

**ARTICLE 14****DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Section 1. Minnesota Statutes 2022, section 125A.63, subdivision 5, is amended to read:

Subd. 5. **Statewide hearing loss early education intervention coordinator.** (a) The coordinator shall:

(1) collaborate with the early hearing detection and intervention coordinator for the Department of Health, deaf and hard-of-hearing state specialist, and the Department of Health Early Hearing Detection and Intervention Advisory Council;

(2) coordinate and support Department of Education and Department of Children, Youth, and Families early hearing detection and intervention teams;

(3) leverage resources by serving as a liaison between interagency early intervention committees; part C coordinators from the Departments of Education, Health, and Human Services; Department of Education regional low-incidence facilitators; service coordinators from school districts; Minnesota children with special health needs in the Department of Health; public health nurses; child find; Department of Human Services Deaf and Hard-of-Hearing Services Division; and others as appropriate;

(4) identify, support, and promote culturally appropriate and evidence-based early intervention practices for infants with hearing loss, and provide training, outreach, and use of technology to increase consistency in statewide service provision;

(5) identify culturally appropriate specialized reliable and valid instruments to assess and track the progress of children with hearing loss and promote their use;

(6) ensure that early childhood providers, parents, and members of the individual family service and intervention plan are provided with child progress data resulting from specialized assessments;

(7) educate early childhood providers and teachers of the deaf and hard-of-hearing to use developmental data from specialized assessments to plan and adjust individual family service plans; and

(8) make recommendations that would improve educational outcomes to the early hearing detection and intervention committee, the commissioners of education; children, youth, and families; and health, the Commission of the Deaf, DeafBlind and Hard of Hearing, and the advisory council for the deaf and hard-of-hearing.

2.1 (b) The Department of Education and Department of Children, Youth, and Families  
2.2 must provide aggregate data regarding outcomes of deaf and hard-of-hearing children who  
2.3 receive early intervention services within the state in accordance with the state performance  
2.4 plan.

2.5 **Sec. 2. [142A.045] CHILDREN, YOUTH, AND FAMILIES**  
2.6 **INTERGOVERNMENTAL ADVISORY COMMITTEE.**

2.7 (a) An intergovernmental advisory committee is established to provide advice,  
2.8 consultation, and recommendations to the commissioner on the planning, design,  
2.9 administration, funding, and evaluation of services to children, youth, and families. Each  
2.10 of Minnesota's federally recognized Tribal Nations may, but is not required to, participate  
2.11 in the advisory committee required under this section. Notwithstanding section 15.059, the  
2.12 commissioner, each participating Tribal Nation, the Association of Minnesota Counties,  
2.13 and the Minnesota Association of County Social Services Administrators must codevelop  
2.14 and execute a process to administer the committee that ensures each participating Tribal  
2.15 Nation and each county are represented. The committee must meet at least quarterly and  
2.16 special meetings may be called by the committee chair or a majority of the members. A  
2.17 Tribal Nation may elect to participate at any time.

2.18 (b) Subject to section 15.059, the commissioner may reimburse committee members or  
2.19 their alternates for allowable expenses while engaged in their official duties as committee  
2.20 members.

2.21 (c) Notwithstanding section 15.059, the intergovernmental advisory committee does not  
2.22 expire.

2.23 (d) In addition to the requirements under this section, the commissioner must implement  
2.24 a Tribal consultation process under section 10.65 to ensure recognition of the unique legal  
2.25 relationship between the state of Minnesota and Minnesota Tribal governments.

2.26 **Sec. 3. [142B.47] TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT**  
2.27 **DEATH AND ABUSIVE HEAD TRAUMA FOR CHILD FOSTER CARE**  
2.28 **PROVIDERS.**

2.29 (a) Licensed child foster care providers that care for infants or children through five  
2.30 years of age must document that before caregivers assist in the care of infants or children  
2.31 through five years of age, they are instructed on the standards in section 142B.46 and receive  
2.32 training on reducing the risk of sudden unexpected infant death and abusive head trauma  
2.33 from shaking infants and young children. This section does not apply to emergency relative

3.1 placement under section 142B.06. The training on reducing the risk of sudden unexpected  
3.2 infant death and abusive head trauma may be provided as:

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

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

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

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

3.17 Sec. 4. Minnesota Statutes 2022, section 144.966, subdivision 2, is amended to read:

3.18 Subd. 2. **Newborn Hearing Screening Advisory Committee.** (a) The commissioner  
3.19 of health shall establish a Newborn Hearing Screening Advisory Committee to advise and  
3.20 assist the Department of Health; Department of Children, Youth, and Families; and the  
3.21 Department of Education in:

3.22 (1) developing protocols and timelines for screening, rescreening, and diagnostic  
3.23 audiological assessment and early medical, audiological, and educational intervention  
3.24 services for children who are deaf or hard-of-hearing;

3.25 (2) designing protocols for tracking children from birth through age three that may have  
3.26 passed newborn screening but are at risk for delayed or late onset of permanent hearing  
3.27 loss;

3.28 (3) designing a technical assistance program to support facilities implementing the  
3.29 screening program and facilities conducting rescreening and diagnostic audiological  
3.30 assessment;

3.31 (4) designing implementation and evaluation of a system of follow-up and tracking; and

4.1 (5) evaluating program outcomes to increase effectiveness and efficiency and ensure  
4.2 culturally appropriate services for children with a confirmed hearing loss and their families.

4.3 (b) The commissioner of health shall appoint at least one member from each of the  
4.4 following groups with no less than two of the members being deaf or hard-of-hearing:

4.5 (1) a representative from a consumer organization representing culturally deaf persons;

4.6 (2) a parent with a child with hearing loss representing a parent organization;

4.7 (3) a consumer from an organization representing oral communication options;

4.8 (4) a consumer from an organization representing cued speech communication options;

4.9 (5) an audiologist who has experience in evaluation and intervention of infants and  
4.10 young children;

4.11 (6) a speech-language pathologist who has experience in evaluation and intervention of  
4.12 infants and young children;

4.13 (7) two primary care providers who have experience in the care of infants and young  
4.14 children, one of which shall be a pediatrician;

4.15 (8) a representative from the early hearing detection intervention teams;

4.16 (9) a representative from the Department of Education resource center for the deaf and  
4.17 hard-of-hearing or the representative's designee;

4.18 (10) a representative of the Commission of the Deaf, DeafBlind and Hard of Hearing;

4.19 (11) a representative from the Department of Human Services Deaf and Hard-of-Hearing  
4.20 Services Division;

4.21 (12) one or more of the Part C coordinators from the Department of Education; the  
4.22 Department of Health; the Department of Children, Youth, and Families; or the Department  
4.23 of Human Services or the department's designees;

4.24 (13) the Department of Health early hearing detection and intervention coordinators;

4.25 (14) two birth hospital representatives from one rural and one urban hospital;

4.26 (15) a pediatric geneticist;

4.27 (16) an otolaryngologist;

4.28 (17) a representative from the Newborn Screening Advisory Committee under this  
4.29 subdivision;

4.30 (18) a representative of the Department of Education regional low-incidence facilitators;

5.1 (19) a representative from the deaf mentor program; and

5.2 (20) a representative of the Minnesota State Academy for the Deaf from the Minnesota  
5.3 State Academies staff.

5.4 The commissioner must complete the initial appointments required under this subdivision  
5.5 by September 1, 2007, and the initial appointments under clauses (19) and (20) by September  
5.6 1, 2019.

5.7 (c) The Department of Health member shall chair the first meeting of the committee. At  
5.8 the first meeting, the committee shall elect a chair from its membership. The committee  
5.9 shall meet at the call of the chair, at least four times a year. The committee shall adopt  
5.10 written bylaws to govern its activities. The Department of Health shall provide technical  
5.11 and administrative support services as required by the committee. These services shall  
5.12 include technical support from individuals qualified to administer infant hearing screening,  
5.13 rescreening, and diagnostic audiological assessments.

5.14 Members of the committee shall receive no compensation for their service, but shall be  
5.15 reimbursed as provided in section 15.059 for expenses incurred as a result of their duties  
5.16 as members of the committee.

5.17 (d) By February 15, 2015, and by February 15 of the odd-numbered years after that date,  
5.18 the commissioner shall report to the chairs and ranking minority members of the legislative  
5.19 committees with jurisdiction over health and data privacy on the activities of the committee  
5.20 that have occurred during the past two years.

5.21 (e) This subdivision expires June 30, 2025.

