323.14 parents and guardians of the children in care.
- 323.15 (b) ~~The commissioners of human services and children, youth, and families must both~~
323.16 ~~approve a variance for dual licensure of family child foster care and family adult foster care~~
323.17 ~~or family adult foster care and family child care. Variances under this paragraph are excluded~~
323.18 ~~from the delegation of variance authority and may be issued only by both commissioners.~~
- 323.19 (c) Except as provided in section 142B.41, subdivision 4, paragraph (e), a county agency
323.20 must not grant a license holder a variance to exceed the maximum allowable family child
323.21 care license capacity of 14 children.
- 323.22 ~~(b)~~ (d) A county agency that has been designated by the commissioner to issue family
323.23 child care variances must:
- 323.24 (1) publish the county agency's policies and criteria for issuing variances on the county's
323.25 public website and update the policies as necessary; and
- 323.26 (2) annually distribute the county agency's policies and criteria for issuing variances to
323.27 all family child care license holders in the county.
- 323.28 ~~(e)~~ (e) Before the implementation of NETStudy 2.0, county agencies must report
323.29 information about disqualification reconsiderations under sections 245C.25 and 245C.27,
323.30 subdivision 2, paragraphs (a) and (b), and variances granted under paragraph (a), clause
323.31 (5), to the commissioner at least monthly in a format prescribed by the commissioner.
- 324.1 ~~(f)~~ (f) For family child care programs, the commissioner shall require a county agency
324.2 to conduct one unannounced licensing review at least annually.

- 324.3 ~~(g)~~ A license issued under this section may be issued for up to two years.
- 324.4 ~~(h)~~ A county agency shall report to the commissioner, in a manner prescribed by the
- 324.5 commissioner, the following information for a licensed family child care program:
- 324.6 (1) the results of each licensing review completed, including the date of the review, and
- 324.7 any licensing correction order issued;
- 324.8 (2) any death, serious injury, or determination of substantiated maltreatment; and
- 324.9 (3) any fires that require the service of a fire department within 48 hours of the fire. The
- 324.10 information under this clause must also be reported to the state fire marshal within two
- 324.11 business days of receiving notice from a licensed family child care provider.
- 324.12 Sec. 34. Laws 2024, chapter 80, article 2, section 30, subdivision 2, is amended to read:
- 324.13 Subd. 2. **Maltreatment of minors ongoing training requirement.** (a) In addition to
- 324.14 the orientation training required by the applicable licensing rules and statutes, private
- 324.15 child-placing agency license holders must provide a training annually on the maltreatment
- 324.16 of minors reporting requirements and definitions in chapter 260E to each mandatory reporter,
- 324.17 as described in section 260E.06, subdivision 1.
- 324.18 (b) In addition to the orientation training required by the applicable licensing rules and
- 324.19 statutes, all family child foster care license holders and caregivers ~~and foster residence~~
- 324.20 ~~setting staff and volunteers~~ who are mandatory reporters as described in section 260E.06,
- 324.21 subdivision 1, must complete training each year on the maltreatment of minors reporting
- 324.22 requirements and definitions in chapter 260E.
- 324.23 Sec. 35. Laws 2024, chapter 80, article 2, section 31, is amended to read:
- 324.24 Sec. 31. **142B.80 CHILD FOSTER CARE TRAINING REQUIREMENT; MENTAL**
- 324.25 **HEALTH TRAINING; FETAL ALCOHOL SPECTRUM DISORDERS TRAINING.**
- 324.26 Prior to a nonemergency placement of a child in a foster care home, the child foster care
- 324.27 license holder and caregivers in foster family and treatment foster care settings, ~~and all staff~~
- 324.28 ~~providing care in foster residence settings~~ must complete two hours of training that addresses
- 324.29 the causes, symptoms, and key warning signs of mental health disorders; cultural
- 324.30 considerations; and effective approaches for dealing with a child's behaviors. At least one
- 324.31 hour of the annual training requirement for the foster family license holder and caregivers,
- 325.1 ~~and foster residence staff~~ must be on children's mental health issues and treatment. Except
- 325.2 for providers and services under chapter 245D, the annual training must also include at least
- 325.3 one hour of training on fetal alcohol spectrum disorders, which must be counted toward the
- 325.4 12 hours of required in-service training per year. Short-term substitute caregivers are exempt
- 325.5 from these requirements. Training curriculum shall be approved by the commissioner of
- 325.6 children, youth, and families.

