

3.4 **ARTICLE 1**3.5 **CHILDREN AND FAMILY SERVICES**199.3 **ARTICLE 7**199.4 **CHILDREN AND FAMILY SERVICES**

3.6 Section 1. Minnesota Statutes 2014, section 119B.07, is amended to read:

3.7 **119B.07 USE OF MONEY.**

3.8 Subdivision 1. **Uses of money.** (a) Money for persons listed in sections 119B.03,
 3.9 subdivision 3, and 119B.05, subdivision 1, shall be used to reduce the costs of child care
 3.10 for students, including the costs of child care for students while employed if enrolled in an
 3.11 eligible education program at the same time and making satisfactory progress towards
 3.12 completion of the program. Counties may not limit the duration of child care subsidies for
 3.13 a person in an employment or educational program, except when the person is found to be
 3.14 ineligible under the child care fund eligibility standards. Any limitation must be based
 3.15 on a person's employment plan in the case of an MFIP participant, and county policies
 3.16 included in the child care fund plan. The maximum length of time a student is eligible for
 3.17 child care assistance under the child care fund for education and training is no more than
 3.18 the time necessary to complete the credit requirements for an associate or baccalaureate
 3.19 degree as determined by the educational institution, excluding basic or remedial education
 3.20 programs needed to prepare for postsecondary education or employment.

3.21 Subd. 2. **Eligibility.** (b) To be eligible, the student must be in good standing
 3.22 and be making satisfactory progress toward the degree. Time limitations for child care
 3.23 assistance do not apply to basic or remedial educational programs needed to prepare
 3.24 for postsecondary education or employment. These programs include: high school,
 3.25 general equivalency diploma, and English as a second language. Programs exempt from
 3.26 this time limit must not run concurrently with a postsecondary program. If an MFIP
 3.27 participant who is receiving MFIP child care assistance under this chapter moves to
 3.28 another county, continues to participate in educational or training programs authorized in
 3.29 their employment plans, and continues to be eligible for MFIP child care assistance under
 3.30 this chapter, the MFIP participant must receive continued child care assistance from the
 3.31 county responsible for their current employment plan, under section 256G.07.

3.32 Subd. 3. **Amount of child care assistance authorized.** (a) If the student meets the
 3.33 conditions of subdivisions 1 and 2, child care assistance must be authorized for all hours
 3.34 of actual class time and credit hours, including independent study and internships; up to
 3.35 two hours of travel time per day; and, for postsecondary students, two hours per week
 4.1 per credit hour for study time and academic appointments. For an MFIP or DWP student
 4.2 whose employment plan specifies a different time frame, child care assistance must be
 4.3 authorized according to the time frame specified in the employment plan.

4.4 (b) The amount of child care assistance authorized must take into consideration the
 4.5 amount of time the parent reports on the application or redetermination form that the child
 4.6 attends preschool, a Head Start program, or school while the parent is participating in
 4.7 the parent's authorized activity.

- 4.8 (c) When the conditions in paragraph (d) do not apply, the applicant's or participant's
4.9 activity schedule does not need to be verified. The amount of child care assistance
4.10 authorized may be used during the applicant's or participant's activity or at other times, as
4.11 determined by the family, to meet the developmental needs of the child.
- 4.12 (d) Care must be authorized based on the applicant's or participant's verified activity
4.13 schedule when:
- 4.14 (1) the family requests to regularly receive care from more than one provider per child;
- 4.15 (2) the family requests a legal nonlicensed provider;
- 4.16 (3) the family includes more than one applicant or participant; or
- 4.17 (4) an applicant or participant is employed by a provider that is licensed by the
4.18 Department of Human Services or enrolled as a medical assistance provider in the
4.19 Minnesota health care program's provider directory.
- 4.20 **EFFECTIVE DATE.** This section is effective January 1, 2016.
- 4.21 Sec. 2. Minnesota Statutes 2014, section 119B.10, subdivision 1, is amended to read:
- 4.22 Subdivision 1. **Assistance for persons seeking and retaining employment.** (a)
4.23 Persons who are seeking employment and who are eligible for assistance under this
4.24 section are eligible to receive up to 240 hours of child care assistance per calendar year.
- 4.25 (b) Employed persons who work at least an average of 20 hours and full-time
4.26 students who work at least an average of ten hours a week and receive at least a minimum
4.27 wage for all hours worked are eligible for continued child care assistance for employment.
4.28 For purposes of this section, work-study programs must be counted as employment. Child
4.29 care assistance ~~during employment for employed participants~~ must be authorized as
4.30 provided in paragraphs (c) and ~~(d), (e), (f), and (g)~~.
- 4.31 (c) When the person works for an hourly wage and the hourly wage is equal to or
4.32 greater than the applicable minimum wage, child care assistance shall be provided for the
4.33 actual hours of employment, break, and mealtime during the employment and travel time
4.34 up to two hours per day.
- 5.1 (d) When the person does not work for an hourly wage, child care assistance must be
5.2 provided for the lesser of:
- 5.3 (1) the amount of child care determined by dividing gross earned income by the
5.4 applicable minimum wage, up to one hour every eight hours for meals and break time,
5.5 plus up to two hours per day for travel time; or

- 5.6 (2) the amount of child care equal to the actual amount of child care used during
5.7 employment, including break and mealtime during employment, and travel time up to
5.8 two hours per day.
- 5.9 (e) The amount of child care assistance authorized must take into consideration the
5.10 amount of time the parent reports on the application or redetermination form that the child
5.11 attends preschool, a Head Start program, or school while the parent is participating in
5.12 the parent's authorized activity.
- 5.13 (f) When the conditions in paragraph (g) do not apply, the applicant's or participant's
5.14 activity schedule does not need to be verified. The amount of child care assistance
5.15 authorized may be used during the applicant's or participant's activity or at other times, as
5.16 determined by the family, to meet the developmental needs of the child.
- 5.17 (g) Care must be authorized based on the applicant's or participant's verified activity
5.18 schedule when:
- 5.19 (1) the family requests to regularly receive care from more than one provider per child;
- 5.20 (2) the family requests a legal nonlicensed provider;
- 5.21 (3) the family includes more than one applicant or participant; or
- 5.22 (4) an applicant or participant is employed by a provider that is licensed by the
5.23 Department of Human Services or enrolled as a medical assistance provider in the
5.24 Minnesota health care program's provider directory.
- 5.25 **EFFECTIVE DATE.** This section is effective January 1, 2016.
- 5.26 Sec. 3. Minnesota Statutes 2014, section 119B.11, subdivision 2a, is amended to read:
- 5.27 Subd. 2a. **Recovery of overpayments.** (a) An amount of child care assistance
5.28 paid to a recipient in excess of the payment due is recoverable by the county agency
5.29 under paragraphs (b) and (c), even when the overpayment was caused by ~~agency error or~~
5.30 circumstances outside the responsibility and control of the family or provider.
- 5.31 (b) An overpayment must be recouped or recovered from the family if the
5.32 overpayment benefited the family by causing the family to pay less for child care expenses
5.33 than the family otherwise would have been required to pay under child care assistance
5.34 program requirements. Family overpayments must be established and recovered in
5.35 accordance with clauses (1) to (5).
- 6.1 (1) If the overpayment is estimated to be less than \$500, the overpayment must not be
6.2 established or collected. Any portion of the overpayment that occurred more than one year
6.3 prior to the date of the overpayment determination must not be established or collected.

6.4 (2) If the family remains eligible for child care assistance and an overpayment is
6.5 established, the overpayment must be recovered through recoupment as identified in
6.6 Minnesota Rules, part 3400.0187, except that the overpayments must be calculated and
6.7 collected on a service period basis. ~~If the family no longer remains eligible for child
6.8 care assistance, the county may choose to initiate efforts to recover overpayments from
6.9 the family for overpayment less than \$50.~~

6.10 (3) If the family is no longer eligible for child care assistance and an overpayment
6.11 is greater than or equal to \$50 established, the county shall seek voluntary repayment of
6.12 the overpayment from the family.

6.13 (4) If the county is unable to recoup the overpayment through voluntary repayment,
6.14 the county shall initiate civil court proceedings to recover the overpayment unless the
6.15 county's costs to recover the overpayment will exceed the amount of the overpayment.

6.16 (5) A family with an outstanding debt under this subdivision is not eligible for
6.17 child care assistance until:

6.18 ~~(1)~~ (i) the debt is paid in full; or

6.19 ~~(2)~~ (ii) satisfactory arrangements are made with the county to retire the debt
6.20 consistent with the requirements of this chapter and Minnesota Rules, chapter 3400, and
6.21 the family is in compliance with the arrangements.

6.22 (c) The county must recover an overpayment from a provider if the overpayment did
6.23 not benefit the family by causing it to receive more child care assistance or to pay less
6.24 for child care expenses than the family otherwise would have been eligible to receive
6.25 or required to pay under child care assistance program requirements, and benefited the
6.26 provider by causing the provider to receive more child care assistance than otherwise
6.27 would have been paid on the family's behalf under child care assistance program
6.28 requirements. If the provider continues to care for children receiving child care assistance,
6.29 the overpayment must be recovered through reductions in child care assistance payments
6.30 for services as described in an agreement with the county. The provider may not charge
6.31 families using that provider more to cover the cost of recouping the overpayment. If the
6.32 provider no longer cares for children receiving child care assistance, the county may
6.33 choose to initiate efforts to recover overpayments of less than \$50 from the provider. If the
6.34 overpayment is greater than or equal to \$50, the county shall seek voluntary repayment of
6.35 the overpayment from the provider. If the county is unable to recoup the overpayment
6.36 through voluntary repayment, the county shall initiate civil court proceedings to recover
7.1 the overpayment unless the county's costs to recover the overpayment will exceed the
7.2 amount of the overpayment. A provider with an outstanding debt under this subdivision is
7.3 not eligible to care for children receiving child care assistance until:

7.4 (1) the debt is paid in full; or

7.5 (2) satisfactory arrangements are made with the county to retire the debt consistent
7.6 with the requirements of this chapter and Minnesota Rules, chapter 3400, and the provider
7.7 is in compliance with the arrangements.

7.8 (d) When both the family and the provider acted together to intentionally cause the
7.9 overpayment, both the family and the provider are jointly liable for the overpayment
7.10 regardless of who benefited from the overpayment. The county must recover the
7.11 overpayment as provided in paragraphs (b) and (c). When the family or the provider is in
7.12 compliance with a repayment agreement, the party in compliance is eligible to receive
7.13 child care assistance or to care for children receiving child care assistance despite the
7.14 other party's noncompliance with repayment arrangements.

7.15 (e) A family overpayment designated solely as an agency error must not be
7.16 established or collected. This paragraph does not apply: (1) to recipient families if the
7.17 overpayment was caused in any part by wrongfully obtaining assistance under section
7.18 256.98; or (2) to benefits paid pending appeal under section 119B.16, to the extent that
7.19 the commissioner finds on appeal that the appellant was not eligible for the amount of
7.20 child care assistance paid.

7.21 (f) A provider overpayment designated as an agency error that results from an
7.22 incorrect maximum rate being applied must not be established or collected. All other
7.23 provider overpayments designated as agency error must be established and collected.

7.24 (g) Notwithstanding any provision to the contrary in this subdivision, an
7.25 overpayment must be collected, regardless of amount or time period, if the overpayment
7.26 was caused by wrongfully obtaining assistance under section 256.98, or benefits paid while
7.27 an action is pending appeal under section 119B.16, to the extent the commissioner finds
7.28 on appeal that the appellant was not eligible for the amount of child care assistance paid.

7.29 EFFECTIVE DATE. This section is effective January 1, 2016.

7.30 Sec. 4. Minnesota Statutes 2014, section 119B.125, is amended by adding a subdivision
7.31 to read:

7.32 Subd. 7. **Failure to comply with attendance record requirements.** (a) In
7.33 establishing an overpayment claim for failure to provide attendance records in compliance
7.34 with section 119B.125, subdivision 6, the county or commissioner is limited to the six
7.35 years prior to the date the county or the commissioner requested the attendance records.

8.1 (b) The commissioner may periodically audit child care providers to determine
8.2 compliance with section 119B.125, subdivision 6.

8.3 (c) When the commissioner or county establishes an overpayment claim against a
 8.4 current or former provider, the commissioner or county must provide notice of the claim to
 8.5 the provider. A notice of overpayment claim must specify the reason for the overpayment,
 8.6 the authority for making the overpayment claim, the time period in which the overpayment
 8.7 occurred, the amount of the overpayment, and the provider's right to appeal.

8.8 (d) The commissioner or county shall seek to recoup or recover overpayments paid
 8.9 to a current or former provider.

8.10 (e) When a provider has been disqualified or convicted of fraud under section
 8.11 256.98, theft under section 609.52, or a federal crime relating to theft of state funds
 8.12 or fraudulent billing for a program administered by the commissioner or a county,
 8.13 recoupment or recovery must be sought regardless of the amount of overpayment.

8.14 Sec. 5. Minnesota Statutes 2014, section 245C.03, is amended by adding a subdivision
 8.15 to read:

8.16 **Subd. 10. Providers of group residential housing or supplementary services.**
 8.17 The commissioner shall conduct background studies on any individual required under
 8.18 section 256I.04 to have a background study completed under this chapter.

8.19 **EFFECTIVE DATE.** This section is effective July 1, 2016.

8.20 Sec. 6. Minnesota Statutes 2014, section 245C.10, is amended by adding a subdivision
 8.21 to read:

8.22 **Subd. 11. Providers of group residential housing or supplementary services.**
 8.23 The commissioner shall recover the cost of background studies initiated by providers of
 8.24 group residential housing or supplementary services under section 256I.04 through a fee
 8.25 of no more than \$20 per study. The fees collected under this subdivision are appropriated
 8.26 to the commissioner for the purpose of conducting background studies.

8.27 **EFFECTIVE DATE.** This section is effective July 1, 2016.

199.5 Section 1. Minnesota Statutes 2014, section 245C.03, is amended by adding a
 199.6 subdivision to read:

199.7 **Subd. 10. Providers of group residential housing or supplementary services.**
 199.8 The commissioner shall conduct background studies on any individual required under
 199.9 section 256I.04 to have a background study completed under this chapter.

199.10 **EFFECTIVE DATE.** This section is effective July 1, 2016.

199.11 Sec. 2. Minnesota Statutes 2014, section 245C.03, is amended by adding a subdivision
 199.12 to read:

199.13 **Subd. 11. Child protection workers or social services staff having responsibility**
 199.14 **for child protective duties.** The commissioner shall conduct background studies of any
 199.15 individual employed by a county social services agency or by a local welfare agency who
 199.16 performs child protection duties.

199.17 Sec. 3. Minnesota Statutes 2014, section 245C.10, is amended by adding a subdivision
 199.18 to read:

199.19 **Subd. 11. Providers of group residential housing or supplementary services.**
 199.20 The commissioner shall recover the cost of background studies initiated by providers of
 199.21 group residential housing or supplementary services under section 256I.04 through a fee
 199.22 of no more than \$20 per study. The fees collected under this subdivision are appropriated
 199.23 to the commissioner for the purpose of conducting background studies.

199.24 **EFFECTIVE DATE.** This section is effective July 1, 2016.

199.25 Sec. 4. Minnesota Statutes 2014, section 245C.10, is amended by adding a subdivision
 199.26 to read:

8.28 Sec. 7. Minnesota Statutes 2014, section 256.01, is amended by adding a subdivision 8.29 to read:

8.30 Subd. 12a. **Department of Human Services child fatality and near fatality review team.** The commissioner shall establish a Department of Human Services child fatality and near fatality review team to review child fatalities and near fatalities due to child maltreatment and child fatalities and near fatalities that occur in licensed facilities and are not due to natural causes. The review team shall assess the entire child protection services process from the point of a mandated reporter reporting the alleged maltreatment through the ongoing case management process. Department staff shall lead and conduct on-site local reviews and utilize supervisors from local county and tribal child welfare agencies as peer reviewers. The review process must focus on critical elements of the case and on the involvement of the child and family with the county or tribal child welfare agency. The review team shall identify necessary program improvement planning to address any practice issues identified and training and technical assistance needs of the local agency. Summary reports of each review shall be provided to the state child mortality review panel when completed.

9.12 Sec. 8. Minnesota Statutes 2014, section 256.01, is amended by adding a subdivision 9.13 to read:

9.14 Subd. 14c. **Early intervention support and services for at-risk American Indian families.** (a) The commissioner shall authorize grants to tribal child welfare agencies and urban Indian organizations for the purpose of providing early intervention support and services to prevent child maltreatment for at-risk American Indian families.

9.18 (b) The commissioner is authorized to develop program eligibility criteria, early intervention service delivery procedures, and reporting requirements for agencies and organizations receiving grants.

9.21 Sec. 9. Minnesota Statutes 2014, section 256.017, subdivision 1, is amended to read:

199.27 Subd. 12. **Child protection workers or social services staff having responsibility for child protective duties.** The commissioner shall recover the cost of background studies performed on county employees who perform child protective duties through a fee of no more than \$20 per study. The fees collected under this subdivision are appropriated to the commissioner for the purpose of conducting background studies.

200.1 Sec. 5. Minnesota Statutes 2014, section 256.01, is amended by adding a subdivision 200.2 to read:

200.3 Subd. 12a. **Department of Human Services child fatality and near fatality review team.** The commissioner shall establish a Department of Human Services child fatality and near fatality review team to review child fatalities and near fatalities due to child maltreatment and child fatalities and near fatalities that occur in licensed facilities and are not due to natural causes. The review team shall assess the entire child protection services process from the point of a mandated reporter reporting the alleged maltreatment through the ongoing case management process. Department staff shall lead and conduct on-site local reviews and utilize supervisors from local county and tribal child welfare agencies as peer reviewers. The review process must focus on critical elements of the case and on the involvement of the child and family with the county or tribal child welfare agency. The review team shall identify necessary program improvement planning to address any practice issues identified and training and technical assistance needs of the local agency. Summary reports of each review shall be provided to the state child mortality review panel when completed.

200.17 Sec. 6. Minnesota Statutes 2014, section 256.01, is amended by adding a subdivision 200.18 to read:

200.19 Subd. 14c. **Early intervention support and services for at-risk American Indian families.** (a) The commissioner shall authorize grants to tribal child welfare agencies and urban Indian organizations for the purpose of providing early intervention support and services to prevent child maltreatment for at-risk American Indian families.

200.23 (b) The commissioner is authorized to develop program eligibility criteria, early intervention service delivery procedures, and reporting requirements for agencies and organizations receiving grants.

200.26 Sec. 7. Minnesota Statutes 2014, section 256.017, subdivision 1, is amended to read:

9.22 Subdivision 1. **Authority and purpose.** The commissioner shall administer a
 9.23 compliance system for the Minnesota family investment program, the food stamp or food
 9.24 support program, emergency assistance, general assistance, medical assistance, emergency
 9.25 general assistance, Minnesota supplemental assistance, group residential housing,
 9.26 preadmission screening, alternative care grants, the child care assistance program, and
 9.27 all other programs administered by the commissioner or on behalf of the commissioner
 9.28 under the powers and authorities named in section 256.01, subdivision 2. The purpose of
 9.29 the compliance system is to permit the commissioner to supervise the administration of
 9.30 public assistance programs and to enforce timely and accurate distribution of benefits,
 9.31 completeness of service and efficient and effective program management and operations,
 9.32 to increase uniformity and consistency in the administration and delivery of public
 9.33 assistance programs throughout the state, and to reduce the possibility of sanctions and
 9.34 fiscal disallowances for noncompliance with federal regulations and state statutes. The
 10.1 commissioner, or the commissioner's representative, may issue administrative subpoenas
 10.2 as needed in administering the compliance system.

10.3 The commissioner shall utilize training, technical assistance, and monitoring
 10.4 activities, as specified in section 256.01, subdivision 2, to encourage county agency
 10.5 compliance with written policies and procedures.

10.6 Sec. 10. Minnesota Statutes 2014, section 256.741, subdivision 1, is amended to read:

10.7 Subdivision 1. **Definitions.** (a) The term "direct support" as used in this chapter and
 10.8 chapters 257, 518, 518A, and 518C refers to an assigned support payment from an obligor
 10.9 which is paid directly to a recipient of public assistance.

10.10 (b) The term "public assistance" as used in this chapter and chapters 257, 518, 518A,
 10.11 and 518C, includes any form of assistance provided under the AFDC program formerly
 10.12 codified in sections 256.72 to 256.87, MFIP and MFIP-R formerly codified under chapter
 10.13 256, MFIP under chapter 256J, work first program formerly codified under chapter 256K;
 10.14 child care assistance provided through the child care fund under chapter 119B; any form
 10.15 of medical assistance under chapter 256B; ~~MinnesotaCare under chapter 256L~~; and foster
 10.16 care as provided under title IV-E of the Social Security Act. MinnesotaCare and health
 10.17 plans subsidized by federal premium tax credits or federal cost-sharing reductions are not
 10.18 considered public assistance for purposes of a child support referral.

10.19 (c) The term "child support agency" as used in this section refers to the public
 10.20 authority responsible for child support enforcement.

10.21 (d) The term "public assistance agency" as used in this section refers to a public
 10.22 authority providing public assistance to an individual.

10.23 (e) The terms "child support" and "arrear" as used in this section have the meanings
 10.24 provided in section 518A.26.

10.25 (f) The term "maintenance" as used in this section has the meaning provided in
 10.26 section 518.003.

200.27 Subdivision 1. **Authority and purpose.** The commissioner shall administer a
 200.28 compliance system for the Minnesota family investment program, the food stamp or food
 200.29 support program, emergency assistance, general assistance, medical assistance, emergency
 200.30 general assistance, Minnesota supplemental assistance, group residential housing,
 200.31 preadmission screening, alternative care grants, the child care assistance program, and
 200.32 all other programs administered by the commissioner or on behalf of the commissioner
 200.33 under the powers and authorities named in section 256.01, subdivision 2. The purpose of
 200.34 the compliance system is to permit the commissioner to supervise the administration of
 201.1 public assistance programs and to enforce timely and accurate distribution of benefits,
 201.2 completeness of service and efficient and effective program management and operations,
 201.3 to increase uniformity and consistency in the administration and delivery of public
 201.4 assistance programs throughout the state, and to reduce the possibility of sanctions and
 201.5 fiscal disallowances for noncompliance with federal regulations and state statutes. The
 201.6 commissioner, or the commissioner's representative, may issue administrative subpoenas
 201.7 as needed in administering the compliance system.

201.8 The commissioner shall utilize training, technical assistance, and monitoring
 201.9 activities, as specified in section 256.01, subdivision 2, to encourage county agency
 201.10 compliance with written policies and procedures.

201.11 Sec. 8. Minnesota Statutes 2014, section 256.741, subdivision 1, is amended to read:

201.12 Subdivision 1. **Definitions.** (a) The term "direct support" as used in this chapter and
 201.13 chapters 257, 518, 518A, and 518C refers to an assigned support payment from an obligor
 201.14 which is paid directly to a recipient of public assistance.

201.15 (b) The term "public assistance" as used in this chapter and chapters 257, 518, 518A,
 201.16 and 518C, includes any form of assistance provided under the AFDC program formerly
 201.17 codified in sections 256.72 to 256.87, MFIP and MFIP-R formerly codified under chapter
 201.18 256, MFIP under chapter 256J, work first program formerly codified under chapter 256K;
 201.19 child care assistance provided through the child care fund under chapter 119B; any form
 201.20 of medical assistance under chapter 256B; ~~MinnesotaCare under chapter 256L~~; and
 201.21 foster care as provided under title IV-E of the Social Security Act. MinnesotaCare and
 201.22 plans supplemented by tax credits are not considered public assistance for purposes of
 201.23 a child support referral.

201.24 (c) The term "child support agency" as used in this section refers to the public
 201.25 authority responsible for child support enforcement.

201.26 (d) The term "public assistance agency" as used in this section refers to a public
 201.27 authority providing public assistance to an individual.

201.28 (e) The terms "child support" and "arrear" as used in this section have the meanings
 201.29 provided in section 518A.26.

201.30 (f) The term "maintenance" as used in this section has the meaning provided in
 201.31 section 518.003.

10.27 Sec. 11. Minnesota Statutes 2014, section 256.741, subdivision 2, is amended to read:

10.28 Subd. 2. **Assignment of support and maintenance rights.** (a) An individual
 10.29 receiving public assistance in the form of assistance under any of the following programs:
 10.30 the AFDC program formerly codified in sections 256.72 to 256.87, MFIP under chapter
 10.31 256J, MFIP-R and MFIP formerly codified under chapter 256, or work first program
 10.32 formerly codified under chapter 256K is considered to have assigned to the state at the
 10.33 time of application all rights to child support and maintenance from any other person the
 10.34 applicant or recipient may have in the individual's own behalf or in the behalf of any other
 11.1 family member for whom application for public assistance is made. An assistance unit is
 11.2 ineligible for the Minnesota family investment program unless the caregiver assigns all
 11.3 rights to child support and maintenance benefits according to this section.

11.4 (1) The assignment is effective as to any current child support and current
 11.5 maintenance.

11.6 (2) Any child support or maintenance arrears that accrue while an individual is
 11.7 receiving public assistance in the form of assistance under any of the programs listed in
 11.8 this paragraph are permanently assigned to the state.

11.9 (3) The assignment of current child support and current maintenance ends on the
 11.10 date the individual ceases to receive or is no longer eligible to receive public assistance
 11.11 under any of the programs listed in this paragraph.

11.12 (b) An individual receiving public assistance in the form of medical assistance;
 11.13 ~~including MinnesotaCare~~, is considered to have assigned to the state at the time of
 11.14 application all rights to medical support from any other person the individual may have
 11.15 in the individual's own behalf or in the behalf of any other family member for whom
 11.16 medical assistance is provided.

11.17 (1) An assignment made after September 30, 1997, is effective as to any medical
 11.18 support accruing after the date of medical assistance ~~or MinnesotaCare~~ eligibility.

11.19 (2) Any medical support arrears that accrue while an individual is receiving public
 11.20 assistance in the form of medical assistance, ~~including MinnesotaCare~~, are permanently
 11.21 assigned to the state.

11.22 (3) The assignment of current medical support ends on the date the individual ceases
 11.23 to receive or is no longer eligible to receive public assistance in the form of medical
 11.24 assistance ~~or MinnesotaCare~~.

11.25 (c) An individual receiving public assistance in the form of child care assistance
 11.26 under the child care fund pursuant to chapter 119B is considered to have assigned to the
 11.27 state at the time of application all rights to child care support from any other person the
 11.28 individual may have in the individual's own behalf or in the behalf of any other family
 11.29 member for whom child care assistance is provided.

11.30 (1) The assignment is effective as to any current child care support.

201.32 Sec. 9. Minnesota Statutes 2014, section 256.741, subdivision 2, is amended to read:

201.33 Subd. 2. **Assignment of support and maintenance rights.** (a) An individual
 201.34 receiving public assistance in the form of assistance under any of the following programs:
 202.1 the AFDC program formerly codified in sections 256.72 to 256.87, MFIP under chapter
 202.2 256J, MFIP-R and MFIP formerly codified under chapter 256, or work first program
 202.3 formerly codified under chapter 256K is considered to have assigned to the state at the
 202.4 time of application all rights to child support and maintenance from any other person the
 202.5 applicant or recipient may have in the individual's own behalf or in the behalf of any other
 202.6 family member for whom application for public assistance is made. An assistance unit is
 202.7 ineligible for the Minnesota family investment program unless the caregiver assigns all
 202.8 rights to child support and maintenance benefits according to this section.

202.9 (1) The assignment is effective as to any current child support and current
 202.10 maintenance.

202.11 (2) Any child support or maintenance arrears that accrue while an individual is
 202.12 receiving public assistance in the form of assistance under any of the programs listed in
 202.13 this paragraph are permanently assigned to the state.

202.14 (3) The assignment of current child support and current maintenance ends on the
 202.15 date the individual ceases to receive or is no longer eligible to receive public assistance
 202.16 under any of the programs listed in this paragraph.

202.17 (b) An individual receiving public assistance in the form of medical assistance;
 202.18 ~~including MinnesotaCare~~, is considered to have assigned to the state at the time of
 202.19 application all rights to medical support from any other person the individual may have
 202.20 in the individual's own behalf or in the behalf of any other family member for whom
 202.21 medical assistance is provided.

202.22 (1) An assignment made after September 30, 1997, is effective as to any medical
 202.23 support accruing after the date of medical assistance ~~or MinnesotaCare~~ eligibility.

202.24 (2) Any medical support arrears that accrue while an individual is receiving public
 202.25 assistance in the form of medical assistance, ~~including MinnesotaCare~~, are permanently
 202.26 assigned to the state.

202.27 (3) The assignment of current medical support ends on the date the individual ceases
 202.28 to receive or is no longer eligible to receive public assistance in the form of medical
 202.29 assistance ~~or MinnesotaCare~~.

202.30 (c) An individual receiving public assistance in the form of child care assistance
 202.31 under the child care fund pursuant to chapter 119B is considered to have assigned to the
 202.32 state at the time of application all rights to child care support from any other person the
 202.33 individual may have in the individual's own behalf or in the behalf of any other family
 202.34 member for whom child care assistance is provided.

202.35 (1) The assignment is effective as to any current child care support.

11.31 (2) Any child care support arrears that accrue while an individual is receiving public
 11.32 assistance in the form of child care assistance under the child care fund in chapter 119B
 11.33 are permanently assigned to the state.

11.34 (3) The assignment of current child care support ends on the date the individual
 11.35 ceases to receive or is no longer eligible to receive public assistance in the form of child
 11.36 care assistance under the child care fund under chapter 119B.

203.1 (2) Any child care support arrears that accrue while an individual is receiving public
 203.2 assistance in the form of child care assistance under the child care fund in chapter 119B
 203.3 are permanently assigned to the state.

203.4 (3) The assignment of current child care support ends on the date the individual
 203.5 ceases to receive or is no longer eligible to receive public assistance in the form of child
 203.6 care assistance under the child care fund under chapter 119B.

203.7 Sec. 10. **[256E.28] CHILD PROTECTION GRANTS TO ADDRESS CHILD**
 203.8 **WELFARE DISPARITIES.**

203.9 Subdivision 1. **Child welfare disparities grant program established.** The
 203.10 commissioner may award grants to eligible entities for the development, implementation,
 203.11 and evaluation of activities to address racial disparities and disproportionality in the child
 203.12 welfare system by:

203.13 (1) identifying and addressing structural factors that contribute to inequities in
 203.14 outcomes;

203.15 (2) identifying and implementing strategies to reduce racial disparities in treatment
 203.16 and outcomes;

203.17 (3) using cultural values, beliefs, and practices of families, communities, and tribes
 203.18 for case planning, service design, and decision-making processes;

203.19 (4) using placement and reunification strategies to maintain and support relationships
 203.20 and connections between parents, siblings, children, kin, significant others, and tribes; and

203.21 (5) supporting families in the context of their communities and tribes to safely divert
 203.22 them from the child welfare system, whenever possible.

203.23 Subd. 2. **State-community partnerships; plan.** The commissioner, in partnership
 203.24 with the culturally based community organizations; the Indian Affairs Council under
 203.25 section 3.922; the Council on Affairs of Chicano/Latino People under section 3.9223;
 203.26 the Council on Black Minnesotans under section 3.9225; the Council on Asian-Pacific
 203.27 Minnesotans under section 3.9226; the American Indian Child Welfare Advisory Council
 203.28 under section 260.835; counties; and tribal governments, shall develop and implement a
 203.29 comprehensive, coordinated plan to award funds under this section for the priority areas
 203.30 identified in subdivision 1. In developing and implementing this plan, the commissioner
 203.31 shall consult with the legislative task force on child protection.

203.32 Subd. 3. **Measurable outcomes.** The commissioner, in consultation with the
 203.33 community partners listed in subdivision 2 and the legislative task force on child protection,
 203.34 shall establish measurable outcomes to achieve the goals specified in subdivision 1 and to
 203.35 determine the effectiveness of the grants and other activities funded under this section in
 204.1 reducing disparities identified in subdivision 1. The development of measurable outcomes
 204.2 must be completed before any funds are distributed under this section.

204.3 Subd. 4. **Process.** (a) The commissioner, in consultation with the community
204.4 partners listed in subdivision 2 and the legislative task force on child protection, shall
204.5 develop the criteria and procedures to allocate competitive grants under this section. In
204.6 developing the criteria, the commissioner shall establish an administrative cost limit for
204.7 grant recipients. A county awarded a grant shall not spend more than three percent of the
204.8 grant on administrative costs. When a grant is awarded, the commissioner must provide a
204.9 grant recipient with information on the outcomes established according to subdivision 3.

204.10 (b) A grant recipient must coordinate its activities with other entities receiving funds
204.11 under this section that are in the grant recipient's service area.

204.12 (c) Grant funds must not be used to supplant any state or federal funds received
204.13 for child welfare services.

204.14 Subd. 5. **Grant program criteria.** (a) The commissioner, in consultation with
204.15 the legislative task force on child protection, shall award competitive grants to eligible
204.16 applicants for local or regional projects and initiatives directed at reducing disparities in
204.17 the child welfare system.

204.18 (b) The commissioner may award up to 20 percent of the funds available as planning
204.19 grants. Planning grants must be used to address such areas as community assessment,
204.20 coordination activities, and development of community supported strategies.

204.21 (c) Eligible applicants may include, but are not limited to, faith-based organizations,
204.22 social service organizations, community nonprofit organizations, counties, and tribal
204.23 governments. Applicants must submit proposals to the commissioner. A proposal must
204.24 specify the strategies to be implemented to address one or more of the priority areas in
204.25 subdivision 1 and must be targeted to achieve the outcomes established according to
204.26 subdivision 3.

204.27 (d) The commissioner shall give priority to applicants who demonstrate that their
204.28 proposed project or initiative:

204.29 (1) is supported by the community the applicant will serve;

204.30 (2) is evidence-based;

204.31 (3) is designed to complement other related community activities;

204.32 (4) utilizes strategies that positively impact priority areas;

204.33 (5) reflects culturally appropriate approaches; or

204.34 (6) will be implemented through or with community-based organizations that reflect
204.35 the culture of the population to be reached.

205.1 Subd. 6. **Evaluation.** (a) Using the outcomes established according to subdivision
 205.2 3, the commissioner shall conduct a biennial evaluation of the grant program funded under
 205.3 this section. Grant recipients shall cooperate with the commissioner in the evaluation and
 205.4 shall provide the commissioner with the information needed to conduct the evaluation.

205.5 (b) The commissioner shall consult with the legislative task force on child protection
 205.6 during the evaluation process and shall submit a biennial evaluation report to the task
 205.7 force and to the chairs and ranking minority members of the house of representatives and
 205.8 senate committees with jurisdiction over child protection funding.

205.9 Subd. 7. **American Indian child welfare projects.** Of the amount appropriated for
 205.10 purposes of this section, the commissioner shall award \$75,000 to each tribe authorized to
 205.11 provide tribal delivery of child welfare services under section 256.01, subdivision 14b. To
 205.12 receive funds under this subdivision, a participating tribe is not required to apply to the
 205.13 commissioner for grant funds. Participating tribes are also eligible for competitive grant
 205.14 funds under this section.

12.1 Sec. 12. **[256E.345] HEALTHY EATING, HERE AT HOME.**

12.2 Subdivision 1. **Establishment.** The healthy eating, here at home program is
 12.3 established to provide incentives for low-income Minnesotans to use Supplemental
 12.4 Nutrition Assistance Program (SNAP) benefits for healthy purchases at Minnesota-based
 12.5 farmers' markets.

12.6 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

12.7 (b) "Healthy eating, here at home" means a program administered by the
 12.8 commissioner to provide incentives for low-income Minnesotans to use SNAP benefits for
 12.9 healthy purchases at Minnesota-based farmers' markets.

12.10 (c) "Healthy purchases" means SNAP-eligible foods.

12.11 (d) "Minnesota-based farmers' market" means a physical market as defined in section
 12.12 28A.151, subdivision 1, paragraph (b), and also includes mobile markets.

12.13 (e) "Voucher" means a physical or electronic credit.

12.14 (f) "Eligible household" means an individual or family that is determined to be a
 12.15 recipient of SNAP.

12.16 Subd. 3. **Grants.** The commissioner shall award grant funds to nonprofit
 12.17 organizations that work with Minnesota-based farmers' markets to provide up to \$10
 12.18 vouchers to SNAP participants who use electronic benefits transfer (EBT) cards for
 12.19 healthy purchases. Funds may also be provided for vouchers distributed through nonprofit
 12.20 organizations engaged in healthy cooking and food education outreach to eligible
 12.21 households for use at farmers' markets. Funds appropriated under this section may not
 12.22 be used for healthy cooking classes or food education outreach. When awarding grants,
 12.23 the commissioner must consider how the nonprofit organizations will achieve geographic
 12.24 balance, including specific efforts to reach eligible households across the state, and the
 12.25 organizations' capacity to manage the programming and outreach.

12.26 Subd. 4. **Household eligibility; participation.** To be eligible for a healthy eating,
 12.27 here at home voucher, an eligible household must meet the SNAP eligibility requirements
 12.28 in state or federal law.

12.29 Subd. 5. **Permissible uses; information provided.** An eligible household may use
 12.30 the voucher toward healthy purchases at Minnesota-based farmers' markets. Every eligible
 12.31 household that receives a voucher must be informed of the allowable uses of the voucher.

12.32 Subd. 6. **Program reporting.** The nonprofit organizations that receive grant funds
 12.33 must report annually to the commissioner with information regarding the operation of the
 12.34 program, including the number of vouchers issued and the number of people served. To
 12.35 the extent practicable, the nonprofit organizations must report on the usage of the vouchers
 12.36 and evaluate the program's effectiveness.

13.1 Subd. 7. **Grocery inclusion.** The commissioner must submit a waiver request to
 13.2 the federal United States Department of Agriculture seeking approval for the inclusion of
 13.3 Minnesota grocery stores in this program so that SNAP participants may use the vouchers
 13.4 for healthy produce at grocery stores. Grocery store participation is voluntary and a
 13.5 grocery store's associated administrative costs will not be reimbursed.

13.6 Sec. 13. Minnesota Statutes 2014, section 256E.35, subdivision 2, is amended to read:

13.7 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

13.8 (b) "Eligible educational institution" means the following:

13.9 (1) an institution of higher education described in section 101 or 102 of the Higher
 13.10 Education Act of 1965; or

13.11 (2) an area vocational education school, as defined in subparagraph (C) or (D) of
 13.12 United States Code, title 20, chapter 44, section 2302 (3) (the Carl D. Perkins Vocational
 13.13 and Applied Technology Education Act), which is located within any state, as defined in
 13.14 United States Code, title 20, chapter 44, section 2302 (30). This clause is applicable only
 13.15 to the extent section 2302 is in effect on August 1, 2008.

205.15 Sec. 11. Minnesota Statutes 2014, section 256E.35, subdivision 2, is amended to read:

205.16 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

205.17 (b) "Eligible educational institution" means the following:

205.18 (1) an institution of higher education described in section 101 or 102 of the Higher

205.19 Education Act of 1965; or

205.20 (2) an area vocational education school, as defined in subparagraph (C) or (D) of

205.21 United States Code, title 20, chapter 44, section 2302 (3) (the Carl D. Perkins Vocational

205.22 and Applied Technology Education Act), which is located within any state, as defined in

205.23 United States Code, title 20, chapter 44, section 2302 (30). This clause is applicable only

205.24 to the extent section 2302 is in effect on August 1, 2008.

13.16 ~~(b)~~ (c) "Family asset account" means a savings account opened by a household
 13.17 participating in the Minnesota family assets for independence initiative.

13.18 ~~(e)~~ (d) "Fiduciary organization" means:

13.19 (1) a community action agency that has obtained recognition under section 256E.31;

13.20 (2) a federal community development credit union serving the seven-county
 13.21 metropolitan area; or

13.22 (3) a women-oriented economic development agency serving the seven-county
 13.23 metropolitan area.

13.24 (e) "Financial coach" means a person who:

13.25 (1) has completed an intensive financial literacy training workshop that includes
 13.26 curriculum on budgeting to increase savings, debt reduction and asset building, building a
 13.27 good credit rating, and consumer protection;

13.28 (2) participates in ongoing statewide family assets for independence in Minnesota
 13.29 (FAIM) network training meetings under FAIM program supervision; and

13.30 (3) provides financial coaching to program participants under subdivision 4a.

13.31 ~~(d)~~ (f) "Financial institution" means a bank, bank and trust, savings bank, savings
 13.32 association, or credit union, the deposits of which are insured by the Federal Deposit
 13.33 Insurance Corporation or the National Credit Union Administration.

13.34 (g) "Household" means all individuals who share use of a dwelling unit as primary
 13.35 quarters for living and eating separate from other individuals.