5.22 Sec. 5. Minnesota Statutes 2022, section 245.975, subdivision 2, is amended to read:

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

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

5.27 (2) providing recommendations for family child care improvement or family child care  
5.28 provider education;

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

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

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

6.8 Sec. 6. Minnesota Statutes 2022, section 245.975, subdivision 4, is amended to read:

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

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

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

6.23 Sec. 7. Minnesota Statutes 2022, section 245.975, subdivision 9, is amended to read:

6.24 Subd. 9. **Posting.** (a) The commissioner of children, youth, and families shall post on  
6.25 the department's website the mailing address, email address, and telephone number for the  
6.26 office of the ombudsperson. The commissioner shall provide family child care providers  
6.27 with the mailing address, email address, and telephone number of the ombudsperson's office  
6.28 on the family child care licensing website and upon request of a family child care applicant  
6.29 or provider. Counties must provide family child care applicants and providers with the  
6.30 name, mailing address, email address, and telephone number of the ombudsperson's office  
6.31 upon request.

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

7.1 Sec. 8. Minnesota Statutes 2022, section 245A.10, subdivision 1, as amended by Laws  
7.2 2024, chapter 80, article 2, section 48, is amended to read:

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

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

7.8 Sec. 9. Minnesota Statutes 2022, section 245A.10, subdivision 2, as amended by Laws  
7.9 2024, chapter 80, article 2, section 49, is amended to read:

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

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

7.17 (1) in cases of financial hardship;

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

7.19 (3) for new providers.

7.20 Sec. 10. Minnesota Statutes 2022, section 245A.144, is amended to read:

7.21 **245A.144 TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT DEATH**  
7.22 **AND ABUSIVE HEAD TRAUMA FOR CHILD FOSTER CARE PROVIDERS.**

7.23 (a) Licensed child foster care providers that care for infants or children through five  
7.24 years of age must document that before staff persons ~~and caregivers~~ assist in the care of  
7.25 infants or children through five years of age, they are instructed on the standards in section  
7.26 ~~245A.1435~~ 142B.46 and receive training on reducing the risk of sudden unexpected infant  
7.27 death and abusive head trauma from shaking infants and young children. ~~This section does~~  
7.28 ~~not apply to emergency relative placement under section 245A.035.~~ The training on reducing  
7.29 the risk of sudden unexpected infant death and abusive head trauma may be provided as:

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

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

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

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

8.13 Sec. 11. Minnesota Statutes 2023 Supplement, section 245A.16, subdivision 1, as amended  
8.14 by Laws 2024, chapter 80, article 2, section 65, is amended to read:

8.15 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies that have been  
8.16 designated by the commissioner to perform licensing functions and activities under section  
8.17 245A.04; to recommend denial of applicants under section 245A.05; to issue correction  
8.18 orders, to issue variances, and recommend a conditional license under section 245A.06; or  
8.19 to recommend suspending or revoking a license or issuing a fine under section 245A.07,  
8.20 shall comply with rules and directives of the commissioner governing those functions and  
8.21 with this section. The following variances are excluded from the delegation of variance  
8.22 authority and may be issued only by the commissioner:

8.23 (1) ~~dual licensure of family child foster care and family adult foster care, dual licensure~~  
8.24 ~~of child foster residence setting and community residential setting, and dual licensure of~~  
8.25 ~~family adult foster care and family child care;~~

8.26 (2) until the responsibility for family child foster care transfers to the commissioner of  
8.27 children, youth, and families under Laws 2023, chapter 70, article 12, section 30, dual  
8.28 licensure of family child foster care and family adult foster care;

8.29 (3) until the responsibility for family child care transfers to the commissioner of children,  
8.30 youth, and families under Laws 2023, chapter 70, article 12, section 30, dual licensure of  
8.31 family adult foster care and family child care;

8.32 (4) adult foster care maximum capacity;

8.33 (3) (5) adult foster care minimum age requirement;

9.1 ~~(4)~~ (6) child foster care maximum age requirement;

9.2 ~~(5)~~ (7) variances regarding disqualified individuals;

9.3 ~~(6)~~ (8) the required presence of a caregiver in the adult foster care residence during  
9.4 normal sleeping hours;

9.5 ~~(7)~~ (9) variances to requirements relating to chemical use problems of a license holder  
9.6 or a household member of a license holder; and

9.7 ~~(8)~~ (10) variances to section 142B.46 for the use of a cradleboard for a cultural  
9.8 accommodation.

9.9 (b) Once the respective responsibilities transfer from the commissioner of human services  
9.10 to the commissioner of children, youth, and families, under Laws 2023, chapter 70, article  
9.11 12, section 30, the commissioners of human services and children, youth, and families must  
9.12 both approve a variance for dual licensure of family child foster care and family adult foster  
9.13 care or family adult foster care and family child care. Variances under this paragraph are  
9.14 excluded from the delegation of variance authority and may be issued only by both  
9.15 commissioners.

9.16 ~~(b)~~ (c) For family adult day services programs, the commissioner may authorize licensing  
9.17 reviews every two years after a licensee has had at least one annual review.

9.18 ~~(e)~~ (d) A license issued under this section may be issued for up to two years.

9.19 ~~(d)~~ (e) During implementation of chapter 245D, the commissioner shall consider:

9.20 (1) the role of counties in quality assurance;

9.21 (2) the duties of county licensing staff; and

9.22 (3) the possible use of joint powers agreements, according to section 471.59, with counties  
9.23 through which some licensing duties under chapter 245D may be delegated by the  
9.24 commissioner to the counties.

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

9.27 ~~(e)~~ (f) Licensing authority specific to section 245D.06, subdivisions 5, 6, 7, and 8, or  
9.28 successor provisions; and section 245D.061 or successor provisions, for family child foster  
9.29 care programs providing out-of-home respite, as identified in section 245D.03, subdivision  
9.30 1, paragraph (b), clause (1), is excluded from the delegation of authority to county agencies.

10.1 Sec. 12. Minnesota Statutes 2022, section 245A.175, is amended to read:

10.2 **245A.175 CHILD FOSTER CARE TRAINING REQUIREMENT; MENTAL**  
 10.3 **HEALTH TRAINING; FETAL ALCOHOL SPECTRUM DISORDERS TRAINING.**

10.4 Prior to a nonemergency placement of a child in a foster care home, the child foster care  
 10.5 license holder and ~~caregivers in foster family and treatment foster care settings~~, and all staff  
 10.6 providing care in foster residence settings must complete two hours of training that addresses  
 10.7 the causes, symptoms, and key warning signs of mental health disorders; cultural  
 10.8 considerations; and effective approaches for dealing with a child's behaviors. At least one  
 10.9 hour of the annual training requirement for the ~~foster family license holder and caregivers,~~  
 10.10 ~~and~~ foster residence staff must be on children's mental health issues and treatment. Except  
 10.11 for providers and services under chapter 245D, the annual training must also include at least  
 10.12 one hour of training on fetal alcohol spectrum disorders, which must be counted toward the  
 10.13 12 hours of required in-service training per year. ~~Short-term substitute caregivers are exempt~~  
 10.14 ~~from these requirements.~~ Training curriculum shall be approved by the commissioner of  
 10.15 human services.

10.16 Sec. 13. Minnesota Statutes 2023 Supplement, section 245A.66, subdivision 4, as amended  
 10.17 by Laws 2024, chapter 80, article 2, section 73, is amended to read:

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

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

10.27 Sec. 14. Minnesota Statutes 2022, section 256.029, as amended by Laws 2024, chapter  
 10.28 80, article 1, section 66, is amended to read:

10.29 **256.029 DOMESTIC VIOLENCE INFORMATIONAL BROCHURE.**

10.30 (a) The commissioner shall provide a domestic violence informational brochure that  
 10.31 provides information about the existence of domestic violence waivers for eligible public  
 10.32 assistance applicants to all applicants of general assistance, medical assistance, and  
 10.33 MinnesotaCare. The brochure must explain that eligible applicants may be temporarily

11.1 waived from certain program requirements due to domestic violence. The brochure must  
11.2 provide information about services and other programs to help victims of domestic violence.

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

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

11.6 Sec. 15. Minnesota Statutes 2023 Supplement, section 256.043, subdivision 3, is amended  
11.7 to read:

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

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

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

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

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

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

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

11.29 (h) \$395,000 in fiscal year 2024 and \$415,000 each year thereafter is appropriated to  
11.30 the commissioner of human services for the opioid overdose surge alert system under section  
11.31 245.891.