325.7 Sec. 36. Laws 2024, chapter 80, article 2, section 74, is amended to read:

325.8 Sec. 74. **REVISOR INSTRUCTION.**

325.9 The revisor of statutes must renumber sections or subdivisions in column A as column

325.10 **B.**

325.11	Column A	Column B
325.12	245A.02, subdivision 2c	142B.01, subdivision 3
325.13	245A.02, subdivision 6a	142B.01, subdivision 11
325.14	245A.02, subdivision 6b	142B.01, subdivision 12
325.15	245A.02, subdivision 10a	142B.01, subdivision 22
325.16	245A.02, subdivision 12	142B.01, subdivision 23
325.17	245A.02, subdivision 16	142B.01, subdivision 26
325.18	245A.02, subdivision 17	142B.01, subdivision 27
325.19	245A.02, subdivision 18	142B.01, subdivision 28
325.20	245A.02, subdivision 19	142B.01, subdivision 13
325.21	245A.03, subdivision 2a	142B.05, subdivision 3
325.22	245A.03, subdivision 2b	142B.05, subdivision 4
325.23	245A.03, subdivision 4	142B.05, subdivision 6
325.24	245A.03, subdivision 4a	142B.05, subdivision 7
325.25	245A.03, subdivision 8	142B.05, subdivision 10
325.26	245A.035	142B.06
325.27	245A.04, subdivision 9a	142B.10, subdivision 17
325.28	245A.04, subdivision 10	142B.10, subdivision 18
325.29	245A.06, subdivision 8	142B.16, subdivision 5
325.30	245A.06, subdivision 9	142B.16, subdivision 6
325.31	245A.065	142B.17

325.32	245A.07, subdivision 4	142B.18, subdivision 6
325.33	245A.07, subdivision 5	142B.18, subdivision 7
325.34	245A.14, subdivision 3	142B.41, subdivision 3
325.35	245A.14, subdivision 4	142B.41, subdivision 4
326.1	245A.14, subdivision 4a	142B.41, subdivision 5
326.2	245A.14, subdivision 6	142B.41, subdivision 6
326.3	245A.14, subdivision 8	142B.41, subdivision 7
326.4	245A.14, subdivision 10	142B.41, subdivision 8
326.5	245A.14, subdivision 11	142B.41, subdivision 9
326.6	245A.14, subdivision 15	142B.41, subdivision 11
326.7	245A.14, subdivision 16	142B.41, subdivision 12
326.8	245A.14, subdivision 17	142B.41, subdivision 13
326.9	245A.1434	142B.60
326.10	245A.144	142B.47
326.11	245A.1445	142B.48
326.12	245A.145	142B.61
326.13	245A.146, subdivision 2	142B.45, subdivision 2
326.14	245A.146, subdivision 3	142B.45, subdivision 3
326.15	245A.146, subdivision 4	142B.45, subdivision 4
326.16	245A.146, subdivision 5	142B.45, subdivision 5
326.17	245A.146, subdivision 6	142B.45, subdivision 6
326.18	245A.147	142B.75
326.19	245A.148	142B.76
326.20	245A.149	142B.77