14.1 ~~(e)~~ (h) "Permissible use" means:

14.2 (1) postsecondary educational expenses at an eligible educational institution as
 14.3 defined in paragraph ~~(g)~~ (b), including books, supplies, and equipment required for
 14.4 courses of instruction;

14.5 (2) acquisition costs of acquiring, constructing, or reconstructing a residence,
 14.6 including any usual or reasonable settlement, financing, or other closing costs;

14.7 (3) business capitalization expenses for expenditures on capital, plant, equipment,
 14.8 working capital, and inventory expenses of a legitimate business pursuant to a business
 14.9 plan approved by the fiduciary organization; and

14.10 (4) acquisition costs of a principal residence within the meaning of section 1034 of
 14.11 the Internal Revenue Code of 1986 which do not exceed 100 percent of the average area
 14.12 purchase price applicable to the residence determined according to section 143(e)(2) and
 14.13 (3) of the Internal Revenue Code of 1986.

205.25 ~~(b)~~ (c) "Family asset account" means a savings account opened by a household
 205.26 participating in the Minnesota family assets for independence initiative.

205.27 ~~(e)~~ (d) "Fiduciary organization" means:

205.28 (1) a community action agency that has obtained recognition under section 256E.31;

205.29 (2) a federal community development credit union serving the seven-county
 205.30 metropolitan area; or

205.31 (3) a women-oriented economic development agency serving the seven-county
 205.32 metropolitan area.

205.33 (e) "Financial coach" means a person who:

206.1 (1) has completed an intensive financial literacy training workshop that includes
 206.2 curriculum on budgeting to increase savings, debt reduction and asset building, building a
 206.3 good credit rating, and consumer protection;

206.4 (2) participates in ongoing statewide family assets for independence in Minnesota
 206.5 (FAIM) network training meetings under FAIM program supervision; and

206.6 (3) provides financial coaching to program participants under subdivision 4a.

206.7 ~~(d)~~ (f) "Financial institution" means a bank, bank and trust, savings bank, savings
 206.8 association, or credit union, the deposits of which are insured by the Federal Deposit
 206.9 Insurance Corporation or the National Credit Union Administration.

206.10 (g) "Household" means all individuals who share use of a dwelling unit as primary
 206.11 quarters for living and eating separate from other individuals.

206.12 ~~(e)~~ (h) "Permissible use" means:

206.13 (1) postsecondary educational expenses at an eligible educational institution as
 206.14 defined in paragraph ~~(g)~~ (b), including books, supplies, and equipment required for
 206.15 courses of instruction;

206.16 (2) acquisition costs of acquiring, constructing, or reconstructing a residence,
 206.17 including any usual or reasonable settlement, financing, or other closing costs;

206.18 (3) business capitalization expenses for expenditures on capital, plant, equipment,
 206.19 working capital, and inventory expenses of a legitimate business pursuant to a business
 206.20 plan approved by the fiduciary organization; and

206.21 (4) acquisition costs of a principal residence within the meaning of section 1034 of
 206.22 the Internal Revenue Code of 1986 which do not exceed 100 percent of the average area
 206.23 purchase price applicable to the residence determined according to section 143(e)(2) and
 206.24 (3) of the Internal Revenue Code of 1986.

14.14 (f) "Household" means all individuals who share use of a dwelling unit as primary
 14.15 quarters for living and eating separate from other individuals.

14.16 (g) "Eligible educational institution" means the following:

14.17 (1) an institution of higher education described in section 101 or 102 of the Higher
 14.18 Education Act of 1965; or

14.19 (2) an area vocational education school, as defined in subparagraph (C) or (D) of
 14.20 United States Code, title 20, chapter 44, section 2302 (3) (the Carl D. Perkins Vocational
 14.21 and Applied Technology Education Act), which is located within any state, as defined in
 14.22 United States Code, title 20, chapter 44, section 2302 (30). This clause is applicable only
 14.23 to the extent section 2302 is in effect on August 1, 2008.

14.24 Sec. 14. Minnesota Statutes 2014, section 256E.35, is amended by adding a subdivision
 14.25 to read:

14.26 Subd. 4a. **Financial coaching.** A financial coach shall provide the following
 14.27 to program participants:

14.28 (1) financial education relating to budgeting, debt reduction, asset-specific training,
 14.29 and financial stability activities;

14.30 (2) asset-specific training related to buying a home, acquiring postsecondary
 14.31 education, or starting or expanding a small business; and

14.32 (3) financial stability education and training to improve and sustain financial security.

14.33 Sec. 15. Minnesota Statutes 2014, section 256I.03, subdivision 3, is amended to read:

15.1 Subd. 3. **Group residential housing.** "Group residential housing" means a group
 15.2 living situation that provides at a minimum room and board to unrelated persons who
 15.3 meet the eligibility requirements of section 256I.04. ~~This definition includes foster care~~
 15.4 ~~settings or community residential settings for a single adult.~~ To receive payment for a
 15.5 group residence rate, the residence must meet the requirements under section 256I.04,
 15.6 ~~subdivision subdivisions 2a to 2f.~~

15.7 Sec. 16. Minnesota Statutes 2014, section 256I.03, subdivision 7, is amended to read:

15.8 Subd. 7. **Countable income.** "Countable income" means all income received by
 15.9 an applicant or recipient less any applicable exclusions or disregards. For a recipient of
 15.10 any cash benefit from the SSI program, countable income means the SSI benefit limit in
 15.11 effect at the time the person is ~~in a GRH~~ a recipient of group residential housing, less the
 15.12 medical assistance personal needs allowance under section 256B.35. If the SSI limit
 15.13 ~~has been~~ or benefit is reduced for a person due to events ~~occurring prior to the persons~~
 15.14 ~~entering the GRH setting other than receipt of additional income~~, countable income means
 15.15 actual income less any applicable exclusions and disregards.

206.25 (f) "Household" means all individuals who share use of a dwelling unit as primary
 206.26 quarters for living and eating separate from other individuals.

206.27 (g) "Eligible educational institution" means the following:

206.28 (1) an institution of higher education described in section 101 or 102 of the Higher
 206.29 Education Act of 1965; or

206.30 (2) an area vocational education school, as defined in subparagraph (C) or (D) of
 206.31 United States Code, title 20, chapter 44, section 2302 (3) (the Carl D. Perkins Vocational
 206.32 and Applied Technology Education Act), which is located within any state, as defined in
 206.33 United States Code, title 20, chapter 44, section 2302 (30). This clause is applicable only
 206.34 to the extent section 2302 is in effect on August 1, 2008.

207.1 Sec. 12. Minnesota Statutes 2014, section 256E.35, is amended by adding a subdivision
 207.2 to read:

207.3 Subd. 4a. **Financial coaching.** Within available appropriations, a financial coach
 207.4 shall provide the following to program participants:

207.5 (1) financial education relating to budgeting, debt reduction, asset-specific training,
 207.6 and financial stability activities;

207.7 (2) asset-specific training related to buying a home, acquiring postsecondary
 207.8 education, or starting or expanding a small business; and

207.9 (3) financial stability education and training to improve and sustain financial security.

207.10 Sec. 13. Minnesota Statutes 2014, section 256I.03, subdivision 3, is amended to read:

207.11 Subd. 3. **Group residential housing.** "Group residential housing" means a group
 207.12 living situation that provides at a minimum room and board to unrelated persons who
 207.13 meet the eligibility requirements of section 256I.04. ~~This definition includes foster care~~
 207.14 ~~settings or community residential settings for a single adult.~~ To receive payment for a
 207.15 group residence rate, the residence must meet the requirements under section 256I.04,
 207.16 ~~subdivision subdivisions 2a to 2f.~~

207.17 Sec. 14. Minnesota Statutes 2014, section 256I.03, subdivision 7, is amended to read:

207.18 Subd. 7. **Countable income.** "Countable income" means all income received by
 207.19 an applicant or recipient less any applicable exclusions or disregards. For a recipient of
 207.20 any cash benefit from the SSI program, countable income means the SSI benefit limit in
 207.21 effect at the time the person is ~~in a GRH~~ a recipient of group residential housing, less the
 207.22 medical assistance personal needs allowance under section 256B.35. If the SSI limit
 207.23 ~~has been~~ or benefit is reduced for a person due to events ~~occurring prior to the persons~~
 207.24 ~~entering the GRH setting other than receipt of additional income~~, countable income means
 207.25 actual income less any applicable exclusions and disregards.

15.16 Sec. 17. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 15.17 to read:

15.18 Subd. 9. **Direct contact.** "Direct contact" means providing face-to-face care,
 15.19 support, training, supervision, counseling, consultation, or medication assistance to
 15.20 recipients of group residential housing.

15.21 Sec. 18. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 15.22 to read:

15.23 Subd. 10. **Habitability inspection.** "Habitability inspection" means an inspection to
 15.24 determine whether the housing occupied by an individual meets the habitability standards
 15.25 specified by the commissioner. The standards must be provided to the applicant in writing
 15.26 and posted on the Department of Human Services Web site.

15.27 Sec. 19. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 15.28 to read:

15.29 Subd. 11. **Long-term homelessness.** "Long-term homelessness" means lacking a
 15.30 permanent place to live:

15.31 (1) continuously for one year or more; or

15.32 (2) at least four times in the past three years.

16.1 Sec. 20. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 16.2 to read:

16.3 Subd. 12. **Professional statement of need.** "Professional statement of need" means
 16.4 a statement about an individual's illness, injury, or incapacity that is signed by a qualified
 16.5 professional. The statement must specify that the individual has an illness or incapacity
 16.6 which limits the individual's ability to work and provide self-support. The statement
 16.7 must also specify that the individual needs assistance to access or maintain housing, as
 16.8 evidenced by the need for two or more of the following services:

16.9 (1) tenancy supports to assist an individual with finding the individual's own
 16.10 home, landlord negotiation, securing furniture and household supplies, understanding
 16.11 and maintaining tenant responsibilities, conflict negotiation, and budgeting and financial
 16.12 education;

16.13 (2) supportive services to assist with basic living and social skills, household
 16.14 management, monitoring of overall well-being, and problem solving;

16.15 (3) employment supports to assist with maintaining or increasing employment,
 16.16 increasing earnings, understanding and utilizing appropriate benefits and services,
 16.17 improving physical or mental health, moving toward self-sufficiency, and achieving
 16.18 personal goals; or

207.26 Sec. 15. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 207.27 to read:

207.28 Subd. 9. **Direct contact.** "Direct contact" means providing face-to-face care,
 207.29 training, supervision, counseling, consultation, or medication assistance to recipients of
 207.30 group residential housing.

207.31 Sec. 16. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 207.32 to read:

208.1 Subd. 10. **Habitability inspection.** "Habitability inspection" means an inspection to
 208.2 determine whether the housing occupied by an individual meets the habitability standards
 208.3 specified by the commissioner. The standards must be provided to the applicant in writing
 208.4 and posted on the Department of Human Services Web site.

208.5 Sec. 17. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 208.6 to read:

208.7 Subd. 11. **Long-term homelessness.** "Long-term homelessness" means lacking a
 208.8 permanent place to live:

208.9 (1) continuously for one year or more; or

208.10 (2) at least four times in the past three years.

208.11 Sec. 18. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision 208.12 to read:

208.13 Subd. 12. **Professional certification.** "Professional certification" means a statement
 208.14 about an individual's illness, injury, or incapacity that is signed by a qualified professional.
 208.15 The statement must specify that the individual has an illness or incapacity which limits the
 208.16 individual's ability to work and provide self-support. The statement must also specify that
 208.17 the individual needs assistance to access or maintain housing, as evidenced by the need
 208.18 for two or more of the following services:

208.19 (1) tenancy supports to assist an individual with finding the individual's own
 208.20 home, landlord negotiation, securing furniture and household supplies, understanding
 208.21 and maintaining tenant responsibilities, conflict negotiation, and budgeting and financial
 208.22 education;

208.23 (2) supportive services to assist with basic living and social skills, household
 208.24 management, monitoring of overall well-being, and problem solving;

208.25 (3) employment supports to assist with maintaining or increasing employment,
 208.26 increasing earnings, understanding and utilizing appropriate benefits and services,
 208.27 improving physical or mental health, moving toward self-sufficiency, and achieving
 208.28 personal goals; or

16.19 (4) health supervision services to assist in the preparation and administration of
 16.20 medications other than injectables, the provision of therapeutic diets, taking vital signs, or
 16.21 providing assistance in dressing, grooming, bathing, or with walking devices.

16.22 Sec. 21. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision
 16.23 to read:

16.24 Subd. 13. **Prospective budgeting.** "Prospective budgeting" means estimating the
 16.25 amount of monthly income a person will have in the payment month.

16.26 Sec. 22. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision
 16.27 to read:

16.28 Subd. 14. **Qualified professional.** "Qualified professional" means an individual as
 16.29 defined in section 256J.08, subdivision 73a, or Minnesota Rules, part 9530.6450, subpart
 16.30 3, 4, or 5; or an individual approved by the director of human services or a designee
 16.31 of the director.

16.32 Sec. 23. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision
 16.33 to read:

17.1 Subd. 15. **Supportive housing.** "Supportive housing" means housing with support
 17.2 services according to the continuum of care coordinated assessment system established
 17.3 under Code of Federal Regulations, title 24, section 578.3.

17.4 Sec. 24. Minnesota Statutes 2014, section 256I.04, is amended to read:

17.5 **256I.04 ELIGIBILITY FOR GROUP RESIDENTIAL HOUSING PAYMENT.**

17.6 Subdivision 1. **Individual eligibility requirements.** An individual is eligible for
 17.7 and entitled to a group residential housing payment to be made on the individual's behalf
 17.8 if the agency has approved the individual's residence in a group residential housing setting
 17.9 and the individual meets the requirements in paragraph (a) or (b).

17.10 (a) The individual is aged, blind, or is over 18 years of age and disabled as
 17.11 determined under the criteria used by the title II program of the Social Security Act, and
 17.12 meets the resource restrictions and standards of section 256P.02, and the individual's
 17.13 countable income after deducting the (1) exclusions and disregards of the SSI program,
 17.14 (2) the medical assistance personal needs allowance under section 256B.35, and (3) an
 17.15 amount equal to the income actually made available to a community spouse by an elderly
 17.16 waiver participant under the provisions of sections 256B.0575, paragraph (a), clause
 17.17 (4), and 256B.058, subdivision 2, is less than the monthly rate specified in the agency's
 17.18 agreement with the provider of group residential housing in which the individual resides.

208.29 (4) health supervision services to assist in the preparation and administration of
 208.30 medications other than injectables, the provision of therapeutic diets, taking vital signs, or
 208.31 providing assistance in dressing, grooming, bathing, or with walking devices.

208.32 Sec. 19. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision
 208.33 to read:

209.1 Subd. 13. **Prospective budgeting.** "Prospective budgeting" means estimating the
 209.2 amount of monthly income a person will have in the payment month.

209.3 Sec. 20. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision
 209.4 to read:

209.5 Subd. 14. **Qualified professional.** "Qualified professional" means an individual as
 209.6 defined in section 256J.08, subdivision 73a, or Minnesota Rules, part 9530.6450, subpart
 209.7 3, 4, or 5; or an individual approved by the director of human services or a designee
 209.8 of the director.

209.9 Sec. 21. Minnesota Statutes 2014, section 256I.03, is amended by adding a subdivision
 209.10 to read:

209.11 Subd. 15. **Supportive housing.** "Supportive housing" means housing with support
 209.12 services according to the continuum of care coordinated assessment system established
 209.13 under Code of Federal Regulations, title 24, section 578.3.

209.14 Sec. 22. Minnesota Statutes 2014, section 256I.04, is amended to read:

209.15 **256I.04 ELIGIBILITY FOR GROUP RESIDENTIAL HOUSING PAYMENT.**

209.16 Subdivision 1. **Individual eligibility requirements.** An individual is eligible for
 209.17 and entitled to a group residential housing payment to be made on the individual's behalf
 209.18 if the agency has approved the individual's residence in a group residential housing setting
 209.19 and the individual meets the requirements in paragraph (a) or (b).

209.20 (a) The individual is aged, blind, or is over 18 years of age and disabled as
 209.21 determined under the criteria used by the title II program of the Social Security Act, and
 209.22 meets the resource restrictions and standards of section 256P.02, and the individual's
 209.23 countable income after deducting the (1) exclusions and disregards of the SSI program,
 209.24 (2) the medical assistance personal needs allowance under section 256B.35, and (3) an
 209.25 amount equal to the income actually made available to a community spouse by an elderly
 209.26 waiver participant under the provisions of sections 256B.0575, paragraph (a), clause
 209.27 (4), and 256B.058, subdivision 2, is less than the monthly rate specified in the agency's
 209.28 agreement with the provider of group residential housing in which the individual resides.

17.19 (b) The individual meets a category of eligibility under section 256D.05, subdivision
 17.20 1, paragraph (a), clauses (1), (3), (5) to (9), and (14), and paragraph (b), if applicable, and
 17.21 the individual's resources are less than the standards specified by section 256P.02, and
 17.22 the individual's countable income as determined under sections 256D.01 to 256D.21, less
 17.23 the medical assistance personal needs allowance under section 256B.35 is less than the
 17.24 monthly rate specified in the agency's agreement with the provider of group residential
 17.25 housing in which the individual resides.

17.26 Subd. 1a. **County approval.** (a) A county agency may not approve a group
 17.27 residential housing payment for an individual in any setting with a rate in excess of the
 17.28 MSA equivalent rate for more than 30 days in a calendar year unless the county agency
 17.29 ~~has developed or approved individual has a plan for the individual which specifies that:~~

17.30 ~~(1) the individual has an illness or incapacity which prevents the person from living~~
 17.31 ~~independently in the community; and~~

17.32 ~~(2) the individual's illness or incapacity requires the services which are available in~~
 17.33 ~~the group residencee.~~

17.34 ~~The plan must be signed or countersigned by any of the following employees of the~~
 17.35 ~~county of financial responsibility: the director of human services or a designee of the~~
 18.1 ~~director; a social worker; or a case aide professional statement of need under section~~
 18.2 ~~256I.03, subdivision 12.~~

18.3 (b) If a county agency determines that an applicant is ineligible due to not meeting
 18.4 eligibility requirements under this section, a county agency may accept a signed personal
 18.5 statement from the applicant in lieu of documentation verifying ineligibility.

18.6 (c) Effective July 1, 2016, to be eligible for supplementary service payments,
 18.7 providers must enroll in the provider enrollment system identified by the commissioner.

18.8 Subd. 1b. **Optional state supplements to SSI.** Group residential housing payments
 18.9 made on behalf of persons eligible under subdivision 1, paragraph (a), are optional state
 18.10 supplements to the SSI program.

18.11 Subd. 1c. **Interim assistance.** Group residential housing payments made on behalf
 18.12 of persons eligible under subdivision 1, paragraph (b), are considered interim assistance
 18.13 payments to applicants for the federal SSI program.

18.14 Subd. 2. **Date of eligibility.** An individual who has met the eligibility requirements
 18.15 of subdivision 1, shall have a group residential housing payment made on the individual's
 18.16 behalf from the first day of the month in which a signed application form is received by
 18.17 a county agency, or the first day of the month in which all eligibility factors have been
 18.18 met, whichever is later.

18.19 Subd. 2a. **License required; staffing qualifications.** ~~A county~~ (a) Except
 18.20 as provided in paragraph (b), an agency may not enter into an agreement with an
 18.21 establishment to provide group residential housing unless:

209.29 (b) The individual meets a category of eligibility under section 256D.05, subdivision
 209.30 1, paragraph (a), clauses (1), (3), (5) to (9), and (14), and paragraph (b), if applicable, and
 209.31 the individual's resources are less than the standards specified by section 256P.02, and
 209.32 the individual's countable income as determined under sections 256D.01 to 256D.21, less
 209.33 the medical assistance personal needs allowance under section 256B.35 is less than the
 210.1 monthly rate specified in the agency's agreement with the provider of group residential
 210.2 housing in which the individual resides.

210.3 Subd. 1a. **County approval.** (a) A county agency may not approve a group
 210.4 residential housing payment for an individual in any setting with a rate in excess of the
 210.5 MSA equivalent rate for more than 30 days in a calendar year unless the county agency
 210.6 ~~has developed or approved individual has a plan for the individual which specifies that:~~

210.7 ~~(1) the individual has an illness or incapacity which prevents the person from living~~
 210.8 ~~independently in the community; and~~

210.9 ~~(2) the individual's illness or incapacity requires the services which are available in~~
 210.10 ~~the group residencee.~~

210.11 ~~The plan must be signed or countersigned by any of the following employees of the~~
 210.12 ~~county of financial responsibility: the director of human services or a designee of the~~
 210.13 ~~director; a social worker; or a case aide professional certification under section 256I.03,~~
 210.14 ~~subdivision 12.~~

210.15 (b) If a county agency determines that an applicant is ineligible due to not meeting
 210.16 eligibility requirements under this section, a county agency may accept a signed personal
 210.17 statement from the applicant in lieu of documentation verifying ineligibility.

210.18 (c) Effective July 1, 2016, to be eligible for supplementary service payments,
 210.19 providers must enroll in the provider enrollment system identified by the commissioner.

210.20 Subd. 1b. **Optional state supplements to SSI.** Group residential housing payments
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 210.22 supplements to the SSI program.

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 210.24 of persons eligible under subdivision 1, paragraph (b), are considered interim assistance
 210.25 payments to applicants for the federal SSI program.

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 210.27 of subdivision 1, shall have a group residential housing payment made on the individual's
 210.28 behalf from the first day of the month in which a signed application form is received by
 210.29 a county agency, or the first day of the month in which all eligibility factors have been
 210.30 met, whichever is later.

210.31 Subd. 2a. **License required; staffing qualifications.** ~~A county~~ (a) Except
 210.32 as provided in paragraph (b), an agency may not enter into an agreement with an
 210.33 establishment to provide group residential housing unless:

18.22 (1) the establishment is licensed by the Department of Health as a hotel and
 18.23 restaurant; a board and lodging establishment; ~~a residential care home~~; a boarding care
 18.24 home before March 1, 1985; or a supervised living facility, and the service provider
 18.25 for residents of the facility is licensed under chapter 245A. However, an establishment
 18.26 licensed by the Department of Health to provide lodging need not also be licensed to
 18.27 provide board if meals are being supplied to residents under a contract with a food vendor
 18.28 who is licensed by the Department of Health;

18.29 (2) the residence is: (i) licensed by the commissioner of human services under
 18.30 Minnesota Rules, parts 9555.5050 to 9555.6265; (ii) certified by a county human services
 18.31 agency prior to July 1, 1992, using the standards under Minnesota Rules, parts 9555.5050
 18.32 to 9555.6265; (iii) ~~a residencee~~ licensed by the commissioner under Minnesota Rules, parts
 18.33 2960.0010 to 2960.0120, with a variance under section 245A.04, subdivision 9; or (iv)
 18.34 licensed under section 245D.02, subdivision 4a, as a community residential setting by
 18.35 the commissioner of human services; or

19.1 (3) the establishment is registered under chapter 144D and provides three meals a
 19.2 day, or is an establishment voluntarily registered under section 144D.025 as a supportive
 19.3 housing establishment; ~~or~~

19.4 (4) ~~an establishment voluntarily registered under section 144D.025, other than~~
 19.5 ~~a supportive housing establishment under clause (3), is not eligible to provide group~~
 19.6 ~~residential housing.~~

19.7 (b) ~~The requirements under clauses (1) to (4) paragraph (a) do not apply to~~
 19.8 ~~establishments exempt from state licensure because they are;~~

19.9 (1) located on Indian reservations and subject to tribal health and safety
 19.10 requirements; ~~or~~

19.11 (2) a supportive housing establishment that has an approved habitability inspection
 19.12 and an individual lease agreement and that serves people who have experienced long-term
 19.13 homelessness and were referred through a coordinated assessment in section 256I.03,
 19.14 subdivision 15.

19.15 (c) Supportive housing establishments and emergency shelters must participate in
 19.16 the homeless management information system.

19.17 (d) Effective July 1, 2016, an agency shall not have an agreement with a provider
 19.18 of group residential housing or supplementary services unless all staff members who
 19.19 have direct contact with recipients:

19.20 (1) have skills and knowledge acquired through:

19.21 (i) a course of study in a health or human services related field leading to a bachelor
 19.22 of arts, bachelor of science, or associate's degree;

19.23 (ii) one year of experience with the target population served;

210.34 (1) the establishment is licensed by the Department of Health as a hotel and
 210.35 restaurant; a board and lodging establishment; ~~a residential care home~~; a boarding care
 210.36 home before March 1, 1985; or a supervised living facility, and the service provider
 211.1 for residents of the facility is licensed under chapter 245A. However, an establishment
 211.2 licensed by the Department of Health to provide lodging need not also be licensed to
 211.3 provide board if meals are being supplied to residents under a contract with a food vendor
 211.4 who is licensed by the Department of Health;

211.5 (2) the residence is: (i) licensed by the commissioner of human services under
 211.6 Minnesota Rules, parts 9555.5050 to 9555.6265; (ii) certified by a county human services
 211.7 agency prior to July 1, 1992, using the standards under Minnesota Rules, parts 9555.5050
 211.8 to 9555.6265; (iii) ~~a residencee~~ licensed by the commissioner under Minnesota Rules, parts
 211.9 2960.0010 to 2960.0120, with a variance under section 245A.04, subdivision 9; or (iv)
 211.10 licensed under section 245D.02, subdivision 4a, as a community residential setting by
 211.11 the commissioner of human services; or

211.12 (3) the establishment is registered under chapter 144D and provides three meals a
 211.13 day, or is an establishment voluntarily registered under section 144D.025 as a supportive
 211.14 housing establishment; ~~or~~

211.15 (4) ~~an establishment voluntarily registered under section 144D.025, other than~~
 211.16 ~~a supportive housing establishment under clause (3), is not eligible to provide group~~
 211.17 ~~residential housing.~~

211.18 (b) ~~The requirements under clauses (1) to (4) paragraph (a) do not apply to~~
 211.19 ~~establishments exempt from state licensure because they are;~~

211.20 (1) located on Indian reservations and subject to tribal health and safety
 211.21 requirements; ~~or~~

211.22 (2) a supportive housing establishment that has an approved habitability inspection
 211.23 and an individual lease agreement and that serves people who have experienced long-term
 211.24 homelessness and were referred through a coordinated assessment in section 256I.03,
 211.25 subdivision 15.

211.26 (c) Supportive housing establishments and emergency shelters must participate in
 211.27 the homeless management information system.

211.28 (d) Effective July 1, 2016, an agency shall not have an agreement with a provider
 211.29 of group residential housing or supplementary services unless all staff members who
 211.30 have direct contact with recipients:

211.31 (1) have skills and knowledge acquired through one or more of the following:

211.32 (i) a course of study in a health- or human services-related field leading to a bachelor
 211.33 of arts, bachelor of science, or associate's degree;

211.34 (ii) one year of experience with the target population served;

19.24 (iii) experience as a certified peer specialist according to section 256B.0615; or
 19.25 (iv) meeting the requirements for unlicensed personnel under sections 144A.43
 19.26 to 144A.483;
 19.27 (2) hold a current Minnesota driver's license appropriate to the vehicle driven if
 19.28 transporting participants;
 19.29 (3) complete training on vulnerable adults mandated reporting and child
 19.30 maltreatment mandated reporting, where applicable; and
 19.31 (4) complete group residential housing orientation training offered by the
 19.32 commissioner.
 19.33 Subd. 2b. **Group residential housing agreements.** (a) Agreements between county
 19.34 agencies and providers of group residential housing or supplementary services must be in
 19.35 writing on a form developed and approved by the commissioner and must specify the name
 19.36 and address under which the establishment subject to the agreement does business and
 20.1 under which the establishment, or service provider, if different from the group residential
 20.2 housing establishment, is licensed by the Department of Health or the Department of
 20.3 Human Services; the specific license or registration from the Department of Health or the
 20.4 Department of Human Services held by the provider and the number of beds subject to
 20.5 that license; the address of the location or locations at which group residential housing is
 20.6 provided under this agreement; the per diem and monthly rates that are to be paid from
 20.7 group residential housing or supplementary service funds for each eligible resident at each
 20.8 location; the number of beds at each location which are subject to the group residential
 20.9 housing agreement; whether the license holder is a not-for-profit corporation under section
 20.10 501(c)(3) of the Internal Revenue Code; and a statement that the agreement is subject to
 20.11 the provisions of sections 2561.01 to 2561.06 and subject to any changes to those sections.
 20.12 (b) Providers are required to verify the following minimum requirements in the
 20.13 agreement:
 20.14 (1) current license or registration, including authorization if managing or monitoring
 20.15 medications;
 20.16 (2) all staff who have direct contact with recipients meet the staff qualifications;
 20.17 (3) the provision of group residential housing;
 20.18 (4) the provision of supplementary services, if applicable;
 20.19 (5) reports of adverse events, including recipient death or serious injury; and
 20.20 (6) submission of residency requirements that could result in recipient eviction.
 20.21 Group residential housing (c) Agreements may be terminated with or without cause by
 20.22 either the county commissioner, the agency, or the provider with two calendar months prior
 20.23 notice. The commissioner may immediately terminate an agreement under subdivision 2d.

211.35 (iii) experience as a certified peer specialist according to section 256B.0615; or
 212.1 (iv) meeting the requirements for unlicensed personnel under sections 144A.43
 212.2 to 144A.483;
 212.3 (2) hold a current Minnesota driver's license appropriate to the vehicle driven
 212.4 if transporting recipients;
 212.5 (3) complete training on vulnerable adults mandated reporting and child
 212.6 maltreatment mandated reporting, where applicable; and
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 212.8 commissioner.
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 212.10 county agencies and providers of group residential housing must be in writing on a
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 212.12 address under which the establishment subject to the agreement does business and under
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 212.14 housing establishment, is licensed by the Department of Health or the Department of
 212.15 Human Services; the specific license or registration from the Department of Health or the
 212.16 Department of Human Services held by the provider and the number of beds subject to
 212.17 that license; the address of the location or locations at which group residential housing is
 212.18 provided under this agreement; the per diem and monthly rates that are to be paid from
 212.19 group residential housing funds for each eligible resident at each location; the number
 212.20 of beds at each location which are subject to the group residential housing agreement;
 212.21 whether the license holder is a not-for-profit corporation under section 501(c)(3) of the
 212.22 Internal Revenue Code; and a statement that the agreement is subject to the provisions of
 212.23 sections 2561.01 to 2561.06 and subject to any changes to those sections.
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 212.25 agreement:
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 212.27 medications;
 212.28 (2) all staff who have direct contact with recipients meet the staff qualifications;
 212.29 (3) the provision of group residential housing;
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 212.34 either the county commissioner, the agency, or the provider with two calendar months prior
 212.35 notice. The commissioner may immediately terminate an agreement under subdivision 2d.

20.24 Subd. 2c. ~~Crisis shelters~~ **Background study requirements.** ~~Secure crisis shelters~~
 20.25 ~~for battered women and their children designated by the Minnesota Department of~~
 20.26 ~~Corrections are not group residences under this chapter.~~ (a) Effective July 1, 2016, a
 20.27 provider of group residential housing or supplementary services must initiate background
 20.28 studies in accordance with chapter 245C of the following individuals:
 20.29 (1) controlling individuals as defined in section 245A.02;
 20.30 (2) managerial officials as defined in section 245A.02; and
 20.31 (3) all employees and volunteers of the establishment who have direct contact
 20.32 with recipients, or who have unsupervised access to recipients, their personal property,
 20.33 or their private data.
 20.34 (b) The provider of group residential housing or supplementary services must
 20.35 maintain compliance with all requirements established for entities initiating background
 20.36 studies under chapter 245C.
 21.1 (c) Effective July 1, 2017, a provider of group residential housing or supplementary
 21.2 services must demonstrate that all individuals required to have a background study
 21.3 according to paragraph (a) have a notice stating either that:
 21.4 (1) the individual is not disqualified under section 245C.14; or
 21.5 (2) the individual is disqualified, but the individual has been issued a set-aside of
 21.6 the disqualification for that setting under section 245C.22.
 21.7 Subd. 2d. **Conditions of payment; commissioner's right to suspend or terminate**
 21.8 **agreement.** (a) Group residential housing or supplementary services must be provided
 21.9 to the satisfaction of the commissioner, as determined at the sole discretion of the
 21.10 commissioner's authorized representative, and in accordance with all applicable federal,
 21.11 state, and local laws, ordinances, rules, and regulations, including business registration
 21.12 requirements of the Office of the Secretary of State. A provider shall not receive payment
 21.13 for services or housing found by the commissioner to be performed or provided in
 21.14 violation of federal, state, or local law, ordinance, rule, or regulation.
 21.15 (b) The commissioner has the right to suspend or terminate the agreement
 21.16 immediately when the commissioner determines the health or welfare of the housing or
 21.17 service recipients is endangered, or when the commissioner has reasonable cause to believe
 21.18 that the provider has breached a material term of the agreement under subdivision 2b.
 21.19 (c) Notwithstanding paragraph (b), if the commissioner learns of a curable material
 21.20 breach of the agreement by the provider, the commissioner shall provide the provider
 21.21 with a written notice of the breach and allow ten days to cure the breach. If the provider
 21.22 does not cure the breach within the time allowed, the provider shall be in default of the
 21.23 agreement and the commissioner may terminate the agreement immediately thereafter. If
 21.24 the provider has breached a material term of the agreement and cure is not possible, the
 21.25 commissioner may immediately terminate the agreement.

213.1 Subd. 2c. ~~Crisis shelters~~ **Background study requirements.** ~~Secure crisis shelters~~
 213.2 ~~for battered women and their children designated by the Minnesota Department of~~
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 213.9 with recipients, or who have unsupervised access to recipients, their personal property,
 213.10 or their private data.
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 213.12 maintain compliance with all requirements established for entities initiating background
 213.13 studies under chapter 245C.
 213.14 (c) Effective July 1, 2017, a provider of group residential housing or supplementary
 213.15 services must demonstrate that all individuals required to have a background study
 213.16 according to paragraph (a) have a notice stating either that:
 213.17 (1) the individual is not disqualified under section 245C.14; or
 213.18 (2) the individual is disqualified, but the individual has been issued a set-aside of
 213.19 the disqualification for that setting under section 245C.22.
 213.20 Subd. 2d. **Conditions of payment; commissioner's right to suspend or terminate**
 213.21 **agreement.** (a) Group residential housing or supplementary services must be provided
 213.22 to the satisfaction of the commissioner, as determined at the sole discretion of the
 213.23 commissioner's authorized representative, and in accordance with all applicable federal,
 213.24 state, and local laws, ordinances, rules, and regulations, including business registration
 213.25 requirements of the Office of the Secretary of State. A provider shall not receive payment
 213.26 for services or housing found by the commissioner to be performed or provided in
 213.27 violation of federal, state, or local law, ordinance, rule, or regulation.
 213.28 (b) The commissioner has the right to suspend or terminate the agreement
 213.29 immediately when the commissioner determines the health or welfare of the housing or
 213.30 service recipients is endangered, or when the commissioner has reasonable cause to believe
 213.31 that the provider has breached a material term of the agreement under subdivision 2b.
 213.32 (c) Notwithstanding paragraph (b), if the commissioner learns of a curable material
 213.33 breach of the agreement by the provider, the commissioner shall provide the provider
 213.34 with a written notice of the breach and allow ten days to cure the breach. If the provider
 213.35 does not cure the breach within the time allowed, the provider shall be in default of the
 213.36 agreement and the commissioner may terminate the agreement immediately thereafter. If
 214.1 the provider has breached a material term of the agreement and cure is not possible, the
 214.2 commissioner may immediately terminate the agreement.

21.26 Subd. 2e. **Providers holding health or human services licenses.** (a) Except
 21.27 for facilities with only a board and lodging license, when group residential housing or
 21.28 supplementary service staff are also operating under a license issued by the Department of
 21.29 Health or the Department of Human Services, the minimum staff qualification requirements
 21.30 for the setting shall be the qualifications listed under the related licensing standards.

21.31 (b) A background study completed for the licensed service must also satisfy the
 21.32 background study requirements under this section, if the provider has established the
 21.33 background study contact person according to chapter 245C and as directed by the
 21.34 Department of Human Services.

21.35 Subd. 2f. **Required services.** In licensed and registered settings under subdivision
 21.36 2a, providers shall ensure that participants have at a minimum:

22.1 (1) food preparation and service for three nutritional meals a day on site;
 22.2 (2) a bed, clothing storage, linen, bedding, laundering, and laundry supplies or
 22.3 service;
 22.4 (3) housekeeping, including cleaning and lavatory supplies or service; and
 22.5 (4) maintenance and operation of the building and grounds, including heat, water,
 22.6 garbage removal, electricity, telephone for the site, cooling, supplies, and parts and tools
 22.7 to repair and maintain equipment and facilities.

22.8 Subd. 2g. **Crisis shelters.** Secure crisis shelters for battered women and their
 22.9 children designated by the Minnesota Department of Corrections are not group residences
 22.10 under this chapter.

22.11 Subd. 3. **Moratorium on development of group residential housing beds.** (a)
 22.12 County Agencies shall not enter into agreements for new group residential housing beds
 22.13 with total rates in excess of the MSA equivalent rate except:

22.14 (1) for group residential housing establishments licensed under Minnesota Rules,
 22.15 parts 9525.0215 to 9525.0355, provided the facility is needed to meet the census reduction
 22.16 targets for persons with developmental disabilities at regional treatment centers;

22.17 (2) up to 80 beds in a single, specialized facility located in Hennepin County that will
 22.18 provide housing for chronic inebriates who are repetitive users of detoxification centers
 22.19 and are refused placement in emergency shelters because of their state of intoxication,
 22.20 and planning for the specialized facility must have been initiated before July 1, 1991,
 22.21 in anticipation of receiving a grant from the Housing Finance Agency under section
 22.22 462A.05, subdivision 20a, paragraph (b);

214.3 Subd. 2e. **Providers holding health or human services licenses.** (a) Except
 214.4 for facilities with only a board and lodging license, when group residential housing or
 214.5 supplementary service staff are also operating under a license issued by the Department of
 214.6 Health or the Department of Human Services, the minimum staff qualification requirements
 214.7 for the setting shall be the qualifications listed under the related licensing standards.

214.8 (b) A background study completed for the licensed service must also satisfy the
 214.9 background study requirements under this section, if the provider has established the
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 214.11 Department of Human Services.

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 214.13 2a, providers shall ensure that participants have at a minimum:

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 214.15 (2) a bed, clothing storage, linen, bedding, laundering, and laundry supplies or
 214.16 service;
 214.17 (3) housekeeping, including cleaning and lavatory supplies or service; and
 214.18 (4) maintenance and operation of the building and grounds, including heat, water,
 214.19 garbage removal, electricity, telephone for the site, cooling, supplies, and parts and tools
 214.20 to repair and maintain equipment and facilities.

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 214.23 under this chapter.