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

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

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

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

12.11 (m) After the appropriations in paragraphs (b) to (l) are made, 50 percent of the remaining  
12.12 amount is appropriated to the commissioner of ~~human services~~ children, youth, and families  
12.13 for distribution to county social service agencies and Tribal social service agency initiative  
12.14 projects authorized under section 256.01, subdivision 14b, to provide child protection  
12.15 services to children and families who are affected by addiction. The commissioner shall  
12.16 distribute this money proportionally to county social service agencies and Tribal social  
12.17 service agency initiative projects based on out-of-home placement episodes where parental  
12.18 drug abuse is the primary reason for the out-of-home placement using data from the previous  
12.19 calendar year. County social service agencies and Tribal social service agency initiative  
12.20 projects receiving funds from the opiate epidemic response fund must annually report to  
12.21 the commissioner on how the funds were used to provide child protection services, including  
12.22 measurable outcomes, as determined by the commissioner. County social service agencies  
12.23 and Tribal social service agency initiative projects must not use funds received under this  
12.24 paragraph to supplant current state or local funding received for child protection services  
12.25 for children and families who are affected by addiction.

12.26 (n) After the appropriations in paragraphs (b) to (m) are made, the remaining amount in  
12.27 the account is appropriated to the commissioner of human services to award grants as  
12.28 specified by the Opiate Epidemic Response Advisory Council in accordance with section  
12.29 256.042, unless otherwise appropriated by the legislature.

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

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

13.3 Sec. 16. Minnesota Statutes 2023 Supplement, section 256.043, subdivision 3a, is amended  
13.4 to read:

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

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

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

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

13.28 (e) After making the appropriations in paragraphs (b), (c), and (d), the remaining amount  
13.29 in the account is appropriated to the commissioner of human services to award grants as  
13.30 specified by the Opiate Epidemic Response Advisory Council in accordance with section  
13.31 256.042.

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

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

14.6 Sec. 17. Minnesota Statutes 2023 Supplement, section 256.045, subdivision 3, as amended  
14.7 by Laws 2024, chapter 79, article 3, section 3, and Laws 2024, chapter 80, article 1, section  
14.8 67, is amended to read:

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

14.10 (1) any person:

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

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

14.17 (2) any patient or relative aggrieved by an order of the commissioner under section  
14.18 252.27;

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

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

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

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

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

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

15.1 ~~(8)~~ (9) except as provided under chapter 245C and ~~except for a subject of a background~~  
15.2 ~~study that the commissioner has conducted on behalf of another agency for a program or~~  
15.3 ~~facility not otherwise overseen by the commissioner,~~ an individual disqualified under sections  
15.4 245C.14 and 245C.15, following a reconsideration decision issued under section 245C.23,  
15.5 on the basis of serious or recurring maltreatment; a preponderance of the evidence that the  
15.6 individual has committed an act or acts that meet the definition of any of the crimes listed  
15.7 in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under section  
15.8 260E.06, subdivision 1, or 626.557, subdivision 3. Hearings regarding a maltreatment  
15.9 determination under clause (4) or (8) ~~or section 142A.20, subdivision 3, clause (4),~~ and a  
15.10 disqualification under this clause in which the basis for a disqualification is serious or  
15.11 recurring maltreatment, shall be consolidated into a single fair hearing. In such cases, the  
15.12 scope of review by the human services judge shall include both the maltreatment  
15.13 determination and the disqualification. The failure to exercise the right to an administrative  
15.14 reconsideration shall not be a bar to a hearing under this section if federal law provides an  
15.15 individual the right to a hearing to dispute a finding of maltreatment;

15.16 ~~(9)~~ (10) any person with an outstanding debt resulting from receipt of public assistance  
15.17 administered by the commissioner or medical care who is contesting a setoff claim by the  
15.18 Department of Human Services or a county agency. The scope of the appeal is the validity  
15.19 of the claimant agency's intention to request a setoff of a refund under chapter 270A against  
15.20 the debt;

15.21 ~~(10)~~ (11) a person issued a notice of service termination under section 245D.10,  
15.22 subdivision 3a, by a licensed provider of any residential supports or services listed in section  
15.23 245D.03, subdivision 1, paragraphs (b) and (c), that is not otherwise subject to appeal under  
15.24 subdivision 4a;

15.25 ~~(11)~~ (12) an individual disability waiver recipient based on a denial of a request for a  
15.26 rate exception under section 256B.4914;

15.27 ~~(12)~~ (13) a person issued a notice of service termination under section 245A.11,  
15.28 subdivision 11, that is not otherwise subject to appeal under subdivision 4a; or

15.29 ~~(13)~~ (14) a recovery community organization seeking medical assistance vendor eligibility  
15.30 under section 254B.01, subdivision 8, that is aggrieved by a membership or accreditation  
15.31 determination and that believes the organization meets the requirements under section  
15.32 254B.05, subdivision 1, paragraph (d), clauses (1) to (10). The scope of the review by the  
15.33 human services judge shall be limited to whether the organization meets each of the  
15.34 requirements under section 254B.05, subdivision 1, paragraph (d), clauses (1) to (10).

16.1 (b) The hearing for an individual or facility under paragraph (a), clause (4), (8), or (9),  
16.2 is the only administrative appeal to the final agency determination specifically, including  
16.3 a challenge to the accuracy and completeness of data under section 13.04. Hearings requested  
16.4 under paragraph (a), clause (4), apply only to incidents of maltreatment that occur on or  
16.5 after October 1, 1995. Hearings requested by nursing assistants in nursing homes alleged  
16.6 to have maltreated a resident prior to October 1, 1995, shall be held as a contested case  
16.7 proceeding under the provisions of chapter 14. Hearings requested under paragraph (a),  
16.8 clause (8), apply only to incidents of maltreatment that occur on or after July 1, 1997. A  
16.9 hearing for an individual or facility under paragraph (a), clause (4), (8), or (9), is only  
16.10 available when there is no district court action pending. If such action is filed in district  
16.11 court while an administrative review is pending that arises out of some or all of the events  
16.12 or circumstances on which the appeal is based, the administrative review must be suspended  
16.13 until the judicial actions are completed. If the district court proceedings are completed,  
16.14 dismissed, or overturned, the matter may be considered in an administrative hearing.

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

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

16.23 ~~(d)~~(e) The scope of hearings under paragraph (a), clauses (11) and (13), shall be limited  
16.24 to whether the proposed termination of services is authorized under section 245D.10,  
16.25 subdivision 3a, paragraph (b), or 245A.11, subdivision 11, and whether the requirements  
16.26 of section 245D.10, subdivision 3a, paragraphs (c) to (e), or 245A.11, subdivision 2a,  
16.27 paragraphs (d) and (e), were met. If the appeal includes a request for a temporary stay of  
16.28 termination of services, the scope of the hearing shall also include whether the case  
16.29 management provider has finalized arrangements for a residential facility, a program, or  
16.30 services that will meet the assessed needs of the recipient by the effective date of the service  
16.31 termination.

16.32 ~~(e)~~(f) A vendor of medical care as defined in section 256B.02, subdivision 7, or a vendor  
16.33 under contract with a county agency to provide social services is not a party and may not  
16.34 request a hearing under this section, except if assisting a recipient as provided in subdivision  
16.35 4.

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

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

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

17.12 ~~(i)~~ (j) Unless federal or Minnesota law specifies a different time frame in which to file  
17.13 an appeal, an individual or organization specified in this section may contest the specified  
17.14 action, decision, or final disposition before the state agency by submitting a written request  
17.15 for a hearing to the state agency within 30 days after receiving written notice of the action,  
17.16 decision, or final disposition, or within 90 days of such written notice if the applicant,  
17.17 recipient, patient, or relative shows good cause, as defined in section 256.0451, subdivision  
17.18 13, why the request was not submitted within the 30-day time limit. The individual filing  
17.19 the appeal has the burden of proving good cause by a preponderance of the evidence.

17.20 Sec. 18. Minnesota Statutes 2022, section 256.045, subdivision 3b, as amended by Laws  
17.21 2024, chapter 80, article 1, section 68, is amended to read:

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

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

17.30 (2) committed an act or acts meeting the definition of any of the crimes listed in section  
17.31 245C.15, subdivisions 1 to 4; or

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

18.4 (b) If the disqualification is affirmed, the state human services judge shall determine  
18.5 whether the individual poses a risk of harm in accordance with the requirements of section  
18.6 245C.22, and whether the disqualification should be set aside or not set aside. In determining  
18.7 whether the disqualification should be set aside, the human services judge shall consider  
18.8 all of the characteristics that cause the individual to be disqualified, including those  
18.9 characteristics that were not subject to review under paragraph (a), in order to determine  
18.10 whether the individual poses a risk of harm. A decision to set aside a disqualification that  
18.11 is the subject of the hearing constitutes a determination that the individual does not pose a  
18.12 risk of harm and that the individual may provide direct contact services in the individual  
18.13 program specified in the set aside.

