

DCYF Recodification, Technical, and Conforming Updates

Bill Sec	Stat. Sec. Amended	Section Description
1	3.922 subd. 1	Adds the commissioner of children, youth and families to the Minnesota Indian Affairs Council.
2	13.41 subd. 1	Adds DCYF to definition of licensing agency for licensing data statute.
3	13.46 subd. 3	Adds the commissioner of children, youth, and families to allow investigative data to be shared with the ombudsman for mental health and developmental disabilities. Allows the commissioner of children, youth, and families to disclose the existence of an investigation of possible overpayments of public funds to a service provider or recipient.
4	13.46 subd. 4	Adds references to the commissioner of children, youth, and families to ensure welfare data statute covers both the department of human services and the department of children, youth, and families. Ensures DCYF licensing data is properly classified, mostly as private data on individuals.
5	13.46 subd. 9	Adds the commissioner of children, youth, and families to a provision of chapter 13 governing access to mental health data in cases of suspected fraud.
6	13.46 subd. 10	Clarifies that the commissioner of the department of children, youth, and families is the responsible authority for the department of children, youth, and families for welfare data statute.
7	13.598 subd. 10	Allows DEED to share employment and training program data governed by section 116L.86, subd. 3, with DCYF. Section 116L.86 was updated to include the commissioner of children, youth, and families during the 2024 session.
8	14.03 subd. 3	Excludes licensing interpretive guidelines issued by DCYF from the definition of a rule, which allows DCYF OIG to give broader direction to counties/agency workers without having to go through rulemaking.
9	116L.881	Adds the commissioner of children, youth, and families to the review of tribal employment and training plans conducted by the DEED.
10	125A.15	Adds the commissioner of children, youth, and families to the list of eligible commissioners/agencies who may recommend a child with a disability be placed outside of their resident school district for services.
11	125A.744 subd. 2	Directs MDE to cooperate with both the commissioners of human services and children, youth, and families to develop and support statewide data management systems for school districts.
12	127A.11	Adds the commissioner of children, youth, and families to the agencies to which MDE shall consult to monitor the costs of health-related special education services.
13	127A.70 subd. 2	Adds children, youth, and families to the statutory membership of the P-20 partnership.

Bill Sec	Stat. Sec. Amended	Section Description
14	142A.607 subd. 14	Adds 142A state agency hearing citation to existing 256.045 citation for fair hearing requests related to MAPCYs under Northstar Care for Children.
15	142A.609 subd. 21	Adds 142A state agency hearing citation to existing 256.045 citation for fair hearing requests on Northstar Care for Children payment termination notices.
16	142B.41 subd. 9	Adds in 245A citations to ensure the language applies to licensing sanctions issued before or after the transition of family child care licensing to DCYF.
17	144.061	Requires MDE to collaborate with DCYF as well as DHS on implementing the early dental prevention initiative.
18	144.225 subd. 2a	Allows DCYF access to private health data from birth records for public health purposes as determined by the MDH Commissioner.
19	145.895	Adds the commissioner of children, youth, and families to commissioners with whom the commissioner of human services must work to identify WIC-eligible women, infants and children.
20	145.901 subd. 2	Provides MDH’s Maternal Mortality Review Committee with authority to access data from DCYF in order to identify sources of care and services to assist with the evaluation of welfare systems, including housing, to reduce preventable maternal death.
21	145.901 subd. 4	For maternal death studies data, articulates data classification of data received from DCYF as defined by M.S. 13.03, subdivision 4, paragraph (c).
22	145.9255 subd. 1	Adds the commissioner of children, youth, and families to commissioners with whom the commissioner of health must consult to develop and implement the MN ENABL program.
23	145.9265	Adds the commissioner of children, youth, and families to those with whom the commissioner of health must coordinate on prevention efforts to reduce the rates of fetal alcohol syndrome and fetal alcohol effects, and reduce the number of drug-exposed infants.
24	174.285 subd. 4	Adds the commissioner, or designee, of children, youth and families to MCOTA (MN Council on Transportation Access).
25	214. 104	Requires health licensing boards to notify DCYF after finding of substantiated maltreatment of a child.
26	216C.266 subd. 2	Allows the commissioner of commerce to share energy assistance program data with the commissioner of children, youth, and families.
27	216C.266 subd. 3	Specifies that data disseminated under subdivision 2 may be disclosed to a person other than the subject of the data only for the purpose of determining eligibility for the telephone assistance program.
28	241.021 subd. 2	Adds corresponding DCYF licensing citations to complement DHS citations in allowing DOC to review child/youth detention facilities.
29	242.09	Adds DCYF to list of departments advising and assisting DOC in juvenile corrections.