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 214.26 with total rates in excess of the MSA equivalent rate except:

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 214.28 parts 9525.0215 to 9525.0355, provided the facility is needed to meet the census reduction
 214.29 targets for persons with developmental disabilities at regional treatment centers;

214.30 (2) up to 80 beds in a single, specialized facility located in Hennepin County that will
 214.31 provide housing for chronic inebriates who are repetitive users of detoxification centers
 214.32 and are refused placement in emergency shelters because of their state of intoxication,
 214.33 and planning for the specialized facility must have been initiated before July 1, 1991,
 214.34 in anticipation of receiving a grant from the Housing Finance Agency under section
 214.35 462A.05, subdivision 20a, paragraph (b);

22.23 (3) notwithstanding the provisions of subdivision 2a, for up to 190 supportive
 22.24 housing units in Anoka, Dakota, Hennepin, or Ramsey County for homeless adults with a
 22.25 mental illness, a history of substance abuse, or human immunodeficiency virus or acquired
 22.26 immunodeficiency syndrome. For purposes of this section, "homeless adult" means a
 22.27 person who is living on the street or in a shelter or discharged from a regional treatment
 22.28 center, community hospital, or residential treatment program and has no appropriate
 22.29 housing available and lacks the resources and support necessary to access appropriate
 22.30 housing. At least 70 percent of the supportive housing units must serve homeless adults
 22.31 with mental illness, substance abuse problems, or human immunodeficiency virus or
 22.32 acquired immunodeficiency syndrome who are about to be or, within the previous six
 22.33 months, has been discharged from a regional treatment center, or a state-contracted
 22.34 psychiatric bed in a community hospital, or a residential mental health or chemical
 22.35 dependency treatment program. If a person meets the requirements of subdivision 1,
 22.36 paragraph (a), and receives a federal or state housing subsidy, the group residential housing
 23.1 rate for that person is limited to the supplementary rate under section 256I.05, subdivision
 23.2 1a, and is determined by subtracting the amount of the person's countable income that
 23.3 exceeds the MSA equivalent rate from the group residential housing supplementary rate.
 23.4 A resident in a demonstration project site who no longer participates in the demonstration
 23.5 program shall retain eligibility for a group residential housing payment in an amount
 23.6 determined under section 256I.06, subdivision 8, using the MSA equivalent rate. Service
 23.7 funding under section 256I.05, subdivision 1a, will end June 30, 1997, if federal matching
 23.8 funds are available and the services can be provided through a managed care entity. If
 23.9 federal matching funds are not available, then service funding will continue under section
 23.10 256I.05, subdivision 1a;

23.11 (4) for an additional two beds, resulting in a total of 32 beds, for a facility located in
 23.12 Hennepin County providing services for recovering and chemically dependent men that
 23.13 has had a group residential housing contract with the county and has been licensed as a
 23.14 board and lodge facility with special services since 1980;

23.15 (5) for a group residential housing provider located in the city of St. Cloud, or a county
 23.16 contiguous to the city of St. Cloud, that operates a 40-bed facility, that received financing
 23.17 through the Minnesota Housing Finance Agency Ending Long-Term Homelessness
 23.18 Initiative and serves chemically dependent clientele, providing 24-hour-a-day supervision;

23.19 (6) for a new 65-bed facility in Crow Wing County that will serve chemically
 23.20 dependent persons, operated by a group residential housing provider that currently
 23.21 operates a 304-bed facility in Minneapolis, and a 44-bed facility in Duluth;

23.22 (7) for a group residential housing provider that operates two ten-bed facilities, one
 23.23 located in Hennepin County and one located in Ramsey County, that provide community
 23.24 support and 24-hour-a-day supervision to serve the mental health needs of individuals
 23.25 who have chronically lived unsheltered; and

215.1 (3) notwithstanding the provisions of subdivision 2a, for up to 190 supportive
 215.2 housing units in Anoka, Dakota, Hennepin, or Ramsey County for homeless adults with a
 215.3 mental illness, a history of substance abuse, or human immunodeficiency virus or acquired
 215.4 immunodeficiency syndrome. For purposes of this section, "homeless adult" means a
 215.5 person who is living on the street or in a shelter or discharged from a regional treatment
 215.6 center, community hospital, or residential treatment program and has no appropriate
 215.7 housing available and lacks the resources and support necessary to access appropriate
 215.8 housing. At least 70 percent of the supportive housing units must serve homeless adults
 215.9 with mental illness, substance abuse problems, or human immunodeficiency virus or
 215.10 acquired immunodeficiency syndrome who are about to be or, within the previous six
 215.11 months, has been discharged from a regional treatment center, or a state-contracted
 215.12 psychiatric bed in a community hospital, or a residential mental health or chemical
 215.13 dependency treatment program. If a person meets the requirements of subdivision 1,
 215.14 paragraph (a), and receives a federal or state housing subsidy, the group residential housing
 215.15 rate for that person is limited to the supplementary rate under section 256I.05, subdivision
 215.16 1a, and is determined by subtracting the amount of the person's countable income that
 215.17 exceeds the MSA equivalent rate from the group residential housing supplementary rate.
 215.18 A resident in a demonstration project site who no longer participates in the demonstration
 215.19 program shall retain eligibility for a group residential housing payment in an amount
 215.20 determined under section 256I.06, subdivision 8, using the MSA equivalent rate. Service
 215.21 funding under section 256I.05, subdivision 1a, will end June 30, 1997, if federal matching
 215.22 funds are available and the services can be provided through a managed care entity. If
 215.23 federal matching funds are not available, then service funding will continue under section
 215.24 256I.05, subdivision 1a;

215.25 (4) for an additional two beds, resulting in a total of 32 beds, for a facility located in
 215.26 Hennepin County providing services for recovering and chemically dependent men that
 215.27 has had a group residential housing contract with the county and has been licensed as a
 215.28 board and lodge facility with special services since 1980;

215.29 (5) for a group residential housing provider located in the city of St. Cloud, or a county
 215.30 contiguous to the city of St. Cloud, that operates a 40-bed facility, that received financing
 215.31 through the Minnesota Housing Finance Agency Ending Long-Term Homelessness
 215.32 Initiative and serves chemically dependent clientele, providing 24-hour-a-day supervision;

215.33 (6) for a new 65-bed facility in Crow Wing County that will serve chemically
 215.34 dependent persons, operated by a group residential housing provider that currently
 215.35 operates a 304-bed facility in Minneapolis, and a 44-bed facility in Duluth;

216.1 (7) for a group residential housing provider that operates two ten-bed facilities, one
 216.2 located in Hennepin County and one located in Ramsey County, that provide community
 216.3 support and 24-hour-a-day supervision to serve the mental health needs of individuals
 216.4 who have chronically lived unsheltered; and

23.26 (8) for a group residential facility in Hennepin County with a capacity of up to 48
 23.27 beds that has been licensed since 1978 as a board and lodging facility and that until August
 23.28 1, 2007, operated as a licensed chemical dependency treatment program.

23.29 (b) ~~A county~~ An agency may enter into a group residential housing agreement for
 23.30 beds with rates in excess of the MSA equivalent rate in addition to those currently covered
 23.31 under a group residential housing agreement if the additional beds are only a replacement
 23.32 of beds with rates in excess of the MSA equivalent rate which have been made available
 23.33 due to closure of a setting, a change of licensure or certification which removes the beds
 23.34 from group residential housing payment, or as a result of the downsizing of a group
 23.35 residential housing setting. The transfer of available beds from one ~~county~~ agency to
 23.36 another can only occur by the agreement of both ~~counties~~ agencies.

24.1 Subd. 4. **Rental assistance.** For participants in the Minnesota supportive housing
 24.2 demonstration program under subdivision 3, paragraph (a), clause (5), notwithstanding
 24.3 the provisions of section 256I.06, subdivision 8, the amount of the group residential
 24.4 housing payment for room and board must be calculated by subtracting 30 percent of the
 24.5 recipient's adjusted income as defined by the United States Department of Housing and
 24.6 Urban Development for the Section 8 program from the fair market rent established for the
 24.7 recipient's living unit by the federal Department of Housing and Urban Development. This
 24.8 payment shall be regarded as a state housing subsidy for the purposes of subdivision 3.
 24.9 Notwithstanding the provisions of section 256I.06, subdivision 6, the recipient's countable
 24.10 income will only be adjusted when a change of greater than \$100 in a month occurs or
 24.11 upon annual redetermination of eligibility, whichever is sooner. ~~The commissioner is~~
 24.12 ~~directed to study the feasibility of developing a rental assistance program to serve persons~~
 24.13 ~~traditionally served in group residential housing settings and report to the legislature by~~
 24.14 ~~February 15, 1999.~~

24.15 **EFFECTIVE DATE.** Subdivision 1, paragraph (b), is effective September 1, 2015.

24.16 Sec. 25. Minnesota Statutes 2014, section 256I.05, subdivision 1c, is amended to read:

24.17 Subd. 1c. **Rate increases.** ~~A county~~ An agency may not increase the rates
 24.18 negotiated for group residential housing above those in effect on June 30, 1993, except as
 24.19 provided in paragraphs (a) to (f).

24.20 (a) ~~A county~~ An agency may increase the rates for group residential housing settings
 24.21 to the MSA equivalent rate for those settings whose current rate is below the MSA
 24.22 equivalent rate.

216.5 (8) for a group residential facility in Hennepin County with a capacity of up to 48
 216.6 beds that has been licensed since 1978 as a board and lodging facility and that until August
 216.7 1, 2007, operated as a licensed chemical dependency treatment program.

216.8 (b) ~~A county~~ An agency may enter into a group residential housing agreement for
 216.9 beds with rates in excess of the MSA equivalent rate in addition to those currently covered
 216.10 under a group residential housing agreement if the additional beds are only a replacement
 216.11 of beds with rates in excess of the MSA equivalent rate which have been made available
 216.12 due to closure of a setting, a change of licensure or certification which removes the beds
 216.13 from group residential housing payment, or as a result of the downsizing of a group
 216.14 residential housing setting. The transfer of available beds from one ~~county~~ agency to
 216.15 another can only occur by the agreement of both ~~counties~~ agencies.

216.16 Subd. 4. **Rental assistance.** For participants in the Minnesota supportive housing
 216.17 demonstration program under subdivision 3, paragraph (a), clause (5), notwithstanding
 216.18 the provisions of section 256I.06, subdivision 8, the amount of the group residential
 216.19 housing payment for room and board must be calculated by subtracting 30 percent of the
 216.20 recipient's adjusted income as defined by the United States Department of Housing and
 216.21 Urban Development for the Section 8 program from the fair market rent established for the
 216.22 recipient's living unit by the federal Department of Housing and Urban Development. This
 216.23 payment shall be regarded as a state housing subsidy for the purposes of subdivision 3.
 216.24 Notwithstanding the provisions of section 256I.06, subdivision 6, the recipient's countable
 216.25 income will only be adjusted when a change of greater than \$100 in a month occurs or
 216.26 upon annual redetermination of eligibility, whichever is sooner. ~~The commissioner is~~
 216.27 ~~directed to study the feasibility of developing a rental assistance program to serve persons~~
 216.28 ~~traditionally served in group residential housing settings and report to the legislature by~~
 216.29 ~~February 15, 1999.~~

216.30 **EFFECTIVE DATE.** Subdivision 1, paragraph (b), is effective September 1, 2015.

216.31 Sec. 23. Minnesota Statutes 2014, section 256I.05, subdivision 1c, is amended to read:

216.32 Subd. 1c. **Rate increases.** ~~A county~~ An agency may not increase the rates
 216.33 negotiated for group residential housing above those in effect on June 30, 1993, except as
 216.34 provided in paragraphs (a) to (f).

217.1 (a) ~~A county~~ An agency may increase the rates for group residential housing settings
 217.2 to the MSA equivalent rate for those settings whose current rate is below the MSA
 217.3 equivalent rate.

24.23 (b) ~~A county~~ An agency may increase the rates for residents in adult foster care
 24.24 whose difficulty of care has increased. The total group residential housing rate for these
 24.25 residents must not exceed the maximum rate specified in subdivisions 1 and 1a. ~~County~~
 24.26 Agencies must not include nor increase group residential housing difficulty of care rates
 24.27 for adults in foster care whose difficulty of care is eligible for funding by home and
 24.28 community-based waiver programs under title XIX of the Social Security Act.

24.29 (c) The room and board rates will be increased each year when the MSA equivalent
 24.30 rate is adjusted for SSI cost-of-living increases by the amount of the annual SSI increase,
 24.31 less the amount of the increase in the medical assistance personal needs allowance under
 24.32 section 256B.35.

24.33 (d) When a group residential housing rate is used to pay for an individual's room
 24.34 and board, or other costs necessary to provide room and board, the rate payable to
 24.35 the residence must continue for up to 18 calendar days per incident that the person is
 25.1 temporarily absent from the residence, not to exceed 60 days in a calendar year, if the
 25.2 absence or absences have received the prior approval of the county agency's social service
 25.3 staff. Prior approval is not required for emergency absences due to crisis, illness, or injury.

25.4 (e) For facilities meeting substantial change criteria within the prior year. Substantial
 25.5 change criteria exists if the group residential housing establishment experiences a 25
 25.6 percent increase or decrease in the total number of its beds, if the net cost of capital
 25.7 additions or improvements is in excess of 15 percent of the current market value of the
 25.8 residence, or if the residence physically moves, or changes its licensure, and incurs a
 25.9 resulting increase in operation and property costs.

25.10 (f) Until June 30, 1994, ~~a county~~ an agency may increase by up to five percent the
 25.11 total rate paid for recipients of assistance under sections 256D.01 to 256D.21 or 256D.33
 25.12 to 256D.54 who reside in residences that are licensed by the commissioner of health as
 25.13 a boarding care home, but are not certified for the purposes of the medical assistance
 25.14 program. However, an increase under this clause must not exceed an amount equivalent to
 25.15 65 percent of the 1991 medical assistance reimbursement rate for nursing home resident
 25.16 class A, in the geographic grouping in which the facility is located, as established under
 25.17 Minnesota Rules, parts 9549.0050 to 9549.0058.

25.18 Sec. 26. Minnesota Statutes 2014, section 256I.05, subdivision 1g, is amended to read:

25.19 Subd. 1g. **Supplementary service rate for certain facilities.** ~~On or after July 1,~~
 25.20 ~~2005, a county~~ An agency may negotiate a supplementary service rate for recipients of
 25.21 assistance under section 256I.04, subdivision 1, paragraph (a) or (b), who ~~relocate from a~~
 25.22 ~~homeless shelter licensed and registered prior to December 31, 1996, by the Minnesota~~
 25.23 ~~Department of Health under section 157.17, to have experienced long-term homelessness~~
 25.24 ~~and who live in a supportive housing establishment developed and funded in whole or in~~
 25.25 ~~part with funds provided specifically as part of the plan to end long-term homelessness~~
 25.26 ~~required under Laws 2003, chapter 128, article 15, section 9, not to exceed \$456.75 under~~
 25.27 ~~section 256I.04, subdivision 2a, paragraph (b), clause (2).~~

217.4 (b) ~~A county~~ An agency may increase the rates for residents in adult foster care
 217.5 whose difficulty of care has increased. The total group residential housing rate for these
 217.6 residents must not exceed the maximum rate specified in subdivisions 1 and 1a. ~~County~~
 217.7 Agencies must not include nor increase group residential housing difficulty of care rates
 217.8 for adults in foster care whose difficulty of care is eligible for funding by home and
 217.9 community-based waiver programs under title XIX of the Social Security Act.

217.10 (c) The room and board rates will be increased each year when the MSA equivalent
 217.11 rate is adjusted for SSI cost-of-living increases by the amount of the annual SSI increase,
 217.12 less the amount of the increase in the medical assistance personal needs allowance under
 217.13 section 256B.35.

217.14 (d) When a group residential housing rate is used to pay for an individual's room
 217.15 and board, or other costs necessary to provide room and board, the rate payable to
 217.16 the residence must continue for up to 18 calendar days per incident that the person is
 217.17 temporarily absent from the residence, not to exceed 60 days in a calendar year, if the
 217.18 absence or absences have received the prior approval of the county agency's social service
 217.19 staff. Prior approval is not required for emergency absences due to crisis, illness, or injury.

217.20 (e) For facilities meeting substantial change criteria within the prior year. Substantial
 217.21 change criteria exists if the group residential housing establishment experiences a 25
 217.22 percent increase or decrease in the total number of its beds, if the net cost of capital
 217.23 additions or improvements is in excess of 15 percent of the current market value of the
 217.24 residence, or if the residence physically moves, or changes its licensure, and incurs a
 217.25 resulting increase in operation and property costs.

217.26 (f) Until June 30, 1994, ~~a county~~ an agency may increase by up to five percent the
 217.27 total rate paid for recipients of assistance under sections 256D.01 to 256D.21 or 256D.33
 217.28 to 256D.54 who reside in residences that are licensed by the commissioner of health as
 217.29 a boarding care home, but are not certified for the purposes of the medical assistance
 217.30 program. However, an increase under this clause must not exceed an amount equivalent to
 217.31 65 percent of the 1991 medical assistance reimbursement rate for nursing home resident
 217.32 class A, in the geographic grouping in which the facility is located, as established under
 217.33 Minnesota Rules, parts 9549.0050 to 9549.0058.

217.34 Sec. 24. Minnesota Statutes 2014, section 256I.05, subdivision 1g, is amended to read:

218.1 Subd. 1g. **Supplementary service rate for certain facilities.** ~~On or after July 1,~~
 218.2 ~~2005, a county~~ An agency may negotiate a supplementary service rate for recipients of
 218.3 assistance under section 256I.04, subdivision 1, paragraph (a) or (b), who ~~relocate from a~~
 218.4 ~~homeless shelter licensed and registered prior to December 31, 1996, by the Minnesota~~
 218.5 ~~Department of Health under section 157.17, to have experienced long-term homelessness~~
 218.6 ~~and who live in a supportive housing establishment developed and funded in whole or in~~
 218.7 ~~part with funds provided specifically as part of the plan to end long-term homelessness~~
 218.8 ~~required under Laws 2003, chapter 128, article 15, section 9, not to exceed \$456.75 under~~
 218.9 ~~section 256I.04, subdivision 2a, paragraph (b), clause (2).~~

25.28 Sec. 27. Minnesota Statutes 2014, section 256I.06, subdivision 2, is amended to read:

25.29 Subd. 2. **Time of payment.** A county agency may make payments to a group
 25.30 residence in advance for an individual whose stay in the group residence is expected
 25.31 to last beyond the calendar month for which the payment is made ~~and who does not~~
 25.32 ~~expect to receive countable earned income during the month for which the payment is~~
 25.33 ~~made.~~ Group residential housing payments made by a county agency on behalf of an
 25.34 individual who is not expected to remain in the group residence beyond the month for
 26.1 which payment is made must be made subsequent to the individual's departure from the
 26.2 group residence. ~~Group residential housing payments made by a county agency on behalf~~
 26.3 ~~of an individual with countable earned income must be made subsequent to receipt of a~~
 26.4 ~~monthly household report form.~~

26.5 **EFFECTIVE DATE.** This section is effective April 1, 2016.

26.6 Sec. 28. Minnesota Statutes 2014, section 256I.06, subdivision 6, is amended to read:

26.7 Subd. 6. **Reports.** Recipients must report changes in circumstances that affect
 26.8 eligibility or group residential housing payment amounts, other than changes in earned
 26.9 income, within ten days of the change. Recipients with countable earned income must
 26.10 complete a monthly household report form at least once every six months. If the report
 26.11 form is not received before the end of the month in which it is due, the county agency
 26.12 must terminate eligibility for group residential housing payments. The termination shall
 26.13 be effective on the first day of the month following the month in which the report was due.
 26.14 If a complete report is received within the month eligibility was terminated, the individual
 26.15 is considered to have continued an application for group residential housing payment
 26.16 effective the first day of the month the eligibility was terminated.

26.17 **EFFECTIVE DATE.** This section is effective April 1, 2016.

26.18 Sec. 29. Minnesota Statutes 2014, section 256I.06, subdivision 7, is amended to read:

26.19 Subd. 7. **Determination of rates.** The agency in the county in which a group
 26.20 residence is located will shall determine the amount of group residential housing rate to
 26.21 be paid on behalf of an individual in the group residence regardless of the individual's
 26.22 county agency of financial responsibility.

26.23 Sec. 30. Minnesota Statutes 2014, section 256I.06, subdivision 8, is amended to read:

218.10 Sec. 25. Minnesota Statutes 2014, section 256I.06, subdivision 2, is amended to read:

218.11 Subd. 2. **Time of payment.** A county agency may make payments to a group
 218.12 residence in advance for an individual whose stay in the group residence is expected
 218.13 to last beyond the calendar month for which the payment is made ~~and who does not~~
 218.14 ~~expect to receive countable earned income during the month for which the payment is~~
 218.15 ~~made.~~ Group residential housing payments made by a county agency on behalf of an
 218.16 individual who is not expected to remain in the group residence beyond the month for
 218.17 which payment is made must be made subsequent to the individual's departure from the
 218.18 group residence. ~~Group residential housing payments made by a county agency on behalf~~
 218.19 ~~of an individual with countable earned income must be made subsequent to receipt of a~~
 218.20 ~~monthly household report form.~~

218.21 **EFFECTIVE DATE.** This section is effective April 1, 2016.

218.22 Sec. 26. Minnesota Statutes 2014, section 256I.06, subdivision 6, is amended to read:

218.23 Subd. 6. **Reports.** Recipients must report changes in circumstances that affect
 218.24 eligibility or group residential housing payment amounts, other than changes in earned
 218.25 income, within ten days of the change. Recipients with countable earned income must
 218.26 complete a monthly household report form at least once every six months. If the report
 218.27 form is not received before the end of the month in which it is due, the county agency
 218.28 must terminate eligibility for group residential housing payments. The termination shall
 218.29 be effective on the first day of the month following the month in which the report was due.
 218.30 If a complete report is received within the month eligibility was terminated, the individual
 218.31 is considered to have continued an application for group residential housing payment
 218.32 effective the first day of the month the eligibility was terminated.

218.33 **EFFECTIVE DATE.** This section is effective April 1, 2016.

219.1 Sec. 27. Minnesota Statutes 2014, section 256I.06, subdivision 7, is amended to read:

219.2 Subd. 7. **Determination of rates.** The agency in the county in which a group
 219.3 residence is located will shall determine the amount of group residential housing rate to
 219.4 be paid on behalf of an individual in the group residence regardless of the individual's
 219.5 county agency of financial responsibility.

219.6 Sec. 28. Minnesota Statutes 2014, section 256I.06, subdivision 8, is amended to read:

26.24 Subd. 8. **Amount of group residential housing payment.** (a) The amount of
 26.25 a group residential housing payment to be made on behalf of an eligible individual is
 26.26 determined by subtracting the individual's countable income under section 256I.04,
 26.27 subdivision 1, for a whole calendar month from the group residential housing charge for
 26.28 that same month. The group residential housing charge is determined by multiplying the
 26.29 group residential housing rate times the period of time the individual was a resident or
 26.30 temporarily absent under section 256I.05, subdivision 1c, paragraph (d).

26.31 (b) For an individual with earned income under paragraph (a), prospective budgeting
 26.32 must be used to determine the amount of the individual's payment for the following
 27.1 six-month period. An increase in income shall not affect an individual's eligibility or
 27.2 payment amount until the month following the reporting month. A decrease in income shall
 27.3 be effective the first day of the month after the month in which the decrease is reported.

27.4 **EFFECTIVE DATE.** Paragraph (b) is effective April 1, 2016.

27.5 Sec. 31. Minnesota Statutes 2014, section 256J.24, subdivision 5, is amended to read:

27.6 Subd. 5. **MFIP transitional standard.** (a) The MFIP transitional standard is based
 27.7 on the number of persons in the assistance unit eligible for both food and cash assistance.
 27.8 The amount of the transitional standard is published annually by the Department of
 27.9 Human Services.

27.10 (b) The commissioner shall increase the cash assistance portion of the transitional
 27.11 standard under paragraph (a) by \$100.

27.12 **EFFECTIVE DATE.** This section is effective October 1, 2015.

27.13 Sec. 32. Minnesota Statutes 2014, section 256J.24, subdivision 5a, is amended to read:

27.14 Subd. 5a. **Food portion of MFIP transitional standard.** The commissioner shall
 27.15 adjust the food portion of the MFIP transitional standard as needed to reflect adjustments
 27.16 to the Supplemental Nutrition Assistance Program and maintain compliance with federal
 27.17 waivers related to the Supplemental Nutrition Assistance Program under the United States
 27.18 Department of Agriculture. The commissioner shall publish the transitional standard
 27.19 including a breakdown of the cash and food portions for an assistance unit of sizes one to
 27.20 ten in the State Register whenever an adjustment is made.

27.21 Sec. 33. Minnesota Statutes 2014, section 256K.45, subdivision 1a, is amended to read:

27.22 Subd. 1a. **Definitions.** (a) The definitions in this subdivision apply to this section.

27.23 (b) "Commissioner" means the commissioner of human services.

219.7 Subd. 8. **Amount of group residential housing payment.** (a) The amount of
 219.8 a group residential housing payment to be made on behalf of an eligible individual is
 219.9 determined by subtracting the individual's countable income under section 256I.04,
 219.10 subdivision 1, for a whole calendar month from the group residential housing charge for
 219.11 that same month. The group residential housing charge is determined by multiplying the
 219.12 group residential housing rate times the period of time the individual was a resident or
 219.13 temporarily absent under section 256I.05, subdivision 1c, paragraph (d).

219.14 (b) For an individual with earned income under paragraph (a), prospective budgeting
 219.15 must be used to determine the amount of the individual's payment for the following
 219.16 six-month period. An increase in income shall not affect an individual's eligibility or
 219.17 payment amount until the month following the reporting month. A decrease in income shall
 219.18 be effective the first day of the month after the month in which the decrease is reported.

219.19 **EFFECTIVE DATE.** Paragraph (b) is effective April 1, 2016.

219.20 Sec. 29. Minnesota Statutes 2014, section 256K.45, subdivision 1a, is amended to read:

219.21 Subd. 1a. **Definitions.** (a) The definitions in this subdivision apply to this section.

219.22 (b) "Commissioner" means the commissioner of human services.

27.24 (c) "Homeless youth" means a person ~~21~~ 24 years of age or younger who is
 27.25 unaccompanied by a parent or guardian and is without shelter where appropriate care and
 27.26 supervision are available, whose parent or legal guardian is unable or unwilling to provide
 27.27 shelter and care, or who lacks a fixed, regular, and adequate nighttime residence. The
 27.28 following are not fixed, regular, or adequate nighttime residences:

27.29 (1) a supervised publicly or privately operated shelter designed to provide temporary
 27.30 living accommodations;

27.31 (2) an institution or a publicly or privately operated shelter designed to provide
 27.32 temporary living accommodations;

28.1 (3) transitional housing;

28.2 (4) a temporary placement with a peer, friend, or family member that has not offered
 28.3 permanent residence, a residential lease, or temporary lodging for more than 30 days; or

28.4 (5) a public or private place not designed for, nor ordinarily used as, a regular
 28.5 sleeping accommodation for human beings.

28.6 Homeless youth does not include persons incarcerated or otherwise detained under
 28.7 federal or state law.

28.8 (d) "Youth at risk of homelessness" means a person ~~21~~ 24 years of age or younger
 28.9 whose status or circumstances indicate a significant danger of experiencing homelessness
 28.10 in the near future. Status or circumstances that indicate a significant danger may include:
 28.11 (1) youth exiting out-of-home placements; (2) youth who previously were homeless; (3)
 28.12 youth whose parents or primary caregivers are or were previously homeless; (4) youth
 28.13 who are exposed to abuse and neglect in their homes; (5) youth who experience conflict
 28.14 with parents due to chemical or alcohol dependency, mental health disabilities, or other
 28.15 disabilities; and (6) runaways.

28.16 (e) "Runaway" means an unmarried child under the age of 18 years who is absent
 28.17 from the home of a parent or guardian or other lawful placement without the consent of
 28.18 the parent, guardian, or lawful custodian.

28.19 Sec. 34. Minnesota Statutes 2014, section 256K.45, subdivision 6, is amended to read:

28.20 Subd. 6. **Funding.** Funds appropriated for this section may be expended on
 28.21 programs described under subdivisions 3 to 5, technical assistance, and capacity building
 28.22 to meet the greatest need on a statewide basis. The commissioner will provide outreach,
 28.23 technical assistance, and program development support to increase capacity to new and
 28.24 existing service providers to better meet needs statewide, particularly in areas where
 28.25 services for homeless youth have not been established, especially in greater Minnesota.

28.26 Sec. 35. **[256M.41] CHILD PROTECTION GRANT ALLOCATION TO**
 28.27 **ADDRESS STAFFING.**

219.23 (c) "Homeless youth" means a person ~~21~~ 24 years of age or younger who is
 219.24 unaccompanied by a parent or guardian and is without shelter where appropriate care and
 219.25 supervision are available, whose parent or legal guardian is unable or unwilling to provide
 219.26 shelter and care, or who lacks a fixed, regular, and adequate nighttime residence. The
 219.27 following are not fixed, regular, or adequate nighttime residences:

219.28 (1) a supervised publicly or privately operated shelter designed to provide temporary
 219.29 living accommodations;

219.30 (2) an institution or a publicly or privately operated shelter designed to provide
 219.31 temporary living accommodations;

219.32 (3) transitional housing;

219.33 (4) a temporary placement with a peer, friend, or family member that has not offered
 219.34 permanent residence, a residential lease, or temporary lodging for more than 30 days; or

220.1 (5) a public or private place not designed for, nor ordinarily used as, a regular
 220.2 sleeping accommodation for human beings.

220.3 Homeless youth does not include persons incarcerated or otherwise detained under
 220.4 federal or state law.

220.5 (d) "Youth at risk of homelessness" means a person ~~21~~ 24 years of age or younger
 220.6 whose status or circumstances indicate a significant danger of experiencing homelessness
 220.7 in the near future. Status or circumstances that indicate a significant danger may include:
 220.8 (1) youth exiting out-of-home placements; (2) youth who previously were homeless; (3)
 220.9 youth whose parents or primary caregivers are or were previously homeless; (4) youth
 220.10 who are exposed to abuse and neglect in their homes; (5) youth who experience conflict
 220.11 with parents due to chemical or alcohol dependency, mental health disabilities, or other
 220.12 disabilities; and (6) runaways.

220.13 (e) "Runaway" means an unmarried child under the age of 18 years who is absent
 220.14 from the home of a parent or guardian or other lawful placement without the consent of
 220.15 the parent, guardian, or lawful custodian.

220.16 Sec. 30. **[256M.41] CHILD PROTECTION GRANT ALLOCATION.**

28.28 Subdivision 1. **Formula for county staffing funds.** (a) The commissioner shall
 28.29 allocate state funds appropriated under this section to each county board on a calendar
 28.30 year basis in an amount determined according to the following formula:

28.31 (1) 50 percent must be distributed on the basis of the child population residing in the
 28.32 county as determined by the most recent data of the state demographer;

29.1 (2) 25 percent must be distributed on the basis of the number of screened-in
 29.2 reports of child maltreatment under sections 626.556 and 626.5561, and in the county as
 29.3 determined by the most recent data of the commissioner; and

29.4 (3) 25 percent must be distributed on the basis of the number of open child
 29.5 protection case management cases in the county as determined by the most recent data of
 29.6 the commissioner.

29.7 (b) Notwithstanding this subdivision, no county shall be awarded an allocation of
 29.8 less than \$75,000.

29.9 Subd. 2. **Prohibition on supplanting existing funds.** Funds received under this
 29.10 section must be used to address staffing for child protection or expand child protection
 29.11 services. Funds must not be used to supplant current county expenditures for these
 29.12 purposes.

29.13 Subd. 3. **Payments based on performance.** (a) The commissioner shall make
 29.14 payments under this section to each county board on a calendar year basis in an amount
 29.15 determined under paragraph (b).

29.16 (b) Calendar year allocations under subdivision 1 shall be paid to counties in the
 29.17 following manner:

29.18 (1) 80 percent of the allocation as determined in subdivision 1 must be paid to
 29.19 counties on or before July 10 of each year;

29.20 (2) ten percent of the allocation shall be withheld until the commissioner determines
 29.21 if the county has met the performance outcome threshold of 90 percent based on
 29.22 face-to-face contact with alleged child victims. In order to receive the performance
 29.23 allocation, the county child protection workers must have a timely face-to-face contact
 29.24 with at least 90 percent of all alleged child victims of screened-in maltreatment reports.
 29.25 The standard requires that each initial face-to-face contact occur consistent with timelines
 29.26 defined in section 626.556, subdivision 10, paragraph (i). The commissioner shall make
 29.27 threshold determinations in January of each year and payments to counties meeting the
 29.28 performance outcome threshold shall occur in February of each year. Any withheld funds
 29.29 from this appropriation for counties that do not meet this requirement shall be reallocated
 29.30 by the commissioner to those counties meeting the requirement; and

220.17 Subdivision 1. **Formula for county staffing funds.** The commissioner shall allocate
 220.18 state funds appropriated under this section to each county board on a calendar year basis
 220.19 in an amount determined according to the following formula:

220.20 (1) 25 percent must be distributed on the basis of the number of screened-out
 220.21 reports of child maltreatment under sections 626.556 and 626.5561, and in the county as
 220.22 determined by the most recent data of the commissioner;

220.23 (2) 25 percent must be distributed on the basis of the number of screened-in
 220.24 reports of child maltreatment under sections 626.556 and 626.5561, and in the county as
 220.25 determined by the most recent data of the commissioner; and

220.26 (3) 50 percent must be distributed on the basis of the number of open child
 220.27 protection case management cases in the county as determined by the most recent data of
 220.28 the commissioner.

220.29 Subd. 2. **Prohibition on supplanting existing funds.** Funds received under this
 220.30 section must be used to address staffing for child protection or expand child protection
 220.31 services. Funds must not be used to supplant current county expenditures for these
 220.32 purposes.

220.33 Subd. 3. **Payments based on performance.** (a) The commissioner shall make
 220.34 payments under this section to each county board on a calendar year basis in an amount
 220.35 determined under paragraph (b).

221.1 (b) Calendar year allocations under subdivision 1 shall be paid to counties in the
 221.2 following manner:

221.3 (1) 80 percent of the allocation as determined in subdivision 1 must be paid to
 221.4 counties on or before July 10 of each year;

221.5 (2) ten percent of the allocation shall be withheld until the commissioner determines
 221.6 if the county has met the performance outcome threshold of 90 percent based on
 221.7 face-to-face contact with alleged child victims. In order to receive the performance
 221.8 allocation, the county child protection workers must have a timely face-to-face contact
 221.9 with at least 90 percent of all alleged child victims of screened-in maltreatment reports.
 221.10 The standard requires that each initial face-to-face contact occur consistent with timelines
 221.11 defined in section 626.556, subdivision 10, paragraph (i). The commissioner shall make
 221.12 threshold determinations in January of each year and payments to counties meeting the
 221.13 performance outcome threshold shall occur in February of each year. Any withheld funds
 221.14 from this appropriation for counties that do not meet this requirement shall be reallocated
 221.15 by the commissioner to those counties meeting the requirement; and

29.31 (3) ten percent of the allocation shall be withheld until the commissioner determines
 29.32 that the county has met the performance outcome threshold of 90 percent based on
 29.33 face-to-face visits by the case manager. In order to receive the performance allocation, the
 29.34 total number of visits made by caseworkers on a monthly basis to children in foster care
 29.35 and children receiving child protection services while residing in their home must be at
 29.36 least 90 percent of the total number of such visits that would occur if every child were
 30.1 visited once per month. The commissioner shall make such determinations in January
 30.2 of each year and payments to counties meeting the performance outcome threshold
 30.3 shall occur in February of each year. Any withheld funds from this appropriation for
 30.4 counties that do not meet this requirement shall be reallocated by the commissioner to
 30.5 those counties meeting the requirement.

30.6 (c) The commissioner shall work with stakeholders and the Human Services
 30.7 Performance Council under section 402A.16 to develop recommendations for specific
 30.8 outcome measures that counties should meet in order to receive funds withheld under
 30.9 paragraph (b), and include in those recommendations a determination as to whether
 30.10 the performance measures under paragraph (b) should be modified or phased out. The
 30.11 commissioner shall report the recommendations to the legislative committees having
 30.12 jurisdiction over child protection issues by January 1, 2018.

30.13 **Sec. 36. [256M.42] CHILD PROTECTION GRANT ALLOCATION FOR**
 30.14 **COUNTY SERVICES.**

30.15 Subdivision 1. **Formula.** (a) The commissioner shall allocate state funds
 30.16 appropriated under this section to each county board on a calendar year basis in an amount
 30.17 determined according to the following formula:

30.18 (1) 50 percent must be distributed on the basis of the child population residing in the
 30.19 county as determined by the most recent data of the state demographer;

30.20 (2) 25 percent must be distributed on the basis of the number of screened-in
 30.21 reports of child maltreatment under sections 626.556 and 626.5561, and in the county as
 30.22 determined by the most recent data of the commissioner; and

30.23 (3) 25 percent must be distributed on the basis of the number of open child
 30.24 protection case management cases in the county as determined by the most recent data of
 30.25 the commissioner.

30.26 (b) Notwithstanding paragraph (a), no county shall be awarded an allocation of
 30.27 less than \$10,000.

30.28 Subd. 2. **Supplantation of existing funds.** Funds received by counties under this
 30.29 section must be used for additional child protection services and must not be used to
 30.30 supplant current county expenditures for these purposes.

221.16 (3) ten percent of the allocation shall be withheld until the commissioner determines
 221.17 that the county has met the performance outcome threshold of 90 percent based on
 221.18 face-to-face visits by the case manager. In order to receive the performance allocation, the
 221.19 total number of visits made by caseworkers on a monthly basis to children in foster care
 221.20 and children receiving child protection services while residing in their home must be at
 221.21 least 90 percent of the total number of such visits that would occur if every child were
 221.22 visited once per month. The commissioner shall make such determinations in January
 221.23 of each year and payments to counties meeting the performance outcome threshold
 221.24 shall occur in February of each year. Any withheld funds from this appropriation for
 221.25 counties that do not meet this requirement shall be reallocated by the commissioner to
 221.26 those counties meeting the requirement.

221.27 (c) The commissioner shall work with stakeholders and the Human Services
 221.28 Performance Council under section 402A.16 to develop recommendations for specific
 221.29 outcome measures that counties should meet in order to receive funds withheld under
 221.30 paragraph (b), and include in those recommendations a determination as to whether
 221.31 the performance measures under paragraph (b) should be modified or phased out. The
 221.32 commissioner shall report the recommendations to the legislative committees having
 221.33 jurisdiction over child protection issues by January 1, 2018.

- 30.31 Subd. 3. **Eligible services.** (a) Funds received under this section must be used
 30.32 for additional child protection services to support children and their families who have
 30.33 been identified to the child welfare system through the intake process. Examples of
 30.34 eligible services include, but are not limited to: family-based counseling; family-based
 30.35 life management; individual counseling; group counseling; family group decision-making;
 31.1 parent support outreach; family-based crisis; family assessment response; concurrent
 31.2 permanency planning; social and recreational; home-based support; homemaking; respite
 31.3 care; legal; court-related; transportation; health-related; mental health screening; and
 31.4 interpreter services.
- 31.5 (b) Funds may also be used for prioritized services in child care, Head Start, Early
 31.6 Head Start, or home visiting for children in the child protection system to remove these
 31.7 children from waiting lists in these programs.
- 31.8 (c) Services provided under this section shall be culturally affirming in access and
 31.9 delivery for the recipient.
- 31.10 (d) The commissioner shall instruct counties on the eligible services and procedures
 31.11 for claiming reimbursement.
- 31.12 Subd. 4. **American Indian child welfare projects.** Of the amount appropriated
 31.13 under this section, \$75,000 shall be awarded to each tribe authorized under section 256.01,
 31.14 subdivision 14b, to address child protection staffing and services.

31.15 Sec. 37. Minnesota Statutes 2014, section 256N.22, subdivision 9, is amended to read:

- 31.16 Subd. 9. **Death or incapacity of relative custodian or dissolution modification**
 31.17 **of custody.** The Northstar kinship assistance agreement ends upon death or dissolution
 31.18 incapacity of the relative custodian or modification of the order for permanent legal and
 31.19 physical custody of both relative custodians in the case of assignment of custody to two
 31.20 individuals, or the sole relative custodian in the case of assignment of custody to one
 31.21 individual in which legal or physical custody is removed from the relative custodian.
 31.22 In the case of a relative custodian's death or incapacity, Northstar kinship assistance
 31.23 eligibility may be continued according to subdivision 10.

31.24 Sec. 38. Minnesota Statutes 2014, section 256N.22, subdivision 10, is amended to read:

- 31.25 Subd. 10. **Assigning a successor relative custodian for a child's Northstar**
 31.26 **kinship assistance to a court-appointed guardian or custodian.** (a) Northstar kinship
 31.27 ~~assistance may be continued with the written consent of the commissioner to~~ In the event
 31.28 of the death or incapacity of the relative custodian, eligibility for Northstar kinship
 31.29 assistance and title IV-E assistance, if applicable, is not affected if the relative custodian
 31.30 is replaced by a successor named in the Northstar kinship assistance benefit agreement.
 31.31 Northstar kinship assistance shall be paid to a named successor who is not the child's legal
 31.32 parent, biological parent or stepparent, or other adult living in the home of the legal parent,
 31.33 biological parent, or stepparent.

221.34 Sec. 31. Minnesota Statutes 2014, section 256N.22, subdivision 9, is amended to read:

- 222.1 Subd. 9. **Death or incapacity of relative custodian or dissolution modification**
 222.2 **of custody.** The Northstar kinship assistance agreement ends upon death or dissolution
 222.3 incapacity of the relative custodian or modification of the order for permanent legal and
 222.4 physical custody of both relative custodians in the case of assignment of custody to two
 222.5 individuals, or the sole relative custodian in the case of assignment of custody to one
 222.6 individual in which legal or physical custody is removed from the relative custodian.
 222.7 In the case of a relative custodian's death or incapacity, Northstar kinship assistance
 222.8 eligibility may be continued according to subdivision 10.

222.9 Sec. 32. Minnesota Statutes 2014, section 256N.22, subdivision 10, is amended to read:

- 222.10 Subd. 10. **Assigning a successor relative custodian for a child's Northstar**
 222.11 **kinship assistance to a court-appointed guardian or custodian.** (a) Northstar kinship
 222.12 ~~assistance may be continued with the written consent of the commissioner to~~ In the event
 222.13 of the death or incapacity of the relative custodian, eligibility for Northstar kinship
 222.14 assistance and title IV-E assistance, if applicable, is not affected if the relative custodian
 222.15 is replaced by a successor named in the Northstar kinship assistance benefit agreement.
 222.16 Northstar kinship assistance shall be paid to a named successor who is not the child's
 222.17 legal parent, biological parent, or stepparent, or other adult living in the home of the
 222.18 legal parent, biological parent, or stepparent.

