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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 2780

02/20/2018 Authored by Quam
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; modifying various background study provisions;
1.3 amending Minnesota Statutes 2016, section 245C.03, by adding a subdivision.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 245C.03, is amended by adding a subdivision
1.6 to read:

1.7 Subd. 1a. **Minor children background studies.** A parent may opt to have the required
1.8 background study for a child include the submission of a child's fingerprints for a national
1.9 criminal history record check as part of the review of information under section 245C.08
1.10 if a child (1) is 13 to 17 years of age and (2) resides with a legal nonlicensed child care
1.11 provider authorized under chapter 119B or at a licensed family child care program. A child's
1.12 background study conducted under this subdivision is valid for five years.

1.13 **EFFECTIVE DATE.** This section is effective upon implementation of NETStudy 2.0
1.14 for family child care programs. The commissioner of human services shall notify the revisor
1.15 of statutes when this section is effective.

1.16 Sec. 2. **DIRECTION TO COMMISSIONER; FINGERPRINT DATA**
1.17 **NOTIFICATION.**

1.18 The commissioner of human services shall notify all background study recipients under
1.19 Minnesota Statutes, chapter 245C, that the Departments of Human Services and Public
1.20 Safety and the Bureau of Criminal Apprehension do not retain any fingerprint data after a
1.21 background study is completed.

2.1 **EFFECTIVE DATE.** This section is effective for background studies completed on or
2.2 after October 1, 2018.

2.3 Sec. 3. **DIRECTION TO COMMISSIONER; UNIFYING BACKGROUND STUDIES.**

2.4 (a) The commissioner of human services shall work with stakeholders and affected
2.5 agencies and boards to unify the background studies process required by the Departments
2.6 of Human Services and Health, health-related licensing board as defined in Minnesota
2.7 Statutes, section 214.01, subdivision 2, and Professional Educator Licensing and Standards
2.8 Board as defined in Minnesota Statutes, section 122A.06, subdivision 3, to:

2.9 (1) establish a single background study process that satisfies the requirements for all
2.10 background studies required by the Departments of Human Services and Health,
2.11 health-related licensing board, and Professional Educator Licensing and Standards Board;

2.12 (2) establish a background study process that is transferable across different professions,
2.13 between counties, and between provider types;

2.14 (3) simplify the fee structure for background studies; and

2.15 (4) identify any federal waivers necessary to implement a unified background studies
2.16 process.

2.17 (b) The commissioner shall propose legislation in the 2019 legislative session to establish
2.18 a unified background studies process.

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