Bill Sec	Stat. Sec. Amended	Section Description
30	242.21	Adds DCYF to list of orgs DOC can enter into agreements with for services related to juvenile detention.
31	242.32 subd. 1	Adds DCYF to requirement that DOC work with DHS to establish community based services for juvenile offenders.
32	245.697 subd. 1	Adds a representative of the Department of Children, Youth, and Families to the State Advisory Council on Mental Health.
33	245.697 subd. 2a	Adds the commissioner or a designee to the State Advisory Council on Mental Health’s Subcommittee on Children’s Mental Health.
34	245.814 subd. 1	Adds the commissioner of children, youth, and families to existing provision requiring foster parent liability insurance and clarifies that DHS and DCYF commissioners are responsible to provide such insurance for the providers the agency licenses.
35	245.814 subd. 2	Adds DCYF to the list of licensing entities whose foster homes are required to have coverage of foster parent liability insurance.
36	245.814 subd. 3	Adds the commissioner of children, youth, and families to existing provision related to compensation provisions for foster parent liability insurance.
37	245.814 subd. 4	Adds the commissioner of children, youth, and families to existing provision allowing a risk pool to be established for foster parent liability insurance and aligns requirements based on the commissioner responsible for licensing a provider.
38	245C.02 subd. 7	Clarifies that within 245C, “commissioner” means the commissioner of human services.
39	245C.02 subd. 12	Clarifies that within 245C, “license” means a certificate authorizing a specific program issued by the commissioner of human services; children, youth, and families; corrections; or health.
40	245C.02 subd. 13	Clarifies that within 245C, “license holder” means the individual or entity granted a license to operate a program by the commissioner of human services; children, youth, and families; corrections; or health.
41	245C.031 subd. 9	Adds the Department of Children, Youth, and Families to a list of departments determining substantiated maltreatment for guardian ad litem backgrounds studies.
42	245C.033 subd. 2	Requires the commissioner of human services to provide the court with data related to a guardian or conservator’s affiliation with the department of children, youth, and families.
43	245C.05 subd. 7	Requires a probation or corrections officer to notify the commissioner of human services about an individual’s conviction if the individual has been affiliated with a program or facility licensed by the Department of Children, Youth, and Families.
44	245C.07	Allows affiliated background studies for programs and services licensed by the department of children, youth, and families.
45	256.88	Adds the commissioner of children, youth, and families to the list of entities holding funds under the social welfare fund.

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46	256.89	Adds the commissioner of children, youth, and families to the list of entities holding funds under the social welfare fund and having rules applicable to the social welfare fund.
47	256.90	Adds the commissioner of children, youth, and families as an entity that the commissioner of human services must consult with when filing information about the social welfare fund with MMB.
48	256.91	Adds the commissioner of children, youth, and families to the list of entities authorized to pay out disburseable funds from the social welfare fund.
49	256.92	Adds the commissioner of children, youth, and families to the list of entities responsible for depositing funds under the social welfare fund to MMB, and as an entity that the commissioner of human services must consult with regarding account keeping.
50	256G.01, subd. 1	Adds the Department of Children, Youth, and Families to the applicability of chapter 256G.
51	256G.01, subd. 3	Specifies that chapter 256G applies to all social services programs administered by the commissioner of children, youth, and families.
52	256G.03, subd. 2	Adds the Department of Children, Youth, and Families to the provision of chapter 256G governing residency tests.
53	256G.04, subd. 2	Adds the Department of Children, Youth, and Families to the provision of chapter 256G governing out-of-state absences.
54	256G.09, subd. 2	Adds the Department of Children, Youth, and Families to a provision of chapter 256G governing financial responsibility and financial disputes.
55	256G.09, subd. 3	Adds the Department of Children, Youth, and Families to a provision of chapter 256G governing financial responsibility and financial disputes.
56	256G.09, subd. 4	Adds the Department of Children, Youth, and Families to a provision of chapter 256G governing appeals of financial disputes over financial responsibility for the provision of assistance and services.
57	256G.09, subd. 5	Adds the Department of Children, Youth, and Families to a provision of chapter 256G governing payments pending appeals.
58	256G.10	Adds the Department of Children, Youth, and Families to a provision of chapter 256G governing the determination of the residency of children.
59	256G.11	Adds the Department of Children, Youth, and Families to a provision of chapter 256G governing the retroactive effects of the chapter.
60	256G.12, subd. 1	Adds the Department of Children, Youth, and Families to a provision of chapter 256G governing time limitations on determination of financial responsibility.