31.34 (b) In order to receive Northstar kinship assistance, a named successor must:

32.1 (1) meet the background study requirements in subdivision 4;

32.2 (2) renegotiate the agreement consistent with section 256N.25, subdivision 2,

32.3 including cooperating with an assessment under section 256N.24;

32.4 (3) be ordered by the court to be the child's legal relative custodian in a modification

32.5 proceeding under section 260C.521, subdivision 2; and

32.6 (4) satisfy the requirements in this paragraph within one year of the relative

32.7 custodian's death or incapacity unless the commissioner certifies that the named successor

32.8 made reasonable attempts to satisfy the requirements within one year and failure to satisfy

32.9 the requirements was not the responsibility of the named successor.

32.10 (c) Payment of Northstar kinship assistance to the successor guardian may be

32.11 temporarily approved through the policies, procedures, requirements, and deadlines under

32.12 section 256N.28, subdivision 2. Ongoing payment shall begin in the month when all the

32.13 requirements in paragraph (b) are satisfied.

32.14 (d) Continued payment of Northstar kinship assistance may occur in the event of the

32.15 death or incapacity of the relative custodian when no successor has been named in the

32.16 benefit agreement when the commissioner gives written consent to an individual who is a

32.17 guardian or custodian appointed by a court for the child upon the death of both relative

32.18 custodians in the case of assignment of custody to two individuals, or the sole relative

32.19 custodian in the case of assignment of custody to one individual, unless the child is under

32.20 the custody of a county, tribal, or child-placing agency.

32.21 ~~(b)~~ (e) Temporary assignment of Northstar kinship assistance may be approved

32.22 for a maximum of six consecutive months from the death or incapacity of the relative

32.23 custodian or custodians as provided in paragraph (a) and must adhere to the policies and,

32.24 procedures, requirements, and deadlines under section 256N.28, subdivision 2, that are

32.25 prescribed by the commissioner. If a court has not appointed a permanent legal guardian

32.26 or custodian within six months, the Northstar kinship assistance must terminate and must

32.27 not be resumed.

32.28 ~~(e)~~ (f) Upon assignment of assistance payments under this subdivision paragraphs

32.29 (d) and (e), assistance must be provided from funds other than title IV-E.

32.30 Sec. 39. Minnesota Statutes 2014, section 256N.24, subdivision 4, is amended to read:

32.31 Subd. 4. **Extraordinary levels.** (a) The assessment tool established under

32.32 subdivision 2 must provide a mechanism through which up to five levels can be added

32.33 to the supplemental difficulty of care for a particular child under section 256N.26,

32.34 subdivision 4. In establishing the assessment tool, the commissioner must design the tool

33.1 so that the levels applicable to the portions of the assessment other than the extraordinary

33.2 levels can accommodate the requirements of this subdivision.

222.19 (b) In order to receive Northstar kinship assistance, a named successor must:

222.20 (1) meet the background study requirements in subdivision 4;

222.21 (2) renegotiate the agreement consistent with section 256N.25, subdivision 2,

222.22 including cooperating with an assessment under section 256N.24;

222.23 (3) be ordered by the court to be the child's legal relative custodian in a modification

222.24 proceeding under section 260C.521, subdivision 2; and

222.25 (4) satisfy the requirements in this paragraph within one year of the relative

222.26 custodian's death or incapacity unless the commissioner certifies that the named successor

222.27 made reasonable attempts to satisfy the requirements within one year and failure to satisfy

222.28 the requirements was not the responsibility of the named successor.

222.29 (c) Payment of Northstar kinship assistance to the successor guardian may be

222.30 temporarily approved through the policies, procedures, requirements, and deadlines under

222.31 section 256N.28, subdivision 2. Ongoing payment shall begin in the month when all the

222.32 requirements in paragraph (b) are satisfied.

222.33 (d) Continued payment of Northstar kinship assistance may occur in the event of the

222.34 death or incapacity of the relative custodian when no successor has been named in the

222.35 benefit agreement when the commissioner gives written consent to an individual who is a

223.1 guardian or custodian appointed by a court for the child upon the death of both relative

223.2 custodians in the case of assignment of custody to two individuals, or the sole relative

223.3 custodian in the case of assignment of custody to one individual, unless the child is under

223.4 the custody of a county, tribal, or child-placing agency.

223.5 ~~(b)~~ (e) Temporary assignment of Northstar kinship assistance may be approved

223.6 for a maximum of six consecutive months from the death or incapacity of the relative

223.7 custodian or custodians as provided in paragraph (a) and must adhere to the policies and,

223.8 procedures, requirements, and deadlines under section 256N.28, subdivision 2, that are

223.9 prescribed by the commissioner. If a court has not appointed a permanent legal guardian

223.10 or custodian within six months, the Northstar kinship assistance must terminate and must

223.11 not be resumed.

223.12 ~~(e)~~ (f) Upon assignment of assistance payments under this subdivision paragraphs

223.13 (d) and (e), assistance must be provided from funds other than title IV-E.

223.14 Sec. 33. Minnesota Statutes 2014, section 256N.24, subdivision 4, is amended to read:

223.15 Subd. 4. **Extraordinary levels.** (a) The assessment tool established under

223.16 subdivision 2 must provide a mechanism through which up to five levels can be added

223.17 to the supplemental difficulty of care for a particular child under section 256N.26,

223.18 subdivision 4. In establishing the assessment tool, the commissioner must design the tool

223.19 so that the levels applicable to the portions of the assessment other than the extraordinary

223.20 levels can accommodate the requirements of this subdivision.

33.3 (b) These extraordinary levels are available when all of the following circumstances
33.4 apply:

33.5 (1) the child has extraordinary needs as determined by the assessment tool provided
33.6 for under subdivision 2, and the child meets other requirements established by the
33.7 commissioner, such as a minimum score on the assessment tool;

33.8 (2) the child's extraordinary needs require extraordinary care and intense supervision
33.9 that is provided by the child's caregiver as part of the parental duties as described in the
33.10 supplemental difficulty of care rate, section 256N.02, subdivision 21. This extraordinary
33.11 care provided by the caregiver is required so that the child can be safely cared for in the
33.12 home and community, and prevents residential placement;

33.13 (3) the child is physically living in a foster family setting, as defined in Minnesota
33.14 Rules, part 2960.3010, subpart 23, in a foster residence setting, or physically living in the
33.15 home with the adoptive parent or relative custodian; and

33.16 (4) the child is receiving the services for which the child is eligible through medical
33.17 assistance programs or other programs that provide necessary services for children with
33.18 disabilities or other medical and behavioral conditions to live with the child's family, but
33.19 the agency with caregiver's input has identified a specific support gap that cannot be met
33.20 through home and community support waivers or other programs that are designed to
33.21 provide support for children with special needs.

33.22 (c) The agency completing an assessment, under subdivision 2, that suggests an
33.23 extraordinary level must document as part of the assessment, the following:

33.24 (1) the assessment tool that determined that the child's needs or disabilities require
33.25 extraordinary care and intense supervision;

33.26 (2) a summary of the extraordinary care and intense supervision that is provided by
33.27 the caregiver as part of the parental duties as described in the supplemental difficulty of
33.28 care rate, section 256N.02, subdivision 21;

33.29 (3) confirmation that the child is currently physically residing in the foster family
33.30 setting or in the home with the adoptive parent or relative custodian;

33.31 (4) the efforts of the agency, caregiver, parents, and others to request support services
33.32 in the home and community that would ease the degree of parental duties provided by the
33.33 caregiver for the care and supervision of the child. This would include documentation of
33.34 the services provided for the child's needs or disabilities, and the services that were denied
33.35 or not available from the local social service agency, community agency, the local school
33.36 district, local public health department, the parent, or child's medical insurance provider;

34.1 (5) the specific support gap identified that places the child's safety and well-being at
34.2 risk in the home or community and is necessary to prevent residential placement; and

223.21 (b) These extraordinary levels are available when all of the following circumstances
223.22 apply:

223.23 (1) the child has extraordinary needs as determined by the assessment tool provided
223.24 for under subdivision 2, and the child meets other requirements established by the
223.25 commissioner, such as a minimum score on the assessment tool;

223.26 (2) the child's extraordinary needs require extraordinary care and intense supervision
223.27 that is provided by the child's caregiver as part of the parental duties as described in the
223.28 supplemental difficulty of care rate, section 256N.02, subdivision 21. This extraordinary
223.29 care provided by the caregiver is required so that the child can be safely cared for in the
223.30 home and community, and prevents residential placement;

223.31 (3) the child is physically living in a foster family setting, as defined in Minnesota
223.32 Rules, part 2960.3010, subpart 23, in a foster residence setting, or physically living in the
223.33 home with the adoptive parent or relative custodian; and

223.34 (4) the child is receiving the services for which the child is eligible through medical
223.35 assistance programs or other programs that provide necessary services for children with
224.1 disabilities or other medical and behavioral conditions to live with the child's family, but
224.2 the agency with caregiver's input has identified a specific support gap that cannot be met
224.3 through home and community support waivers or other programs that are designed to
224.4 provide support for children with special needs.

224.5 (c) The agency completing an assessment, under subdivision 2, that suggests an
224.6 extraordinary level must document as part of the assessment, the following:

224.7 (1) the assessment tool that determined that the child's needs or disabilities require
224.8 extraordinary care and intense supervision;

224.9 (2) a summary of the extraordinary care and intense supervision that is provided by
224.10 the caregiver as part of the parental duties as described in the supplemental difficulty of
224.11 care rate, section 256N.02, subdivision 21;

224.12 (3) confirmation that the child is currently physically residing in the foster family
224.13 setting or in the home with the adoptive parent or relative custodian;

224.14 (4) the efforts of the agency, caregiver, parents, and others to request support services
224.15 in the home and community that would ease the degree of parental duties provided by the
224.16 caregiver for the care and supervision of the child. This would include documentation of
224.17 the services provided for the child's needs or disabilities, and the services that were denied
224.18 or not available from the local social service agency, community agency, the local school
224.19 district, local public health department, the parent, or child's medical insurance provider;

224.20 (5) the specific support gap identified that places the child's safety and well-being at
224.21 risk in the home or community and is necessary to prevent residential placement; and

34.3 (6) the extraordinary care and intense supervision provided by the foster, adoptive,
 34.4 or guardianship caregivers to maintain the child safely in the child's home and prevent
 34.5 residential placement that cannot be supported by medical assistance or other programs
 34.6 that provide services, necessary care for children with disabilities, or other medical or
 34.7 behavioral conditions in the home or community.

34.8 (d) An agency completing an assessment under subdivision 2 that suggests
 34.9 an extraordinary level is appropriate must forward the assessment and required
 34.10 documentation to the commissioner. If the commissioner approves, the extraordinary
 34.11 levels must be retroactive to the date the assessment was forwarded.

34.12 Sec. 40. Minnesota Statutes 2014, section 256N.25, subdivision 1, is amended to read:

34.13 Subdivision 1. **Agreement; Northstar kinship assistance; adoption assistance.** (a)
 34.14 In order to receive Northstar kinship assistance or adoption assistance benefits on behalf
 34.15 of an eligible child, a written, binding agreement between the caregiver or caregivers,
 34.16 the financially responsible agency, or, if there is no financially responsible agency, the
 34.17 agency designated by the commissioner, and the commissioner must be established prior
 34.18 to finalization of the adoption or a transfer of permanent legal and physical custody. The
 34.19 agreement must be negotiated with the caregiver or caregivers under subdivision 2 and
 34.20 renegotiated under subdivision 3, if applicable.

34.21 (b) The agreement must be on a form approved by the commissioner and must
 34.22 specify the following:

34.23 (1) duration of the agreement;

34.24 (2) the nature and amount of any payment, services, and assistance to be provided
 34.25 under such agreement;

34.26 (3) the child's eligibility for Medicaid services;

34.27 (4) the terms of the payment, including any child care portion as specified in section
 34.28 256N.24, subdivision 3;

34.29 (5) eligibility for reimbursement of nonrecurring expenses associated with adopting
 34.30 or obtaining permanent legal and physical custody of the child, to the extent that the
 34.31 total cost does not exceed \$2,000 per child;

34.32 (6) that the agreement must remain in effect regardless of the state of which the
 34.33 adoptive parents or relative custodians are residents at any given time;

34.34 (7) provisions for modification of the terms of the agreement, including renegotiation
 34.35 of the agreement; ~~and~~

35.1 (8) the effective date of the agreement; and

224.22 (6) the extraordinary care and intense supervision provided by the foster, adoptive,
 224.23 or guardianship caregivers to maintain the child safely in the child's home and prevent
 224.24 residential placement that cannot be supported by medical assistance or other programs
 224.25 that provide services, necessary care for children with disabilities, or other medical or
 224.26 behavioral conditions in the home or community.

224.27 (d) An agency completing an assessment under subdivision 2 that suggests
 224.28 an extraordinary level is appropriate must forward the assessment and required
 224.29 documentation to the commissioner. If the commissioner approves, the extraordinary
 224.30 levels must be retroactive to the date the assessment was forwarded.

224.31 Sec. 34. Minnesota Statutes 2014, section 256N.25, subdivision 1, is amended to read:

224.32 Subdivision 1. **Agreement; Northstar kinship assistance; adoption assistance.** (a)
 224.33 In order to receive Northstar kinship assistance or adoption assistance benefits on behalf
 224.34 of an eligible child, a written, binding agreement between the caregiver or caregivers,
 224.35 the financially responsible agency, or, if there is no financially responsible agency, the
 225.1 agency designated by the commissioner, and the commissioner must be established prior
 225.2 to finalization of the adoption or a transfer of permanent legal and physical custody. The
 225.3 agreement must be negotiated with the caregiver or caregivers under subdivision 2 and
 225.4 renegotiated under subdivision 3, if applicable.

225.5 (b) The agreement must be on a form approved by the commissioner and must
 225.6 specify the following:

225.7 (1) duration of the agreement;

225.8 (2) the nature and amount of any payment, services, and assistance to be provided
 225.9 under such agreement;

225.10 (3) the child's eligibility for Medicaid services;

225.11 (4) the terms of the payment, including any child care portion as specified in section
 225.12 256N.24, subdivision 3;

225.13 (5) eligibility for reimbursement of nonrecurring expenses associated with adopting
 225.14 or obtaining permanent legal and physical custody of the child, to the extent that the
 225.15 total cost does not exceed \$2,000 per child;

225.16 (6) that the agreement must remain in effect regardless of the state of which the
 225.17 adoptive parents or relative custodians are residents at any given time;

225.18 (7) provisions for modification of the terms of the agreement, including renegotiation
 225.19 of the agreement; ~~and~~

225.20 (8) the effective date of the agreement; and

35.2 (9) the successor relative custodian or custodians for Northstar kinship assistance,
 35.3 when applicable. The successor relative custodian or custodians may be added or changed
 35.4 by mutual agreement under subdivision 3.

35.5 (c) The caregivers, the commissioner, and the financially responsible agency, or, if
 35.6 there is no financially responsible agency, the agency designated by the commissioner, must
 35.7 sign the agreement. A copy of the signed agreement must be given to each party. Once
 35.8 signed by all parties, the commissioner shall maintain the official record of the agreement.

35.9 (d) The effective date of the Northstar kinship assistance agreement must be the date
 35.10 of the court order that transfers permanent legal and physical custody to the relative. The
 35.11 effective date of the adoption assistance agreement is the date of the finalized adoption
 35.12 decree.

35.13 (e) Termination or disruption of the preadoptive placement or the foster care
 35.14 placement prior to assignment of custody makes the agreement with that caregiver void.

35.15 Sec. 41. Minnesota Statutes 2014, section 256N.27, subdivision 2, is amended to read:

35.16 Subd. 2. **State share.** The commissioner shall pay the state share of the maintenance
 35.17 payments as determined under subdivision 4, and an identical share of the pre-Northstar
 35.18 Care foster care program under section 260C.4411, subdivision 1, the relative custody
 35.19 assistance program under section 257.85, and the pre-Northstar Care for Children adoption
 35.20 assistance program under chapter 259A. ~~The commissioner may transfer funds into the~~
 35.21 ~~account if a deficit occurs.~~

35.22 Sec. 42. Minnesota Statutes 2014, section 257.0755, subdivision 1, is amended to read:

35.23 Subdivision 1. **Creation.** ~~Each ombudsperson shall operate independently from but~~
 35.24 ~~in collaboration with the community-specific board that appointed the ombudsperson under~~
 35.25 ~~section 257.0768: the Indian Affairs Council, the Council on Affairs of Chicano/Latino~~
 35.26 ~~people, the Council on Black Minnesotans, and the Council on Asian-Pacific Minnesotans~~
 35.27 The Office of Ombudspersons is organized under the Department of Human Services.

35.28 Sec. 43. Minnesota Statutes 2014, section 257.0755, subdivision 2, is amended to read:

35.29 Subd. 2. **Selection; qualifications.** The ombudsperson for each community
 35.30 ~~shall be selected by the applicable community-specific board established in section~~
 35.31 ~~257.0768 appointed by the governor.~~ Each ombudsperson serves in the unclassified
 35.32 ~~service at the pleasure of the community-specific board governor~~ and may be removed
 35.33 only for just cause. Each ombudsperson must be selected without regard to political
 36.1 affiliation, and shall be a person highly competent and qualified to analyze questions of
 36.2 law, administration, and public policy regarding the protection and placement of children
 36.3 from families of color. In addition, the ombudsperson must be experienced in dealing with
 36.4 communities of color and knowledgeable about the needs of those communities. No
 36.5 individual may serve as ombudsperson while holding any other public office.

225.21 (9) the successor relative custodian or custodians for Northstar kinship assistance,
 225.22 when applicable. The successor relative custodian or custodians may be added or changed
 225.23 by mutual agreement under subdivision 3.

225.24 (c) The caregivers, the commissioner, and the financially responsible agency, or, if
 225.25 there is no financially responsible agency, the agency designated by the commissioner, must
 225.26 sign the agreement. A copy of the signed agreement must be given to each party. Once
 225.27 signed by all parties, the commissioner shall maintain the official record of the agreement.

225.28 (d) The effective date of the Northstar kinship assistance agreement must be the date
 225.29 of the court order that transfers permanent legal and physical custody to the relative. The
 225.30 effective date of the adoption assistance agreement is the date of the finalized adoption
 225.31 decree.

225.32 (e) Termination or disruption of the preadoptive placement or the foster care
 225.33 placement prior to assignment of custody makes the agreement with that caregiver void.

225.34 Sec. 35. Minnesota Statutes 2014, section 256N.27, subdivision 2, is amended to read:

226.1 Subd. 2. **State share.** The commissioner shall pay the state share of the maintenance
 226.2 payments as determined under subdivision 4, and an identical share of the pre-Northstar
 226.3 Care foster care program under section 260C.4411, subdivision 1, the relative custody
 226.4 assistance program under section 257.85, and the pre-Northstar Care for Children adoption
 226.5 assistance program under chapter 259A. ~~The commissioner may transfer funds into the~~
 226.6 ~~account if a deficit occurs.~~

36.6 Sec. 44. Minnesota Statutes 2014, section 257.0761, subdivision 1, is amended to read:

36.7 Subdivision 1. **Staff; unclassified status; retirement.** The ombudsperson for each
 36.8 ~~group~~ community of color specified in section ~~257.0755~~ 257.076 may select, appoint, and
 36.9 compensate out of available funds the assistants and employees as deemed necessary to
 36.10 discharge responsibilities. All employees, except the secretarial and clerical staff, shall
 36.11 serve at the pleasure of the ombudsperson in the unclassified service. The ombudsperson
 36.12 and full-time staff shall be members of the Minnesota State Retirement Association.

36.13 Sec. 45. Minnesota Statutes 2014, section 257.0766, subdivision 1, is amended to read:

36.14 Subdivision 1. **Specific reports.** An ombudsperson may send conclusions and
 36.15 suggestions concerning any matter reviewed to the governor ~~and shall provide copies of all~~
 36.16 ~~reports to the advisory board and to the groups specified in section 257.0768, subdivision~~
 36.17 ~~4.~~ Before making public a conclusion or recommendation that expressly or implicitly
 36.18 criticizes an agency, facility, program, or any person, the ombudsperson shall inform the
 36.19 governor and the affected agency, facility, program, or person concerning the conclusion
 36.20 or recommendation. When sending a conclusion or recommendation to the governor that
 36.21 is adverse to an agency, facility, program, or any person, the ombudsperson shall include
 36.22 any statement of reasonable length made by that agency, facility, program, or person in
 36.23 defense or mitigation of the ombudsperson's conclusion or recommendation.

36.24 Sec. 46. Minnesota Statutes 2014, section 257.0769, subdivision 1, is amended to read:

36.25 Subdivision 1. **Appropriations.** (a) Money is ~~appropriated from~~ in the special fund
 36.26 authorized by section 256.01, subdivision 2, paragraph (o), ~~to the Indian Affairs Council is~~
 36.27 appropriated for the purposes of sections 257.0755 to 257.0768.

36.28 ~~(b) Money is appropriated from the special fund authorized by section 256.01,~~
 36.29 ~~subdivision 2, paragraph (o), to the council on affairs of Chicano/Latino people for the~~
 36.30 ~~purposes of sections 257.0755 to 257.0768.~~

36.31 ~~(c) Money is appropriated from the special fund authorized by section 256.01,~~
 36.32 ~~subdivision 2, paragraph (o), to the Council of Black Minnesotans for the purposes of~~
 36.33 ~~sections 257.0755 to 257.0768.~~

37.1 ~~(d) Money is appropriated from the special fund authorized by section 256.01,~~
 37.2 ~~subdivision 2, paragraph (o), to the Council on Asian-Pacific Minnesotans for the purposes~~
 37.3 ~~of sections 257.0755 to 257.0768.~~

37.4 Sec. 47. Minnesota Statutes 2014, section 257.75, subdivision 3, is amended to read:

226.7 Sec. 36. Minnesota Statutes 2014, section 257.75, subdivision 3, is amended to read:

37.5 Subd. 3. **Effect of recognition.** (a) Subject to subdivision 2 and section 257.55, 37.6 subdivision 1, paragraph (g) or (h), the recognition has the force and effect of a judgment or 37.7 order determining the existence of the parent and child relationship under section 257.66. If 37.8 the conditions in section 257.55, subdivision 1, paragraph (g) or (h), exist, the recognition 37.9 creates only a presumption of paternity for purposes of sections 257.51 to 257.74. Once a 37.10 recognition has been properly executed and filed with the state registrar of vital statistics, 37.11 if there are no competing presumptions of paternity, a judicial or administrative court may 37.12 not allow further action to determine parentage regarding the signator of the recognition. 37.13 An action to determine custody and parenting time may be commenced pursuant to 37.14 chapter 518 without an adjudication of parentage. Until an a temporary or permanent 37.15 order is entered granting custody to another, the mother has sole custody.

37.16 (b) Following commencement of an action to determine custody or parenting time 37.17 under chapter 518, the court may, pursuant to section 518.131, grant temporary parenting 37.18 time rights and temporary custody to either parent.

37.19 (c) The recognition is:

37.20 (1) a basis for bringing an action for the following:

37.21 (i) to award temporary custody or parenting time pursuant to section 518.131;

37.22 (ii) to award permanent custody or parenting time to either parent;

37.23 (iii) establishing a child support obligation which may include up to the two years 37.24 immediately preceding the commencement of the action;

37.25 (iv) ordering a contribution by a parent under section 256.87-0F;

37.26 (v) ordering a contribution to the reasonable expenses of the mother's pregnancy and 37.27 confinement, as provided under section 257.66, subdivision 3; or

37.28 (vi) ordering reimbursement for the costs of blood or genetic testing, as provided 37.29 under section 257.69, subdivision 2;

37.30 (2) determinative for all other purposes related to the existence of the parent and 37.31 child relationship; and

37.32 (3) entitled to full faith and credit in other jurisdictions.

37.33 **EFFECTIVE DATE.** This section is effective March 1, 2016.

37.34 Sec. 48. Minnesota Statutes 2014, section 257.75, subdivision 5, is amended to read:

226.8 Subd. 3. **Effect of recognition.** (a) Subject to subdivision 2 and section 257.55, 226.9 subdivision 1, paragraph (g) or (h), the recognition has the force and effect of a judgment or 226.10 order determining the existence of the parent and child relationship under section 257.66. If 226.11 the conditions in section 257.55, subdivision 1, paragraph (g) or (h), exist, the recognition 226.12 creates only a presumption of paternity for purposes of sections 257.51 to 257.74. Once a 226.13 recognition has been properly executed and filed with the state registrar of vital statistics, 226.14 if there are no competing presumptions of paternity, a judicial or administrative court may 226.15 not allow further action to determine parentage regarding the signator of the recognition. 226.16 An action to determine custody and parenting time may be commenced pursuant to 226.17 chapter 518 without an adjudication of parentage. Until an a temporary or permanent 226.18 order is entered granting custody to another, the mother has sole custody.

226.19 (b) Following commencement of an action to determine custody or parenting time 226.20 under chapter 518, the court may, pursuant to section 518.131, grant temporary parenting 226.21 time rights and temporary custody to either parent.

226.22 (c) The recognition is:

226.23 (1) a basis for bringing an action for the following:

226.24 (i) to award temporary custody or parenting time pursuant to section 518.131;

226.25 (ii) to award permanent custody or parenting time to either parent;

226.26 (iii) establishing a child support obligation which may include up to the two years 226.27 immediately preceding the commencement of the action;

226.28 (iv) ordering a contribution by a parent under section 256.87-0F;

226.29 (v) ordering a contribution to the reasonable expenses of the mother's pregnancy and 226.30 confinement, as provided under section 257.66, subdivision 3; or

226.31 (vi) ordering reimbursement for the costs of blood or genetic testing, as provided 226.32 under section 257.69, subdivision 2;

226.33 (2) determinative for all other purposes related to the existence of the parent and 226.34 child relationship; and

226.35 (3) entitled to full faith and credit in other jurisdictions.

227.1 Sec. 37. Minnesota Statutes 2014, section 257.75, subdivision 5, is amended to read:

38.1 Subd. 5. **Recognition form.** (a) The commissioner of human services shall prepare
 38.2 a form for the recognition of parentage under this section. In preparing the form, the
 38.3 commissioner shall consult with the individuals specified in subdivision 6. The recognition
 38.4 form must be drafted so that the force and effect of the recognition, the alternatives to
 38.5 executing a recognition, ~~and the benefits and responsibilities of establishing paternity, and~~
 38.6 the limitations of the recognition of parentage for purposes of exercising and enforcing
 38.7 custody or parenting time are clear and understandable. ~~The form must include a notice~~
 38.8 ~~regarding the finality of a recognition and the revocation procedure under subdivision~~
 38.9 ~~2. The form must include a provision for each parent to verify that the parent has read~~
 38.10 ~~or viewed the educational materials prepared by the commissioner of human services~~
 38.11 ~~describing the recognition of paternity. The individual providing the form to the parents~~
 38.12 ~~for execution shall provide oral notice of the rights, responsibilities, and alternatives to~~
 38.13 ~~executing the recognition. Notice may be provided by audiotape, videotape, or similar~~
 38.14 ~~means. Each parent must receive a copy of the recognition.~~

38.15 (b) The form must include the following:

38.16 (1) a notice regarding the finality of a recognition and the revocation procedure
 38.17 under subdivision 2;

38.18 (2) a notice, in large print, that the recognition does not establish an enforceable right
 38.19 to legal custody, physical custody, or parenting time until such rights are awarded pursuant
 38.20 to a court action to establish custody and parenting time;

38.21 (3) a notice stating that when a court awards custody and parenting time under
 38.22 chapter 518, there is no presumption for or against joint physical custody, except when
 38.23 domestic abuse, as defined in section 518B.01, subdivision 2, paragraph (a), has occurred
 38.24 between the parties;

38.25 (4) a notice that the recognition of parentage is a basis for:

38.26 (i) bringing a court action to award temporary or permanent custody or parenting time;

38.27 (ii) establishing a child support obligation that may include the two years
 38.28 immediately preceding the commencement of the action;

38.29 (iii) ordering a contribution by a parent under section 256.87;

38.30 (iv) ordering a contribution to the reasonable expenses of the mother's pregnancy
 38.31 and confinement, as provided under section 257.66, subdivision 3; and

38.32 (v) ordering reimbursement for the costs of blood or genetic testing, as provided
 38.33 under section 257.69, subdivision 2; and

38.34 (5) a provision for each parent to verify that the parent has read or viewed the
 38.35 educational materials prepared by the commissioner of human services describing the
 38.36 recognition of paternity.

227.2 Subd. 5. **Recognition form.** (a) The commissioner of human services shall prepare
 227.3 a form for the recognition of parentage under this section. In preparing the form, the
 227.4 commissioner shall consult with the individuals specified in subdivision 6. The recognition
 227.5 form must be drafted so that the force and effect of the recognition, the alternatives to
 227.6 executing a recognition, ~~and the benefits and responsibilities of establishing paternity, and~~
 227.7 the limitations of the recognition of parentage for purposes of exercising and enforcing
 227.8 custody or parenting time are clear and understandable. ~~The form must include a notice~~
 227.9 ~~regarding the finality of a recognition and the revocation procedure under subdivision~~
 227.10 ~~2. The form must include a provision for each parent to verify that the parent has read~~
 227.11 ~~or viewed the educational materials prepared by the commissioner of human services~~
 227.12 ~~describing the recognition of paternity. The individual providing the form to the parents~~
 227.13 ~~for execution shall provide oral notice of the rights, responsibilities, and alternatives to~~
 227.14 ~~executing the recognition. Notice may be provided by audiotape, videotape, or similar~~
 227.15 ~~means. Each parent must receive a copy of the recognition.~~

227.16 (b) The form must include the following:

227.17 (1) a notice regarding the finality of a recognition and the revocation procedure
 227.18 under subdivision 2;

227.19 (2) a notice, in large print, that the recognition does not establish an enforceable right
 227.20 to legal custody, physical custody, or parenting time until such rights are awarded pursuant
 227.21 to a court action to establish custody and parenting time;

227.22 (3) a notice stating that when a court awards custody and parenting time under
 227.23 chapter 518, there is no presumption for or against joint physical custody, except when
 227.24 domestic abuse, as defined in section 518B.01, subdivision 2, paragraph (a), has occurred
 227.25 between the parties;

227.26 (4) a notice that the recognition of parentage is a basis for:

227.27 (i) bringing a court action to award temporary or permanent custody or parenting time;

227.28 (ii) establishing a child support obligation that may include the two years
 227.29 immediately preceding the commencement of the action;

227.30 (iii) ordering a contribution by a parent under section 256.87;

227.31 (iv) ordering a contribution to the reasonable expenses of the mother's pregnancy
 227.32 and confinement, as provided under section 257.66, subdivision 3; and

227.33 (v) ordering reimbursement for the costs of blood or genetic testing, as provided
 227.34 under section 257.69, subdivision 2; and

228.1 (5) a provision for each parent to verify that the parent has read or viewed the
 228.2 educational materials prepared by the commissioner of human services describing the
 228.3 recognition of paternity.

39.1 (c) The individual providing the form to the parents for execution shall provide oral
 39.2 notice of the rights, responsibilities, and alternatives to executing the recognition. Notice
 39.3 may be provided in audio or video format, or by other similar means. Each parent must
 39.4 receive a copy of the recognition.

39.5 EFFECTIVE DATE. This section is effective March 1, 2016.

39.6 Sec. 49. Minnesota Statutes 2014, section 259A.75, is amended to read:

39.7 **259A.75 REIMBURSEMENT OF CERTAIN AGENCY COSTS; PURCHASE**
 39.8 **OF SERVICE CONTRACTS AND TRIBAL CUSTOMARY ADOPTIONS.**

39.9 Subdivision 1. **General information.** (a) Subject to the procedures required by
 39.10 the commissioner and the provisions of this section, a Minnesota county or tribal social
 39.11 services agency shall receive a reimbursement from the commissioner equal to 100 percent
 39.12 of the reasonable and appropriate cost for contracted adoption placement services identified
 39.13 for a specific child that are not reimbursed under other federal or state funding sources.

39.14 (b) The commissioner may spend up to \$16,000 for each purchase of service
 39.15 contract. Only one contract per child per adoptive placement is permitted. Funds
 39.16 encumbered and obligated under the contract for the child remain available until the terms
 39.17 of the contract are fulfilled or the contract is terminated.

39.18 (c) The commissioner shall set aside an amount not to exceed five percent of the
 39.19 total amount of the fiscal year appropriation from the state for the adoption assistance
 39.20 program to reimburse a Minnesota county or tribal social services placing agencies agency
 39.21 for child-specific adoption placement services. When adoption assistance payments for
 39.22 children's needs exceed 95 percent of the total amount of the fiscal year appropriation from
 39.23 the state for the adoption assistance program, the amount of reimbursement available to
 39.24 placing agencies for adoption services is reduced correspondingly.

39.25 Subd. 2. **Purchase of service contract child eligibility criteria.** (a) A child who is
 39.26 the subject of a purchase of service contract must:

39.27 (1) have the goal of adoption, which may include an adoption in accordance with
 39.28 tribal law;

39.29 (2) be under the guardianship of the commissioner of human services or be a ward of
 39.30 tribal court pursuant to section 260.755, subdivision 20; and

39.31 (3) meet all of the special needs criteria according to section 259A.10, subdivision 2.

39.32 (b) A child under the guardianship of the commissioner must have an identified
 39.33 adoptive parent and a fully executed adoption placement agreement according to section
 39.34 260C.613, subdivision 1, paragraph (a).

228.4 (c) The individual providing the form to the parents for execution shall provide oral
 228.5 notice of the rights, responsibilities, and alternatives to executing the recognition. Notice
 228.6 may be provided in audio or video format, or by other similar means. Each parent must
 228.7 receive a copy of the recognition.

228.8 Sec. 38. Minnesota Statutes 2014, section 259A.75, is amended to read:

228.9 **259A.75 REIMBURSEMENT OF CERTAIN AGENCY COSTS; PURCHASE**
 228.10 **OF SERVICE CONTRACTS AND TRIBAL CUSTOMARY ADOPTIONS.**

228.11 Subdivision 1. **General information.** (a) Subject to the procedures required by
 228.12 the commissioner and the provisions of this section, a Minnesota county or tribal social
 228.13 services agency shall receive a reimbursement from the commissioner equal to 100 percent
 228.14 of the reasonable and appropriate cost for contracted adoption placement services identified
 228.15 for a specific child that are not reimbursed under other federal or state funding sources.

228.16 (b) The commissioner may spend up to \$16,000 for each purchase of service
 228.17 contract. Only one contract per child per adoptive placement is permitted. Funds
 228.18 encumbered and obligated under the contract for the child remain available until the terms
 228.19 of the contract are fulfilled or the contract is terminated.

228.20 (c) The commissioner shall set aside an amount not to exceed five percent of the
 228.21 total amount of the fiscal year appropriation from the state for the adoption assistance
 228.22 program to reimburse a Minnesota county or tribal social services placing agencies agency
 228.23 for child-specific adoption placement services. When adoption assistance payments for
 228.24 children's needs exceed 95 percent of the total amount of the fiscal year appropriation from
 228.25 the state for the adoption assistance program, the amount of reimbursement available to
 228.26 placing agencies for adoption services is reduced correspondingly.

228.27 Subd. 2. **Purchase of service contract child eligibility criteria.** (a) A child who is
 228.28 the subject of a purchase of service contract must:

228.29 (1) have the goal of adoption, which may include an adoption in accordance with
 228.30 tribal law;

228.31 (2) be under the guardianship of the commissioner of human services or be a ward of
 228.32 tribal court pursuant to section 260.755, subdivision 20; and

228.33 (3) meet all of the special needs criteria according to section 259A.10, subdivision 2.

229.1 (b) A child under the guardianship of the commissioner must have an identified
 229.2 adoptive parent and a fully executed adoption placement agreement according to section
 229.3 260C.613, subdivision 1, paragraph (a).

40.1 Subd. 3. **Agency eligibility criteria.** (a) A Minnesota county or tribal social
 40.2 services agency shall receive reimbursement for child-specific adoption placement
 40.3 services for an eligible child that it purchases from a private adoption agency licensed in
 40.4 Minnesota or any other state or tribal social services agency.

40.5 (b) Reimbursement for adoption services is available only for services provided
 40.6 prior to the date of the adoption decree.

40.7 Subd. 4. **Application and eligibility determination.** (a) A county or tribal social
 40.8 services agency may request reimbursement of costs for adoption placement services by
 40.9 submitting a complete purchase of service application, according to the requirements and
 40.10 procedures and on forms prescribed by the commissioner.

40.11 (b) The commissioner shall determine eligibility for reimbursement of adoption
 40.12 placement services. If determined eligible, the commissioner of human services shall
 40.13 sign the purchase of service agreement, making this a fully executed contract. No
 40.14 reimbursement under this section shall be made to an agency for services provided prior to
 40.15 the fully executed contract.

40.16 (c) Separate purchase of service agreements shall be made, and separate records
 40.17 maintained, on each child. Only one agreement per child per adoptive placement is
 40.18 permitted. For siblings who are placed together, services shall be planned and provided to
 40.19 best maximize efficiency of the contracted hours.

40.20 Subd. 5. **Reimbursement process.** (a) The agency providing adoption services is
 40.21 responsible to track and record all service activity, including billable hours, on a form
 40.22 prescribed by the commissioner. The agency shall submit this form to the state for
 40.23 reimbursement after services have been completed.

40.24 (b) The commissioner shall make the final determination whether or not the
 40.25 requested reimbursement costs are reasonable and appropriate and if the services have
 40.26 been completed according to the terms of the purchase of service agreement.

40.27 Subd. 6. **Retention of purchase of service records.** Agencies entering into
 40.28 purchase of service contracts shall keep a copy of the agreements, service records, and all
 40.29 applicable billing and invoicing according to the department's record retention schedule.
 40.30 Agency records shall be provided upon request by the commissioner.

40.31 Subd. 7. **Tribal customary adoptions.** (a) The commissioner shall enter into
 40.32 grant contracts with Minnesota tribal social services agencies to provide child-specific
 40.33 recruitment and adoption placement services for Indian children under the jurisdiction
 40.34 of tribal court.

40.35 (b) Children served under these grant contracts must meet the child eligibility
 40.36 criteria in subdivision 2.

41.1 Sec. 50. Minnesota Statutes 2014, section 260C.007, subdivision 27, is amended to read:

229.4 Subd. 3. **Agency eligibility criteria.** (a) A Minnesota county or tribal social
 229.5 services agency shall receive reimbursement for child-specific adoption placement
 229.6 services for an eligible child that it purchases from a private adoption agency licensed in
 229.7 Minnesota or any other state or tribal social services agency.

229.8 (b) Reimbursement for adoption services is available only for services provided
 229.9 prior to the date of the adoption decree.

229.10 Subd. 4. **Application and eligibility determination.** (a) A county or tribal social
 229.11 services agency may request reimbursement of costs for adoption placement services by
 229.12 submitting a complete purchase of service application, according to the requirements and
 229.13 procedures and on forms prescribed by the commissioner.

229.14 (b) The commissioner shall determine eligibility for reimbursement of adoption
 229.15 placement services. If determined eligible, the commissioner of human services shall
 229.16 sign the purchase of service agreement, making this a fully executed contract. No
 229.17 reimbursement under this section shall be made to an agency for services provided prior to
 229.18 the fully executed contract.

229.19 (c) Separate purchase of service agreements shall be made, and separate records
 229.20 maintained, on each child. Only one agreement per child per adoptive placement is
 229.21 permitted. For siblings who are placed together, services shall be planned and provided to
 229.22 best maximize efficiency of the contracted hours.

229.23 Subd. 5. **Reimbursement process.** (a) The agency providing adoption services is
 229.24 responsible to track and record all service activity, including billable hours, on a form
 229.25 prescribed by the commissioner. The agency shall submit this form to the state for
 229.26 reimbursement after services have been completed.

229.27 (b) The commissioner shall make the final determination whether or not the
 229.28 requested reimbursement costs are reasonable and appropriate and if the services have
 229.29 been completed according to the terms of the purchase of service agreement.

229.30 Subd. 6. **Retention of purchase of service records.** Agencies entering into
 229.31 purchase of service contracts shall keep a copy of the agreements, service records, and all
 229.32 applicable billing and invoicing according to the department's record retention schedule.
 229.33 Agency records shall be provided upon request by the commissioner.

229.34 Subd. 7. **Tribal customary adoptions.** (a) The commissioner shall enter into
 229.35 grant contracts with Minnesota tribal social services agencies to provide child-specific
 230.1 recruitment and adoption placement services for Indian children under the jurisdiction
 230.2 of tribal court.

230.3 (b) Children served under these grant contracts must meet the child eligibility
 230.4 criteria in subdivision 2.

230.5 Sec. 39. Minnesota Statutes 2014, section 260C.007, subdivision 27, is amended to read:

41.2 Subd. 27. **Relative.** "Relative" means a person related to the child by blood,
 41.3 marriage, or adoption; the legal parent, guardian, or custodian of the child's siblings; or an
 41.4 individual who is an important friend with whom the child has resided or had significant
 41.5 contact. For an Indian child, relative includes members of the extended family as defined
 41.6 by the law or custom of the Indian child's tribe or, in the absence of law or custom, nieces,
 41.7 nephews, or first or second cousins, as provided in the Indian Child Welfare Act of 1978,
 41.8 United States Code, title 25, section 1903.