326.21	245A.15	142B.78
326.22	245A.1511	142B.79
326.23	245A.152	142B.62
326.24	245A.16, subdivision 7	142B.30, subdivision 7
326.25	245A.16, subdivision 9	142B.30, subdivision 9
326.26	245A.16, subdivision 11	142B.30, subdivision 11
326.27	245A.23	142B.63
326.28	245A.40	142B.65
326.29	245A.41	142B.66
326.30	245A.42	142B.67
326.31	245A.50	142B.70
326.32	245A.51	142B.71
326.33	245A.52	142B.72
326.34	245A.53	142B.74
326.35	245A.66, subdivision 2	142B.54, subdivision 2
326.36	245A.66, subdivision 3	142B.54, subdivision 3

327.1 [The revisor of statutes must correct any statutory cross-references consistent with this](#)
327.2 [renumbering.](#)

327.3 Sec. 37. Laws 2024, chapter 80, article 4, section 26, is amended to read:
327.4 Sec. 26. **REVISOR INSTRUCTION.**

327.5 (a) The revisor of statutes shall renumber each section of Minnesota Statutes listed in
327.6 column A with the number listed in column B. The revisor shall also make necessary
327.7 cross-reference changes consistent with the renumbering. The revisor shall also make any
327.8 technical, language, and other changes necessitated by the renumbering and cross-reference
327.9 changes in this act.

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49.27 Sec. 24. Laws 2024, chapter 80, article 4, section 26, is amended to read:
49.28 Sec. 26. **REVISOR INSTRUCTION.**

49.29 (a) The revisor of statutes shall renumber each section of Minnesota Statutes listed in
49.30 column A with the number listed in column B. The revisor shall also make necessary
49.31 cross-reference changes consistent with the renumbering. The revisor shall also make any
49.32 technical, language, and other changes necessitated by the renumbering and cross-reference
49.33 changes in this act.

327.10	Column A	Column B	49.34	Column A	Column B
327.11	119A.50	142D.12	49.35	119A.50	142D.12
327.12	119A.52	142D.121	50.1	119A.52	142D.121
327.13	119A.53	142D.122	50.2	119A.53	142D.122
327.14	119A.535	142D.123	50.3	119A.535	142D.123
327.15	119A.5411	142D.124	50.4	119A.5411	142D.124
327.16	119A.545	142D.125	50.5	119A.545	142D.125
327.17	119B.195	142D.30	50.6	119B.195	142D.30
327.18	119B.196	142D.24	50.7	119B.196	142D.24
327.19	119B.25	142D.20	50.8	119B.25	142D.20
327.20	119B.251	142D.31	50.9	119B.251	142D.31
327.21	119B.252	142D.32	50.10	119B.252	142D.32
327.22	119B.27	142D.21	50.11	119B.27	142D.21
327.23	119B.28	142D.22	50.12	119B.28	142D.22
327.24	119B.29	142D.23	50.13	119B.29	142D.23
327.25	121A.16	142D.09	50.14	121A.16	142D.09
327.26	121A.17	142D.091	50.15	121A.17	142D.091
327.27	121A.18	142D.092	50.16	121A.18	142D.092
327.28	121A.19	142D.093	50.17	121A.19	142D.093
327.29	<u>122A.731</u>	<u>142D.33</u>	50.18	<u>122A.731</u>	<u>142D.33</u>
327.30	124D.13	142D.10	50.19	124D.13	142D.10
327.31	124D.135	142D.11	50.20	124D.135	142D.11
327.32	124D.141	142D.16	50.21	124D.141	142D.16
327.33	124D.142	142D.13	50.22	124D.142	142D.13

327.34 124D.15 142D.05
327.35 124D.151 142D.08
328.1 124D.16 142D.06
328.2 124D.165 142D.25
328.3 124D.2211 142D.14
328.4 124D.23 142D.15
328.5 (b) The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article
328.6 8, section 9, as amended by article 4, section 25, as Minnesota Statutes, section 142D.07.
328.7 (c) The revisor of statutes shall change "commissioner of education" to "commissioner
328.8 of children, youth, and families" and change "Department of Education" to "Department of
328.9 Children, Youth, and Families" as necessary in Minnesota Statutes, chapters 119A and 120
328.10 to 129C, to reflect the changes in this act and Laws 2023, chapter 70, article 12. The revisor
328.11 shall also make any technical, language, and other changes resulting from the change of
328.12 term to the statutory language, sentence structure, or both, if necessary to preserve the
328.13 meaning of the text.
328.14 Sec. 38. Laws 2024, chapter 80, article 6, section 4, is amended to read:
328.15 Sec. 4. **REVISOR INSTRUCTION.**
328.16 (a) The revisor of statutes must renumber each section of Minnesota Statutes in Column
328.17 A with the number in Column B.