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

18.17 (d) The state human services judge shall recommend an order to the commissioner of  
18.18 health; education; children, youth, and families; or human services, as applicable, who  
18.19 shall issue a final order. The commissioner shall affirm, reverse, or modify the final  
18.20 disposition. Any order of the commissioner issued in accordance with this subdivision is  
18.21 conclusive upon the parties unless appeal is taken in the manner provided in subdivision 7.  
18.22 In any licensing appeal under chapters 245A and 245C and sections 144.50 to 144.58 and  
18.23 144A.02 to 144A.482, the commissioner's determination as to maltreatment is conclusive,  
18.24 as provided under section 245C.29.

18.25 Sec. 19. Minnesota Statutes 2022, section 256.045, subdivision 5, as amended by Laws  
18.26 2024, chapter 79, article 3, section 4, is amended to read:

18.27 Subd. 5. **Orders of the commissioner of human services.** (a) Except as provided for  
18.28 under subdivision 5a for matters under the jurisdiction of the direct care and treatment  
18.29 executive board and for hearings held under section 142A.20, subdivision 2, a state human  
18.30 services judge shall conduct a hearing on the appeal and shall recommend an order to the  
18.31 commissioner of human services. The recommended order must be based on all relevant  
18.32 evidence and must not be limited to a review of the propriety of the state or county agency's  
18.33 action. A human services judge may take official notice of adjudicative facts. The  
18.34 commissioner of human services may accept the recommended order of a state human

19.1 services judge and issue the order to the county agency and the applicant, recipient, former  
19.2 recipient, or prepaid health plan. The commissioner on refusing to accept the recommended  
19.3 order of the state human services judge, shall notify the petitioner, the agency, or prepaid  
19.4 health plan of that fact and shall state reasons therefor and shall allow each party ten days'  
19.5 time to submit additional written argument on the matter. After the expiration of the ten-day  
19.6 period, the commissioner shall issue an order on the matter to the petitioner, the agency, or  
19.7 prepaid health plan.

19.8 (b) A party aggrieved by an order of the commissioner may appeal under subdivision  
19.9 7, or request reconsideration by the commissioner within 30 days after the date the  
19.10 commissioner issues the order. The commissioner may reconsider an order upon request of  
19.11 any party or on the commissioner's own motion. A request for reconsideration does not stay  
19.12 implementation of the commissioner's order. The person seeking reconsideration has the  
19.13 burden to demonstrate why the matter should be reconsidered. The request for reconsideration  
19.14 may include legal argument and proposed additional evidence supporting the request. If  
19.15 proposed additional evidence is submitted, the person must explain why the proposed  
19.16 additional evidence was not provided at the time of the hearing. If reconsideration is granted,  
19.17 the other participants must be sent a copy of all material submitted in support of the request  
19.18 for reconsideration and must be given ten days to respond. Upon reconsideration, the  
19.19 commissioner may issue an amended order or an order affirming the original order.

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

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

19.31 Sec. 20. Minnesota Statutes 2022, section 256.045, subdivision 7, as amended by Laws  
19.32 2024, chapter 79, article 3, section 7, is amended to read:

19.33 Subd. 7. **Judicial review.** Except for a prepaid health plan, any party who is aggrieved  
19.34 by an order of the commissioner of human services; the commissioner of health; or the

20.1 commissioner of children, youth, and families in appeals within the commissioner's  
20.2 jurisdiction under subdivision 3b; or the direct care and treatment executive board in appeals  
20.3 within the jurisdiction of the executive board under subdivision 5a may appeal the order to  
20.4 the district court of the county responsible for furnishing assistance, or, in appeals under  
20.5 subdivision 3b, the county where the maltreatment occurred, by serving a written copy of  
20.6 a notice of appeal upon the applicable commissioner or executive board and any adverse  
20.7 party of record within 30 days after the date the commissioner or executive board issued  
20.8 the order, the amended order, or order affirming the original order, and by filing the original  
20.9 notice and proof of service with the court administrator of the district court. Service may  
20.10 be made personally or by mail; service by mail is complete upon mailing; no filing fee shall  
20.11 be required by the court administrator in appeals taken pursuant to this subdivision, with  
20.12 the exception of appeals taken under subdivision 3b. The applicable commissioner or  
20.13 executive board may elect to become a party to the proceedings in the district court. Except  
20.14 for appeals under subdivision 3b, any party may demand that the commissioner or executive  
20.15 board furnish all parties to the proceedings with a copy of the decision, and a transcript of  
20.16 any testimony, evidence, or other supporting papers from the hearing held before the human  
20.17 services judge, by serving a written demand upon the applicable commissioner or executive  
20.18 board within 30 days after service of the notice of appeal. Any party aggrieved by the failure  
20.19 of an adverse party to obey an order issued by the commissioner or executive board under  
20.20 subdivisions 5 or 5a may compel performance according to the order in the manner prescribed  
20.21 in sections 586.01 to 586.12.

20.22 Sec. 21. Minnesota Statutes 2022, section 256.0451, subdivision 1, as amended by Laws  
20.23 2024, chapter 80, article 1, section 72, is amended to read:

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

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

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

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

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

21.10 (a) A written decision must be issued within 90 days of the date the person involved  
21.11 requested the appeal unless a shorter time is required by law. An additional 30 days is  
21.12 provided in those cases where the commissioner refuses to accept the recommended decision.  
21.13 In appeals of maltreatment determinations or disqualifications filed pursuant to section  
21.14 256.045, subdivision 3, paragraph (a), clause (4), (8), or (9), ~~or (10)~~, that also give rise to  
21.15 possible licensing actions, the 90-day period for issuing final decisions does not begin until  
21.16 the later of the date that the licensing authority provides notice to the appeals division that  
21.17 the authority has made the final determination in the matter or the date the appellant files  
21.18 the last appeal in the consolidated matters.

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

21.28 The decision shall contain at least the following:

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

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

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

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

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

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

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

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

22.18 (d) The commissioner will review the recommended decision and accept or refuse to  
22.19 accept the decision according to section 142A.20, subdivision 3, or 256.045, subdivision  
22.20 5.

22.21 Sec. 23. Minnesota Statutes 2022, section 256.0451, subdivision 24, is amended to read:

22.22 Subd. 24. **Reconsideration.** (a) Reconsideration may be requested within 30 days of  
22.23 the date of the commissioner's final order. If reconsideration is requested under section  
22.24 142A.20, subdivision 3, or 256.045, subdivision 5, the other participants in the appeal shall  
22.25 be informed of the request. The person seeking reconsideration has the burden to demonstrate  
22.26 why the matter should be reconsidered. The request for reconsideration may include legal  
22.27 argument and may include proposed additional evidence supporting the request. The other  
22.28 participants shall be sent a copy of all material submitted in support of the request for  
22.29 reconsideration and must be given ten days to respond.

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

22.32 (c) When the requesting party questions the appropriateness of a conclusion of law, the  
22.33 commissioner shall consider the recommended decision, the decision under reconsideration,

23.1 and the material submitted in connection with the reconsideration. The commissioner shall  
23.2 review the remaining record as necessary to issue a reconsidered decision.

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

23.7 Sec. 24. Minnesota Statutes 2022, section 256.046, subdivision 2, as amended by Laws  
23.8 2024, chapter 80, article 1, section 75, is amended to read:

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

23.20 ~~(b) The human services judge must conduct any hearings under section 142A.20 or~~  
23.21 ~~142A.27 pursuant to the relevant laws and rules governing children, youth, and families~~  
23.22 ~~judges.~~

23.23 Sec. 25. Minnesota Statutes 2023 Supplement, section 256M.42, is amended by adding a  
23.24 subdivision to read:

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

23.30 Sec. 26. Laws 2023, chapter 70, article 12, section 30, subdivision 2, is amended to read:

23.31 Subd. 2. **Department of Human Services.** The powers and duties of the Department  
23.32 of Human Services with respect to the following responsibilities and related elements are

24.1 transferred to the Department of Children, Youth, and Families according to Minnesota  
24.2 Statutes, section 15.039:

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

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

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

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

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

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

24.13 (7) certification of license-exempt child care centers under Minnesota Statutes, chapter  
24.14 245H;

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

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

24.19 (10) electronic benefit transactions under Minnesota Statutes, sections 256.9862,  
24.20 256.9863, 256.9865, 256.987, 256.9871, 256.9872, and 256J.77;

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

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

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

24.25 (14) Diversionary Work Program (DWP) under Minnesota Statutes, section 256J.95;

24.26 (15) ~~resettlement programs under Minnesota Statutes, section 256B.06, subdivision 6~~  
24.27 American Indian food sovereignty program under Minnesota Statutes, section 256E.342;

24.28 (16) child abuse under Minnesota Statutes, chapter 256E;

24.29 (17) reporting of the maltreatment of minors under Minnesota Statutes, chapter 260E;