41.9 Sec. 51. Minnesota Statutes 2014, section 260C.007, subdivision 32, is amended to read:

41.10 Subd. 32. **Sibling.** "Sibling" means one of two or more individuals who have one or
 41.11 both parents in common through blood, marriage, or adoption, ~~including.~~ This includes
 41.12 siblings as defined by the child's tribal code or custom. Sibling also includes an individual
 41.13 who would have been considered a sibling but for a termination of parental rights of one
 41.14 or both parents, suspension of parental rights under tribal code, or other disruption of
 41.15 parental rights such as the death of a parent.

41.16 Sec. 52. Minnesota Statutes 2014, section 260C.203, is amended to read:

41.17 **260C.203 ADMINISTRATIVE OR COURT REVIEW OF PLACEMENTS.**

41.18 (a) Unless the court is conducting the reviews required under section 260C.202,
 41.19 there shall be an administrative review of the out-of-home placement plan of each child
 41.20 placed in foster care no later than 180 days after the initial placement of the child in foster
 41.21 care and at least every six months thereafter if the child is not returned to the home of the
 41.22 parent or parents within that time. The out-of-home placement plan must be monitored and
 41.23 updated at each administrative review. The administrative review shall be conducted by
 41.24 the responsible social services agency using a panel of appropriate persons at least one of
 41.25 whom is not responsible for the case management of, or the delivery of services to, either
 41.26 the child or the parents who are the subject of the review. The administrative review shall
 41.27 be open to participation by the parent or guardian of the child and the child, as appropriate.

41.28 (b) As an alternative to the administrative review required in paragraph (a), the court
 41.29 may, as part of any hearing required under the Minnesota Rules of Juvenile Protection
 41.30 Procedure, conduct a hearing to monitor and update the out-of-home placement plan
 41.31 pursuant to the procedure and standard in section 260C.201, subdivision 6, paragraph
 41.32 (d). The party requesting review of the out-of-home placement plan shall give parties to
 41.33 the proceeding notice of the request to review and update the out-of-home placement
 41.34 plan. A court review conducted pursuant to section 260C.141, subdivision 2; 260C.193;
 42.1 260C.201, subdivision 1; 260C.202; 260C.204; 260C.317; or 260D.06 shall satisfy the
 42.2 requirement for the review so long as the other requirements of this section are met.

42.3 (c) As appropriate to the stage of the proceedings and relevant court orders, the
 42.4 responsible social services agency or the court shall review:

42.5 (1) the safety, permanency needs, and well-being of the child;

230.6 Subd. 27. **Relative.** "Relative" means a person related to the child by blood,
 230.7 marriage, or adoption; the legal parent, guardian, or custodian of the child's siblings; or an
 230.8 individual who is an important friend with whom the child has resided or had significant
 230.9 contact. For an Indian child, relative includes members of the extended family as defined
 230.10 by the law or custom of the Indian child's tribe or, in the absence of law or custom, nieces,
 230.11 nephews, or first or second cousins, as provided in the Indian Child Welfare Act of 1978,
 230.12 United States Code, title 25, section 1903.

230.13 Sec. 40. Minnesota Statutes 2014, section 260C.007, subdivision 32, is amended to read:

230.14 Subd. 32. **Sibling.** "Sibling" means one of two or more individuals who have one or
 230.15 both parents in common through blood, marriage, or adoption, ~~including.~~ This includes
 230.16 siblings as defined by the child's tribal code or custom. Sibling also includes an individual
 230.17 who would have been considered a sibling but for a termination of parental rights of one
 230.18 or both parents, suspension of parental rights under tribal code, or other disruption of
 230.19 parental rights such as the death of a parent.

230.20 Sec. 41. Minnesota Statutes 2014, section 260C.203, is amended to read:

230.21 **260C.203 ADMINISTRATIVE OR COURT REVIEW OF PLACEMENTS.**

230.22 (a) Unless the court is conducting the reviews required under section 260C.202,
 230.23 there shall be an administrative review of the out-of-home placement plan of each child
 230.24 placed in foster care no later than 180 days after the initial placement of the child in foster
 230.25 care and at least every six months thereafter if the child is not returned to the home of the
 230.26 parent or parents within that time. The out-of-home placement plan must be monitored and
 230.27 updated at each administrative review. The administrative review shall be conducted by
 230.28 the responsible social services agency using a panel of appropriate persons at least one of
 230.29 whom is not responsible for the case management of, or the delivery of services to, either
 230.30 the child or the parents who are the subject of the review. The administrative review shall
 230.31 be open to participation by the parent or guardian of the child and the child, as appropriate.

230.32 (b) As an alternative to the administrative review required in paragraph (a), the court
 230.33 may, as part of any hearing required under the Minnesota Rules of Juvenile Protection
 231.1 Procedure, conduct a hearing to monitor and update the out-of-home placement plan
 231.2 pursuant to the procedure and standard in section 260C.201, subdivision 6, paragraph
 231.3 (d). The party requesting review of the out-of-home placement plan shall give parties to
 231.4 the proceeding notice of the request to review and update the out-of-home placement
 231.5 plan. A court review conducted pursuant to section 260C.141, subdivision 2; 260C.193;
 231.6 260C.201, subdivision 1; 260C.202; 260C.204; 260C.317; or 260D.06 shall satisfy the
 231.7 requirement for the review so long as the other requirements of this section are met.

231.8 (c) As appropriate to the stage of the proceedings and relevant court orders, the
 231.9 responsible social services agency or the court shall review:

231.10 (1) the safety, permanency needs, and well-being of the child;

42.6 (2) the continuing necessity for and appropriateness of the placement;

42.7 (3) the extent of compliance with the out-of-home placement plan;

42.8 (4) the extent of progress that has been made toward alleviating or mitigating the

42.9 causes necessitating placement in foster care;

42.10 (5) the projected date by which the child may be returned to and safely maintained in

42.11 the home or placed permanently away from the care of the parent or parents or guardian; and

42.12 (6) the appropriateness of the services provided to the child.

42.13 (d) When a child is age ~~46~~ 14 or older, in addition to any administrative review

42.14 conducted by the agency, at the in-court review required under section 260C.317,

42.15 subdivision 3, clause (3), or 260C.515, subdivision 5 or 6, the court shall review the

42.16 independent living plan required under section 260C.212, subdivision 1, paragraph (c),

42.17 clause ~~(11)~~ (12), and the provision of services to the child related to the well-being of

42.18 the child as the child prepares to leave foster care. The review shall include the actual

42.19 plans related to each item in the plan necessary to the child's future safety and well-being

42.20 when the child is no longer in foster care.

42.21 (e) At the court review required under paragraph (d) for a child age ~~46~~ 14 or older,

42.22 the following procedures apply:

42.23 (1) six months before the child is expected to be discharged from foster care, the

42.24 responsible social services agency shall give the written notice required under section

42.25 260C.451, subdivision 1, regarding the right to continued access to services for certain

42.26 children in foster care past age 18 and of the right to appeal a denial of social services

42.27 under section 256.045. The agency shall file a copy of the notice, including the right to

42.28 appeal a denial of social services, with the court. If the agency does not file the notice by

42.29 the time the child is age 17-1/2, the court shall require the agency to give it;

42.30 (2) consistent with the requirements of the independent living plan, the court shall

42.31 review progress toward or accomplishment of the following goals:

42.32 (i) the child has obtained a high school diploma or its equivalent;

42.33 (ii) the child has completed a driver's education course or has demonstrated the

42.34 ability to use public transportation in the child's community;

42.35 (iii) the child is employed or enrolled in postsecondary education;

43.1 (iv) the child has applied for and obtained postsecondary education financial aid for

43.2 which the child is eligible;

43.3 (v) the child has health care coverage and health care providers to meet the child's

43.4 physical and mental health needs;

231.11 (2) the continuing necessity for and appropriateness of the placement;

231.12 (3) the extent of compliance with the out-of-home placement plan;

231.13 (4) the extent of progress that has been made toward alleviating or mitigating the

231.14 causes necessitating placement in foster care;

231.15 (5) the projected date by which the child may be returned to and safely maintained in

231.16 the home or placed permanently away from the care of the parent or parents or guardian; and

231.17 (6) the appropriateness of the services provided to the child.

231.18 (d) When a child is age ~~46~~ 14 or older, in addition to any administrative review

231.19 conducted by the agency, at the in-court review required under section 260C.317,

231.20 subdivision 3, clause (3), or 260C.515, subdivision 5 or 6, the court shall review the

231.21 independent living plan required under section 260C.212, subdivision 1, paragraph (c),

231.22 clause ~~(11)~~ (12), and the provision of services to the child related to the well-being of

231.23 the child as the child prepares to leave foster care. The review shall include the actual

231.24 plans related to each item in the plan necessary to the child's future safety and well-being

231.25 when the child is no longer in foster care.

231.26 (e) At the court review required under paragraph (d) for a child age ~~46~~ 14 or older,

231.27 the following procedures apply:

231.28 (1) six months before the child is expected to be discharged from foster care, the

231.29 responsible social services agency shall give the written notice required under section

231.30 260C.451, subdivision 1, regarding the right to continued access to services for certain

231.31 children in foster care past age 18 and of the right to appeal a denial of social services

231.32 under section 256.045. The agency shall file a copy of the notice, including the right to

231.33 appeal a denial of social services, with the court. If the agency does not file the notice by

231.34 the time the child is age 17-1/2, the court shall require the agency to give it;

231.35 (2) consistent with the requirements of the independent living plan, the court shall

231.36 review progress toward or accomplishment of the following goals:

232.1 (i) the child has obtained a high school diploma or its equivalent;

232.2 (ii) the child has completed a driver's education course or has demonstrated the

232.3 ability to use public transportation in the child's community;

232.4 (iii) the child is employed or enrolled in postsecondary education;

232.5 (iv) the child has applied for and obtained postsecondary education financial aid for

232.6 which the child is eligible;

232.7 (v) the child has health care coverage and health care providers to meet the child's

232.8 physical and mental health needs;

43.5 (vi) the child has applied for and obtained disability income assistance for which
 43.6 the child is eligible;

43.7 (vii) the child has obtained affordable housing with necessary supports, which does
 43.8 not include a homeless shelter;

43.9 (viii) the child has saved sufficient funds to pay for the first month's rent and a
 43.10 damage deposit;

43.11 (ix) the child has an alternative affordable housing plan, which does not include a
 43.12 homeless shelter, if the original housing plan is unworkable;

43.13 (x) the child, if male, has registered for the Selective Service; and

43.14 (xi) the child has a permanent connection to a caring adult; and

43.15 (3) the court shall ensure that the responsible agency in conjunction with the
 43.16 placement provider assists the child in obtaining the following documents prior to the
 43.17 child's leaving foster care: a Social Security card; the child's birth certificate; a state
 43.18 identification card or driver's license, tribal enrollment identification card, green card, or
 43.19 school visa; the child's school, medical, and dental records; a contact list of the child's
 43.20 medical, dental, and mental health providers; and contact information for the child's
 43.21 siblings, if the siblings are in foster care.

43.22 (f) For a child who will be discharged from foster care at age 18 or older, the
 43.23 responsible social services agency is required to develop a personalized transition plan as
 43.24 directed by the youth. The transition plan must be developed during the 90-day period
 43.25 immediately prior to the expected date of discharge. The transition plan must be as
 43.26 detailed as the child may elect and include specific options on housing, health insurance,
 43.27 education, local opportunities for mentors and continuing support services, and work force
 43.28 supports and employment services. The agency shall ensure that the youth receives, at
 43.29 no cost to the youth, a copy of the youth's consumer credit report as defined in section
 43.30 13C.001 and assistance in interpreting and resolving any inaccuracies in the report. The
 43.31 plan must include information on the importance of designating another individual to
 43.32 make health care treatment decisions on behalf of the child if the child becomes unable
 43.33 to participate in these decisions and the child does not have, or does not want, a relative
 43.34 who would otherwise be authorized to make these decisions. The plan must provide the
 43.35 child with the option to execute a health care directive as provided under chapter 145C.

44.1 The agency shall also provide the youth with appropriate contact information if the youth
 44.2 needs more information or needs help dealing with a crisis situation through age 21.

44.3 Sec. 53. Minnesota Statutes 2014, section 260C.212, subdivision 1, is amended to read:

44.4 Subdivision 1. **Out-of-home placement; plan.** (a) An out-of-home placement plan
 44.5 shall be prepared within 30 days after any child is placed in foster care by court order or a
 44.6 voluntary placement agreement between the responsible social services agency and the
 44.7 child's parent pursuant to section 260C.227 or chapter 260D.

232.9 (vi) the child has applied for and obtained disability income assistance for which
 232.10 the child is eligible;

232.11 (vii) the child has obtained affordable housing with necessary supports, which does
 232.12 not include a homeless shelter;

232.13 (viii) the child has saved sufficient funds to pay for the first month's rent and a
 232.14 damage deposit;

232.15 (ix) the child has an alternative affordable housing plan, which does not include a
 232.16 homeless shelter, if the original housing plan is unworkable;

232.17 (x) the child, if male, has registered for the Selective Service; and

232.18 (xi) the child has a permanent connection to a caring adult; and

232.19 (3) the court shall ensure that the responsible agency in conjunction with the
 232.20 placement provider assists the child in obtaining the following documents prior to the
 232.21 child's leaving foster care: a Social Security card; the child's birth certificate; a state
 232.22 identification card or driver's license, tribal enrollment identification card, green card, or
 232.23 school visa; the child's school, medical, and dental records; a contact list of the child's
 232.24 medical, dental, and mental health providers; and contact information for the child's
 232.25 siblings, if the siblings are in foster care.

232.26 (f) For a child who will be discharged from foster care at age 18 or older, the
 232.27 responsible social services agency is required to develop a personalized transition plan as
 232.28 directed by the youth. The transition plan must be developed during the 90-day period
 232.29 immediately prior to the expected date of discharge. The transition plan must be as
 232.30 detailed as the child may elect and include specific options on housing, health insurance,
 232.31 education, local opportunities for mentors and continuing support services, and work force
 232.32 supports and employment services. The agency shall ensure that the youth receives, at
 232.33 no cost to the youth, a copy of the youth's consumer credit report as defined in section
 232.34 13C.001 and assistance in interpreting and resolving any inaccuracies in the report. The
 232.35 plan must include information on the importance of designating another individual to
 232.36 make health care treatment decisions on behalf of the child if the child becomes unable
 233.1 to participate in these decisions and the child does not have, or does not want, a relative
 233.2 who would otherwise be authorized to make these decisions. The plan must provide the
 233.3 child with the option to execute a health care directive as provided under chapter 145C.

233.4 The agency shall also provide the youth with appropriate contact information if the youth
 233.5 needs more information or needs help dealing with a crisis situation through age 21.

233.6 Sec. 42. Minnesota Statutes 2014, section 260C.212, subdivision 1, is amended to read:

233.7 Subdivision 1. **Out-of-home placement; plan.** (a) An out-of-home placement plan
 233.8 shall be prepared within 30 days after any child is placed in foster care by court order or a
 233.9 voluntary placement agreement between the responsible social services agency and the
 233.10 child's parent pursuant to section 260C.227 or chapter 260D.

44.8 (b) An out-of-home placement plan means a written document which is prepared
 44.9 by the responsible social services agency jointly with the parent or parents or guardian
 44.10 of the child and in consultation with the child's guardian ad litem, the child's tribe, if the
 44.11 child is an Indian child, the child's foster parent or representative of the foster care facility,
 44.12 and, where appropriate, the child. When a child is age 14 or older, the child may include
 44.13 two other individuals on the team preparing the child's out-of-home placement plan. For
 44.14 a child in voluntary foster care for treatment under chapter 260D, preparation of the
 44.15 out-of-home placement plan shall additionally include the child's mental health treatment
 44.16 provider. As appropriate, the plan shall be:

44.17 (1) submitted to the court for approval under section 260C.178, subdivision 7;

44.18 (2) ordered by the court, either as presented or modified after hearing, under section
 44.19 260C.178, subdivision 7, or 260C.201, subdivision 6; and

44.20 (3) signed by the parent or parents or guardian of the child, the child's guardian ad
 44.21 litem, a representative of the child's tribe, the responsible social services agency, and, if
 44.22 possible, the child.

44.23 (c) The out-of-home placement plan shall be explained to all persons involved in its
 44.24 implementation, including the child who has signed the plan, and shall set forth:

44.25 (1) a description of the foster care home or facility selected, including how the
 44.26 out-of-home placement plan is designed to achieve a safe placement for the child in the
 44.27 least restrictive, most family-like, setting available which is in close proximity to the home
 44.28 of the parent or parents or guardian of the child when the case plan goal is reunification,
 44.29 and how the placement is consistent with the best interests and special needs of the child
 44.30 according to the factors under subdivision 2, paragraph (b);

44.31 (2) the specific reasons for the placement of the child in foster care, and when
 44.32 reunification is the plan, a description of the problems or conditions in the home of the
 44.33 parent or parents which necessitated removal of the child from home and the changes the
 44.34 parent or parents must make in order for the child to safely return home;

45.1 (3) a description of the services offered and provided to prevent removal of the child
 45.2 from the home and to reunify the family including:

45.3 (i) the specific actions to be taken by the parent or parents of the child to eliminate
 45.4 or correct the problems or conditions identified in clause (2), and the time period during
 45.5 which the actions are to be taken; and

45.6 (ii) the reasonable efforts, or in the case of an Indian child, active efforts to be made
 45.7 to achieve a safe and stable home for the child including social and other supportive
 45.8 services to be provided or offered to the parent or parents or guardian of the child, the
 45.9 child, and the residential facility during the period the child is in the residential facility;

233.11 (b) An out-of-home placement plan means a written document which is prepared
 233.12 by the responsible social services agency jointly with the parent or parents or guardian
 233.13 of the child and in consultation with the child's guardian ad litem, the child's tribe, if the
 233.14 child is an Indian child, the child's foster parent or representative of the foster care facility,
 233.15 and, where appropriate, the child. When a child is age 14 or older, the child may include
 233.16 two other individuals on the team preparing the child's out-of-home placement plan. For
 233.17 a child in voluntary foster care for treatment under chapter 260D, preparation of the
 233.18 out-of-home placement plan shall additionally include the child's mental health treatment
 233.19 provider. As appropriate, the plan shall be:

233.20 (1) submitted to the court for approval under section 260C.178, subdivision 7;

233.21 (2) ordered by the court, either as presented or modified after hearing, under section
 233.22 260C.178, subdivision 7, or 260C.201, subdivision 6; and

233.23 (3) signed by the parent or parents or guardian of the child, the child's guardian ad
 233.24 litem, a representative of the child's tribe, the responsible social services agency, and, if
 233.25 possible, the child.

233.26 (c) The out-of-home placement plan shall be explained to all persons involved in its
 233.27 implementation, including the child who has signed the plan, and shall set forth:

233.28 (1) a description of the foster care home or facility selected, including how the
 233.29 out-of-home placement plan is designed to achieve a safe placement for the child in the
 233.30 least restrictive, most family-like, setting available which is in close proximity to the home
 233.31 of the parent or parents or guardian of the child when the case plan goal is reunification,
 233.32 and how the placement is consistent with the best interests and special needs of the child
 233.33 according to the factors under subdivision 2, paragraph (b);

233.34 (2) the specific reasons for the placement of the child in foster care, and when
 233.35 reunification is the plan, a description of the problems or conditions in the home of the
 234.1 parent or parents which necessitated removal of the child from home and the changes the
 234.2 parent or parents must make in order for the child to safely return home;

234.3 (3) a description of the services offered and provided to prevent removal of the child
 234.4 from the home and to reunify the family including:

234.5 (i) the specific actions to be taken by the parent or parents of the child to eliminate
 234.6 or correct the problems or conditions identified in clause (2), and the time period during
 234.7 which the actions are to be taken; and

234.8 (ii) the reasonable efforts, or in the case of an Indian child, active efforts to be made
 234.9 to achieve a safe and stable home for the child including social and other supportive
 234.10 services to be provided or offered to the parent or parents or guardian of the child, the
 234.11 child, and the residential facility during the period the child is in the residential facility;

45.10 (4) a description of any services or resources that were requested by the child or the
 45.11 child's parent, guardian, foster parent, or custodian since the date of the child's placement
 45.12 in the residential facility, and whether those services or resources were provided and if
 45.13 not, the basis for the denial of the services or resources;

45.14 (5) the visitation plan for the parent or parents or guardian, other relatives as defined
 45.15 in section 260C.007, subdivision 27, and siblings of the child if the siblings are not placed
 45.16 together in foster care, and whether visitation is consistent with the best interest of the
 45.17 child, during the period the child is in foster care;

45.18 (6) when a child cannot return to or be in the care of either parent, documentation
 45.19 of steps to finalize adoption as the permanency plan for the child, ~~including: (i) through~~
 45.20 reasonable efforts to place the child for adoption. At a minimum, the documentation must
 45.21 include consideration of whether adoption is in the best interests of the child, child-specific
 45.22 recruitment efforts such as relative search and the use of state, regional, and national
 45.23 adoption exchanges to facilitate orderly and timely placements in and outside of the state.
 45.24 A copy of this documentation shall be provided to the court in the review required under
 45.25 section 260C.317, subdivision 3, paragraph (b); ~~and~~

45.26 ~~(ii) documentation necessary to support the requirements of the kinship placement~~
 45.27 ~~agreement under section 256N.22 when adoption is determined not to be in the child's~~
 45.28 ~~best interests; (7) when a child cannot return to or be in the care of either parent,~~
 45.29 ~~documentation of steps to finalize the transfer of permanent legal and physical custody~~
 45.30 ~~to a relative as the permanency plan for the child. This documentation must support the~~
 45.31 ~~requirements of the kinship placement agreement under section 256N.22 and must include~~
 45.32 ~~the reasonable efforts used to determine that it is not appropriate for the child to return~~
 45.33 ~~home or be adopted, and reasons why permanent placement with a relative through a~~
 45.34 ~~Northstar kinship assistance arrangement is in the child's best interest; how the child meets~~
 45.35 ~~the eligibility requirements for Northstar kinship assistance payments; agency efforts to~~
 45.36 ~~discuss adoption with the child's relative foster parent and reasons why the relative foster~~
 46.1 ~~parent chose not to pursue adoption, if applicable; and agency efforts to discuss with the~~
 46.2 ~~child's parent or parents the permanent transfer of permanent legal and physical custody or~~
 46.3 ~~the reasons why these efforts were not made;~~

46.4 ~~(7)~~ (8) efforts to ensure the child's educational stability while in foster care, including:

46.5 (i) efforts to ensure that the child remains in the same school in which the child was
 46.6 enrolled prior to placement or upon the child's move from one placement to another,
 46.7 including efforts to work with the local education authorities to ensure the child's
 46.8 educational stability; or

46.9 (ii) if it is not in the child's best interest to remain in the same school that the child
 46.10 was enrolled in prior to placement or move from one placement to another, efforts to
 46.11 ensure immediate and appropriate enrollment for the child in a new school;

234.12 (4) a description of any services or resources that were requested by the child or the
 234.13 child's parent, guardian, foster parent, or custodian since the date of the child's placement
 234.14 in the residential facility, and whether those services or resources were provided and if
 234.15 not, the basis for the denial of the services or resources;

234.16 (5) the visitation plan for the parent or parents or guardian, other relatives as defined
 234.17 in section 260C.007, subdivision 27, and siblings of the child if the siblings are not placed
 234.18 together in foster care, and whether visitation is consistent with the best interest of the
 234.19 child, during the period the child is in foster care;

234.20 (6) when a child cannot return to or be in the care of either parent, documentation
 234.21 of steps to finalize adoption as the permanency plan for the child, ~~including: (i) through~~
 234.22 reasonable efforts to place the child for adoption. At a minimum, the documentation must
 234.23 include consideration of whether adoption is in the best interests of the child, child-specific
 234.24 recruitment efforts such as relative search and the use of state, regional, and national
 234.25 adoption exchanges to facilitate orderly and timely placements in and outside of the state.
 234.26 A copy of this documentation shall be provided to the court in the review required under
 234.27 section 260C.317, subdivision 3, paragraph (b); ~~and~~

234.28 ~~(ii) documentation necessary to support the requirements of the kinship placement~~
 234.29 ~~agreement under section 256N.22 when adoption is determined not to be in the child's~~
 234.30 ~~best interests; (7) when a child cannot return to or be in the care of either parent,~~
 234.31 ~~documentation of steps to finalize the transfer of permanent legal and physical custody~~
 234.32 ~~to a relative as the permanency plan for the child. This documentation must support the~~
 234.33 ~~requirements of the kinship placement agreement under section 256N.22 and must include~~
 234.34 ~~the reasonable efforts used to determine that it is not appropriate for the child to return~~
 234.35 ~~home or be adopted, and reasons why permanent placement with a relative through a~~
 234.36 ~~Northstar kinship assistance arrangement is in the child's best interest; how the child meets~~
 235.1 ~~the eligibility requirements for Northstar kinship assistance payments; agency efforts to~~
 235.2 ~~discuss adoption with the child's relative foster parent and reasons why the relative foster~~
 235.3 ~~parent chose not to pursue adoption, if applicable; and agency efforts to discuss with the~~
 235.4 ~~child's parent or parents the permanent transfer of permanent legal and physical custody or~~
 235.5 ~~the reasons why these efforts were not made;~~

235.6 ~~(7)~~ (8) efforts to ensure the child's educational stability while in foster care, including:

235.7 (i) efforts to ensure that the child remains in the same school in which the child was
 235.8 enrolled prior to placement or upon the child's move from one placement to another,
 235.9 including efforts to work with the local education authorities to ensure the child's
 235.10 educational stability; or

235.11 (ii) if it is not in the child's best interest to remain in the same school that the child
 235.12 was enrolled in prior to placement or move from one placement to another, efforts to
 235.13 ensure immediate and appropriate enrollment for the child in a new school;

46.12 ~~(8)~~ (9) the educational records of the child including the most recent information
 46.13 available regarding:

46.14 (i) the names and addresses of the child's educational providers;

46.15 (ii) the child's grade level performance;

46.16 (iii) the child's school record;

46.17 (iv) a statement about how the child's placement in foster care takes into account
 46.18 proximity to the school in which the child is enrolled at the time of placement; and

46.19 (v) any other relevant educational information;

46.20 ~~(9)~~ (10) the efforts by the local agency to ensure the oversight and continuity of
 46.21 health care services for the foster child, including:

46.22 (i) the plan to schedule the child's initial health screens;

46.23 (ii) how the child's known medical problems and identified needs from the screens,
 46.24 including any known communicable diseases, as defined in section 144.4172, subdivision
 46.25 2, will be monitored and treated while the child is in foster care;

46.26 (iii) how the child's medical information will be updated and shared, including
 46.27 the child's immunizations;

46.28 (iv) who is responsible to coordinate and respond to the child's health care needs,
 46.29 including the role of the parent, the agency, and the foster parent;

46.30 (v) who is responsible for oversight of the child's prescription medications;

46.31 (vi) how physicians or other appropriate medical and nonmedical professionals
 46.32 will be consulted and involved in assessing the health and well-being of the child and
 46.33 determine the appropriate medical treatment for the child; and

46.34 (vii) the responsibility to ensure that the child has access to medical care through
 46.35 either medical insurance or medical assistance;

46.36 ~~(10)~~ (11) the health records of the child including information available regarding:

47.1 (i) the names and addresses of the child's health care and dental care providers;

47.2 (ii) a record of the child's immunizations;

47.3 (iii) the child's known medical problems, including any known communicable
 47.4 diseases as defined in section 144.4172, subdivision 2;

47.5 (iv) the child's medications; and

47.6 (v) any other relevant health care information such as the child's eligibility for
 47.7 medical insurance or medical assistance;

235.14 ~~(8)~~ (9) the educational records of the child including the most recent information
 235.15 available regarding:

235.16 (i) the names and addresses of the child's educational providers;

235.17 (ii) the child's grade level performance;

235.18 (iii) the child's school record;

235.19 (iv) a statement about how the child's placement in foster care takes into account
 235.20 proximity to the school in which the child is enrolled at the time of placement; and

235.21 (v) any other relevant educational information;

235.22 ~~(9)~~ (10) the efforts by the local agency to ensure the oversight and continuity of
 235.23 health care services for the foster child, including:

235.24 (i) the plan to schedule the child's initial health screens;

235.25 (ii) how the child's known medical problems and identified needs from the screens,
 235.26 including any known communicable diseases, as defined in section 144.4172, subdivision
 235.27 2, will be monitored and treated while the child is in foster care;

235.28 (iii) how the child's medical information will be updated and shared, including
 235.29 the child's immunizations;

235.30 (iv) who is responsible to coordinate and respond to the child's health care needs,
 235.31 including the role of the parent, the agency, and the foster parent;

235.32 (v) who is responsible for oversight of the child's prescription medications;

235.33 (vi) how physicians or other appropriate medical and nonmedical professionals
 235.34 will be consulted and involved in assessing the health and well-being of the child and
 235.35 determine the appropriate medical treatment for the child; and

236.1 (vii) the responsibility to ensure that the child has access to medical care through
 236.2 either medical insurance or medical assistance;

236.3 ~~(10)~~ (11) the health records of the child including information available regarding:

236.4 (i) the names and addresses of the child's health care and dental care providers;

236.5 (ii) a record of the child's immunizations;

236.6 (iii) the child's known medical problems, including any known communicable
 236.7 diseases as defined in section 144.4172, subdivision 2;

236.8 (iv) the child's medications; and

236.9 (v) any other relevant health care information such as the child's eligibility for
 236.10 medical insurance or medical assistance;

47.8 ~~(H)~~ (12) an independent living plan for a child age ~~16~~ 14 or older. The plan should
 47.9 include, but not be limited to, the following objectives:

47.10 (i) educational, vocational, or employment planning;

47.11 (ii) health care planning and medical coverage;

47.12 (iii) transportation including, where appropriate, assisting the child in obtaining a
 47.13 driver's license;

47.14 (iv) money management, including the responsibility of the agency to ensure that
 47.15 the youth annually receives, at no cost to the youth, a consumer report as defined under
 47.16 section 13C.001 and assistance in interpreting and resolving any inaccuracies in the report;

47.17 (v) planning for housing;

47.18 (vi) social and recreational skills; ~~and~~

47.19 (vii) establishing and maintaining connections with the child's family and
 47.20 community; and

47.21 (viii) regular opportunities to engage in age-appropriate or developmentally
 47.22 appropriate activities typical for the child's age group, taking into consideration the
 47.23 capacities of the individual child; and

47.24 ~~(I2)~~ (13) for a child in voluntary foster care for treatment under chapter 260D,
 47.25 diagnostic and assessment information, specific services relating to meeting the mental
 47.26 health care needs of the child, and treatment outcomes.

47.27 (d) The parent or parents or guardian and the child each shall have the right to legal
 47.28 counsel in the preparation of the case plan and shall be informed of the right at the time
 47.29 of placement of the child. The child shall also have the right to a guardian ad litem.
 47.30 If unable to employ counsel from their own resources, the court shall appoint counsel
 47.31 upon the request of the parent or parents or the child or the child's legal guardian. The
 47.32 parent or parents may also receive assistance from any person or social services agency
 47.33 in preparation of the case plan.

47.34 After the plan has been agreed upon by the parties involved or approved or ordered
 47.35 by the court, the foster parents shall be fully informed of the provisions of the case plan
 47.36 and shall be provided a copy of the plan.

48.1 Upon discharge from foster care, the parent, adoptive parent, or permanent legal and
 48.2 physical custodian, as appropriate, and the child, if appropriate, must be provided with
 48.3 a current copy of the child's health and education record.

48.4 Sec. 54. Minnesota Statutes 2014, section 260C.212, is amended by adding a
 48.5 subdivision to read:

236.11 ~~(H)~~ (12) an independent living plan for a child age ~~16~~ 14 or older. The plan should
 236.12 include, but not be limited to, the following objectives:

236.13 (i) educational, vocational, or employment planning;

236.14 (ii) health care planning and medical coverage;

236.15 (iii) transportation including, where appropriate, assisting the child in obtaining a
 236.16 driver's license;

236.17 (iv) money management, including the responsibility of the agency to ensure that
 236.18 the youth annually receives, at no cost to the youth, a consumer report as defined under
 236.19 section 13C.001 and assistance in interpreting and resolving any inaccuracies in the report;

236.20 (v) planning for housing;

236.21 (vi) social and recreational skills; ~~and~~

236.22 (vii) establishing and maintaining connections with the child's family and
 236.23 community; and

236.24 (viii) regular opportunities to engage in age-appropriate or developmentally
 236.25 appropriate activities typical for the child's age group, taking into consideration the
 236.26 capacities of the individual child; and

236.27 ~~(I2)~~ (13) for a child in voluntary foster care for treatment under chapter 260D,
 236.28 diagnostic and assessment information, specific services relating to meeting the mental
 236.29 health care needs of the child, and treatment outcomes.

236.30 (d) The parent or parents or guardian and the child each shall have the right to legal
 236.31 counsel in the preparation of the case plan and shall be informed of the right at the time
 236.32 of placement of the child. The child shall also have the right to a guardian ad litem.
 236.33 If unable to employ counsel from their own resources, the court shall appoint counsel
 236.34 upon the request of the parent or parents or the child or the child's legal guardian. The
 236.35 parent or parents may also receive assistance from any person or social services agency
 236.36 in preparation of the case plan.

237.1 After the plan has been agreed upon by the parties involved or approved or ordered
 237.2 by the court, the foster parents shall be fully informed of the provisions of the case plan
 237.3 and shall be provided a copy of the plan.

237.4 Upon discharge from foster care, the parent, adoptive parent, or permanent legal and
 237.5 physical custodian, as appropriate, and the child, if appropriate, must be provided with
 237.6 a current copy of the child's health and education record.

237.7 Sec. 43. Minnesota Statutes 2014, section 260C.212, is amended by adding a
 237.8 subdivision to read:

48.6 Subd. 13. **Protecting missing and runaway children and youth at risk of sex**
 48.7 **trafficking.** (a) The local social services agency shall expeditiously locate any child
 48.8 missing from foster care.

48.9 (b) The local social services agency shall report immediately, but no later than
 48.10 24 hours, after receiving information on a missing or abducted child to the local law
 48.11 enforcement agency for entry into the National Crime Information Center (NCIC)
 48.12 database of the Federal Bureau of Investigation, and to the National Center for Missing
 48.13 and Exploited Children.

48.14 (c) The local social services agency shall not discharge a child from foster care or
 48.15 close the social services case until diligent efforts have been exhausted to locate the child
 48.16 and the court terminates the agency's jurisdiction.

48.17 (d) The local social services agency shall determine the primary factors that
 48.18 contributed to the child's running away or otherwise being absent from care and, to
 48.19 the extent possible and appropriate, respond to those factors in current and subsequent
 48.20 placements.

48.21 (e) The local social services agency shall determine what the child experienced
 48.22 while absent from care, including screening the child to determine if the child is a possible
 48.23 sex trafficking victim as defined in section 609.321, subdivision 7b.

48.24 (f) The local social services agency shall report immediately, but no later than 24
 48.25 hours, to the local law enforcement agency any reasonable cause to believe a child is, or is
 48.26 at risk of being, a sex trafficking victim.

48.27 (g) The local social services agency shall determine appropriate services as described
 48.28 in section 145.4717 with respect to any child for whom the local social services agency has
 48.29 responsibility for placement, care, or supervision when the local social services agency
 48.30 has reasonable cause to believe the child is, or is at risk of being, a sex trafficking victim.

48.31 Sec. 55. Minnesota Statutes 2014, section 260C.212, is amended by adding a
 48.32 subdivision to read:

48.33 Subd. 14. **Support age-appropriate and developmentally appropriate activities**
 48.34 **for foster children.** Responsible social services agencies and child-placing agencies shall
 49.1 support a foster child's emotional and developmental growth by permitting the child
 49.2 to participate in activities or events that are generally accepted as suitable for children
 49.3 of the same chronological age or are developmentally appropriate for the child. Foster
 49.4 parents and residential facility staff are permitted to allow foster children to participate in
 49.5 extracurricular, social, or cultural activities that are typical for the child's age by applying
 49.6 reasonable and prudent parenting standards. Reasonable and prudent parenting standards
 49.7 are characterized by careful and sensible parenting decisions that maintain the child's
 49.8 health and safety, and are made in the child's best interest.

237.9 Subd. 13. **Protecting missing and runaway children and youth at risk of sex**
 237.10 **trafficking.** (a) The local social services agency shall expeditiously locate any child
 237.11 missing from foster care.

237.12 (b) The local social services agency shall report immediately, but no later than
 237.13 24 hours, after receiving information on a missing or abducted child to the local law
 237.14 enforcement agency for entry into the National Crime Information Center (NCIC)
 237.15 database of the Federal Bureau of Investigation, and to the National Center for Missing
 237.16 and Exploited Children.

237.17 (c) The local social services agency shall not discharge a child from foster care or
 237.18 close the social services case until diligent efforts have been exhausted to locate the child
 237.19 and the court terminates the agency's jurisdiction.

237.20 (d) The local social services agency shall determine the primary factors that
 237.21 contributed to the child's running away or otherwise being absent from care and, to
 237.22 the extent possible and appropriate, respond to those factors in current and subsequent
 237.23 placements.

237.24 (e) The local social services agency shall determine what the child experienced
 237.25 while absent from care, including screening the child to determine if the child is a possible
 237.26 sex trafficking victim as defined in section 609.321, subdivision 7b.

237.27 (f) The local social services agency shall report immediately, but no later than 24
 237.28 hours, to the local law enforcement agency any reasonable cause to believe a child is, or is
 237.29 at risk of being, a sex trafficking victim.

237.30 (g) The local social services agency shall determine appropriate services as described
 237.31 in section 145.4717 with respect to any child for whom the local social services agency has
 237.32 responsibility for placement, care, or supervision when the local social services agency
 237.33 has reasonable cause to believe the child is, or is at risk of being, a sex trafficking victim.

238.1 Sec. 44. Minnesota Statutes 2014, section 260C.212, is amended by adding a
 238.2 subdivision to read:

238.3 Subd. 14. **Support normalcy for foster children.** Responsible social services
 238.4 agencies and child-placing agencies shall support a foster child's emotional and
 238.5 developmental growth by permitting the child to participate in activities or events that
 238.6 are generally accepted as suitable for children of the same chronological age or are
 238.7 developmentally appropriate for the child. Foster parents and residential facility staff
 238.8 are permitted to allow foster children to participate in extracurricular, social, or cultural
 238.9 activities that are typical for the child's age by applying reasonable and prudent parenting
 238.10 standards. Reasonable and prudent parenting standards are characterized by careful and
 238.11 sensible parenting decisions that maintain the child's health and safety, and are made in
 238.12 the child's best interest.

49.9 Sec. 56. Minnesota Statutes 2014, section 260C.221, is amended to read:

49.10 **260C.221 RELATIVE SEARCH.**

49.11 (a) The responsible social services agency shall exercise due diligence to identify
49.12 and notify adult relatives prior to placement or within 30 days after the child's removal
49.13 from the parent. The county agency shall consider placement with a relative under this
49.14 section without delay and whenever the child must move from or be returned to foster
49.15 care. The relative search required by this section shall be comprehensive in scope. After a
49.16 finding that the agency has made reasonable efforts to conduct the relative search under
49.17 this paragraph, the agency has the continuing responsibility to appropriately involve
49.18 relatives, who have responded to the notice required under this paragraph, in planning
49.19 for the child and to continue to consider relatives according to the requirements of
49.20 section 260C.212, subdivision 2. At any time during the course of juvenile protection
49.21 proceedings, the court may order the agency to reopen its search for relatives when it is in
49.22 the child's best interest to do so.