328.18	Column A	Column B
328.19	245.771	142F.05
328.20	256D.60	142F.10
328.21	256D.61	142F.11
328.22	256D.62	142F.101
328.23	256D.63	142F.102
328.24	256D.64	142F.13
328.25	256D.65	142F.12
328.26	256E.30	142F.30

50.23 124D.15 142D.05
50.24 124D.151 142D.08
50.25 124D.16 142D.06
50.26 124D.165 142D.25
50.27 124D.2211 142D.14
50.28 124D.23 142D.15
50.29 (b) The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article
50.30 8, section 9, as amended by article 4, section 25, as Minnesota Statutes, section 142D.07.
50.31 (c) The revisor of statutes shall change "commissioner of education" to "commissioner
50.32 of children, youth, and families" and change "Department of Education" to "Department of
50.33 Children, Youth, and Families" as necessary in Minnesota Statutes, chapters 119A and 120
50.34 to 129C, to reflect the changes in this act and Laws 2023, chapter 70, article 12. The revisor
50.35 shall also make any technical, language, and other changes resulting from the change of
50.36 term to the statutory language, sentence structure, or both, if necessary to preserve the
50.37 meaning of the text.
51.1 Sec. 25. Laws 2024, chapter 80, article 6, section 4, is amended to read:
51.2 Sec. 4. **REVISOR INSTRUCTION.**
51.3 (a) The revisor of statutes must renumber each section of Minnesota Statutes in Column
51.4 A with the number in Column B.

51.5	Column A	Column B
51.6	245.771	142F.05
51.7	256D.60	142F.10
51.8	256D.61	142F.11
51.9	256D.62	142F.101
51.10	256D.63	142F.102
51.11	256D.64	142F.13
51.12	256D.65	142F.12
51.13	256E.30	142F.30

328.27	256E.31	142F.301	51.14	256E.31	142F.301
328.28	256E.32	142F.302	51.15	256E.32	142F.302
328.29	<u>256E.33</u>	<u>142F.51</u>	51.16	256E.34	142F.14
328.30	<u>256E.34</u>	142F.14	51.17	<u>256E.342</u>	<u>142F.15</u>
328.31	<u>256E.342</u>	<u>142F.15</u>	51.18	256E.35	142F.20
328.32	256E.35	142F.20			
328.33	<u>256E.36</u>	<u>142F.52</u>			
328.34	<u>256K.45</u>	<u>142F.55</u>			
329.1	<u>256K.451</u>	<u>142F.56</u>			
329.2	<u>256K.46</u>	<u>142F.57</u>			
329.3	<u>256K.47</u>	<u>142F.58</u>			

329.4 (b) The revisor of statutes must correct any statutory cross-references consistent with
329.5 this renumbering.

51.19 (b) The revisor of statutes must correct any statutory cross-references consistent with
51.20 this renumbering.

329.6 Sec. 39. Laws 2024, chapter 80, article 7, section 4, is amended to read:

329.7 Sec. 4. Minnesota Statutes 2022, section 256J.09, is amended by adding a subdivision to
329.8 read:

329.9 Subd. 11. **Domestic violence informational brochure.** (a) The commissioner shall
329.10 provide a domestic violence informational brochure that provides information about the
329.11 existence of domestic violence waivers to all MFIP applicants. The brochure must explain
329.12 that eligible applicants may be temporarily waived from certain program requirements due
329.13 to domestic violence. The brochure must provide information about services and other
329.14 programs to help victims of domestic violence.