- 25.1 (18) children in voluntary foster care for treatment under Minnesota Statutes, chapter  
25.2 260D;
- 25.3 (19) juvenile safety and placement under Minnesota Statutes, chapter 260C;
- 25.4 (20) the Minnesota Indian Family Preservation Act under Minnesota Statutes, sections  
25.5 260.751 to 260.835;
- 25.6 (21) the Interstate Compact for Juveniles under Minnesota Statutes, section 260.515,  
25.7 and the Interstate Compact on the Placement of Children under Minnesota Statutes, sections  
25.8 260.851 to 260.93;
- 25.9 (22) adoption under Minnesota Statutes, sections 259.20 to 259.89;
- 25.10 (23) Northstar Care for Children under Minnesota Statutes, chapter 256N;
- 25.11 (24) child support under Minnesota Statutes, chapters 13, 13B, 214, 256, 256J, 257, 259,  
25.12 518, 518A, 518C, 551, 552, 571, and 588, and Minnesota Statutes, section 609.375;
- 25.13 (25) community action programs under Minnesota Statutes, sections 256E.30 to 256E.32;  
25.14 ~~and~~
- 25.15 (26) Family Assets for Independence in Minnesota under Minnesota Statutes, section  
25.16 256E.35;
- 25.17 (27) capital for emergency food distribution facilities under Laws 2023, chapter 70,  
25.18 article 20, section 2, subdivision 24, paragraph (i);
- 25.19 (28) community resource centers under Laws 2023, chapter 70, article 14, section 42;
- 25.20 (29) diaper distribution grant program under Minnesota Statutes, section 256E.38;
- 25.21 (30) Family First Prevention Services Act support and development grant program under  
25.22 Minnesota Statutes, section 256.4793;
- 25.23 (31) Family First Prevention Services Act kinship navigator program under Minnesota  
25.24 Statutes, section 256.4794;
- 25.25 (32) family first prevention and early intervention allocation program under Minnesota  
25.26 Statutes, section 260.014;
- 25.27 (33) grants for prepared meals food relief under Laws 2023, chapter 70, article 12, section  
25.28 33;
- 25.29 (34) independent living skills for foster youth under Laws 2023, chapter 70, article 14,  
25.30 section 41;

- 26.1 (35) legacy adoption assistance under Minnesota Statutes, chapter 259A;  
 26.2 (36) quality parenting initiative grant program under Minnesota Statutes, section  
 26.3 245.0962;  
 26.4 (37) relative custody assistance under Minnesota Statutes, section 257.85;  
 26.5 (38) reimbursement to counties and Tribes for certain out-of-home placements under  
 26.6 Minnesota Statutes, section 477A.0126; and  
 26.7 (39) Supplemental Nutrition Assistance Program outreach under Minnesota Statutes,  
 26.8 section 256D.65.

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

26.10 Sec. 27. Laws 2023, chapter 70, article 12, section 30, subdivision 3, is amended to read:

26.11 Subd. 3. **Department of Education.** The powers and duties of the Department of  
 26.12 Education with respect to the following responsibilities and related elements are transferred  
 26.13 to the Department of Children, Youth, and Families according to Minnesota Statutes, section  
 26.14 15.039:

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

26.17 (2) the early childhood screening program under Minnesota Statutes, sections 121A.16  
 26.18 to 121A.19;

26.19 (3) early learning scholarships under Minnesota Statutes, section 124D.165;

26.20 (4) the interagency early childhood intervention system under Minnesota Statutes,  
 26.21 sections 125A.259 to 125A.48;

26.22 (5) voluntary prekindergarten programs and school readiness plus programs under  
 26.23 Minnesota Statutes, section 124D.151;

26.24 (6) early childhood family education programs under Minnesota Statutes, sections  
 26.25 124D.13 to 124D.135;

26.26 (7) school readiness under Minnesota Statutes, sections 124D.15 to 124D.16; ~~and~~

26.27 (8) after-school community learning programs under Minnesota Statutes, section  
 26.28 124D.2211; and

26.29 (9) grow your own program under Minnesota Statutes, section 122A.731.

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

27.2 Subdivision 1. **Children, youth, and families judges; appointment** Hearings held by  
 27.3 the Department of Human Services. ~~The commissioner of children, youth, and families~~  
 27.4 ~~may appoint one or more state children, youth, and families judges to conduct hearings and~~  
 27.5 ~~recommend orders in accordance with subdivisions 2, 3, and 5. Children, youth, and families~~  
 27.6 ~~judges designated pursuant to this section may administer oaths and shall be under the~~  
 27.7 ~~control and supervision of the commissioner of children, youth, and families and shall not~~  
 27.8 ~~be a part of the Office of Administrative Hearings established pursuant to sections 14.48 to~~  
 27.9 ~~14.56. The commissioner shall only appoint as a full-time children, youth, and families~~  
 27.10 ~~judge an individual who is licensed to practice law in Minnesota and who is:~~

27.11 ~~(1) in active status;~~

27.12 ~~(2) an inactive resident;~~

27.13 ~~(3) retired;~~

27.14 ~~(4) on disabled status; or~~

27.15 ~~(5) on retired senior status.~~

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

27.18 Sec. 29. Laws 2024, chapter 80, article 1, section 38, subdivision 2, is amended to read:

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

27.20 (1) any person:

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

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

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

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

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

28.4 ~~(5) except as provided under chapter 245C, an individual disqualified under sections~~  
28.5 ~~245C.14 and 245C.15, following a reconsideration decision issued under section 245C.23,~~  
28.6 ~~on the basis of serious or recurring maltreatment; of a preponderance of the evidence that~~  
28.7 ~~the individual has committed an act or acts that meet the definition of any of the crimes~~  
28.8 ~~listed in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under~~  
28.9 ~~section 260E.06, subdivision 1, or 626.557, subdivision 3. Hearings regarding a maltreatment~~  
28.10 ~~determination under clause (4) and a disqualification under this clause in which the basis~~  
28.11 ~~for a disqualification is serious or recurring maltreatment shall be consolidated into a single~~  
28.12 ~~fair hearing. In such cases, the scope of review by the children, youth, and families judge~~  
28.13 ~~shall include both the maltreatment determination and the disqualification. The failure to~~  
28.14 ~~exercise the right to an administrative reconsideration shall not be a bar to a hearing under~~  
28.15 ~~this section if federal law provides an individual the right to a hearing to dispute a finding~~  
28.16 ~~of maltreatment; and~~

28.17 ~~(6) (4) any person with an outstanding debt resulting from receipt of public assistance~~  
28.18 ~~or the federal Food and Nutrition Act who is contesting a setoff claim by the commissioner~~  
28.19 ~~of children, youth, and families or a county agency. The scope of the appeal is the validity~~  
28.20 ~~of the claimant agency's intention to request a setoff of a refund under chapter 270A against~~  
28.21 ~~the debt.~~

28.22 ~~(b) The hearing for an individual or facility under paragraph (a), clause (4) or (5), is the~~  
28.23 ~~only administrative appeal to the final agency determination specifically, including a~~  
28.24 ~~challenge to the accuracy and completeness of data under section 13.04. A hearing for an~~  
28.25 ~~individual or facility under paragraph (a), clause (4) or (5), is only available when there is~~  
28.26 ~~no district court action pending. If such action is filed in district court while an administrative~~  
28.27 ~~review is pending that arises out of some or all of the events or circumstances on which the~~  
28.28 ~~appeal is based, the administrative review must be suspended until the judicial actions are~~  
28.29 ~~completed. If the district court proceedings are completed, dismissed, or overturned, the~~  
28.30 ~~matter may be considered in an administrative hearing.~~

28.31 ~~(c) For purposes of this section, bargaining unit grievance procedures are not an~~  
28.32 ~~administrative appeal.~~

28.33 ~~(d) The scope of hearings involving claims to foster care payments under paragraph (a),~~  
28.34 ~~clause (2), shall be limited to the issue of whether the county is legally responsible for a~~

29.1 ~~child's placement under court order or voluntary placement agreement and, if so, the correct~~  
29.2 ~~amount of foster care payment to be made on the child's behalf and shall not include review~~  
29.3 ~~of the propriety of the county's child protection determination or child placement decision.~~

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

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

29.10 ~~(g) Unless federal or Minnesota law specifies a different time frame in which to file an~~  
29.11 ~~appeal, an individual or organization specified in this section may contest the specified~~  
29.12 ~~action, decision, or final disposition before the state agency by submitting a written request~~  
29.13 ~~for a hearing to the state agency within 30 days after receiving written notice of the action,~~  
29.14 ~~decision, or final disposition or within 90 days of such written notice if the applicant,~~  
29.15 ~~recipient, patient, or relative shows good cause, as defined in section 142A.21, subdivision~~  
29.16 ~~13, why the request was not submitted within the 30-day time limit. The individual filing~~  
29.17 ~~the appeal has the burden of proving good cause by a preponderance of the evidence.~~