49.23 (b) The relative search required by this section shall include both maternal relatives
49.24 and paternal adult relatives of the child; all adult grandparents; all legal parents, guardians
49.25 or custodians; the child's siblings; and any other adult relatives suggested by the child's
49.26 parents, subject to the exceptions due to family violence in paragraph (c). The search shall
49.27 also include getting information from the child in an age-appropriate manner about who
49.28 the child considers to be family members and important friends with whom the child has
49.29 resided or had significant contact. The relative search required under this section must
49.30 fulfill the agency's duties under the Indian Child Welfare Act regarding active efforts
49.31 to prevent the breakup of the Indian family under United States Code, title 25, section
49.32 1912(d), and to meet placement preferences under United States Code, title 25, section
49.33 1915. The relatives must be notified:

50.1 (1) of the need for a foster home for the child, the option to become a placement
50.2 resource for the child, and the possibility of the need for a permanent placement for the
50.3 child;

50.4 (2) of their responsibility to keep the responsible social services agency and the court
50.5 informed of their current address in order to receive notice in the event that a permanent
50.6 placement is sought for the child and to receive notice of the permanency progress review
50.7 hearing under section 260C.204. A relative who fails to provide a current address to the
50.8 responsible social services agency and the court forfeits the right to receive notice of the
50.9 possibility of permanent placement and of the permanency progress review hearing under
50.10 section 260C.204. A decision by a relative not to be identified as a potential permanent
50.11 placement resource or participate in planning for the child at the beginning of the case
50.12 shall not affect whether the relative is considered for placement of the child with that
50.13 relative later;

50.14 (3) that the relative may participate in the care and planning for the child, including
50.15 that the opportunity for such participation may be lost by failing to respond to the notice
50.16 sent under this subdivision. "Participate in the care and planning" includes, but is not
50.17 limited to, participation in case planning for the parent and child, identifying the strengths
50.18 and needs of the parent and child, supervising visits, providing respite and vacation visits
50.19 for the child, providing transportation to appointments, suggesting other relatives who
50.20 might be able to help support the case plan, and to the extent possible, helping to maintain
50.21 the child's familiar and regular activities and contact with friends and relatives;

50.22 (4) of the family foster care licensing requirements, including how to complete an
50.23 application and how to request a variance from licensing standards that do not present a
50.24 safety or health risk to the child in the home under section 245A.04 and supports that are
50.25 available for relatives and children who reside in a family foster home; and

50.26 (5) of the relatives' right to ask to be notified of any court proceedings regarding
50.27 the child, to attend the hearings, and of a relative's right or opportunity to be heard by the
50.28 court as required under section 260C.152, subdivision 5.

50.29 ~~(b)~~ (c) A responsible social services agency may disclose private data, as defined
50.30 in sections 13.02 and 626.556, to relatives of the child for the purpose of locating and
50.31 assessing a suitable placement and may use any reasonable means of identifying and
50.32 locating relatives including the Internet or other electronic means of conducting a search.
50.33 The agency shall disclose data that is necessary to facilitate possible placement with
50.34 relatives and to ensure that the relative is informed of the needs of the child so the
50.35 relative can participate in planning for the child and be supportive of services to the child
50.36 and family. If the child's parent refuses to give the responsible social services agency
51.1 information sufficient to identify the maternal and paternal relatives of the child, the
51.2 agency shall ask the juvenile court to order the parent to provide the necessary information.
51.3 If a parent makes an explicit request that a specific relative not be contacted or considered
51.4 for placement due to safety reasons including past family or domestic violence, the agency
51.5 shall bring the parent's request to the attention of the court to determine whether the
51.6 parent's request is consistent with the best interests of the child and the agency shall not
51.7 contact the specific relative when the juvenile court finds that contacting the specific
51.8 relative would endanger the parent, guardian, child, sibling, or any family member.

51.9 ~~(e)~~ (d) At a regularly scheduled hearing not later than three months after the child's
51.10 placement in foster care and as required in section 260C.202, the agency shall report to
51.11 the court:

51.12 (1) its efforts to identify maternal and paternal relatives of the child and to engage
51.13 the relatives in providing support for the child and family, and document that the relatives
51.14 have been provided the notice required under paragraph (a); and

51.15 (2) its decision regarding placing the child with a relative as required under section
 51.16 260C.212, subdivision 2, and to ask relatives to visit or maintain contact with the child in
 51.17 order to support family connections for the child, when placement with a relative is not
 51.18 possible or appropriate.

51.19 ~~(d)~~ (e) Notwithstanding chapter 13, the agency shall disclose data about particular
 51.20 relatives identified, searched for, and contacted for the purposes of the court's review of
 51.21 the agency's due diligence.

51.22 ~~(e)~~ (f) When the court is satisfied that the agency has exercised due diligence to
 51.23 identify relatives and provide the notice required in paragraph (a), the court may find that
 51.24 reasonable efforts have been made to conduct a relative search to identify and provide
 51.25 notice to adult relatives as required under section 260.012, paragraph (e), clause (3). If the
 51.26 court is not satisfied that the agency has exercised due diligence to identify relatives and
 51.27 provide the notice required in paragraph (a), the court may order the agency to continue its
 51.28 search and notice efforts and to report back to the court.

51.29 ~~(f)~~ (g) When the placing agency determines that permanent placement proceedings
 51.30 are necessary because there is a likelihood that the child will not return to a parent's
 51.31 care, the agency must send the notice provided in paragraph ~~(g)~~ (h), may ask the court to
 51.32 modify the duty of the agency to send the notice required in paragraph ~~(g)~~ (h), or may
 51.33 ask the court to completely relieve the agency of the requirements of paragraph ~~(g)~~ (h).
 51.34 The relative notification requirements of paragraph ~~(g)~~ (h) do not apply when the child is
 51.35 placed with an appropriate relative or a foster home that has committed to adopting the
 51.36 child or taking permanent legal and physical custody of the child and the agency approves
 52.1 of that foster home for permanent placement of the child. The actions ordered by the
 52.2 court under this section must be consistent with the best interests, safety, permanency,
 52.3 and welfare of the child.

52.4 ~~(g)~~ (h) Unless required under the Indian Child Welfare Act or relieved of this duty
 52.5 by the court under paragraph ~~(e)~~ (f), when the agency determines that it is necessary to
 52.6 prepare for permanent placement determination proceedings, or in anticipation of filing a
 52.7 termination of parental rights petition, the agency shall send notice to the relatives, any
 52.8 adult with whom the child is currently residing, any adult with whom the child has resided
 52.9 for one year or longer in the past, and any adults who have maintained a relationship or
 52.10 exercised visitation with the child as identified in the agency case plan. The notice must
 52.11 state that a permanent home is sought for the child and that the individuals receiving the
 52.12 notice may indicate to the agency their interest in providing a permanent home. The notice
 52.13 must state that within 30 days of receipt of the notice an individual receiving the notice must
 52.14 indicate to the agency the individual's interest in providing a permanent home for the child
 52.15 or that the individual may lose the opportunity to be considered for a permanent placement.

52.16 Sec. 57. Minnesota Statutes 2014, section 260C.331, subdivision 1, is amended to read:

52.17 Subdivision 1. **Care, examination, or treatment.** (a) Except where parental rights
 52.18 are terminated,

238.13 Sec. 45. Minnesota Statutes 2014, section 260C.331, subdivision 1, is amended to read:

238.14 Subdivision 1. **Care, examination, or treatment.** (a) Except where parental rights
 238.15 are terminated,

52.19 (1) whenever legal custody of a child is transferred by the court to a responsible
 52.20 social services agency,

52.21 (2) whenever legal custody is transferred to a person other than the responsible social
 52.22 services agency, but under the supervision of the responsible social services agency, or

52.23 (3) whenever a child is given physical or mental examinations or treatment under
 52.24 order of the court, and no provision is otherwise made by law for payment for the care,
 52.25 examination, or treatment of the child, these costs are a charge upon the welfare funds of
 52.26 the county in which proceedings are held upon certification of the judge of juvenile court.

52.27 (b) The court shall order, and the responsible social services agency shall require,
 52.28 the parents or custodian of a child, while the child is under the age of 18, to use the
 52.29 total income and resources attributable to the child for the period of care, examination,
 52.30 or treatment, except for clothing and personal needs allowance as provided in section
 52.31 256B.35, to reimburse the county for the cost of care, examination, or treatment. Income
 52.32 and resources attributable to the child include, but are not limited to, Social Security
 52.33 benefits, Supplemental Security Income (SSI), veterans benefits, railroad retirement
 52.34 benefits and child support. When the child is over the age of 18, and continues to receive
 52.35 care, examination, or treatment, the court shall order, and the responsible social services
 53.1 agency shall require, reimbursement from the child for the cost of care, examination, or
 53.2 treatment from the income and resources attributable to the child less the clothing and
 53.3 personal needs allowance. Income does not include earnings from a child over the age of
 53.4 18 who is working as part of a plan under section 260C.212, subdivision 1, paragraph (c),
 53.5 clause (H) (12), to transition from foster care, or the income and resources from sources
 53.6 other than Supplemental Security Income and child support that are needed to complete
 53.7 the requirements listed in section 260C.203.

53.8 (c) If the income and resources attributable to the child are not enough to reimburse
 53.9 the county for the full cost of the care, examination, or treatment, the court shall inquire
 53.10 into the ability of the parents to support the child and, after giving the parents a reasonable
 53.11 opportunity to be heard, the court shall order, and the responsible social services agency
 53.12 shall require, the parents to contribute to the cost of care, examination, or treatment of
 53.13 the child. When determining the amount to be contributed by the parents, the court shall
 53.14 use a fee schedule based upon ability to pay that is established by the responsible social
 53.15 services agency and approved by the commissioner of human services. The income of
 53.16 a stepparent who has not adopted a child shall be excluded in calculating the parental
 53.17 contribution under this section.

53.18 (d) The court shall order the amount of reimbursement attributable to the parents
 53.19 or custodian, or attributable to the child, or attributable to both sources, withheld under
 53.20 chapter 518A from the income of the parents or the custodian of the child. A parent or
 53.21 custodian who fails to pay without good reason may be proceeded against for contempt, or
 53.22 the court may inform the county attorney, who shall proceed to collect the unpaid sums,
 53.23 or both procedures may be used.

238.16 (1) whenever legal custody of a child is transferred by the court to a responsible
 238.17 social services agency,

238.18 (2) whenever legal custody is transferred to a person other than the responsible social
 238.19 services agency, but under the supervision of the responsible social services agency, or

238.20 (3) whenever a child is given physical or mental examinations or treatment under
 238.21 order of the court, and no provision is otherwise made by law for payment for the care,
 238.22 examination, or treatment of the child, these costs are a charge upon the welfare funds of
 238.23 the county in which proceedings are held upon certification of the judge of juvenile court.

238.24 (b) The court shall order, and the responsible social services agency shall require,
 238.25 the parents or custodian of a child, while the child is under the age of 18, to use the
 238.26 total income and resources attributable to the child for the period of care, examination,
 238.27 or treatment, except for clothing and personal needs allowance as provided in section
 238.28 256B.35, to reimburse the county for the cost of care, examination, or treatment. Income
 238.29 and resources attributable to the child include, but are not limited to, Social Security
 238.30 benefits, Supplemental Security Income (SSI), veterans benefits, railroad retirement
 238.31 benefits and child support. When the child is over the age of 18, and continues to receive
 238.32 care, examination, or treatment, the court shall order, and the responsible social services
 238.33 agency shall require, reimbursement from the child for the cost of care, examination, or
 238.34 treatment from the income and resources attributable to the child less the clothing and
 238.35 personal needs allowance. Income does not include earnings from a child over the age of
 239.1 18 who is working as part of a plan under section 260C.212, subdivision 1, paragraph (c),
 239.2 clause (H) (12), to transition from foster care, or the income and resources from sources
 239.3 other than Supplemental Security Income and child support that are needed to complete
 239.4 the requirements listed in section 260C.203.

239.5 (c) If the income and resources attributable to the child are not enough to reimburse
 239.6 the county for the full cost of the care, examination, or treatment, the court shall inquire
 239.7 into the ability of the parents to support the child and, after giving the parents a reasonable
 239.8 opportunity to be heard, the court shall order, and the responsible social services agency
 239.9 shall require, the parents to contribute to the cost of care, examination, or treatment of
 239.10 the child. When determining the amount to be contributed by the parents, the court shall
 239.11 use a fee schedule based upon ability to pay that is established by the responsible social
 239.12 services agency and approved by the commissioner of human services. The income of
 239.13 a stepparent who has not adopted a child shall be excluded in calculating the parental
 239.14 contribution under this section.

239.15 (d) The court shall order the amount of reimbursement attributable to the parents
 239.16 or custodian, or attributable to the child, or attributable to both sources, withheld under
 239.17 chapter 518A from the income of the parents or the custodian of the child. A parent or
 239.18 custodian who fails to pay without good reason may be proceeded against for contempt, or
 239.19 the court may inform the county attorney, who shall proceed to collect the unpaid sums,
 239.20 or both procedures may be used.

53.24 (e) If the court orders a physical or mental examination for a child, the examination
 53.25 is a medically necessary service for purposes of determining whether the service is
 53.26 covered by a health insurance policy, health maintenance contract, or other health
 53.27 coverage plan. Court-ordered treatment shall be subject to policy, contract, or plan
 53.28 requirements for medical necessity. Nothing in this paragraph changes or eliminates
 53.29 benefit limits, conditions of coverage, co-payments or deductibles, provider restrictions,
 53.30 or other requirements in the policy, contract, or plan that relate to coverage of other
 53.31 medically necessary services.

53.32 (f) Notwithstanding paragraph (b), (c), or (d), a parent, custodian, or guardian of the
 53.33 child is not required to use income and resources attributable to the child to reimburse
 53.34 the county for costs of care and is not required to contribute to the cost of care of the
 53.35 child during any period of time when the child is returned to the home of that parent,
 54.1 custodian, or guardian pursuant to a trial home visit under section 260C.201, subdivision
 54.2 1, paragraph (a).

54.3 Sec. 58. Minnesota Statutes 2014, section 260C.451, subdivision 2, is amended to read:

54.4 Subd. 2. **Independent living plan.** Upon the request of any child in foster care
 54.5 immediately prior to the child's 18th birthday and who is in foster care at the time
 54.6 of the request, the responsible social services agency shall, in conjunction with the
 54.7 child and other appropriate parties, update the independent living plan required under
 54.8 section 260C.212, subdivision 1, paragraph (c), clause ~~(H)~~ (12), related to the child's
 54.9 employment, vocational, educational, social, or maturational needs. The agency shall
 54.10 provide continued services and foster care for the child including those services that are
 54.11 necessary to implement the independent living plan.

54.12 Sec. 59. Minnesota Statutes 2014, section 260C.451, subdivision 6, is amended to read:

54.13 Subd. 6. **Reentering foster care and accessing services after age 18.** (a)
 54.14 Upon request of an individual between the ages of 18 and 21 who had been under the
 54.15 guardianship of the commissioner and who has left foster care without being adopted, the
 54.16 responsible social services agency which had been the commissioner's agent for purposes
 54.17 of the guardianship shall develop with the individual a plan to increase the individual's
 54.18 ability to live safely and independently using the plan requirements of section 260C.212,
 54.19 subdivision 1, paragraph ~~(b)~~ (c), clause ~~(H)~~ (12), and to assist the individual to meet
 54.20 one or more of the eligibility criteria in subdivision 4 if the individual wants to reenter
 54.21 foster care. The agency shall provide foster care as required to implement the plan. The
 54.22 agency shall enter into a voluntary placement agreement under section 260C.229 with the
 54.23 individual if the plan includes foster care.

239.21 (e) If the court orders a physical or mental examination for a child, the examination
 239.22 is a medically necessary service for purposes of determining whether the service is
 239.23 covered by a health insurance policy, health maintenance contract, or other health
 239.24 coverage plan. Court-ordered treatment shall be subject to policy, contract, or plan
 239.25 requirements for medical necessity. Nothing in this paragraph changes or eliminates
 239.26 benefit limits, conditions of coverage, co-payments or deductibles, provider restrictions,
 239.27 or other requirements in the policy, contract, or plan that relate to coverage of other
 239.28 medically necessary services.

239.29 (f) Notwithstanding paragraph (b), (c), or (d), a parent, custodian, or guardian of the
 239.30 child is not required to use income and resources attributable to the child to reimburse
 239.31 the county for costs of care and is not required to contribute to the cost of care of the
 239.32 child during any period of time when the child is returned to the home of that parent,
 239.33 custodian, or guardian pursuant to a trial home visit under section 260C.201, subdivision
 239.34 1, paragraph (a).

239.35 Sec. 46. Minnesota Statutes 2014, section 260C.451, subdivision 2, is amended to read:

240.1 Subd. 2. **Independent living plan.** Upon the request of any child in foster care
 240.2 immediately prior to the child's 18th birthday and who is in foster care at the time
 240.3 of the request, the responsible social services agency shall, in conjunction with the
 240.4 child and other appropriate parties, update the independent living plan required under
 240.5 section 260C.212, subdivision 1, paragraph (c), clause ~~(H)~~ (12), related to the child's
 240.6 employment, vocational, educational, social, or maturational needs. The agency shall
 240.7 provide continued services and foster care for the child including those services that are
 240.8 necessary to implement the independent living plan.

240.9 Sec. 47. Minnesota Statutes 2014, section 260C.451, subdivision 6, is amended to read:

240.10 Subd. 6. **Reentering foster care and accessing services after age 18.** (a)
 240.11 Upon request of an individual between the ages of 18 and 21 who had been under the
 240.12 guardianship of the commissioner and who has left foster care without being adopted, the
 240.13 responsible social services agency which had been the commissioner's agent for purposes
 240.14 of the guardianship shall develop with the individual a plan to increase the individual's
 240.15 ability to live safely and independently using the plan requirements of section 260C.212,
 240.16 subdivision 1, paragraph ~~(b)~~ (c), clause ~~(H)~~ (12), and to assist the individual to meet
 240.17 one or more of the eligibility criteria in subdivision 4 if the individual wants to reenter
 240.18 foster care. The agency shall provide foster care as required to implement the plan. The
 240.19 agency shall enter into a voluntary placement agreement under section 260C.229 with the
 240.20 individual if the plan includes foster care.

54.24 (b) Individuals who had not been under the guardianship of the commissioner of
 54.25 human services prior to age 18 and are between the ages of 18 and 21 may ask to reenter
 54.26 foster care after age 18 and, to the extent funds are available, the responsible social
 54.27 services agency that had responsibility for planning for the individual before discharge
 54.28 from foster care may provide foster care or other services to the individual for the purpose
 54.29 of increasing the individual's ability to live safely and independently and to meet the
 54.30 eligibility criteria in subdivision 3a, if the individual:

54.31 (1) was in foster care for the six consecutive months prior to the person's 18th
 54.32 birthday and was not discharged home, adopted, or received into a relative's home under a
 54.33 transfer of permanent legal and physical custody under section 260C.515, subdivision 4; or

54.34 (2) was discharged from foster care while on runaway status after age 15.

55.1 (c) In conjunction with a qualifying and eligible individual under paragraph (b) and
 55.2 other appropriate persons, the responsible social services agency shall develop a specific
 55.3 plan related to that individual's vocational, educational, social, or maturational needs
 55.4 and, to the extent funds are available, provide foster care as required to implement the
 55.5 plan. The agency shall enter into a voluntary placement agreement with the individual
 55.6 if the plan includes foster care.

55.7 (d) Youth who left foster care while under guardianship of the commissioner of
 55.8 human services retain eligibility for foster care for placement at any time between the
 55.9 ages of 18 and 21.

55.10 Sec. 60. Minnesota Statutes 2014, section 260C.515, subdivision 5, is amended to read:

55.11 Subd. 5. **Permanent custody to agency.** The court may order permanent custody to
 55.12 the responsible social services agency for continued placement of the child in foster care
 55.13 but only if it approves the responsible social services agency's compelling reasons that no
 55.14 other permanency disposition order is in the child's best interests and:

55.15 (1) the child has reached age ~~12~~ 16 and has been asked about the child's desired
 55.16 permanency outcome;

55.17 ~~(2) the child is a sibling of a child described in clause (1) and the siblings have a~~
 55.18 ~~significant positive relationship and are ordered into the same foster home;~~

55.19 ~~(3)~~ (2) the responsible social services agency has made reasonable efforts to locate
 55.20 and place the child with an adoptive family or a fit and willing relative who would either
 55.21 agree to adopt the child or to a transfer of permanent legal and physical custody of the
 55.22 child, but these efforts have not proven successful; and

55.23 ~~(4)~~ (3) the parent will continue to have visitation or contact with the child and will
 55.24 remain involved in planning for the child.

55.25 Sec. 61. Minnesota Statutes 2014, section 260C.521, subdivision 1, is amended to read:

240.21 (b) Individuals who had not been under the guardianship of the commissioner of
 240.22 human services prior to age 18 and are between the ages of 18 and 21 may ask to reenter
 240.23 foster care after age 18 and, to the extent funds are available, the responsible social
 240.24 services agency that had responsibility for planning for the individual before discharge
 240.25 from foster care may provide foster care or other services to the individual for the purpose
 240.26 of increasing the individual's ability to live safely and independently and to meet the
 240.27 eligibility criteria in subdivision 3a, if the individual:

240.28 (1) was in foster care for the six consecutive months prior to the person's 18th
 240.29 birthday and was not discharged home, adopted, or received into a relative's home under a
 240.30 transfer of permanent legal and physical custody under section 260C.515, subdivision 4; or

240.31 (2) was discharged from foster care while on runaway status after age 15.

240.32 (c) In conjunction with a qualifying and eligible individual under paragraph (b) and
 240.33 other appropriate persons, the responsible social services agency shall develop a specific
 240.34 plan related to that individual's vocational, educational, social, or maturational needs
 240.35 and, to the extent funds are available, provide foster care as required to implement the
 241.1 plan. The agency shall enter into a voluntary placement agreement with the individual
 241.2 if the plan includes foster care.

241.3 (d) Youth who left foster care while under guardianship of the commissioner of
 241.4 human services retain eligibility for foster care for placement at any time between the
 241.5 ages of 18 and 21.

241.6 Sec. 48. Minnesota Statutes 2014, section 260C.515, subdivision 5, is amended to read:

241.7 Subd. 5. **Permanent custody to agency.** The court may order permanent custody to
 241.8 the responsible social services agency for continued placement of the child in foster care
 241.9 but only if it approves the responsible social services agency's compelling reasons that no
 241.10 other permanency disposition order is in the child's best interests and:

241.11 (1) the child has reached age ~~12~~ 16 and has been asked about the child's desired
 241.12 permanency outcome;

241.13 ~~(2) the child is a sibling of a child described in clause (1) and the siblings have a~~
 241.14 ~~significant positive relationship and are ordered into the same foster home;~~

241.15 (3) the responsible social services agency has made reasonable efforts to locate and
 241.16 place the child with an adoptive family or a fit and willing relative who would either agree
 241.17 to adopt the child or to a transfer of permanent legal and physical custody of the child, but
 241.18 these efforts have not proven successful; and

241.19 (4) the parent will continue to have visitation or contact with the child and will
 241.20 remain involved in planning for the child.

241.21 Sec. 49. Minnesota Statutes 2014, section 260C.521, subdivision 1, is amended to read:

55.26 Subdivision 1. **Child in permanent custody of responsible social services agency.**
 55.27 (a) Court reviews of an order for permanent custody to the responsible social services
 55.28 agency for placement of the child in foster care must be conducted at least yearly at an
 55.29 in-court appearance hearing.

55.30 (b) The purpose of the review hearing is to ensure:

55.31 (1) the order for permanent custody to the responsible social services agency for
 55.32 placement of the child in foster care continues to be in the best interests of the child and
 55.33 that no other permanency disposition order is in the best interests of the child;

56.1 (2) that the agency is assisting the child to build connections to the child's family
 56.2 and community; and

56.3 (3) that the agency is appropriately planning with the child for development of
 56.4 independent living skills for the child and, as appropriate, for the orderly and successful
 56.5 transition to independent living that may occur if the child continues in foster care without
 56.6 another permanency disposition order.

56.7 (c) The court must review the child's out-of-home placement plan and the reasonable
 56.8 efforts of the agency to finalize an alternative permanent plan for the child including the
 56.9 agency's efforts to:

56.10 (1) ensure that permanent custody to the agency with placement of the child in
 56.11 foster care continues to be the most appropriate legal arrangement for meeting the child's
 56.12 need for permanency and stability or, if not, to identify and attempt to finalize another
 56.13 permanency disposition order under this chapter that would better serve the child's needs
 56.14 and best interests;

56.15 (2) identify a specific foster home for the child, if one has not already been identified;

56.16 (3) support continued placement of the child in the identified home, if one has been
 56.17 identified;

56.18 (4) ensure appropriate services are provided to address the physical health, mental
 56.19 health, and educational needs of the child during the period of foster care and also ensure
 56.20 appropriate services or assistance to maintain relationships with appropriate family
 56.21 members and the child's community; and

56.22 (5) plan for the child's independence upon the child's leaving foster care living as
 56.23 required under section 260C.212, subdivision 1.

56.24 (d) The court may find that the agency has made reasonable efforts to finalize the
 56.25 permanent plan for the child when:

56.26 (1) the agency has made reasonable efforts to identify a more legally permanent
 56.27 home for the child than is provided by an order for permanent custody to the agency
 56.28 for placement in foster care; and

241.22 Subdivision 1. **Child in permanent custody of responsible social services agency.**
 241.23 (a) Court reviews of an order for permanent custody to the responsible social services
 241.24 agency for placement of the child in foster care must be conducted at least yearly at an
 241.25 in-court appearance hearing.

241.26 (b) The purpose of the review hearing is to ensure:

241.27 (1) the order for permanent custody to the responsible social services agency for
 241.28 placement of the child in foster care continues to be in the best interests of the child and
 241.29 that no other permanency disposition order is in the best interests of the child;

241.30 (2) that the agency is assisting the child to build connections to the child's family
 241.31 and community; and

241.32 (3) that the agency is appropriately planning with the child for development of
 241.33 independent living skills for the child and, as appropriate, for the orderly and successful
 242.1 transition to independent living that may occur if the child continues in foster care without
 242.2 another permanency disposition order.

242.3 (c) The court must review the child's out-of-home placement plan and the reasonable
 242.4 efforts of the agency to finalize an alternative permanent plan for the child including the
 242.5 agency's efforts to:

242.6 (1) ensure that permanent custody to the agency with placement of the child in
 242.7 foster care continues to be the most appropriate legal arrangement for meeting the child's
 242.8 need for permanency and stability or, if not, to identify and attempt to finalize another
 242.9 permanency disposition order under this chapter that would better serve the child's needs
 242.10 and best interests;

242.11 (2) identify a specific foster home for the child, if one has not already been identified;

242.12 (3) support continued placement of the child in the identified home, if one has been
 242.13 identified;

242.14 (4) ensure appropriate services are provided to address the physical health, mental
 242.15 health, and educational needs of the child during the period of foster care and also ensure
 242.16 appropriate services or assistance to maintain relationships with appropriate family
 242.17 members and the child's community; and

242.18 (5) plan for the child's independence upon the child's leaving foster care living as
 242.19 required under section 260C.212, subdivision 1.

242.20 (d) The court may find that the agency has made reasonable efforts to finalize the
 242.21 permanent plan for the child when:

242.22 (1) the agency has made reasonable efforts to identify a more legally permanent
 242.23 home for the child than is provided by an order for permanent custody to the agency
 242.24 for placement in foster care; and

56.29 (2) the child has been asked about the child's desired permanency outcome; and

56.30 ~~(2)~~ (3) the agency's engagement of the child in planning for independent living is

56.31 reasonable and appropriate.

56.32 Sec. 62. Minnesota Statutes 2014, section 260C.521, subdivision 2, is amended to read:

56.33 Subd. 2. **Modifying order for permanent legal and physical custody to a**

56.34 **relative.** (a) An order for a relative to have permanent legal and physical custody of a

56.35 child may be modified using standards under sections 518.18 and 518.185.

57.1 (b) When a child is receiving Northstar kinship assistance under chapter 256N, if

57.2 a relative named as permanent legal and physical custodian in an order made under this

57.3 chapter becomes incapacitated or dies, a successor custodian named in the Northstar

57.4 Care for Children kinship assistance benefit agreement under section 256N.25 may file

57.5 a request to modify the order for permanent legal and physical custody to name the

57.6 successor custodian as the permanent legal and physical custodian of the child. The court

57.7 may modify the order to name the successor custodian as the permanent legal and physical

57.8 custodian upon reviewing the background study required under section 245C.33 if the

57.9 court finds the modification is in the child's best interests.

57.10 (c) The social services agency is a party to the proceeding and must receive notice.

57.11 Sec. 63. Minnesota Statutes 2014, section 260C.607, subdivision 4, is amended to read:

57.12 Subd. 4. **Content of review.** (a) The court shall review:

57.13 (1) the agency's reasonable efforts under section 260C.605 to finalize an adoption

57.14 for the child as appropriate to the stage of the case; and

57.15 (2) the child's current out-of-home placement plan required under section 260C.212,

57.16 subdivision 1, to ensure the child is receiving all services and supports required to meet

57.17 the child's needs as they relate to the child's:

57.18 (i) placement;

57.19 (ii) visitation and contact with siblings;

57.20 (iii) visitation and contact with relatives;

57.21 (iv) medical, mental, and dental health; and

57.22 (v) education.

57.23 (b) When the child is age ~~16~~ 14 and older, and as long as the child continues in foster

57.24 care, the court shall also review the agency's planning for the child's independent living

57.25 after leaving foster care including how the agency is meeting the requirements of section

57.26 260C.212, subdivision 1, paragraph (c), clause ~~(H)~~ (12). The court shall use the review

57.27 requirements of section 260C.203 in any review conducted under this paragraph.

242.25 (2) the child has been asked about the child's desired permanency outcome; and

242.26 ~~(2)~~ (3) the agency's engagement of the child in planning for independent living is

242.27 reasonable and appropriate.

242.28 Sec. 50. Minnesota Statutes 2014, section 260C.521, subdivision 2, is amended to read:

242.29 Subd. 2. **Modifying order for permanent legal and physical custody to a**

242.30 **relative.** (a) An order for a relative to have permanent legal and physical custody of a

242.31 child may be modified using standards under sections 518.18 and 518.185.

242.32 (b) If a relative named as permanent legal and physical custodian in an order made

242.33 under this chapter becomes incapacitated or dies, a successor custodian named in the

242.34 kinship placement agreement under section 256N.22, subdivision 2, may file a request

242.35 to modify the order for permanent legal and physical custody to name the successor

243.1 custodian as the permanent legal and physical custodian of the child. The court shall

243.2 modify the order to name the successor custodian as the permanent legal and physical

243.3 custodian upon reviewing the background study required under section 245C.33 if the

243.4 court finds the modification is in the child's best interests.

243.5 (c) The social services agency is a party to the proceeding and must receive notice.

243.6 Sec. 51. Minnesota Statutes 2014, section 260C.607, subdivision 4, is amended to read:

243.7 Subd. 4. **Content of review.** (a) The court shall review:

243.8 (1) the agency's reasonable efforts under section 260C.605 to finalize an adoption

243.9 for the child as appropriate to the stage of the case; and

243.10 (2) the child's current out-of-home placement plan required under section 260C.212,

243.11 subdivision 1, to ensure the child is receiving all services and supports required to meet

243.12 the child's needs as they relate to the child's:

243.13 (i) placement;

243.14 (ii) visitation and contact with siblings;

243.15 (iii) visitation and contact with relatives;

243.16 (iv) medical, mental, and dental health; and

243.17 (v) education.

243.18 (b) When the child is age ~~16~~ 14 and older, and as long as the child continues in foster

243.19 care, the court shall also review the agency's planning for the child's independent living

243.20 after leaving foster care including how the agency is meeting the requirements of section

243.21 260C.212, subdivision 1, paragraph (c), clause ~~(H)~~ (12). The court shall use the review

243.22 requirements of section 260C.203 in any review conducted under this paragraph.

57.28 Sec. 64. Minnesota Statutes 2014, section 290.0671, subdivision 6, is amended to read:

57.29 Subd. 6. **Appropriation.** An amount sufficient to pay the refunds required by
 57.30 this section is appropriated to the commissioner from the general fund. ~~This amount~~
 57.31 ~~includes any amounts appropriated to the commissioner of human services from the~~
 57.32 ~~federal Temporary Assistance for Needy Families (TANF) block grant funds for transfer~~
 57.33 ~~to the commissioner of revenue.~~

57.34 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and thereafter.

58.1 Sec. 65. Minnesota Statutes 2014, section 518A.26, subdivision 14, is amended to read:

58.2 Subd. 14. **Obligor.** "Obligor" means a person obligated to pay maintenance or
 58.3 support. ~~A person who has primary physical custody of a child is presumed not to be~~
 58.4 ~~an obligor for purposes of a child support order under section 518A.34, unless section~~
 58.5 ~~518A.36, subdivision 3, applies or the court makes specific written findings to overcome~~
 58.6 ~~this presumption.~~ For purposes of ordering medical support under section 518A.41, a
 58.7 parent who has primary physical custody of a child may be an obligor subject to a payment
 58.8 agreement under section 518A.69.

58.9 **EFFECTIVE DATE.** This section is effective March 1, 2016.

58.10 Sec. 66. Minnesota Statutes 2014, section 518A.32, subdivision 2, is amended to read:

58.11 Subd. 2. **Methods.** Determination of potential income must be made according
 58.12 to one of three methods, as appropriate:
 58.13 (1) the parent's probable earnings level based on employment potential, recent
 58.14 work history, and occupational qualifications in light of prevailing job opportunities and
 58.15 earnings levels in the community;
 58.16 (2) if a parent is receiving unemployment compensation or workers' compensation,
 58.17 that parent's income may be calculated using the actual amount of the unemployment
 58.18 compensation or workers' compensation benefit received; or
 58.19 (3) the amount of income a parent could earn working ~~full-time at 150~~ 30 hours per
 58.20 ~~week at 100~~ percent of the current federal or state minimum wage, whichever is higher.

58.21 **EFFECTIVE DATE.** This section is effective March 1, 2016.

58.22 Sec. 67. Minnesota Statutes 2014, section 518A.39, subdivision 1, is amended to read:

243.23 Sec. 52. Minnesota Statutes 2014, section 518A.26, subdivision 14, is amended to read:

243.24 Subd. 14. **Obligor.** "Obligor" means a person obligated to pay maintenance or
 243.25 support. ~~A person who has primary physical custody of a child is presumed not to be~~
 243.26 ~~an obligor for purposes of a child support order under section 518A.34, unless section~~
 243.27 ~~518A.36, subdivision 3, applies or the court makes specific written findings to overcome~~
 243.28 ~~this presumption.~~ For purposes of ordering medical support under section 518A.41, a
 243.29 parent who has primary physical custody of a child may be an obligor subject to a payment
 243.30 agreement under section 518A.69.

243.31 Sec. 53. Minnesota Statutes 2014, section 518A.32, subdivision 2, is amended to read:

243.32 Subd. 2. **Methods.** Determination of potential income must be made according
 243.33 to one of three methods, as appropriate:
 244.1 (1) the parent's probable earnings level based on employment potential, recent
 244.2 work history, and occupational qualifications in light of prevailing job opportunities and
 244.3 earnings levels in the community;
 244.4 (2) if a parent is receiving unemployment compensation or workers' compensation,
 244.5 that parent's income may be calculated using the actual amount of the unemployment
 244.6 compensation or workers' compensation benefit received; or
 244.7 (3) the amount of income a parent could earn working ~~full-time~~ 30 hours per week at
 244.8 ~~150~~ 100 percent of the current federal or state minimum wage, whichever is higher.

244.9 Sec. 54. Minnesota Statutes 2014, section 518A.39, subdivision 1, is amended to read:

58.23 Subdivision 1. **Authority.** After an order under this chapter or chapter 518 for
 58.24 maintenance or support money, temporary or permanent, or for the appointment of trustees
 58.25 to receive property awarded as maintenance or support money, the court may from time to
 58.26 time, on motion of either of the parties, a copy of which is served on the public authority
 58.27 responsible for child support enforcement if payments are made through it, or on motion
 58.28 of the public authority responsible for support enforcement, modify the order respecting
 58.29 the amount of maintenance or support money or medical support, and the payment of it,
 58.30 and also respecting the appropriation and payment of the principal and income of property
 58.31 held in trust, and may make an order respecting these matters which it might have made
 58.32 in the original proceeding, except as herein otherwise provided. A party or the public
 59.1 authority also may bring a motion for contempt of court if the obligor is in arrears in
 59.2 support or maintenance payments.

59.3 **EFFECTIVE DATE.** This section is effective January 1, 2016.

59.4 Sec. 68. Minnesota Statutes 2014, section 518A.39, is amended by adding a
 59.5 subdivision to read:

59.6 Subd. 8. **Medical support-only modification.** (a) The medical support terms of
 59.7 a support order and determination of the child dependency tax credit may be modified
 59.8 without modification of the full order for support or maintenance, if the order has been
 59.9 established or modified in its entirety within three years from the date of the motion, and
 59.10 upon a showing of one or more of the following:

59.11 (1) a change in the availability of appropriate health care coverage or a substantial
 59.12 increase or decrease in health care coverage costs;

59.13 (2) a change in the eligibility for medical assistance under chapter 256B;

59.14 (3) a party's failure to carry court-ordered coverage, or to provide other medical
 59.15 support as ordered;

59.16 (4) the federal child dependency tax credit is not ordered for the same parent who is
 59.17 ordered to carry health care coverage; or

59.18 (5) the federal child dependency tax credit is not addressed in the order and the
 59.19 noncustodial parent is ordered to carry health care coverage.

59.20 (b) For a motion brought under this subdivision, a modification of the medical
 59.21 support terms of an order may be made retroactive only with respect to any period during
 59.22 which the petitioning party has pending a motion for modification, but only from the date
 59.23 of service of notice of the motion on the responding party and on the public authority if
 59.24 public assistance is being furnished or the county attorney is the attorney of record.

59.25 (c) The court need not hold an evidentiary hearing on a motion brought under this
 59.26 subdivision for modification of medical support only.

244.10 Subdivision 1. **Authority.** After an order under this chapter or chapter 518 for
 244.11 maintenance or support money, temporary or permanent, or for the appointment of trustees
 244.12 to receive property awarded as maintenance or support money, the court may from time to
 244.13 time, on motion of either of the parties, a copy of which is served on the public authority
 244.14 responsible for child support enforcement if payments are made through it, or on motion
 244.15 of the public authority responsible for support enforcement, modify the order respecting
 244.16 the amount of maintenance or support money or medical support, and the payment of it,
 244.17 and also respecting the appropriation and payment of the principal and income of property
 244.18 held in trust, and may make an order respecting these matters which it might have made
 244.19 in the original proceeding, except as herein otherwise provided. A party or the public
 244.20 authority also may bring a motion for contempt of court if the obligor is in arrears in
 244.21 support or maintenance payments.

244.22 Sec. 55. Minnesota Statutes 2014, section 518A.39, is amended by adding a
 244.23 subdivision to read:

244.24 Subd. 8. **Medical support-only modification.** (a) The medical support terms of
 244.25 a support order and determination of the child dependency tax credit may be modified
 244.26 without modification of the full order for support or maintenance, if the order has been
 244.27 established or modified in its entirety within three years from the date of the motion, and
 244.28 upon a showing of one or more of the following:

244.29 (1) a change in the availability of appropriate health care coverage or a substantial
 244.30 increase or decrease in health care coverage costs;

244.31 (2) a change in the eligibility for medical assistance under chapter 256B;

244.32 (3) a party's failure to carry court-ordered coverage, or to provide other medical
 244.33 support as ordered;

245.1 (4) the federal child dependency tax credit is not ordered for the same parent who is
 245.2 ordered to carry health care coverage; or

245.3 (5) the federal child dependency tax credit is not addressed in the order and the
 245.4 noncustodial parent is ordered to carry health care coverage.

245.5 (b) For a motion brought under this subdivision, a modification of the medical
 245.6 support terms of an order may be made retroactive only with respect to any period during
 245.7 which the petitioning party has pending a motion for modification, but only from the date
 245.8 of service of notice of the motion on the responding party and on the public authority if
 245.9 public assistance is being furnished or the county attorney is the attorney of record.

245.10 (c) The court need not hold an evidentiary hearing on a motion brought under this
 245.11 subdivision for modification of medical support only.

59.27 (d) Sections 518.14 and 518A.735 shall govern the award of attorney fees for
59.28 motions brought under this subdivision.

59.29 (e) The PICS originally stated in the order being modified shall be used to determine
59.30 the modified medical support order under section 518A.41 for motions brought under
59.31 this subdivision.

59.32 **EFFECTIVE DATE.** This section is effective January 1, 2016.

59.33 Sec. 69. Minnesota Statutes 2014, section 518A.41, subdivision 1, is amended to read:

60.1 Subdivision 1. **Definitions.** The definitions in this subdivision apply to this chapter
60.2 and chapter 518.

60.3 (a) "Health care coverage" means medical, dental, or other health care benefits that
60.4 are provided by one or more health plans. Health care coverage does not include any
60.5 form of public coverage.

60.6 (b) "Health carrier" means a carrier as defined in sections 62A.011, subdivision
60.7 2, and 62L.02, subdivision 16.

60.8 (c) "Health plan" means a plan, other than any form of public coverage, that provides
60.9 medical, dental, or other health care benefits and is:

60.10 (1) provided on an individual or group basis;

60.11 (2) provided by an employer or union;

60.12 (3) purchased in the private market; or

60.13 (4) available to a person eligible to carry insurance for the joint child, including a
60.14 party's spouse or parent.

60.15 Health plan includes, but is not limited to, a plan meeting the definition under section
60.16 62A.011, subdivision 3, except that the exclusion of coverage designed solely to provide
60.17 dental or vision care under section 62A.011, subdivision 3, clause (6), does not apply to
60.18 the definition of health plan under this section; a group health plan governed under the
60.19 federal Employee Retirement Income Security Act of 1974 (ERISA); a self-insured plan
60.20 under sections 43A.23 to 43A.317 and 471.617; and a policy, contract, or certificate issued
60.21 by a community-integrated service network licensed under chapter 62N.