Bill Sec	Stat. Sec. Amended	Section Description
61	260.762 subd. 2a	Adds DCYF to the list of entities that a child-placing agency or petitioner should seek assistance from regarding contacting extended family members under MIFPA.
62	260B.171 subd. 4	Allows for DCYF OIG inspection of juvenile court proceedings under 142B.10.
63	260E.03 subd. 6	Adds DCYF licensing statute to the definition of “facility” in the Maltreatment of Minors Act.
64	260E.11 subd. 1	Requires mandated reports to report to DCYF if DCYF licenses facility.
65	260E.30 subd. 4	Corrects an obsolete statutory reference to a child care center’s risk reduction plan. Adds corresponding DCYF licensing correction order, conditional license, and licensing sanction citations to complement DCYF certification and DHS licensing references.
66	260E.33 subd. 6	Adds corresponding DCYF citations to complement DHS citations to clarify contested case hearing rights related to maltreatment.
67	261.232 subd. 1	Gives DCYF rulemaking authority for procedures to pay counties/local govns for services.
68	270B.14 subd. 1	Reorganizes under a new subdivision 24 (in the next section of the bill) tax return disclosure requirements for the purposes of child support and for verifying whether applicants or recipients of the child care assistance program, the Minnesota family investment program, or SNAP have claimed refundable tax credits under chapter 290 and the property tax refund under chapter 290A. These requirements are still under the disclosure to the commissioner of human services subdivision of this section but the programs have moved to the Department of Children, Youth, and Families.
69	270B.14 subd. 24	Reorganizes the tax return disclosure requirements reorganized from subdivision 1 of section 270B.14 (in the previous section of the bill) under a new subdivision 24 for the commissioner of children, youth, and families.
70	299C.76, subd. 1	Adds DHS to list of agencies that request data from BCA for criminal history checks (revisor swapped DHS for DCYF over summer).
71	299F.011 subd. 4a	Clarifies state fire code regulations to reflect department of children, youth, and families licensing.
72	402A.10 subd. 1a	Clarifies under the definition of a “balanced set of program measures” that recommendations from the Human Services Performance Council related to these measures must go to the commissioner that oversees the particular program.
73	402A.10 subd. 2	Modifies the definition of “commissioner” to include the commissioner of human services and the commissioner of children, youth, and families.
74	402A.10 subd. 4c	Clarifies under the definition of a “performance improvement plan” that a performance improvement plan must be negotiated with and approved by each commissioner who oversees a program affected by the plan.

Bill Sec	Stat. Sec. Amended	Section Description
75	402A.12	Clarifies that the commissioner of human services was responsible for implementing a performance management system for essential human services by January 1, 2014.
76	402A.16 subd. 1	Clarifies that the commissioner of human services was responsible for convening a Human Services Performance Council by October 1, 2013.
77	402A.16 subd. 2	Clarifies that the duties of the Human Services Performance Council include advising, reviewing, and making recommendations on certain policies and procedures for both the commissioner of human services and the commissioner of children, youth, and families.
78	402A.16 subd. 3	Updates the membership and appointment process for the Human Services Performance Council to include two representatives each from the Department of Human Service and the Department of Children, Youth, and Families. Clarifies that the commissioners of human services and children, youth, and families shall each appoint two members from (1) tribes and communities of color and (2) social services providers and advocates.
79	402A.16 subd. 4	Modifies the commissioner’s duties under the Human Services Performance Council to include both the commissioner of human services and the commissioner of children, youth, and families.
80	402A.18 subd. 2	Modifies provisions related to the determination of underperforming counties, and remedies that may be imposed, to include both the commissioner of human services and the commissioner of children, youth, and families.
81	402A.18 subd. 3	Makes a conforming change to terminology under the subdivision governing conditions that must be met prior to issuing a performance improvement plan for an underperforming county.
82	402A.18 subd. 4	Clarifies that the term “commissioner” under this section means the commissioner of human services or the commissioner of children, youth, and families, whichever oversees the program or service at issue. Clarifies that in instances where a program or service is overseen by both commissioners, “commissioner” means both commissioners jointly. Prohibits both commissioners from taking action on a program or service they do not oversee.
83	402A.35 subd. 1	Modifies the requirements for establishing a service delivery authority to include both the commissioner of human services and the commissioner of children, youth, and families.
84	402A.35 subd. 4	Modifies the process for establishing a service delivery authority to include both the commissioner of human services and the commissioner of children, youth, and families.
85	402A.35 subd. 5	Clarifies that the authority to seek waivers under 256.01, subdivision 2, paragraph (k), for a proposed service delivery authority includes both the commissioner of human services and the commissioner of children, youth, and families. Specifies that such waivers must be approved by the council under section 402A.20 rather than the Legislative Advisory Committee.
86	462A.209 5 subd. 6	Moves “food support” to a new line in the list of programs that must not consider rent assistance as income, assets, or personal property for the purposes of determining or recertifying eligibility.