29.18 Sec. 30. Laws 2024, chapter 80, article 1, section 38, subdivision 5, is amended to read:

29.19 Subd. 5. **Orders of the commissioner of children, youth, and families.** (a) A state  
29.20 ~~children, youth, and families~~ human services judge shall conduct a hearing on ~~the~~ an appeal  
29.21 of a matter listed in subdivision 2 and shall recommend an order to the commissioner of  
29.22 children, youth, and families. The recommended order must be based on all relevant evidence  
29.23 and must not be limited to a review of the propriety of the state or county agency's action.  
29.24 A ~~children, youth, and families~~ state human services judge may take official notice of  
29.25 adjudicative facts. The commissioner of children, youth, and families may accept the  
29.26 recommended order of a state ~~children, youth, and families~~ human services judge and issue  
29.27 the order to the county agency and the applicant, recipient, or former recipient. If the  
29.28 commissioner refuses to accept the recommended order of the state ~~children, youth, and~~  
29.29 ~~families~~ human services judge, the commissioner shall notify the petitioner or the agency  
29.30 of the commissioner's refusal and shall state reasons for the refusal. The commissioner shall  
29.31 allow each party ten days' time to submit additional written argument on the matter. After  
29.32 the expiration of the ten-day period, the commissioner shall issue an order on the matter to  
29.33 the petitioner and the agency.

30.1 (b) A party aggrieved by an order of the commissioner may appeal under subdivision ~~7~~  
30.2 5 or request reconsideration by the commissioner within 30 days after the date the  
30.3 commissioner issues the order. The commissioner may reconsider an order upon request of  
30.4 any party or on the commissioner's own motion. A request for reconsideration does not stay  
30.5 implementation of the commissioner's order. The person seeking reconsideration has the  
30.6 burden to demonstrate why the matter should be reconsidered. The request for reconsideration  
30.7 may include legal argument and proposed additional evidence supporting the request. If  
30.8 proposed additional evidence is submitted, the person must explain why the proposed  
30.9 additional evidence was not provided at the time of the hearing. If reconsideration is granted,  
30.10 the other participants must be sent a copy of all material submitted in support of the request  
30.11 for reconsideration and must be given ten days to respond. Upon reconsideration, the  
30.12 commissioner may issue an amended order or an order affirming the original order.

30.13 (c) Any order of the commissioner issued under this subdivision shall be conclusive  
30.14 upon the parties unless appeal is taken in the manner provided by subdivision ~~7~~5. Any order  
30.15 of the commissioner is binding on the parties and must be implemented by the state agency  
30.16 or a county agency until the order is reversed by the district court or unless the commissioner  
30.17 or a district court orders monthly assistance or aid or services paid or provided under  
30.18 subdivision ~~4~~8.

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

30.22 Sec. 31. Laws 2024, chapter 80, article 1, section 38, subdivision 6, is amended to read:

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

30.30 (b) Any party to a hearing held pursuant to subdivision 2 or ~~3~~ section 256.045, subdivision  
30.31 3b, may request that the commissioner issue a subpoena to compel the attendance of witnesses  
30.32 and the production of records at the hearing. A local agency may request that the  
30.33 commissioner issue a subpoena to compel the release of information from third parties prior  
30.34 to a request for a hearing under section 142A.21 upon a showing of relevance to such a

31.1 proceeding. The issuance, service, and enforcement of subpoenas under this subdivision is  
31.2 governed by section 357.22 and the Minnesota Rules of Civil Procedure.

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

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

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

31.8 Sec. 32. Laws 2024, chapter 80, article 1, section 38, subdivision 7, is amended to read:

31.9 Subd. 7. **Judicial review.** Any party who is aggrieved by an order of the commissioner  
31.10 of children, youth, and families may appeal the order to the district court of the county  
31.11 responsible for furnishing assistance, or, in appeals under section 256.045, subdivision ~~3~~  
31.12 3b, the county where the maltreatment occurred, by serving a written copy of a notice of  
31.13 appeal upon the commissioner and any adverse party of record within 30 days after the date  
31.14 the commissioner issued the order, the amended order, or order affirming the original order,  
31.15 and by filing the original notice and proof of service with the court administrator of the  
31.16 district court. Service may be made personally or by mail; service by mail is complete upon  
31.17 mailing. The court administrator shall not require a filing fee in appeals taken pursuant to  
31.18 this subdivision, except for appeals taken under section 256.045, subdivision ~~3~~ 3b. The  
31.19 commissioner may elect to become a party to the proceedings in the district court. Except  
31.20 for appeals under section 256.045, subdivision ~~3~~ 3b, any party may demand that the  
31.21 commissioner furnish all parties to the proceedings with a copy of the decision, and a  
31.22 transcript of any testimony, evidence, or other supporting papers from the hearing held  
31.23 before the ~~children, youth, and families~~ state human services judge, by serving a written  
31.24 demand upon the commissioner within 30 days after service of the notice of appeal. Any  
31.25 party aggrieved by the failure of an adverse party to obey an order issued by the commissioner  
31.26 under subdivision 5 may compel performance according to the order in the manner prescribed  
31.27 in sections 586.01 to 586.12.

31.28 Sec. 33. Laws 2024, chapter 80, article 1, section 38, subdivision 9, is amended to read:

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

32.1 Sec. 34. Laws 2024, chapter 80, article 1, section 96, is amended to read:

32.2 Sec. 96. **REVISOR INSTRUCTION.**

32.3 The revisor of statutes must renumber sections or subdivisions in Column A as Column

32.4 B.

32.5	Column A	Column B
32.6	256.01, subdivision 12	142A.03, subdivision 7
32.7	256.01, subdivision 12a	142A.03, subdivision 8
32.8	256.01, subdivision 15	142A.03, subdivision 10
32.9	256.01, subdivision 36	142A.03, subdivision 22
32.10	256.0112, subdivision 10	142A.07, subdivision 8
32.11	256.019, subdivision 2	142A.28, subdivision 2
32.12	256.4793	142A.45
32.13	256.4794	142A.451
32.14	256.82	142A.418
32.15	256.9831	142A.13, subdivision 14
32.16	256.9862, subdivision 1	142A.13, subdivision 10
32.17	256.9862, subdivision 2	142A.13, subdivision 11
32.18	256.9863	142A.13, subdivision 5
32.19	256.9865, subdivision 1	142A.13, subdivision 6
32.20	256.9865, subdivision 2	142A.13, subdivision 7
32.21	256.9865, subdivision 3	142A.13, subdivision 8
32.22	256.9865, subdivision 4	142A.13, subdivision 9
32.23	256.987, subdivision 2	142A.13, subdivision 2
32.24	256.987, subdivision 3	142A.13, subdivision 3
32.25	256.987, subdivision 4	142A.13, subdivision 4
32.26	256.9871	142A.13, subdivision 12
32.27	256.9872	142A.13, subdivision 13
32.28	256.997	142A.30
32.29	256.998	142A.29
32.30	256B.06, subdivision 6	142A.40
32.31	256E.20	142A.41
32.32	256E.21	142A.411
32.33	256E.22	142A.412
32.34	256E.24	142A.413
32.35	256E.25	142A.414
32.36	256E.26	142A.415

33.1	256E.27	142A.416
33.2	256E.28	142A.417
33.3	<u>256E.37</u>	<u>142A.46</u>
33.4	<u>256E.38</u>	<u>142A.42</u>
33.5	256N.001	142A.60
33.6	256N.01	142A.601
33.7	256N.02	142A.602
33.8	256N.20	142A.603
33.9	256N.21	142A.604
33.10	256N.22	142A.605
33.11	256N.23	142A.606
33.12	256N.24	142A.607
33.13	256N.25	142A.608
33.14	256N.26	142A.609
33.15	256N.261	142A.61
33.16	256N.27	142A.611
33.17	256N.28	142A.612
33.18	<u>257.85</u>	<u>142A.65</u>
33.19	257.175	142A.03, subdivision 32
33.20	257.33, subdivision 1	142A.03, subdivision 33
33.21	257.33, subdivision 2	142A.03, subdivision 34
33.22	260.014	142A.452
33.23	299A.72	142A.75
33.24	299A.73	142A.43
33.25	299A.95	142A.76

33.26 The revisor of statutes must correct any statutory cross-references consistent with this  
33.27 renumbering.

33.28 Sec. 35. Laws 2024, chapter 80, article 2, section 5, subdivision 21, is amended to read:

33.29 Subd. 21. **Plan for transfer of clients and records upon closure.** (a) Except for license  
33.30 holders who reside on the premises and child care providers, an applicant for initial or  
33.31 continuing licensure or certification must submit a written plan indicating how the program  
33.32 or private agency will ensure the transfer of clients and records for both open and closed  
33.33 cases if the program closes. The plan must provide for managing private and confidential  
33.34 information concerning the clients of the program ~~clients~~ or private agency. The plan must  
33.35 also provide for notifying affected clients of the closure at least 25 days prior to closure,

34.1 including information on how to access their records. A controlling individual of the program  
34.2 or private agency must annually review and sign the plan.