60.22 (d) "Medical support" means providing health care coverage for a joint child by
60.23 carrying health care coverage for the joint child or by contributing to the cost of health
60.24 care coverage, public coverage, unreimbursed medical expenses, and uninsured medical
60.25 expenses of the joint child.

245.12 (d) Sections 518.14 and 518A.735 shall govern the award of attorney fees for
245.13 motions brought under this subdivision.

245.14 (e) The PICS originally stated in the order being modified shall be used to determine
245.15 the modified medical support order under section 518A.41 for motions brought under
245.16 this subdivision.

245.17 Sec. 56. Minnesota Statutes 2014, section 518A.41, subdivision 1, is amended to read:

245.18 Subdivision 1. **Definitions.** The definitions in this subdivision apply to this chapter
245.19 and chapter 518.

245.20 (a) "Health care coverage" means medical, dental, or other health care benefits that
245.21 are provided by one or more health plans. Health care coverage does not include any
245.22 form of public coverage.

245.23 (b) "Health carrier" means a carrier as defined in sections 62A.011, subdivision
245.24 2, and 62L.02, subdivision 16.

245.25 (c) "Health plan" means a plan, other than any form of public coverage, that provides
245.26 medical, dental, or other health care benefits and is:

245.27 (1) provided on an individual or group basis;

245.28 (2) provided by an employer or union;

245.29 (3) purchased in the private market; or

245.30 (4) available to a person eligible to carry insurance for the joint child, including a
245.31 party's spouse or parent.

245.32 Health plan includes, but is not limited to, a plan meeting the definition under section
245.33 62A.011, subdivision 3, except that the exclusion of coverage designed solely to provide
245.34 dental or vision care under section 62A.011, subdivision 3, clause (6), does not apply to
245.35 the definition of health plan under this section; a group health plan governed under the
246.1 federal Employee Retirement Income Security Act of 1974 (ERISA); a self-insured plan
246.2 under sections 43A.23 to 43A.317 and 471.617; and a policy, contract, or certificate issued
246.3 by a community-integrated service network licensed under chapter 62N.

246.4 (d) "Medical support" means providing health care coverage for a joint child by
246.5 carrying health care coverage for the joint child or by contributing to the cost of health
246.6 care coverage, public coverage, unreimbursed medical expenses, and uninsured medical
246.7 expenses of the joint child.

60.26 (e) "National medical support notice" means an administrative notice issued by the
60.27 public authority to enforce health insurance provisions of a support order in accordance
60.28 with Code of Federal Regulations, title 45, section 303.32, in cases where the public
60.29 authority provides support enforcement services.

60.30 (f) "Public coverage" means health care benefits provided by any form of medical
60.31 assistance under chapter 256B or ~~MinnesotaCare under chapter 256L~~. Public coverage
60.32 does not include MinnesotaCare or health plans subsidized by federal premium tax credits
60.33 or federal cost-sharing reductions.

60.34 (g) "Uninsured medical expenses" means a joint child's reasonable and necessary
60.35 health-related expenses if the joint child is not covered by a health plan or public coverage
60.36 when the expenses are incurred.

61.1 (h) "Unreimbursed medical expenses" means a joint child's reasonable and necessary
61.2 health-related expenses if a joint child is covered by a health plan or public coverage and
61.3 the plan or coverage does not pay for the total cost of the expenses when the expenses
61.4 are incurred. Unreimbursed medical expenses do not include the cost of premiums.
61.5 Unreimbursed medical expenses include, but are not limited to, deductibles, co-payments,
61.6 and expenses for orthodontia, and prescription eyeglasses and contact lenses, but not
61.7 over-the-counter medications if coverage is under a health plan.

61.8 Sec. 70. Minnesota Statutes 2014, section 518A.41, subdivision 3, is amended to read:

61.9 Subd. 3. **Determining appropriate health care coverage.** In determining whether
61.10 a parent has appropriate health care coverage for the joint child, the court must consider
61.11 the following factors:

61.12 (1) comprehensiveness of health care coverage providing medical benefits.
61.13 Dependent health care coverage providing medical benefits is presumed comprehensive if
61.14 it includes medical and hospital coverage and provides for preventive, emergency, acute,
61.15 and chronic care; or if it meets the minimum essential coverage definition in United States
61.16 Code, title 26, section 5000A(f). If both parents have health care coverage providing
61.17 medical benefits that is presumed comprehensive under this paragraph, the court must
61.18 determine which parent's coverage is more comprehensive by considering what other
61.19 benefits are included in the coverage;

61.20 (2) accessibility. Dependent health care coverage is accessible if the covered joint
61.21 child can obtain services from a health plan provider with reasonable effort by the parent
61.22 with whom the joint child resides. Health care coverage is presumed accessible if:

61.23 (i) primary care is available within 30 minutes or 30 miles of the joint child's residence
61.24 and specialty care is available within 60 minutes or 60 miles of the joint child's residence;

61.25 (ii) the health care coverage is available through an employer and the employee can
61.26 be expected to remain employed for a reasonable amount of time; and

246.8 (e) "National medical support notice" means an administrative notice issued by the
246.9 public authority to enforce health insurance provisions of a support order in accordance
246.10 with Code of Federal Regulations, title 45, section 303.32, in cases where the public
246.11 authority provides support enforcement services.

246.12 (f) "Public coverage" means health care benefits provided by any form of medical
246.13 assistance under chapter 256B or ~~MinnesotaCare under chapter 256L~~. Public coverage
246.14 does not include MinnesotaCare or federally tax-subsidized medical plans.

246.15 (g) "Uninsured medical expenses" means a joint child's reasonable and necessary
246.16 health-related expenses if the joint child is not covered by a health plan or public coverage
246.17 when the expenses are incurred.

246.18 (h) "Unreimbursed medical expenses" means a joint child's reasonable and necessary
246.19 health-related expenses if a joint child is covered by a health plan or public coverage and
246.20 the plan or coverage does not pay for the total cost of the expenses when the expenses
246.21 are incurred. Unreimbursed medical expenses do not include the cost of premiums.
246.22 Unreimbursed medical expenses include, but are not limited to, deductibles, co-payments,
246.23 and expenses for orthodontia, and prescription eyeglasses and contact lenses, but not
246.24 over-the-counter medications if coverage is under a health plan.

246.25 Sec. 57. Minnesota Statutes 2014, section 518A.41, subdivision 3, is amended to read:

246.26 Subd. 3. **Determining appropriate health care coverage.** In determining whether
246.27 a parent has appropriate health care coverage for the joint child, the court must consider
246.28 the following factors:

246.29 (1) comprehensiveness of health care coverage providing medical benefits.
246.30 Dependent health care coverage providing medical benefits is presumed comprehensive if
246.31 it includes medical and hospital coverage and provides for preventive, emergency, acute,
246.32 and chronic care; or if it meets the minimum essential coverage definition in United States
246.33 Code, title 26, section 5000A(f). If both parents have health care coverage providing
246.34 medical benefits that is presumed comprehensive under this paragraph, the court must
247.1 determine which parent's coverage is more comprehensive by considering what other
247.2 benefits are included in the coverage;

247.3 (2) accessibility. Dependent health care coverage is accessible if the covered joint
247.4 child can obtain services from a health plan provider with reasonable effort by the parent
247.5 with whom the joint child resides. Health care coverage is presumed accessible if:

247.6 (i) primary care is available within 30 minutes or 30 miles of the joint child's residence
247.7 and specialty care is available within 60 minutes or 60 miles of the joint child's residence;

247.8 (ii) the health care coverage is available through an employer and the employee can
247.9 be expected to remain employed for a reasonable amount of time; and

61.27 (iii) no preexisting conditions exist to unduly delay enrollment in health care
 61.28 coverage;

61.29 (3) the joint child's special medical needs, if any; and

61.30 (4) affordability. Dependent health care coverage is affordable if it is reasonable
 61.31 in cost. If both parents have health care coverage available for a joint child that is
 61.32 comparable with regard to comprehensiveness of medical benefits, accessibility, and the
 61.33 joint child's special needs, the least costly health care coverage is presumed to be the most
 61.34 appropriate health care coverage for the joint child.

62.1 Sec. 71. Minnesota Statutes 2014, section 518A.41, subdivision 4, is amended to read:

62.2 Subd. 4. **Ordering health care coverage.** (a) If a joint child is presently enrolled
 62.3 in health care coverage, the court must order that the parent who currently has the joint
 62.4 child enrolled continue that enrollment unless the parties agree otherwise or a party
 62.5 requests a change in coverage and the court determines that other health care coverage is
 62.6 more appropriate.

62.7 (b) If a joint child is not presently enrolled in health care coverage providing medical
 62.8 benefits, upon motion of a parent or the public authority, the court must determine whether
 62.9 one or both parents have appropriate health care coverage providing medical benefits
 62.10 for the joint child.

62.11 (c) If only one parent has appropriate health care coverage providing medical
 62.12 benefits available, the court must order that parent to carry the coverage for the joint child.

62.13 (d) If both parents have appropriate health care coverage providing medical benefits
 62.14 available, the court must order the parent with whom the joint child resides to carry the
 62.15 coverage for the joint child, unless:

62.16 (1) a party expresses a preference for health care coverage providing medical
 62.17 benefits available through the parent with whom the joint child does not reside;

62.18 (2) the parent with whom the joint child does not reside is already carrying
 62.19 dependent health care coverage providing medical benefits for other children and the cost
 62.20 of contributing to the premiums of the other parent's coverage would cause the parent with
 62.21 whom the joint child does not reside extreme hardship; or

62.22 (3) the parties agree as to which parent will carry health care coverage providing
 62.23 medical benefits and agree on the allocation of costs.

62.24 (e) If the exception in paragraph (d), clause (1) or (2), applies, the court must
 62.25 determine which parent has the most appropriate coverage providing medical benefits
 62.26 available and order that parent to carry coverage for the joint child.

62.27 (f) If neither parent has appropriate health care coverage available, the court must
 62.28 order the parents to:

247.10 (iii) no preexisting conditions exist to unduly delay enrollment in health care
 247.11 coverage;

247.12 (3) the joint child's special medical needs, if any; and

247.13 (4) affordability. Dependent health care coverage is affordable if it is reasonable
 247.14 in cost. If both parents have health care coverage available for a joint child that is
 247.15 comparable with regard to comprehensiveness of medical benefits, accessibility, and the
 247.16 joint child's special needs, the least costly health care coverage is presumed to be the most
 247.17 appropriate health care coverage for the joint child.

247.18 Sec. 58. Minnesota Statutes 2014, section 518A.41, subdivision 4, is amended to read:

247.19 Subd. 4. **Ordering health care coverage.** (a) If a joint child is presently enrolled
 247.20 in health care coverage, the court must order that the parent who currently has the joint
 247.21 child enrolled continue that enrollment unless the parties agree otherwise or a party
 247.22 requests a change in coverage and the court determines that other health care coverage is
 247.23 more appropriate.

247.24 (b) If a joint child is not presently enrolled in health care coverage providing medical
 247.25 benefits, upon motion of a parent or the public authority, the court must determine whether
 247.26 one or both parents have appropriate health care coverage providing medical benefits
 247.27 for the joint child.

247.28 (c) If only one parent has appropriate health care coverage providing medical
 247.29 benefits available, the court must order that parent to carry the coverage for the joint child.

247.30 (d) If both parents have appropriate health care coverage providing medical benefits
 247.31 available, the court must order the parent with whom the joint child resides to carry the
 247.32 coverage for the joint child, unless:

247.33 (1) a party expresses a preference for health care coverage providing medical
 247.34 benefits available through the parent with whom the joint child does not reside;

248.1 (2) the parent with whom the joint child does not reside is already carrying
 248.2 dependent health care coverage providing medical benefits for other children and the cost
 248.3 of contributing to the premiums of the other parent's coverage would cause the parent with
 248.4 whom the joint child does not reside extreme hardship; or

248.5 (3) the parties agree as to which parent will carry health care coverage providing
 248.6 medical benefits and agree on the allocation of costs.

248.7 (e) If the exception in paragraph (d), clause (1) or (2), applies, the court must
 248.8 determine which parent has the most appropriate coverage providing medical benefits
 248.9 available and order that parent to carry coverage for the joint child.

248.10 (f) If neither parent has appropriate health care coverage available, the court must
 248.11 order the parents to:

62.29 (1) contribute toward the actual health care costs of the joint children based on
 62.30 a pro rata share; or

62.31 (2) if the joint child is receiving any form of public coverage, the parent with whom
 62.32 the joint child does not reside shall contribute a monthly amount toward the actual cost of
 62.33 public coverage. The amount of the noncustodial parent's contribution is determined by
 62.34 applying the noncustodial parent's PICS to the premium ~~schedule for public coverage scale~~
 62.35 for MinnesotaCare under section 256L.15, subdivision 2, paragraph (d). If the noncustodial
 62.36 parent's PICS meets the eligibility requirements for ~~public coverage MinnesotaCare~~, the
 63.1 contribution is the amount the noncustodial parent would pay for the child's premium. If
 63.2 the noncustodial parent's PICS exceeds the eligibility requirements ~~for public coverage~~, the
 63.3 contribution is the amount of the premium for the highest eligible income on the ~~appropriate~~
 63.4 premium schedule for public coverage scale for MinnesotaCare under section 256L.15,
 63.5 subdivision 2, paragraph (d). For purposes of determining the premium amount, the
 63.6 noncustodial parent's household size is equal to one parent plus the child or children who
 63.7 are the subject of the child support order. The custodial parent's obligation is determined
 63.8 under the requirements for public coverage as set forth in chapter 256B ~~or 256L; or~~

63.9 (3) if the noncustodial parent's PICS meet the eligibility requirement for public
 63.10 coverage under chapter 256B or the noncustodial parent receives public assistance, the
 63.11 noncustodial parent must not be ordered to contribute toward the cost of public coverage.

63.12 (g) If neither parent has appropriate health care coverage available, the court may
 63.13 order the parent with whom the child resides to apply for public coverage for the child.

63.14 (h) The commissioner of human services must publish a table with the premium
 63.15 schedule for public coverage and update the chart for changes to the schedule by July
 63.16 1 of each year.

63.17 (i) If a joint child is not presently enrolled in health care coverage providing dental
 63.18 benefits, upon motion of a parent or the public authority, the court must determine whether
 63.19 one or both parents have appropriate dental health care coverage for the joint child, and the
 63.20 court may order a parent with appropriate dental health care coverage available to carry
 63.21 the coverage for the joint child.

63.22 (j) If a joint child is not presently enrolled in available health care coverage
 63.23 providing benefits other than medical benefits or dental benefits, upon motion of a parent
 63.24 or the public authority, the court may determine whether that other health care coverage
 63.25 for the joint child is appropriate, and the court may order a parent with that appropriate
 63.26 health care coverage available to carry the coverage for the joint child.

63.27 **EFFECTIVE DATE.** This section is effective August 1, 2015.

63.28 Sec. 72. Minnesota Statutes 2014, section 518A.41, subdivision 14, is amended to read:

248.12 (1) contribute toward the actual health care costs of the joint children based on
 248.13 a pro rata share; or

248.14 (2) if the joint child is receiving any form of public coverage, the parent with whom
 248.15 the joint child does not reside shall contribute a monthly amount toward the actual cost of
 248.16 public coverage. The amount of the noncustodial parent's contribution is determined by
 248.17 applying the noncustodial parent's PICS to the premium ~~schedule for public coverage scale~~
 248.18 for MinnesotaCare under section 256L.15, subdivision 2, paragraph (c). If the noncustodial
 248.19 parent's PICS meets the eligibility requirements for ~~public coverage MinnesotaCare~~, the
 248.20 contribution is the amount the noncustodial parent would pay for the child's premium. If
 248.21 the noncustodial parent's PICS exceeds the eligibility requirements ~~for public coverage~~, the
 248.22 contribution is the amount of the premium for the highest eligible income on the ~~appropriate~~
 248.23 premium schedule for public coverage scale for MinnesotaCare under section 256L.15,
 248.24 subdivision 2, paragraph (c). For purposes of determining the premium amount, the
 248.25 noncustodial parent's household size is equal to one parent plus the child or children who
 248.26 are the subject of the child support order. The custodial parent's obligation is determined
 248.27 under the requirements for public coverage as set forth in chapter 256B ~~or 256L; or~~

248.28 (3) if the noncustodial parent's PICS meet the eligibility requirement for public
 248.29 coverage under chapter 256B or the noncustodial parent receives public assistance, the
 248.30 noncustodial parent must not be ordered to contribute toward the cost of public coverage.

248.31 (g) If neither parent has appropriate health care coverage available, the court may
 248.32 order the parent with whom the child resides to apply for public coverage for the child.

248.33 (h) The commissioner of human services must publish a table with the premium
 248.34 schedule for public coverage and update the chart for changes to the schedule by July
 248.35 1 of each year.

249.1 (i) If a joint child is not presently enrolled in health care coverage providing dental
 249.2 benefits, upon motion of a parent or the public authority, the court must determine whether
 249.3 one or both parents have appropriate dental health care coverage for the joint child, and the
 249.4 court may order a parent with appropriate dental health care coverage available to carry
 249.5 the coverage for the joint child.

249.6 (j) If a joint child is not presently enrolled in available health care coverage
 249.7 providing benefits other than medical benefits or dental benefits, upon motion of a parent
 249.8 or the public authority, the court may determine whether that other health care coverage
 249.9 for the joint child is appropriate, and the court may order a parent with that appropriate
 249.10 health care coverage available to carry the coverage for the joint child.

249.11 Sec. 59. Minnesota Statutes 2014, section 518A.41, subdivision 14, is amended to read:

63.29 Subd. 14. **Child support enforcement services.** The public authority must take
 63.30 necessary steps to establish ~~and enforce, enforce, and modify~~ an order for medical support
 63.31 if the joint child receives public assistance or a party completes an application for services
 63.32 from the public authority under section 518A.51.

63.33 **EFFECTIVE DATE.** This section is effective January 1, 2016.

64.1 Sec. 73. Minnesota Statutes 2014, section 518A.41, subdivision 15, is amended to read:

64.2 Subd. 15. **Enforcement.** (a) Remedies available for collecting and enforcing child
 64.3 support apply to medical support.

64.4 (b) For the purpose of enforcement, the following are additional support:

64.5 (1) the costs of individual or group health or hospitalization coverage;

64.6 (2) dental coverage;

64.7 (3) medical costs ordered by the court to be paid by either party, including health
 64.8 care coverage premiums paid by the obligee because of the obligor's failure to obtain
 64.9 coverage as ordered; and

64.10 (4) liabilities established under this subdivision.

64.11 (c) A party who fails to carry court-ordered dependent health care coverage is liable
 64.12 for the joint child's uninsured medical expenses unless a court order provides otherwise.
 64.13 A party's failure to carry court-ordered coverage, or to provide other medical support as
 64.14 ordered, is a basis for modification of a medical support order under section 518A.39,
 64.15 subdivision 2 8, unless it meets the presumption in section 518A.39, subdivision 2.

64.16 (d) Payments by the health carrier or employer for services rendered to the dependents
 64.17 that are directed to a party not owed reimbursement must be endorsed over to and forwarded
 64.18 to the vendor or appropriate party or the public authority. A party retaining insurance
 64.19 reimbursement not owed to the party is liable for the amount of the reimbursement.

64.20 **EFFECTIVE DATE.** This section is effective January 1, 2016.

64.21 Sec. 74. Minnesota Statutes 2014, section 518A.43, is amended by adding a
 64.22 subdivision to read:

64.23 Subd. 1a. **Income disparity between parties.** The court may deviate from the
 64.24 presumptive child support obligation under section 518A.34 and elect not to order a party
 64.25 who has between ten and 45 percent parenting time to pay basic support where such a
 64.26 significant disparity of income exists between the parties that an order directing payment
 64.27 of basic support would be detrimental to the parties' joint child.

249.12 Subd. 14. **Child support enforcement services.** The public authority must take
 249.13 necessary steps to establish ~~and enforce, enforce, and modify~~ an order for medical support
 249.14 if the joint child receives public assistance or a party completes an application for services
 249.15 from the public authority under section 518A.51.

249.16 Sec. 60. Minnesota Statutes 2014, section 518A.41, subdivision 15, is amended to read:

249.17 Subd. 15. **Enforcement.** (a) Remedies available for collecting and enforcing child
 249.18 support apply to medical support.

249.19 (b) For the purpose of enforcement, the following are additional support:

249.20 (1) the costs of individual or group health or hospitalization coverage;

249.21 (2) dental coverage;

249.22 (3) medical costs ordered by the court to be paid by either party, including health
 249.23 care coverage premiums paid by the obligee because of the obligor's failure to obtain
 249.24 coverage as ordered; and

249.25 (4) liabilities established under this subdivision.

249.26 (c) A party who fails to carry court-ordered dependent health care coverage is liable
 249.27 for the joint child's uninsured medical expenses unless a court order provides otherwise.
 249.28 A party's failure to carry court-ordered coverage, or to provide other medical support as
 249.29 ordered, is a basis for modification of a medical support order under section 518A.39,
 249.30 subdivision 2 8, unless it meets the presumption in section 518A.39, subdivision 2.

249.31 (d) Payments by the health carrier or employer for services rendered to the dependents
 249.32 that are directed to a party not owed reimbursement must be endorsed over to and forwarded
 249.33 to the vendor or appropriate party or the public authority. A party retaining insurance
 249.34 reimbursement not owed to the party is liable for the amount of the reimbursement.

250.1 Sec. 61. Minnesota Statutes 2014, section 518A.43, is amended by adding a
 250.2 subdivision to read:

250.3 Subd. 1a. **Income disparity between parties.** The court may deviate from the
 250.4 presumptive child support obligation under section 518A.34 and elect not to order a party
 250.5 who has between ten and 45 percent parenting time to pay basic support where such a
 250.6 significant disparity of income exists between the parties that an order directing payment
 250.7 of basic support would be detrimental to the parties' joint child.

64.28 **EFFECTIVE DATE.** This section is effective March 1, 2016.

64.29 Sec. 75. Minnesota Statutes 2014, section 518A.46, subdivision 3, is amended to read:

64.30 Subd. 3. **Contents of pleadings.** (a) In cases involving establishment or

64.31 modification of a child support order, the initiating party shall include the following

64.32 information, if known, in the pleadings:

64.33 (1) names, addresses, and dates of birth of the parties;

65.1 (2) Social Security numbers of the parties and the minor children of the parties,

65.2 which information shall be considered private information and shall be available only to

65.3 the parties, the court, and the public authority;

65.4 (3) other support obligations of the obligor;

65.5 (4) names and addresses of the parties' employers;

65.6 (5) gross income of the parties as calculated in section 518A.29;

65.7 (6) amounts and sources of any other earnings and income of the parties;

65.8 (7) health insurance coverage of parties;

65.9 (8) types and amounts of public assistance received by the parties, including

65.10 Minnesota family investment plan, child care assistance, medical assistance,

65.11 MinnesotaCare, title IV-E foster care, or other form of assistance as defined in section

65.12 256.741, subdivision 1; and

65.13 (9) any other information relevant to the computation of the child support obligation

65.14 under section 518A.34.

65.15 (b) For all matters scheduled in the expedited process, whether or not initiated by

65.16 the public authority, the nonattorney employee of the public authority shall file with the

65.17 court and serve on the parties the following information:

65.18 (1) information pertaining to the income of the parties available to the public

65.19 authority from the Department of Employment and Economic Development;

65.20 (2) a statement of the monthly amount of child support, medical support, child care,

65.21 and arrears currently being charged the obligor on Minnesota IV-D cases;

65.22 (3) a statement of the types and amount of any public assistance, as defined in

65.23 section 256.741, subdivision 1, received by the parties; and

65.24 (4) any other information relevant to the determination of support that is known to

65.25 the public authority and that has not been otherwise provided by the parties.

250.8 Sec. 62. Minnesota Statutes 2014, section 518A.46, subdivision 3, is amended to read:

250.9 Subd. 3. **Contents of pleadings.** (a) In cases involving establishment or

250.10 modification of a child support order, the initiating party shall include the following

250.11 information, if known, in the pleadings:

250.12 (1) names, addresses, and dates of birth of the parties;

250.13 (2) Social Security numbers of the parties and the minor children of the parties,

250.14 which information shall be considered private information and shall be available only to

250.15 the parties, the court, and the public authority;

250.16 (3) other support obligations of the obligor;

250.17 (4) names and addresses of the parties' employers;

250.18 (5) gross income of the parties as calculated in section 518A.29;

250.19 (6) amounts and sources of any other earnings and income of the parties;

250.20 (7) health insurance coverage of parties;

250.21 (8) types and amounts of public assistance received by the parties, including

250.22 Minnesota family investment plan, child care assistance, medical assistance,

250.23 MinnesotaCare, title IV-E foster care, or other form of assistance as defined in section

250.24 256.741, subdivision 1; and

250.25 (9) any other information relevant to the computation of the child support obligation

250.26 under section 518A.34.

250.27 (b) For all matters scheduled in the expedited process, whether or not initiated by

250.28 the public authority, the nonattorney employee of the public authority shall file with the

250.29 court and serve on the parties the following information:

250.30 (1) information pertaining to the income of the parties available to the public

250.31 authority from the Department of Employment and Economic Development;

250.32 (2) a statement of the monthly amount of child support, medical support, child care,

250.33 and arrears currently being charged the obligor on Minnesota IV-D cases;

250.34 (3) a statement of the types and amount of any public assistance, as defined in

250.35 section 256.741, subdivision 1, received by the parties; and

251.1 (4) any other information relevant to the determination of support that is known to

251.2 the public authority and that has not been otherwise provided by the parties.

65.26 The information must be filed with the court or child support magistrate at least
 65.27 five days before any hearing involving child support, medical support, or child care
 65.28 reimbursement issues.

65.29 Sec. 76. Minnesota Statutes 2014, section 518A.46, is amended by adding a
 65.30 subdivision to read:

65.31 Subd. 3a. **Contents of pleadings for medical support modifications.** (a) In cases
 65.32 involving modification of only the medical support portion of a child support order
 65.33 under section 518A.39, subdivision 8, the initiating party shall include the following
 65.34 information, if known, in the pleadings:

65.35 (1) names, addresses, and dates of birth of the parties;

66.1 (2) Social Security numbers of the parties and the minor children of the parties,
 66.2 which shall be considered private information and shall be available only to the parties,
 66.3 the court, and the public authority;

66.4 (3) names and addresses of the parties' employers;

66.5 (4) gross income of the parties as stated in the order being modified;

66.6 (5) health insurance coverage of the parties; and

66.7 (6) any other information relevant to the determination of the medical support
 66.8 obligation under section 518A.41.

66.9 (b) For all matters scheduled in the expedited process, whether or not initiated by
 66.10 the public authority, the nonattorney employee of the public authority shall file with the
 66.11 court and serve on the parties the following information:

66.12 (1) a statement of the monthly amount of child support, medical support, child care,
 66.13 and arrears currently being charged the obligor on Minnesota IV-D cases;

66.14 (2) a statement of the amount of medical assistance received by the parties; and

66.15 (3) any other information relevant to the determination of medical support that is
 66.16 known to the public authority and that has not been otherwise provided by the parties.

66.17 The information must be filed with the court or child support magistrate at least five
 66.18 days before the hearing on the motion to modify medical support.

66.19 **EFFECTIVE DATE.** This section is effective January 1, 2016.

66.20 Sec. 77. Minnesota Statutes 2014, section 518A.51, is amended to read:
 66.21 **518A.51 FEES FOR IV-D SERVICES.**

251.3 The information must be filed with the court or child support magistrate at least
 251.4 five days before any hearing involving child support, medical support, or child care
 251.5 reimbursement issues.

251.6 Sec. 63. Minnesota Statutes 2014, section 518A.46, is amended by adding a
 251.7 subdivision to read:

251.8 Subd. 3a. **Contents of pleadings for medical support modifications.** (a) In cases
 251.9 involving modification of only the medical support portion of a child support order
 251.10 under section 518A.39, subdivision 8, the initiating party shall include the following
 251.11 information, if known, in the pleadings:

251.12 (1) names, addresses, and dates of birth of the parties;

251.13 (2) Social Security numbers of the parties and the minor children of the parties,
 251.14 which shall be considered private information and shall be available only to the parties,
 251.15 the court, and the public authority;

251.16 (3) a copy of the full support order being modified;

251.17 (4) names and addresses of the parties' employers;

251.18 (5) gross income of the parties as stated in the order being modified;

251.19 (6) health insurance coverage of the parties; and

251.20 (7) any other information relevant to the determination of the medical support
 251.21 obligation under section 518A.41.

251.22 (b) For all matters scheduled in the expedited process, whether or not initiated by
 251.23 the public authority, the nonattorney employee of the public authority shall file with the
 251.24 court and serve on the parties the following information:

251.25 (1) a statement of the monthly amount of child support, medical support, child care,
 251.26 and arrears currently being charged the obligor on Minnesota IV-D cases;

251.27 (2) a statement of the amount of medical assistance received by the parties; and

251.28 (3) any other information relevant to the determination of medical support that is
 251.29 known to the public authority and that has not been otherwise provided by the parties.

251.30 The information must be filed with the court or child support magistrate at least five
 251.31 days before the hearing on the motion to modify medical support.

251.32 Sec. 64. Minnesota Statutes 2014, section 518A.51, is amended to read:
 251.33 **518A.51 FEES FOR IV-D SERVICES.**

66.22 (a) When a recipient of IV-D services is no longer receiving assistance under the
 66.23 state's title IV-A, IV-E foster care, or medical assistance, or MinnesotaCare programs, the
 66.24 public authority responsible for child support enforcement must notify the recipient,
 66.25 within five working days of the notification of ineligibility, that IV-D services will be
 66.26 continued unless the public authority is notified to the contrary by the recipient. The
 66.27 notice must include the implications of continuing to receive IV-D services, including the
 66.28 available services and fees, cost recovery fees, and distribution policies relating to fees.

66.29 (b) ~~An application fee of \$25 shall be paid by the person who applies for child~~
 66.30 ~~support and maintenance collection services, except persons who are receiving public~~
 66.31 ~~assistance as defined in section 256.741 and the diversionary work program under section~~
 66.32 ~~256J.95, persons who transfer from public assistance to nonpublic assistance status, and~~
 66.33 ~~minor parents and parents enrolled in a public secondary school, area learning center, or~~
 66.34 ~~alternative learning program approved by the commissioner of education.~~

67.1 (e) ~~(b)~~ In the case of an individual who has never received assistance under a state
 67.2 program funded under title IV-A of the Social Security Act and for whom the public
 67.3 authority has collected at least \$500 of support, the public authority must impose an
 67.4 annual federal collections fee of \$25 for each case in which services are furnished. This
 67.5 fee must be retained by the public authority from support collected on behalf of the
 67.6 individual, but not from the first \$500 collected.

67.7 ~~(d)~~ (c) When the public authority provides full IV-D services to an obligee who
 67.8 has applied for those services, upon written notice to the obligee, the public authority
 67.9 must charge a cost recovery fee of two percent of the amount collected. This fee must
 67.10 be deducted from the amount of the child support and maintenance collected and not
 67.11 assigned under section 256.741 before disbursement to the obligee. This fee does not
 67.12 apply to an obligee who:

67.13 (1) is currently receiving assistance under the state's title IV-A, IV-E foster care, or
 67.14 medical assistance, or MinnesotaCare programs; or

67.15 (2) has received assistance under the state's title IV-A or IV-E foster care programs,
 67.16 until the person has not received this assistance for 24 consecutive months.

67.17 (e) (d) When the public authority provides full IV-D services to an obligor who has
 67.18 applied for such services, upon written notice to the obligor, the public authority must
 67.19 charge a cost recovery fee of two percent of the monthly court-ordered child support and
 67.20 maintenance obligation. The fee may be collected through income withholding, as well
 67.21 as by any other enforcement remedy available to the public authority responsible for
 67.22 child support enforcement.

252.1 (a) When a recipient of IV-D services is no longer receiving assistance under the
 252.2 state's title IV-A, IV-E foster care, or medical assistance, or MinnesotaCare programs, the
 252.3 public authority responsible for child support enforcement must notify the recipient,
 252.4 within five working days of the notification of ineligibility, that IV-D services will be
 252.5 continued unless the public authority is notified to the contrary by the recipient. The
 252.6 notice must include the implications of continuing to receive IV-D services, including the
 252.7 available services and fees, cost recovery fees, and distribution policies relating to fees.

252.8 (b) ~~An application fee of \$25 shall be paid by the person who applies for child~~
 252.9 ~~support and maintenance collection services, except persons who are receiving public~~
 252.10 ~~assistance as defined in section 256.741 and the diversionary work program under section~~
 252.11 ~~256J.95, persons who transfer from public assistance to nonpublic assistance status, and~~
 252.12 ~~minor parents and parents enrolled in a public secondary school, area learning center, or~~
 252.13 ~~alternative learning program approved by the commissioner of education.~~

252.14 (e) ~~(b)~~ In the case of an individual who has never received assistance under a state
 252.15 program funded under title IV-A of the Social Security Act and for whom the public
 252.16 authority has collected at least \$500 of support, the public authority must impose an
 252.17 annual federal collections fee of \$25 for each case in which services are furnished. This
 252.18 fee must be retained by the public authority from support collected on behalf of the
 252.19 individual, but not from the first \$500 collected.

252.20 ~~(d)~~ (c) When the public authority provides full IV-D services to an obligee who
 252.21 has applied for those services, upon written notice to the obligee, the public authority
 252.22 must charge a cost recovery fee of two percent of the amount collected. This fee must
 252.23 be deducted from the amount of the child support and maintenance collected and not
 252.24 assigned under section 256.741 before disbursement to the obligee. This fee does not
 252.25 apply to an obligee who:

252.26 (1) is currently receiving assistance under the state's title IV-A, IV-E foster care, or
 252.27 medical assistance, or MinnesotaCare programs; or

252.28 (2) has received assistance under the state's title IV-A or IV-E foster care programs,
 252.29 until the person has not received this assistance for 24 consecutive months.

252.30 (e) (d) When the public authority provides full IV-D services to an obligor who has
 252.31 applied for such services, upon written notice to the obligor, the public authority must
 252.32 charge a cost recovery fee of two percent of the monthly court-ordered child support and
 252.33 maintenance obligation. The fee may be collected through income withholding, as well
 252.34 as by any other enforcement remedy available to the public authority responsible for
 252.35 child support enforcement.

67.23 ~~(f)~~ (e) Fees assessed by state and federal tax agencies for collection of overdue
 67.24 support owed to or on behalf of a person not receiving public assistance must be imposed
 67.25 on the person for whom these services are provided. The public authority upon written
 67.26 notice to the obligee shall assess a fee of \$25 to the person not receiving public assistance
 67.27 for each successful federal tax interception. The fee must be withheld prior to the release
 67.28 of the funds received from each interception and deposited in the general fund.

67.29 ~~(g)~~ (f) Federal collections fees collected under paragraph ~~(e)~~ (b) and cost recovery
 67.30 fees collected under paragraphs (c) and (d) ~~and (e)~~ retained by the commissioner of human
 67.31 services shall be considered child support program income according to Code of Federal
 67.32 Regulations, title 45, section 304.50, and shall be deposited in the special revenue fund
 67.33 account established under paragraph ~~(i)~~ (h). The commissioner of human services must
 67.34 elect to recover costs based on either actual or standardized costs.

67.35 ~~(h)~~ (g) The limitations of this section on the assessment of fees shall not apply to
 67.36 the extent inconsistent with the requirements of federal law for receiving funds for the
 68.1 programs under title IV-A and title IV-D of the Social Security Act, United States Code,
 68.2 title 42, sections 601 to 613 and United States Code, title 42, sections 651 to 662.

68.3 ~~(i)~~ (h) The commissioner of human services is authorized to establish a special
 68.4 revenue fund account to receive the federal collections fees collected under paragraph ~~(e)~~
 68.5 (b) and cost recovery fees collected under paragraphs (c) and (d) ~~and (e)~~.

68.6 ~~(j)~~ (i) The nonfederal share of the cost recovery fee revenue must be retained by the
 68.7 commissioner and distributed as follows:

68.8 (1) one-half of the revenue must be transferred to the child support system special
 68.9 revenue account to support the state's administration of the child support enforcement
 68.10 program and its federally mandated automated system;

68.11 (2) an additional portion of the revenue must be transferred to the child support
 68.12 system special revenue account for expenditures necessary to administer the fees; and

68.13 (3) the remaining portion of the revenue must be distributed to the counties to aid the
 68.14 counties in funding their child support enforcement programs.

68.15 ~~(k)~~ (j) The nonfederal share of the federal collections fees must be distributed to the
 68.16 counties to aid them in funding their child support enforcement programs.

68.17 ~~(l)~~ (k) The commissioner of human services shall distribute quarterly any of the
 68.18 funds dedicated to the counties under paragraphs (i) and (j) ~~and (k)~~ using the methodology
 68.19 specified in section 256.979, subdivision 11. The funds received by the counties must be
 68.20 reinvested in the child support enforcement program and the counties must not reduce the
 68.21 funding of their child support programs by the amount of the funding distributed.

68.22 **EFFECTIVE DATE.** This section is effective July 1, 2016, except that the
 68.23 amendments striking MinnesotaCare are effective July 1, 2015.

253.1 ~~(f)~~ (e) Fees assessed by state and federal tax agencies for collection of overdue
 253.2 support owed to or on behalf of a person not receiving public assistance must be imposed
 253.3 on the person for whom these services are provided. The public authority upon written
 253.4 notice to the obligee shall assess a fee of \$25 to the person not receiving public assistance
 253.5 for each successful federal tax interception. The fee must be withheld prior to the release
 253.6 of the funds received from each interception and deposited in the general fund.

253.7 ~~(g)~~ (f) Federal collections fees collected under paragraph ~~(e)~~ (b) and cost recovery
 253.8 fees collected under paragraphs (c) and (d) ~~and (e)~~ retained by the commissioner of human
 253.9 services shall be considered child support program income according to Code of Federal
 253.10 Regulations, title 45, section 304.50, and shall be deposited in the special revenue fund
 253.11 account established under paragraph ~~(i)~~ (h). The commissioner of human services must
 253.12 elect to recover costs based on either actual or standardized costs.

253.13 ~~(h)~~ (g) The limitations of this section on the assessment of fees shall not apply to
 253.14 the extent inconsistent with the requirements of federal law for receiving funds for the
 253.15 programs under title IV-A and title IV-D of the Social Security Act, United States Code,
 253.16 title 42, sections 601 to 613 and United States Code, title 42, sections 651 to 662.

253.17 ~~(i)~~ (h) The commissioner of human services is authorized to establish a special
 253.18 revenue fund account to receive the federal collections fees collected under paragraph ~~(e)~~
 253.19 (b) and cost recovery fees collected under paragraphs (c) and (d) ~~and (e)~~.

253.20 ~~(j)~~ (i) The nonfederal share of the cost recovery fee revenue must be retained by the
 253.21 commissioner and distributed as follows:

253.22 (1) one-half of the revenue must be transferred to the child support system special
 253.23 revenue account to support the state's administration of the child support enforcement
 253.24 program and its federally mandated automated system;

253.25 (2) an additional portion of the revenue must be transferred to the child support
 253.26 system special revenue account for expenditures necessary to administer the fees; and

253.27 (3) the remaining portion of the revenue must be distributed to the counties to aid the
 253.28 counties in funding their child support enforcement programs.

253.29 ~~(k)~~ (j) The nonfederal share of the federal collections fees must be distributed to the
 253.30 counties to aid them in funding their child support enforcement programs.

253.31 ~~(l)~~ (k) The commissioner of human services shall distribute quarterly any of the
 253.32 funds dedicated to the counties under paragraphs (i) and (j) ~~and (k)~~ using the methodology
 253.33 specified in section 256.979, subdivision 11. The funds received by the counties must be
 253.34 reinvested in the child support enforcement program and the counties must not reduce the
 253.35 funding of their child support programs by the amount of the funding distributed.

68.24 Sec. 78. Minnesota Statutes 2014, section 518A.53, subdivision 1, is amended to read:

68.25 Subdivision 1. **Definitions.** (a) For the purpose of this section, the following terms

68.26 have the meanings provided in this subdivision unless otherwise stated.

68.27 (b) "Payor of funds" means any person or entity that provides funds to an obligor,

68.28 including an employer as defined under chapter 24 of the Internal Revenue Code,

68.29 section 3401(d), an independent contractor, payor of worker's compensation benefits or

68.30 unemployment benefits, or a financial institution as defined in section 13B.06.

68.31 (c) "Business day" means a day on which state offices are open for regular business.

68.32 (d) "Arrears" ~~means amounts owed under a support order that are past due~~ has the

68.33 meaning given in section 518A.26, subdivision 3.

68.34 **EFFECTIVE DATE.** This section is effective July 1, 2016.