329.15 (b) The brochure must be funded with TANF funds.

329.16 (c) The commissioner must work with the commissioner of human services to create a
329.17 brochure that meets the requirements of this section and section 256.029.

329.18 Sec. 40. **CHILD FOSTER RESIDENCE SETTINGS TO STAY AT THE**
329.19 **DEPARTMENT OF HUMAN SERVICES.**

329.20 The responsibility to license child foster residence settings as defined in Minnesota
329.21 Statutes, section 245A.02, subdivision 6e, does not transfer to the Department of Children.

329.22 Youth, and Families under Laws 2023, chapter 70, article 12, section 30, and remains with
329.23 the Department of Human Services.

329.24 **Sec. 41. DIRECTION TO THE COMMISSIONER OF CHILDREN, YOUTH, AND**
329.25 **FAMILIES; COORDINATION OF SERVICES FOR CHILDREN WITH**
329.26 **DISABILITIES AND MENTAL HEALTH.**

329.27 The commissioner shall designate a department leader to be responsible for coordination
329.28 of services and outcomes around children's mental health and for children with or at risk
329.29 for disabilities within and between the Department of Children, Youth, and Families; the
329.30 Department of Human Services; and related agencies.

330.1 **Sec. 42. REPEALER.**

330.2 (a) Laws 2024, chapter 80, article 1, sections 38, subdivisions 3, 4, and 11; 39; and 43,
330.3 subdivision 2; Laws 2024, chapter 80, article 2, sections 1, subdivision 11; 3, subdivision
330.4 3; 4, subdivision 4; 10, subdivision 4; 33; and 69; and Laws 2024, chapter 80, article 7,
330.5 sections 3; and 9, are repealed.

330.6 (b) Minnesota Rules, part 9545.0845, is repealed.

330.7 **Sec. 43. EFFECTIVE DATE; TRANSFER OF RESPONSIBILITIES.**

330.8 (a) This article is effective July 1, 2024.

330.9 (b) Notwithstanding paragraph (a), the powers and responsibilities transferred under this
330.10 article are effective upon notice of the commissioner of children, youth, and families to the
330.11 commissioners of administration, management and budget, and other relevant departments
330.12 along with the secretary of the senate, the chief clerk of the house of representatives, and
330.13 the chairs and ranking minority members of relevant legislative committees and divisions,
330.14 pursuant to Laws 2023, chapter 70, article 12, section 30, subdivision 1.

330.15 (c) By August 1, 2025, the commissioners of human services and children, youth, and
330.16 families shall notify the chairs and ranking minority members of relevant legislative
330.17 committees and divisions and the revisor of statutes of any sections of this article or programs
330.18 to be transferred that are waiting for federal approval to become effective pursuant to Laws
330.19 2023, chapter 70, article 12, section 30, subdivision 1, paragraph (b).

51.21 **Sec. 26. DIRECTION TO THE COMMISSIONER OF CHILDREN, YOUTH, AND**
51.22 **FAMILIES; COORDINATION OF SERVICES FOR CHILDREN WITH**
51.23 **DISABILITIES AND MENTAL HEALTH.**

51.24 The commissioner of children, youth, and families shall designate a department leader
51.25 to be responsible for coordination of services and outcomes around children's mental health
51.26 and for children with or at risk for disabilities within and between the Department of Children,
51.27 Youth, and Families; the Department of Human Services; and related agencies.

51.28 **Sec. 27. REVISOR INSTRUCTION.**

51.29 The revisor of statutes must correct any statutory cross-references consistent with this
51.30 act.

52.1 **Sec. 28. REPEALER.**

52.2 (a) Minnesota Statutes 2022, section 245.975, subdivision 8, is repealed.

52.3 (b) Laws 2024, chapter 80, article 1, sections 38, subdivisions 3, 4, and 11; 39; and 43,
52.4 subdivision 2; and Laws 2024, chapter 80, article 7, sections 3; and 9, are repealed.