34.3 (b) Plans for the transfer of open cases and case records must specify arrangements the  
34.4 program or private agency will make to transfer clients to another provider or county agency  
34.5 for continuation of services and to transfer the case record with the client.

34.6 (c) Plans for the transfer of closed case records must be accompanied by a signed  
34.7 agreement or other documentation indicating that a county or a similarly licensed provider  
34.8 has agreed to accept and maintain the program's or private agency's closed case records and  
34.9 to provide follow-up services as necessary to affected clients.

34.10 Sec. 36. Laws 2024, chapter 80, article 2, section 7, subdivision 2, is amended to read:

34.11 Subd. 2. **County fees for applications and licensing inspections.** (a) A county agency  
34.12 may charge a license fee to an applicant or license holder not to exceed \$50 for a one-year  
34.13 license or \$100 for a two-year license.

34.14 (b) Counties may allow providers to pay the applicant fee in paragraph (a) on an  
34.15 installment basis for up to one year. If the provider is receiving child care assistance payments  
34.16 from the state, the provider may have the fee under paragraph (a) deducted from the child  
34.17 care assistance payments for up to one year and the state shall reimburse the county for the  
34.18 county fees collected in this manner.

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

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

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

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

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

34.27 Sec. 37. Laws 2024, chapter 80, article 2, section 10, subdivision 6, is amended to read:

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

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

35.4 (c) The appeal must be made in writing by certified mail ~~or~~, by personal service, or  
 35.5 through the provider licensing and reporting hub. If mailed, the appeal must be postmarked  
 35.6 and sent to the commissioner within the prescribed timeline with the first day beginning  
 35.7 the day after the license holder receives the certified letter. If a request is made by personal  
 35.8 service, it must be received by the commissioner within the prescribed timeline with the  
 35.9 first day beginning the day after the license holder receives the certified letter. If the appeal  
 35.10 is made through the provider hub, the appeal must be received by the commissioner within  
 35.11 the prescribed timeline with the first day beginning the day after the commissioner issued  
 35.12 the order through the hub.

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

35.17 Sec. 38. Laws 2024, chapter 80, article 2, section 16, subdivision 1, is amended to read:

35.18 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies and private  
 35.19 agencies that have been designated or licensed by the commissioner to perform licensing  
 35.20 functions and activities under section 142B.10 ~~and background studies for family child care~~  
 35.21 ~~under chapter 245C~~; to recommend denial of applicants under section 142B.15; to issue  
 35.22 correction orders, to issue variances, and to recommend a conditional license under section  
 35.23 142B.16; or to recommend suspending or revoking a license or issuing a fine under section  
 35.24 142B.18, shall comply with rules and directives of the commissioner governing those  
 35.25 functions and with this section. The following variances are excluded from the delegation  
 35.26 of variance authority and may be issued only by the commissioner:

35.27 (1) ~~dual licensure of family child care and family child foster care, dual licensure of~~  
 35.28 ~~family child foster care and family adult foster care, dual licensure of child foster residence~~  
 35.29 ~~setting and community residential setting, and dual licensure of family adult foster care and~~  
 35.30 ~~family child care;~~

35.31 (2) child foster care maximum age requirement;

35.32 (3) variances regarding disqualified individuals;

36.1 (4) variances to requirements relating to chemical use problems of a license holder or a  
36.2 household member of a license holder; and

36.3 (5) variances to section 142B.74 for a time-limited period. If the commissioner grants  
36.4 a variance under this clause, the license holder must provide notice of the variance to all  
36.5 parents and guardians of the children in care.

36.6 (b) The commissioners of human services and children, youth, and families must both  
36.7 approve a variance for dual licensure of family child foster care and family adult foster care  
36.8 or family adult foster care and family child care. Variances under this paragraph are excluded  
36.9 from the delegation of variance authority and may be issued only by both commissioners.

36.10 (c) Except as provided in section 142B.41, subdivision 4, paragraph (e), a county agency  
36.11 must not grant a license holder a variance to exceed the maximum allowable family child  
36.12 care license capacity of 14 children.

36.13 ~~(b)~~ (d) A county agency that has been designated by the commissioner to issue family  
36.14 child care variances must:

36.15 (1) publish the county agency's policies and criteria for issuing variances on the county's  
36.16 public website and update the policies as necessary; and

36.17 (2) annually distribute the county agency's policies and criteria for issuing variances to  
36.18 all family child care license holders in the county.

36.19 ~~(e)~~ (e) Before the implementation of NETStudy 2.0, county agencies must report  
36.20 information about disqualification reconsiderations under sections 245C.25 and 245C.27,  
36.21 subdivision 2, paragraphs (a) and (b), and variances granted under paragraph (a), clause  
36.22 (5), to the commissioner at least monthly in a format prescribed by the commissioner.

36.23 ~~(d)~~ (f) For family child care programs, the commissioner shall require a county agency  
36.24 to conduct one unannounced licensing review at least annually.

36.25 ~~(e)~~ (g) A license issued under this section may be issued for up to two years.

36.26 ~~(f)~~ (h) A county agency shall report to the commissioner, in a manner prescribed by the  
36.27 commissioner, the following information for a licensed family child care program:

36.28 (1) the results of each licensing review completed, including the date of the review, and  
36.29 any licensing correction order issued;

36.30 (2) any death, serious injury, or determination of substantiated maltreatment; and

37.1 (3) any fires that require the service of a fire department within 48 hours of the fire. The  
37.2 information under this clause must also be reported to the state fire marshal within two  
37.3 business days of receiving notice from a licensed family child care provider.

37.4 Sec. 39. Laws 2024, chapter 80, article 2, section 30, subdivision 2, is amended to read:

37.5 Subd. 2. **Maltreatment of minors ongoing training requirement.** (a) In addition to  
37.6 the orientation training required by the applicable licensing rules and statutes, private  
37.7 child-placing agency license holders must provide a training annually on the maltreatment  
37.8 of minors reporting requirements and definitions in chapter 260E to each mandatory reporter,  
37.9 as described in section 260E.06, subdivision 1.

37.10 (b) In addition to the orientation training required by the applicable licensing rules and  
37.11 statutes, all family child foster care license holders and caregivers ~~and foster residence~~  
37.12 ~~setting staff and volunteers~~ who are mandatory reporters as described in section 260E.06,  
37.13 subdivision 1, must complete training each year on the maltreatment of minors reporting  
37.14 requirements and definitions in chapter 260E.

37.15 Sec. 40. Laws 2024, chapter 80, article 2, section 31, is amended to read:

37.16 Sec. 31. **142B.80 CHILD FOSTER CARE TRAINING REQUIREMENT; MENTAL**  
37.17 **HEALTH TRAINING; FETAL ALCOHOL SPECTRUM DISORDERS TRAINING.**

37.18 Prior to a nonemergency placement of a child in a foster care home, the child foster care  
37.19 license holder and caregivers in foster family and treatment foster care settings, ~~and all staff~~  
37.20 ~~providing care in foster residence settings~~ must complete two hours of training that addresses  
37.21 the causes, symptoms, and key warning signs of mental health disorders; cultural  
37.22 considerations; and effective approaches for dealing with a child's behaviors. At least one  
37.23 hour of the annual training requirement for the foster family license holder and caregivers,  
37.24 ~~and foster residence staff~~ must be on children's mental health issues and treatment. Except  
37.25 for providers and services under chapter 245D, the annual training must also include at least  
37.26 one hour of training on fetal alcohol spectrum disorders, which must be counted toward the  
37.27 12 hours of required in-service training per year. Short-term substitute caregivers are exempt  
37.28 from these requirements. Training curriculum shall be approved by the commissioner of  
37.29 children, youth, and families.