Bill Sec	Stat. Sec. Amended	Section Description
87	466.131	Adds corresponding DCYF references to clarify when a municipality is considered an employee of the state for purposes of the indemnification provisions in 3.736, subdivision 9.
88	518.165 subd. 5	Adds the Department of Children, Youth, and Families to a list of departments determining substantiated maltreatment.
89	524.5-106	Adds the commissioner of children, youth, and families as one of the entities whose roles and responsibilities are governed by chapters 252A, 259, and 260C.
90	524.5-118 subd. 2	Adds the commissioner of children, youth, and families to a list of entities determining substantiated maltreatment.
91	595.02 subd. 2	Adds corresponding DCYF licensing hearings citation to complement DHS citation exempting maltreatment hearings from rule preventing doctors or mental health professionals from testifying on certain matters.
92	626.5533	Updates a requirement that peace officers report arrest information to the commissioner of human services when the person arrested possesses more than one electronic benefit transfer card by adding the commissioner of children, youth, and families to receive the reports.
93	Session Law	Revisor instruction to move the office of restorative practices' restitution program into chapter 142A.
94	Session Law	Revisor instruction to move the subdivisions in section 142E.50 into section 142E.01, and to renumber in alphabetical order. This is to consolidate the definition sections of what was chapters 245E and 256H now that they're in the same chapter.
95	Session Law	Repeals: <ul style="list-style-type: none"> • 142A.15—Public assistance lien section copied from 256.015 that was later determined not to be necessary • 142E.50, subdivisions 2 and 12--Duplicative definitions in chapter 142E due to merger of 245E and 256H • 245A.02, subdivision 6d—obsolete child foster care definition from DHS statute. • 256G.02, subdivisions 3 and 5—Commissioner and department definitions to correspond with changes adding DCYF to chapter 256G • 261.003—Obsolete public assistance eligibility section in chapter 261

DCYF Recodification, Technical, and Conforming Updates

[H.F. 2551 \(Kotyza-Witthuhn, West\)](#) / [S.F. 2706 \(Wiklund\)](#)

Bill Summary

During the 2023 and 2024 legislative sessions, the Minnesota Legislature established the Department of Children, Youth, and Families (DCYF). This legislation included establishing the powers, duties, and authorities of DCYF; transferring programs from the departments of Human Services, Education, and Public Safety; and recodifying statutes and making technical and conforming changes to establish the statutory infrastructure of the new department.

The Revisor's Office has drafted H.F. 2551 / S.F. 2706 as a follow up bill to the recodification and statutory updates made during the 2023 and 2024 legislative sessions for additional updates to sections of statute that were missed in the previous legislation. These statutory updates are technical and conforming changes for programs and services that were legislatively transferred to DCYF during the 2023 and 2024 sessions.

These conforming changes maintain the continuity of authorities, powers, and duties that transferred programs had at their originating agencies (MDE, DHS, and DPS); update statutory cross-references; and add DCYF to certain state advisory councils that include other executive branch agencies or commissioners. The provisions in this bill are necessary to finalize the statutory infrastructure of the new agency and have no fiscal impact.