38.1 Sec. 41. Laws 2024, chapter 80, article 2, section 74, is amended to read:

38.2 Sec. 74. **REVISOR INSTRUCTION.**

38.3 The revisor of statutes must renumber sections or subdivisions in column A as column  
38.4 B.

38.5	Column A	Column B
38.6	245A.02, subdivision 2c	142B.01, subdivision 3
38.7	245A.02, subdivision 6a	142B.01, subdivision 11
38.8	245A.02, subdivision 6b	142B.01, subdivision 12
38.9	245A.02, subdivision 10a	142B.01, subdivision 22
38.10	245A.02, subdivision 12	142B.01, subdivision 23
38.11	245A.02, subdivision 16	142B.01, subdivision 26
38.12	245A.02, subdivision 17	142B.01, subdivision 27
38.13	245A.02, subdivision 18	142B.01, subdivision 28
38.14	245A.02, subdivision 19	142B.01, subdivision 13
38.15	245A.03, subdivision 2a	142B.05, subdivision 3
38.16	245A.03, subdivision 2b	142B.05, subdivision 4
38.17	245A.03, subdivision 4	142B.05, subdivision 6
38.18	245A.03, subdivision 4a	142B.05, subdivision 7
38.19	245A.03, subdivision 8	142B.05, subdivision 10
38.20	245A.035	142B.06
38.21	245A.04, subdivision 9a	142B.10, subdivision 17
38.22	245A.04, subdivision 10	142B.10, subdivision 18
38.23	245A.06, subdivision 8	142B.16, subdivision 5
38.24	245A.06, subdivision 9	142B.16, subdivision 6
38.25	245A.065	142B.17
38.26	245A.07, subdivision 4	142B.18, subdivision 6
38.27	245A.07, subdivision 5	142B.18, subdivision 7
38.28	245A.14, subdivision 3	142B.41, subdivision 3
38.29	245A.14, subdivision 4	142B.41, subdivision 4
38.30	245A.14, subdivision 4a	142B.41, subdivision 5
38.31	245A.14, subdivision 6	142B.41, subdivision 6
38.32	245A.14, subdivision 8	142B.41, subdivision 7
38.33	245A.14, subdivision 10	142B.41, subdivision 8
38.34	245A.14, subdivision 11	142B.41, subdivision 9
38.35	245A.14, subdivision 15	142B.41, subdivision 11
38.36	245A.14, subdivision 16	142B.41, subdivision 12

39.1	245A.14, subdivision 17	142B.41, subdivision 13
39.2	245A.1434	142B.60
39.3	<del>245A.144</del>	<del>142B.47</del>
39.4	245A.1445	142B.48
39.5	245A.145	142B.61
39.6	245A.146, subdivision 2	142B.45, subdivision 2
39.7	245A.146, subdivision 3	142B.45, subdivision 3
39.8	245A.146, subdivision 4	142B.45, subdivision 4
39.9	245A.146, subdivision 5	142B.45, subdivision 5
39.10	245A.146, subdivision 6	142B.45, subdivision 6
39.11	245A.147	142B.75
39.12	245A.148	142B.76
39.13	245A.149	142B.77
39.14	245A.15	142B.78
39.15	245A.1511	142B.79
39.16	245A.152	142B.62
39.17	245A.16, subdivision 7	142B.30, subdivision 7
39.18	245A.16, subdivision 9	142B.30, subdivision 9
39.19	245A.16, subdivision 11	142B.30, subdivision 11
39.20	245A.23	142B.63
39.21	245A.40	142B.65
39.22	245A.41	142B.66
39.23	245A.42	142B.67
39.24	245A.50	142B.70
39.25	245A.51	142B.71
39.26	245A.52	142B.72
39.27	245A.53	142B.74
39.28	245A.66, subdivision 2	142B.54, subdivision 2
39.29	245A.66, subdivision 3	142B.54, subdivision 3

39.30 The revisor of statutes must correct any statutory cross-references consistent with this  
 39.31 renumbering.

39.32 Sec. 42. Laws 2024, chapter 80, article 4, section 26, is amended to read:

39.33 Sec. 26. **REVISOR INSTRUCTION.**

39.34 (a) The revisor of statutes shall renumber each section of Minnesota Statutes listed in  
 39.35 column A with the number listed in column B. The revisor shall also make necessary

40.1 cross-reference changes consistent with the renumbering. The revisor shall also make any  
 40.2 technical, language, and other changes necessitated by the renumbering and cross-reference  
 40.3 changes in this act.

40.4	Column A	Column B
40.5	119A.50	142D.12
40.6	119A.52	142D.121
40.7	119A.53	142D.122
40.8	119A.535	142D.123
40.9	119A.5411	142D.124
40.10	119A.545	142D.125
40.11	119B.195	142D.30
40.12	119B.196	142D.24
40.13	119B.25	142D.20
40.14	119B.251	142D.31
40.15	119B.252	142D.32
40.16	119B.27	142D.21
40.17	119B.28	142D.22
40.18	119B.29	142D.23
40.19	<u>119B.99</u>	<u>142A.44</u>
40.20	121A.16	142D.09
40.21	121A.17	142D.091
40.22	121A.18	142D.092
40.23	121A.19	142D.093
40.24	<u>122A.731</u>	<u>142D.33</u>
40.25	124D.13	142D.10
40.26	124D.135	142D.11
40.27	124D.141	142D.16
40.28	124D.142	142D.13
40.29	124D.15	142D.05
40.30	124D.151	142D.08
40.31	124D.16	142D.06
40.32	124D.165	142D.25
40.33	124D.2211	142D.14
40.34	124D.23	142D.15

40.35 (b) The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article  
 40.36 8, section 9, as amended by article 4, section 25, as Minnesota Statutes, section 142D.07.

41.1 (c) The revisor of statutes shall change "commissioner of education" to "commissioner  
 41.2 of children, youth, and families" and change "Department of Education" to "Department of  
 41.3 Children, Youth, and Families" as necessary in Minnesota Statutes, chapters 119A and 120  
 41.4 to 129C, to reflect the changes in this act and Laws 2023, chapter 70, article 12. The revisor  
 41.5 shall also make any technical, language, and other changes resulting from the change of  
 41.6 term to the statutory language, sentence structure, or both, if necessary to preserve the  
 41.7 meaning of the text.

41.8 Sec. 43. Laws 2024, chapter 80, article 6, section 4, is amended to read:

41.9 Sec. 4. **REVISOR INSTRUCTION.**

41.10 (a) The revisor of statutes must renumber each section of Minnesota Statutes in Column  
 41.11 A with the number in Column B.

41.12	Column A	Column B
41.13	245.771	142F.05
41.14	256D.60	142F.10
41.15	256D.61	142F.11
41.16	256D.62	142F.101
41.17	256D.63	142F.102
41.18	256D.64	142F.13
41.19	256D.65	142F.12
41.20	256E.30	142F.30
41.21	256E.31	142F.301
41.22	256E.32	142F.302
41.23	256E.34	142F.14
41.24	<u>256E.342</u>	<u>142F.15</u>
41.25	256E.35	142F.20

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

41.28 Sec. 44. Laws 2024, chapter 80, article 7, section 4, is amended to read:

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

41.31 Subd. 11. **Domestic violence informational brochure.** (a) The commissioner shall  
 41.32 provide a domestic violence informational brochure that provides information about the

42.1 existence of domestic violence waivers to all MFIP applicants. The brochure must explain  
42.2 that eligible applicants may be temporarily waived from certain program requirements due  
42.3 to domestic violence. The brochure must provide information about services and other  
42.4 programs to help victims of domestic violence.

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

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

42.8 Sec. 45. **CHILD FOSTER RESIDENCE SETTINGS TO STAY AT THE**  
42.9 **DEPARTMENT OF HUMAN SERVICES.**

42.10 The responsibility to license child foster residence settings as defined in Minnesota  
42.11 Statutes, section 245A.02, subdivision 6e, does not transfer to the Department of Children,  
42.12 Youth, and Families under Laws 2023, chapter 70, article 12, section 30, and remains with  
42.13 the Department of Human Services.

42.14 Sec. 46. **DIRECTION TO THE COMMISSIONER OF CHILDREN, YOUTH, AND**  
42.15 **FAMILIES; COORDINATION OF SERVICES FOR CHILDREN WITH**  
42.16 **DISABILITIES AND MENTAL HEALTH.**

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

42.21 Sec. 47. **REPEALER.**

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

42.23 (b) Laws 2024, chapter 80, article 1, sections 38, subdivisions 3, 4, and 11; 39; and 43,  
42.24 subdivision 2; Laws 2024, chapter 80, article 2, sections 1, subdivision 11; 3, subdivision  
42.25 3; 4, subdivision 4; 10, subdivision 4; 33; and 69; and Laws 2024, chapter 80, article 7,  
42.26 sections 3; and 9, are repealed.

42.27 (c) Minnesota Rules, part 9545.0845, is repealed.

42.28 Sec. 48. **EFFECTIVE DATE; TRANSFER OF RESPONSIBILITIES.**

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

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

43.7 (c) By August 1, 2025, the commissioners of human services and children, youth, and  
43.8 families shall notify the chairs and ranking minority members of relevant legislative  
43.9 committees and divisions and the revisor of statutes of any sections of this article or programs  
43.10 to be transferred that are waiting for federal approval to become effective pursuant to Laws  
43.11 2023, chapter 70, article 12, section 30, subdivision 1, paragraph (b).