69.1 Sec. 79. Minnesota Statutes 2014, section 518A.53, subdivision 4, is amended to read:

69.2 Subd. 4. **Collection services.** (a) The commissioner of human services shall prepare

69.3 and make available to the courts a notice of services that explains child support and

69.4 maintenance collection services available through the public authority, including income

69.5 withholding, and the fees for such services. Upon receiving a petition for dissolution of

69.6 marriage or legal separation, the court administrator shall promptly send the notice of

69.7 services to the petitioner and respondent at the addresses stated in the petition.

69.8 (b) Either the obligee or obligor may at any time apply to the public authority for

69.9 either full IV-D services or for income withholding only services.

69.10 (c) For those persons applying for income withholding only services, a monthly

69.11 service fee of \$15 must be charged to the obligor. This fee is in addition to the amount of

69.12 the support order and shall be withheld through income withholding. The public authority

69.13 shall explain the service options in this section to the affected parties and encourage the

69.14 application for full child support collection services.

69.15 (d) If the obligee is not a current recipient of public assistance as defined in section

69.16 256.741, the person who applied for services may at any time choose to terminate either

69.17 full IV-D services or income withholding only services regardless of whether income

69.18 withholding is currently in place. The obligee or obligor may reapply for either full IV-D

69.19 services or income withholding only services at any time. ~~Unless the applicant is a~~

69.20 ~~recipient of public assistance as defined in section 256.741, a \$25 application fee shall be~~

69.21 ~~charged at the time of each application.~~

254.1 Sec. 65. Minnesota Statutes 2014, section 518A.53, subdivision 4, is amended to read:

254.2 Subd. 4. **Collection services.** (a) The commissioner of human services shall prepare

254.3 and make available to the courts a notice of services that explains child support and

254.4 maintenance collection services available through the public authority, including income

254.5 withholding, and the fees for such services. Upon receiving a petition for dissolution of

254.6 marriage or legal separation, the court administrator shall promptly send the notice of

254.7 services to the petitioner and respondent at the addresses stated in the petition.

254.8 (b) Either the obligee or obligor may at any time apply to the public authority for

254.9 either full IV-D services or for income withholding only services.

254.10 (c) For those persons applying for income withholding only services, a monthly

254.11 service fee of \$15 must be charged to the obligor. This fee is in addition to the amount of

254.12 the support order and shall be withheld through income withholding. The public authority

254.13 shall explain the service options in this section to the affected parties and encourage the

254.14 application for full child support collection services.

254.15 (d) If the obligee is not a current recipient of public assistance as defined in section

254.16 256.741, the person who applied for services may at any time choose to terminate either

254.17 full IV-D services or income withholding only services regardless of whether income

254.18 withholding is currently in place. The obligee or obligor may reapply for either full IV-D

254.19 services or income withholding only services at any time. ~~Unless the applicant is a~~

254.20 ~~recipient of public assistance as defined in section 256.741, a \$25 application fee shall be~~

254.21 ~~charged at the time of each application.~~

69.22 (e) When a person terminates IV-D services, if an arrearage for public assistance as
 69.23 defined in section 256.741 exists, the public authority may continue income withholding,
 69.24 as well as use any other enforcement remedy for the collection of child support, until all
 69.25 public assistance arrears are paid in full. Income withholding shall be in an amount equal
 69.26 to 20 percent of the support order in effect at the time the services terminated, unless the
 69.27 court has ordered a specific monthly payback amount to be applied toward the arrears. If a
 69.28 support order includes a specific monthly payback amount, income withholding shall be
 69.29 for the specific monthly payback amount ordered.

69.30 **EFFECTIVE DATE.** This section is effective July 1, 2016.

69.31 Sec. 80. Minnesota Statutes 2014, section 518A.53, subdivision 10, is amended to read:

69.32 Subd. 10. **Arrearage order.** (a) This section does not prevent the court from
 69.33 ordering the payor of funds to withhold amounts to satisfy the obligor's previous arrearage
 69.34 in support order payments. This remedy shall not operate to exclude availability of other
 69.35 remedies to enforce judgments. The employer or payor of funds shall withhold from
 70.1 the obligor's income an additional amount equal to 20 percent of the monthly child
 70.2 support or maintenance obligation until the arrearage is paid, unless the court has ordered
 70.3 a specific monthly payback amount toward the arrears. If a support order includes a
 70.4 specific monthly payback amount, the employer or payor of funds shall withhold from
 70.5 the obligor's income an additional amount equal to the specific monthly payback amount
 70.6 ordered until all arrearages are paid.

70.7 (b) Notwithstanding any law to the contrary, funds from income sources included
 70.8 in section 518A.26, subdivision 8, whether periodic or lump sum, are not exempt from
 70.9 attachment or execution upon a judgment for child support arrearage.

70.10 (c) Absent an order to the contrary, if an arrearage exists at the time a support
 70.11 order would otherwise terminate, income withholding shall continue in effect or may be
 70.12 implemented in an amount equal to the support order plus an additional 20 percent of the
 70.13 monthly child support obligation, until all arrears have been paid in full.

70.14 **EFFECTIVE DATE.** This section is effective July 1, 2016.

70.15 Sec. 81. Minnesota Statutes 2014, section 518A.60, is amended to read:

70.16 **518A.60 COLLECTION; ARREARS ONLY.**

254.22 (e) When a person terminates IV-D services, if an arrearage for public assistance as
 254.23 defined in section 256.741 exists, the public authority may continue income withholding,
 254.24 as well as use any other enforcement remedy for the collection of child support, until all
 254.25 public assistance arrears are paid in full. Income withholding shall be in an amount equal
 254.26 to 20 percent of the support order in effect at the time the services terminated.

70.17 (a) Remedies available for the collection and enforcement of support in this chapter
70.18 and chapters 256, 257, 518, and 518C also apply to cases in which the child or children
70.19 for whom support is owed are emancipated and the obligor owes past support or has an
70.20 accumulated arrearage as of the date of the youngest child's emancipation. Child support
70.21 arrearages under this section include arrearages for child support, medical support, child
70.22 care, pregnancy and birth expenses, and unreimbursed medical expenses as defined in
70.23 section 518A.41, subdivision 1, paragraph (h).

70.24 (b) This section applies retroactively to any support arrearage that accrued on or
70.25 before June 3, 1997, and to all arrearages accruing after June 3, 1997.

70.26 (c) Past support or pregnancy and confinement expenses ordered for which the
70.27 obligor has specific court ordered terms for repayment may not be enforced using drivers'
70.28 and occupational or professional license suspension; and credit bureau reporting, and
70.29 ~~additional income withholding under section 518A.53, subdivision 10, paragraph (a),~~
70.30 unless the obligor fails to comply with the terms of the court order for repayment.

70.31 (d) If an arrearage exists at the time a support order would otherwise terminate
70.32 and section 518A.53, subdivision 10, paragraph (c), does not apply to this section, the
70.33 arrearage shall be repaid in an amount equal to the current support order until all arrears
70.34 have been paid in full, absent a court order to the contrary.

71.1 (e) If an arrearage exists according to a support order which fails to establish a
71.2 monthly support obligation in a specific dollar amount, the public authority, if it provides
71.3 child support services, or the obligee, may establish a payment agreement which shall
71.4 equal what the obligor would pay for current support after application of section 518A.34,
71.5 plus an additional 20 percent of the current support obligation, until all arrears have been
71.6 paid in full. If the obligor fails to enter into or comply with a payment agreement, the
71.7 public authority, if it provides child support services, or the obligee, may move the district
71.8 court or child support magistrate, if section 484.702 applies, for an order establishing
71.9 repayment terms.

71.10 (f) If there is no longer a current support order because all of the children of the
71.11 order are emancipated, the public authority may discontinue child support services and
71.12 close its case under title IV-D of the Social Security Act if:

71.13 (1) the arrearage is under \$500; or

71.14 (2) the arrearage is considered unenforceable by the public authority because there
71.15 have been no collections for three years, and all administrative and legal remedies have
71.16 been attempted or are determined by the public authority to be ineffective because the
71.17 obligor is unable to pay, the obligor has no known income or assets, and there is no
71.18 reasonable prospect that the obligor will be able to pay in the foreseeable future.

71.19 (g) At least 60 calendar days before the discontinuation of services under paragraph
 71.20 (f), the public authority must mail a written notice to the obligee and obligor at the
 71.21 obligee's and obligor's last known addresses that the public authority intends to close the
 71.22 child support enforcement case and explaining each party's rights. Seven calendar days
 71.23 after the first notice is mailed, the public authority must mail a second notice under this
 71.24 paragraph to the obligee.

71.25 (h) The case must be kept open if the obligee responds before case closure and
 71.26 provides information that could reasonably lead to collection of arrears. If the case is
 71.27 closed, the obligee may later request that the case be reopened by completing a new
 71.28 application for services, if there is a change in circumstances that could reasonably lead to
 71.29 the collection of arrears.

71.30 **EFFECTIVE DATE.** This section is effective July 1, 2016.

71.31 Sec. 82. **[518A.685] CONSUMER REPORTING AGENCY; REPORTING**

71.32 **ARREARS.**

71.33 (a) If a public authority determines that an obligor has not paid the current monthly
 71.34 support obligation plus any required arrearage payment for three consecutive months, the
 71.35 public authority must report this information to a consumer reporting agency.

72.1 (b) Before reporting that an obligor is in arrears for court-ordered child support,
 72.2 the public authority must:

72.3 (1) provide written notice to the obligor that the public authority intends to report the
 72.4 arrears to a consumer reporting agency; and

72.5 (2) mail the written notice to the obligor's last known mailing address 30 days before
 72.6 the public authority reports the arrears to a consumer reporting agency.

72.7 (c) The obligor may, within 21 days of receipt of the notice, do the following to
 72.8 prevent the public authority from reporting the arrears to a consumer reporting agency:

72.9 (1) pay the arrears in full; or

72.10 (2) request an administrative review. An administrative review is limited to issues
 72.11 of mistaken identity, a pending legal action involving the arrears, or an incorrect arrears
 72.12 balance.

72.13 (d) If a public authority has reported that an obligor is in arrears for court-ordered
 72.14 child support and subsequently determines that the obligor has paid the court-ordered
 72.15 child support arrears in full, or is paying the current monthly support obligation plus any
 72.16 required arrearage payment, the public authority must report to the consumer reporting
 72.17 agency that the obligor is currently paying child support as ordered by the court.

254.27 Sec. 66. **[518A.685] CONSUMER REPORTING AGENCY; REPORTING**

254.28 **ARREARS.**

254.29 (a) If a public authority determines that an obligor has not paid the current monthly
 254.30 support obligation plus any required arrearage payment for three months, the public
 254.31 authority must report this information to a consumer reporting agency.

254.32 (b) Before reporting that an obligor is in arrears for court-ordered child support,
 254.33 the public authority must:

254.34 (1) provide written notice to the obligor that the public authority intends to report the
 254.35 arrears to a consumer reporting agency; and

255.1 (2) mail the written notice to the obligor's last known mailing address at least 30
 255.2 days before the public authority reports the arrears to a consumer reporting agency.

255.3 (c) The obligor may, within 21 days of receipt of the notice, do the following to
 255.4 prevent the public authority from reporting the arrears to a consumer reporting agency:

255.5 (1) pay the arrears in full; or

255.6 (2) request an administrative review. An administrative review is limited to issues
 255.7 of mistaken identity, a pending legal action involving the arrears, or an incorrect arrears
 255.8 balance.

255.9 (d) If the public authority has reported that an obligor is in arrears for court-ordered
 255.10 child support and subsequently determines that the obligor has paid the court-ordered
 255.11 child support arrears in full, or is paying the current monthly support obligation plus any
 255.12 required arrearage payment, the public authority must report to the consumer reporting
 255.13 agency that the obligor is currently paying child support as ordered by the court.

72.18 (e) A public authority that reports arrearage information under this section must
 72.19 make monthly reports to a consumer reporting agency. The monthly report must be
 72.20 consistent with credit reporting industry standards for child support.
 72.21 (f) For purposes of this section, "consumer reporting agency" has the meaning given
 72.22 in section 13C.001, subdivision 4, and United States Code, title 15, section 1681a(f).

72.23 **EFFECTIVE DATE.** This section is effective July 1, 2016.

72.24 Sec. 83. Minnesota Statutes 2014, section 518C.802, is amended to read:

72.25 **518C.802 CONDITIONS OF RENDITION.**

72.26 (a) Before making demand that the governor of another state surrender an individual
 72.27 charged criminally in this state with having failed to provide for the support of an obligee,
 72.28 the governor of this state may require a prosecutor of this state to demonstrate that at least
 72.29 60 days previously the obligee had initiated proceedings for support pursuant to this
 72.30 chapter or that the proceeding would be of no avail.

72.31 (b) If, under this chapter or a law substantially similar to this chapter, ~~the Uniform~~
 72.32 ~~Reciprocal Enforcement of Support Act, or the Revised Uniform Reciprocal Enforcement~~
 72.33 ~~of Support Act,~~ the governor of another state makes a demand that the governor of
 72.34 this state surrender an individual charged criminally in that state with having failed to
 73.1 provide for the support of a child or other individual to whom a duty of support is owed,
 73.2 the governor may require a prosecutor to investigate the demand and report whether
 73.3 a proceeding for support has been initiated or would be effective. If it appears that a
 73.4 proceeding would be effective but has not been initiated, the governor may delay honoring
 73.5 the demand for a reasonable time to permit the initiation of a proceeding.

73.6 (c) If a proceeding for support has been initiated and the individual whose rendition is
 73.7 demanded prevails, the governor may decline to honor the demand. If the petitioner prevails
 73.8 and the individual whose rendition is demanded is subject to a support order, the governor
 73.9 may decline to honor the demand if the individual is complying with the support order.

73.10 Sec. 84. Minnesota Statutes 2014, section 626.556, subdivision 1, as amended by Laws
 73.11 2015, chapter 4, section 1, is amended to read:

73.12 Subdivision 1. **Public policy.** (a) The legislature hereby declares that the public
 73.13 policy of this state is to protect children whose health or welfare may be jeopardized
 73.14 through physical abuse, neglect, or sexual abuse. While it is recognized that most parents
 73.15 want to keep their children safe, sometimes circumstances or conditions interfere with
 73.16 their ability to do so. When this occurs, the health and safety of the children ~~shall~~ must be
 73.17 of paramount concern. Intervention and prevention efforts ~~shall~~ must address immediate
 73.18 concerns for child safety and the ongoing risk of abuse or neglect and should engage the
 73.19 protective capacities of families. In furtherance of this public policy, it is the intent of the
 73.20 legislature under this section to:

255.14 (e) A public authority that reports arrearage information under this section must
 255.15 make monthly reports to a consumer reporting agency. The monthly report must be
 255.16 consistent with credit reporting industry standards for child support.

255.17 (f) For purposes of this section, "consumer reporting agency" has the meaning given
 255.18 in section 13C.001, subdivision 4, and United States Code, title 15, section 1681a(f).

255.19 Sec. 67. Minnesota Statutes 2014, section 518C.802, is amended to read:

255.20 **518C.802 CONDITIONS OF RENDITION.**

255.21 (a) Before making demand that the governor of another state surrender an individual
 255.22 charged criminally in this state with having failed to provide for the support of an obligee,
 255.23 the governor of this state may require a prosecutor of this state to demonstrate that at least
 255.24 60 days previously the obligee had initiated proceedings for support pursuant to this
 255.25 chapter or that the proceeding would be of no avail.

255.26 (b) If, under this chapter or a law substantially similar to this chapter, ~~the Uniform~~
 255.27 ~~Reciprocal Enforcement of Support Act, or the Revised Uniform Reciprocal Enforcement~~
 255.28 ~~of Support Act,~~ the governor of another state makes a demand that the governor of
 255.29 this state surrender an individual charged criminally in that state with having failed to
 255.30 provide for the support of a child or other individual to whom a duty of support is owed,
 255.31 the governor may require a prosecutor to investigate the demand and report whether
 255.32 a proceeding for support has been initiated or would be effective. If it appears that a
 255.33 proceeding would be effective but has not been initiated, the governor may delay honoring
 255.34 the demand for a reasonable time to permit the initiation of a proceeding.

256.1 (c) If a proceeding for support has been initiated and the individual whose rendition is
 256.2 demanded prevails, the governor may decline to honor the demand. If the petitioner prevails
 256.3 and the individual whose rendition is demanded is subject to a support order, the governor
 256.4 may decline to honor the demand if the individual is complying with the support order.

256.5 Sec. 68. Minnesota Statutes 2014, section 626.556, subdivision 1, as amended by Laws
 256.6 2015, chapter 4, section 1, is amended to read:

256.7 Subdivision 1. **Public policy.** (a) The legislature hereby declares that the public
 256.8 policy of this state is to protect children whose health or welfare may be jeopardized
 256.9 through physical abuse, neglect, or sexual abuse. While it is recognized that most parents
 256.10 want to keep their children safe, sometimes circumstances or conditions interfere with
 256.11 their ability to do so. When this occurs, the health and safety of the children shall be of
 256.12 paramount concern. Intervention and prevention efforts shall address immediate concerns
 256.13 for child safety and the ongoing risk of abuse or neglect and should engage the protective
 256.14 capacities of families. In furtherance of this public policy, it is the intent of the legislature
 256.15 under this section to:

73.21 (1) protect children and promote child safety;

73.22 (2) strengthen the family;

73.23 (3) make the home, school, and community safe for children by promoting

73.24 responsible child care in all settings; and

73.25 (4) provide, when necessary, a safe temporary or permanent home environment for

73.26 physically or sexually abused or neglected children.

73.27 (b) In addition, it is the policy of this state to:

73.28 (1) require the reporting of neglect or physical or sexual abuse of children in the

73.29 home, school, and community settings;

73.30 (2) provide for the voluntary reporting of abuse or neglect of children; ~~to require~~

73.31 ~~a family assessment, when appropriate, as the preferred response to reports not alleging~~

73.32 ~~substantial child endangerment;~~

73.33 (3) require an investigation when the report alleges sexual abuse or substantial

73.34 child endangerment;

74.1 (4) provide a family assessment, if appropriate, when the report does not allege

74.2 sexual abuse or substantial child endangerment; and

74.3 (4) (5) provide protective, family support, and family preservation services when

74.4 needed in appropriate cases.

74.5 Sec. 85. Minnesota Statutes 2014, section 626.556, subdivision 2, is amended to read:

74.6 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings

74.7 given them unless the specific content indicates otherwise:

74.8 (a) "Family assessment" means a comprehensive assessment of child safety, risk of

74.9 subsequent child maltreatment, and family strengths and needs that is applied to a child

74.10 maltreatment report that does not allege sexual abuse or substantial child endangerment.

74.11 Family assessment does not include a determination as to whether child maltreatment

74.12 occurred but does determine the need for services to address the safety of family members

74.13 and the risk of subsequent maltreatment.

74.14 (b) "Investigation" means fact gathering related to the current safety of a child

74.15 and the risk of subsequent maltreatment that determines whether child maltreatment

74.16 occurred and whether child protective services are needed. An investigation must be used

74.17 when reports involve sexual abuse or substantial child endangerment, and for reports of

74.18 maltreatment in facilities required to be licensed under chapter 245A or 245D; under

74.19 sections 144.50 to 144.58 and 241.021; in a school as defined in sections 120A.05,

74.20 subdivisions 9, 11, and 13, and 124D.10; or in a nonlicensed personal care provider

74.21 association as defined in section 256B.0625, subdivision 19a.

256.16 (1) protect children and promote child safety;

256.17 (2) strengthen the family;

256.18 (3) make the home, school, and community safe for children by promoting

256.19 responsible child care in all settings; and

256.20 (4) provide, when necessary, a safe temporary or permanent home environment for

256.21 physically or sexually abused or neglected children.

256.22 (b) In addition, it is the policy of this state to:

256.23 (1) require the reporting of neglect or physical or sexual abuse of children in the

256.24 home, school, and community settings;

256.25 (2) provide for the voluntary reporting of abuse or neglect of children; ~~to require~~

256.26 ~~a family assessment, when appropriate, as the preferred response to reports not alleging~~

256.27 ~~substantial child endangerment;~~

256.28 (3) require an investigation when the report alleges sexual abuse or substantial child

256.29 endangerment, as defined in subdivision 2, paragraph (c);

256.30 (4) provide a family assessment when there is no alleged substantial child

256.31 endangerment; and

256.32 (4) (5) provide protective, family support, and family preservation services when

256.33 needed in appropriate cases.

256.34 Sec. 69. Minnesota Statutes 2014, section 626.556, subdivision 2, is amended to read:

257.1 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings

257.2 given them unless the specific content indicates otherwise:

257.3 (a) "Family assessment" means a comprehensive assessment of child safety, risk

257.4 of subsequent child maltreatment, and family strengths and needs that is applied to a

257.5 child maltreatment report that does not allege substantial child endangerment. Family

257.6 assessment does not include a determination as to whether child maltreatment occurred

257.7 but does determine the need for services to address the safety of family members and the

257.8 risk of subsequent maltreatment.

257.9 (b) "Investigation" means fact gathering related to the current safety of a child

257.10 and the risk of subsequent maltreatment that determines whether child maltreatment

257.11 occurred and whether child protective services are needed. An investigation must be used

257.12 when reports involve substantial child endangerment, and for reports of maltreatment in

257.13 facilities required to be licensed under chapter 245A or 245D; under sections 144.50 to

257.14 144.58 and 241.021; in a school as defined in sections 120A.05, subdivisions 9, 11, and

257.15 13, and 124D.10; or in a nonlicensed personal care provider association as defined in

257.16 section 256B.0625, subdivision 19a.

74.22 (c) "Substantial child endangerment" means a person responsible for a child's care,
 74.23 ~~and in the case of sexual abuse includes a person who has a significant relationship to the~~
 74.24 ~~child as defined in section 609.341, or a person in a position of authority as defined in~~
 74.25 ~~section 609.341, who by act or omission, commits or attempts to commit an act against a~~
 74.26 child under their care that constitutes any of the following:

74.27 (1) egregious harm as defined in section 260C.007, subdivision 14;

74.28 (2) ~~sexual abuse as defined in paragraph (d);~~

74.29 (3) abandonment under section 260C.301, subdivision 2;

74.30 (4) (3) neglect as defined in paragraph (f), clause (2), that substantially endangers
 74.31 the child's physical or mental health, including a growth delay, which may be referred to
 74.32 as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

74.33 (5) (4) murder in the first, second, or third degree under section 609.185, 609.19, or
 74.34 609.195;

74.35 (6) (5) manslaughter in the first or second degree under section 609.20 or 609.205;

75.1 (7) (6) assault in the first, second, or third degree under section 609.221, 609.222, or
 75.2 609.223;

75.3 (8) (7) solicitation, inducement, and promotion of prostitution under section 609.322;

75.4 (9) (8) criminal sexual conduct under sections 609.342 to 609.3451;

75.5 (10) (9) solicitation of children to engage in sexual conduct under section 609.352;

75.6 (11) (10) malicious punishment or neglect or endangerment of a child under section
 75.7 609.377 or 609.378;

75.8 (12) (11) use of a minor in sexual performance under section 617.246; or

75.9 (13) (12) parental behavior, status, or condition which mandates that the county
 75.10 attorney file a termination of parental rights petition under section 260C.503, subdivision 2.

257.17 (c) "Substantial child endangerment" means a person responsible for a child's care,
 257.18 and in the case of sexual abuse includes a person who has a significant relationship to the
 257.19 child as defined in section 609.341, or a person in a position of authority as defined in
 257.20 section 609.341, who by act or omission commits or attempts to commit an act against a
 257.21 child under their care that constitutes any of the following:

257.22 (1) egregious harm as defined in section 260C.007, subdivision 14;

257.23 (2) sexual abuse as defined in paragraph (d);

257.24 (3) abandonment under section 260C.301, subdivision 2;

257.25 (4) neglect as defined in paragraph (f), clause (2), that substantially endangers the
 257.26 child's physical or mental health, including a growth delay, which may be referred to as
 257.27 failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

257.28 (5) murder in the first, second, or third degree under section 609.185, 609.19, or
 257.29 609.195;

257.30 (6) manslaughter in the first or second degree under section 609.20 or 609.205;

257.31 (7) assault in the first, second, or third degree under section 609.221, 609.222, or
 257.32 609.223;

257.33 (8) solicitation, inducement, and promotion of prostitution under section 609.322;

257.34 (9) criminal sexual conduct under sections 609.342 to 609.3451;

257.35 (10) solicitation of children to engage in sexual conduct under section 609.352;

258.1 (11) malicious punishment or neglect or endangerment of a child under section
 258.2 609.377 or 609.378;

258.3 (12) use of a minor in sexual performance under section 617.246; or

258.4 (13) parental behavior, status, or condition which mandates that the county attorney
 258.5 file a termination of parental rights petition under section 260C.503, subdivision 2.

75.11 (d) "Sexual abuse" means the subjection of a child by a person responsible for the
 75.12 child's care, by a person who has a significant relationship to the child, as defined in
 75.13 section 609.341, or by a person in a position of authority, as defined in section 609.341,
 75.14 subdivision 10, to any act which constitutes a violation of section 609.342 (criminal sexual
 75.15 conduct in the first degree), 609.343 (criminal sexual conduct in the second degree),
 75.16 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct
 75.17 in the fourth degree), or 609.3451 (criminal sexual conduct in the fifth degree). Sexual
 75.18 abuse also includes any act which involves a minor which constitutes a violation of
 75.19 prostitution offenses under sections 609.321 to 609.324 or 617.246. Sexual abuse includes
 75.20 threatened sexual abuse which includes the status of a parent or household member
 75.21 who has committed a violation which requires registration as an offender under section
 75.22 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section
 75.23 243.166, subdivision 1b, paragraph (a) or (b).

75.24 (e) "Person responsible for the child's care" means (1) an individual functioning
 75.25 within the family unit and having responsibilities for the care of the child such as a
 75.26 parent, guardian, or other person having similar care responsibilities, or (2) an individual
 75.27 functioning outside the family unit and having responsibilities for the care of the child
 75.28 such as a teacher, school administrator, other school employees or agents, or other lawful
 75.29 custodian of a child having either full-time or short-term care responsibilities including,
 75.30 but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching,
 75.31 and coaching.

75.32 (f) "Neglect" means the commission or omission of any of the acts specified under
 75.33 clauses (1) to (9), other than by accidental means:

75.34 (1) failure by a person responsible for a child's care to supply a child with necessary
 75.35 food, clothing, shelter, health, medical, or other care required for the child's physical or
 75.36 mental health when reasonably able to do so;

76.1 (2) failure to protect a child from conditions or actions that seriously endanger the
 76.2 child's physical or mental health when reasonably able to do so, including a growth delay,
 76.3 which may be referred to as a failure to thrive, that has been diagnosed by a physician and
 76.4 is due to parental neglect;

76.5 (3) failure to provide for necessary supervision or child care arrangements
 76.6 appropriate for a child after considering factors as the child's age, mental ability, physical
 76.7 condition, length of absence, or environment, when the child is unable to care for the
 76.8 child's own basic needs or safety, or the basic needs or safety of another child in their care;

76.9 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
 76.10 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
 76.11 child with sympathomimetic medications, consistent with section 125A.091, subdivision 5;

258.6 (d) "Sexual abuse" means the subjection of a child by a person responsible for the
 258.7 child's care, by a person who has a significant relationship to the child, as defined in
 258.8 section 609.341, or by a person in a position of authority, as defined in section 609.341,
 258.9 subdivision 10, to any act which constitutes a violation of section 609.342 (criminal sexual
 258.10 conduct in the first degree), 609.343 (criminal sexual conduct in the second degree),
 258.11 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct
 258.12 in the fourth degree), or 609.3451 (criminal sexual conduct in the fifth degree). Sexual
 258.13 abuse also includes any act which involves a minor which constitutes a violation of
 258.14 prostitution offenses under sections 609.321 to 609.324 or 617.246. Sexual abuse includes
 258.15 threatened sexual abuse which includes the status of a parent or household member
 258.16 who has committed a violation which requires registration as an offender under section
 258.17 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section
 258.18 243.166, subdivision 1b, paragraph (a) or (b).

258.19 (e) "Person responsible for the child's care" means (1) an individual functioning
 258.20 within the family unit and having responsibilities for the care of the child such as a
 258.21 parent, guardian, or other person having similar care responsibilities, or (2) an individual
 258.22 functioning outside the family unit and having responsibilities for the care of the child
 258.23 such as a teacher, school administrator, other school employees or agents, or other lawful
 258.24 custodian of a child having either full-time or short-term care responsibilities including,
 258.25 but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching,
 258.26 and coaching.

258.27 (f) "Neglect" means the commission or omission of any of the acts specified under
 258.28 clauses (1) to (9), other than by accidental means:

258.29 (1) failure by a person responsible for a child's care to supply a child with necessary
 258.30 food, clothing, shelter, health, medical, or other care required for the child's physical or
 258.31 mental health when reasonably able to do so;

258.32 (2) failure to protect a child from conditions or actions that seriously endanger the
 258.33 child's physical or mental health when reasonably able to do so, including a growth delay,
 258.34 which may be referred to as a failure to thrive, that has been diagnosed by a physician and
 258.35 is due to parental neglect;

259.1 (3) failure to provide for necessary supervision or child care arrangements
 259.2 appropriate for a child after considering factors as the child's age, mental ability, physical
 259.3 condition, length of absence, or environment, when the child is unable to care for the
 259.4 child's own basic needs or safety, or the basic needs or safety of another child in their care;

259.5 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
 259.6 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
 259.7 child with sympathomimetic medications, consistent with section 125A.091, subdivision 5;

76.12 (5) nothing in this section shall be construed to mean that a child is neglected solely
 76.13 because the child's parent, guardian, or other person responsible for the child's care in
 76.14 good faith selects and depends upon spiritual means or prayer for treatment or care of
 76.15 disease or remedial care of the child in lieu of medical care; except that a parent, guardian,
 76.16 or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report
 76.17 if a lack of medical care may cause serious danger to the child's health. This section does
 76.18 not impose upon persons, not otherwise legally responsible for providing a child with
 76.19 necessary food, clothing, shelter, education, or medical care, a duty to provide that care;

76.20 (6) prenatal exposure to a controlled substance, as defined in section 253B.02,
 76.21 subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal
 76.22 symptoms in the child at birth, results of a toxicology test performed on the mother at
 76.23 delivery or the child at birth, medical effects or developmental delays during the child's
 76.24 first year of life that medically indicate prenatal exposure to a controlled substance, or the
 76.25 presence of a fetal alcohol spectrum disorder;

76.26 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

76.27 (8) chronic and severe use of alcohol or a controlled substance by a parent or
 76.28 person responsible for the care of the child that adversely affects the child's basic needs
 76.29 and safety; or

76.30 (9) emotional harm from a pattern of behavior which contributes to impaired
 76.31 emotional functioning of the child which may be demonstrated by a substantial and
 76.32 observable effect in the child's behavior, emotional response, or cognition that is not
 76.33 within the normal range for the child's age and stage of development, with due regard to
 76.34 the child's culture.

76.35 (g) "Physical abuse" means any physical injury, mental injury, or threatened injury,
 76.36 inflicted by a person responsible for the child's care on a child other than by accidental
 77.1 means, or any physical or mental injury that cannot reasonably be explained by the child's
 77.2 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
 77.3 that have not been authorized under section 125A.0942 or 245.825.

77.4 Abuse does not include reasonable and moderate physical discipline of a child
 77.5 administered by a parent or legal guardian which does not result in an injury. Abuse does
 77.6 not include the use of reasonable force by a teacher, principal, or school employee as
 77.7 allowed by section 121A.582. Actions which are not reasonable and moderate include,
 77.8 but are not limited to, any of the following that are done in anger or without regard to the
 77.9 safety of the child:

77.10 (1) throwing, kicking, burning, biting, or cutting a child;

77.11 (2) striking a child with a closed fist;

77.12 (3) shaking a child under age three;

259.8 (5) nothing in this section shall be construed to mean that a child is neglected solely
 259.9 because the child's parent, guardian, or other person responsible for the child's care in
 259.10 good faith selects and depends upon spiritual means or prayer for treatment or care of
 259.11 disease or remedial care of the child in lieu of medical care; except that a parent, guardian,
 259.12 or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report
 259.13 if a lack of medical care may cause serious danger to the child's health. This section does
 259.14 not impose upon persons, not otherwise legally responsible for providing a child with
 259.15 necessary food, clothing, shelter, education, or medical care, a duty to provide that care;

259.16 (6) prenatal exposure to a controlled substance, as defined in section 253B.02,
 259.17 subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal
 259.18 symptoms in the child at birth, results of a toxicology test performed on the mother at
 259.19 delivery or the child at birth, medical effects or developmental delays during the child's
 259.20 first year of life that medically indicate prenatal exposure to a controlled substance, or the
 259.21 presence of a fetal alcohol spectrum disorder;

259.22 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

259.23 (8) chronic and severe use of alcohol or a controlled substance by a parent or
 259.24 person responsible for the care of the child that adversely affects the child's basic needs
 259.25 and safety; or

259.26 (9) emotional harm from a pattern of behavior which contributes to impaired
 259.27 emotional functioning of the child which may be demonstrated by a substantial and
 259.28 observable effect in the child's behavior, emotional response, or cognition that is not
 259.29 within the normal range for the child's age and stage of development, with due regard to
 259.30 the child's culture.

259.31 (g) "Physical abuse" means any physical injury, mental injury, or threatened injury,
 259.32 inflicted by a person responsible for the child's care on a child other than by accidental
 259.33 means, or any physical or mental injury that cannot reasonably be explained by the child's
 259.34 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
 259.35 that have not been authorized under section 125A.0942 or 245.825.

260.1 Abuse does not include reasonable and moderate physical discipline of a child
 260.2 administered by a parent or legal guardian which does not result in an injury. Abuse does
 260.3 not include the use of reasonable force by a teacher, principal, or school employee as
 260.4 allowed by section 121A.582. Actions which are not reasonable and moderate include,
 260.5 but are not limited to, any of the following that are done in anger or without regard to the
 260.6 safety of the child:

260.7 (1) throwing, kicking, burning, biting, or cutting a child;

260.8 (2) striking a child with a closed fist;

260.9 (3) shaking a child under age three;

77.13 (4) striking or other actions which result in any nonaccidental injury to a child
 77.14 under 18 months of age;

77.15 (5) unreasonable interference with a child's breathing;

77.16 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

77.17 (7) striking a child under age ~~one~~ four on the face or head;

77.18 (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
 77.19 substances which were not prescribed for the child by a practitioner, in order to control or
 77.20 punish the child; or other substances that substantially affect the child's behavior, motor
 77.21 coordination, or judgment or that results in sickness or internal injury, or subjects the
 77.22 child to medical procedures that would be unnecessary if the child were not exposed
 77.23 to the substances;

77.24 (9) unreasonable physical confinement or restraint not permitted under section
 77.25 609.379, including but not limited to tying, caging, or chaining; or

77.26 (10) in a school facility or school zone, an act by a person responsible for the child's
 77.27 care that is a violation under section 121A.58.

77.28 (h) "Report" means any ~~report~~ report communication received by the local welfare agency,
 77.29 police department, county sheriff, or agency responsible for ~~assessing or investigating~~
 77.30 maltreatment child protection pursuant to this section that describes neglect or physical or
 77.31 sexual abuse of a child and contains sufficient content to identify the child and any person
 77.32 believed to be responsible for the neglect or abuse, if known.

77.33 (i) "Facility" means:

77.34 (1) a licensed or unlicensed day care facility, residential facility, agency, hospital,
 77.35 sanitarium, or other facility or institution required to be licensed under sections 144.50 to
 77.36 144.58, 241.021, or 245A.01 to 245A.16, or chapter 245D;

78.1 (2) a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and
 78.2 124D.10; or

78.3 (3) a nonlicensed personal care provider organization as defined in section
 78.4 256B.0625, subdivision 19a.

78.5 (j) "Operator" means an operator or agency as defined in section 245A.02.

78.6 (k) "Commissioner" means the commissioner of human services.

78.7 (l) "Practice of social services," for the purposes of subdivision 3, includes but is
 78.8 not limited to employee assistance counseling and the provision of guardian ad litem and
 78.9 parenting time expeditor services.

260.10 (4) striking or other actions which result in any nonaccidental injury to a child
 260.11 under 18 months of age;

260.12 (5) unreasonable interference with a child's breathing;

260.13 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

260.14 (7) striking a child under age one on the face or head;

260.15 (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
 260.16 substances which were not prescribed for the child by a practitioner, in order to control or
 260.17 punish the child; or other substances that substantially affect the child's behavior, motor
 260.18 coordination, or judgment or that results in sickness or internal injury, or subjects the
 260.19 child to medical procedures that would be unnecessary if the child were not exposed
 260.20 to the substances;

260.21 (9) unreasonable physical confinement or restraint not permitted under section
 260.22 609.379, including but not limited to tying, caging, or chaining; or

260.23 (10) in a school facility or school zone, an act by a person responsible for the child's
 260.24 care that is a violation under section 121A.58.

260.25 (h) "Report" means any report received by the local welfare agency, police
 260.26 department, county sheriff, or agency responsible for assessing or investigating
 260.27 maltreatment pursuant to this section.

260.28 (i) "Facility" means:

260.29 (1) a licensed or unlicensed day care facility, residential facility, agency, hospital,
 260.30 sanitarium, or other facility or institution required to be licensed under sections 144.50 to
 260.31 144.58, 241.021, or 245A.01 to 245A.16, or chapter 245D;

260.32 (2) a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and
 260.33 124D.10; or

260.34 (3) a nonlicensed personal care provider organization as defined in section
 260.35 256B.0625, subdivision 19a.

260.36 (j) "Operator" means an operator or agency as defined in section 245A.02.

261.1 (k) "Commissioner" means the commissioner of human services.

261.2 (l) "Practice of social services," for the purposes of subdivision 3, includes but is
 261.3 not limited to employee assistance counseling and the provision of guardian ad litem and
 261.4 parenting time expeditor services.

78.10 (m) "Mental injury" means an injury to the psychological capacity or emotional
78.11 stability of a child as evidenced by an observable or substantial impairment in the child's
78.12 ability to function within a normal range of performance and behavior with due regard to
78.13 the child's culture.

78.14 (n) "Threatened injury" means a statement, overt act, condition, or status that
78.15 represents a substantial risk of physical or sexual abuse or mental injury. Threatened
78.16 injury includes, but is not limited to, exposing a child to a person responsible for the
78.17 child's care, as defined in paragraph (e), clause (1), who has:

78.18 (1) subjected a child to, or failed to protect a child from, an overt act or condition
78.19 that constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a
78.20 similar law of another jurisdiction;

78.21 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
78.22 (b), clause (4), or a similar law of another jurisdiction;

78.23 (3) committed an act that has resulted in an involuntary termination of parental rights
78.24 under section 260C.301, or a similar law of another jurisdiction; or

78.25 (4) committed an act that has resulted in the involuntary transfer of permanent
78.26 legal and physical custody of a child to a relative under Minnesota Statutes 2010, section
78.27 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a
78.28 similar law of another jurisdiction.

78.29 A child is the subject of a report of threatened injury when the responsible social
78.30 services agency receives birth match data under paragraph (o) from the Department of
78.31 Human Services.

78.32 (o) Upon receiving data under section 144.225, subdivision 2b, contained in a
78.33 birth record or recognition of parentage identifying a child who is subject to threatened
78.34 injury under paragraph (n), the Department of Human Services shall send the data to the
78.35 responsible social services agency. The data is known as "birth match" data. Unless the
78.36 responsible social services agency has already begun an investigation or assessment of the
79.1 report due to the birth of the child or execution of the recognition of parentage and the
79.2 parent's previous history with child protection, the agency shall accept the birth match
79.3 data as a report under this section. The agency may use either a family assessment or
79.4 investigation to determine whether the child is safe. All of the provisions of this section
79.5 apply. If the child is determined to be safe, the agency shall consult with the county
79.6 attorney to determine the appropriateness of filing a petition alleging the child is in need
79.7 of protection or services under section 260C.007, subdivision 6, clause (16), in order to
79.8 deliver needed services. If the child is determined not to be safe, the agency and the county
79.9 attorney shall take appropriate action as required under section 260C.503, subdivision 2.

261.5 (m) "Mental injury" means an injury to the psychological capacity or emotional
261.6 stability of a child as evidenced by an observable or substantial impairment in the child's
261.7 ability to function within a normal range of performance and behavior with due regard to
261.8 the child's culture.

261.9 (n) "Threatened injury" means a statement, overt act, condition, or status that
261.10 represents a substantial risk of physical or sexual abuse or mental injury. Threatened
261.11 injury includes, but is not limited to, exposing a child to a person responsible for the
261.12 child's care, as defined in paragraph (e), clause (1), who has:

261.13 (1) subjected a child to, or failed to protect a child from, an overt act or condition
261.14 that constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a
261.15 similar law of another jurisdiction;

261.16 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
261.17 (b), clause (4), or a similar law of another jurisdiction;

261.18 (3) committed an act that has resulted in an involuntary termination of parental rights
261.19 under section 260C.301, or a similar law of another jurisdiction; or

261.20 (4) committed an act that has resulted in the involuntary transfer of permanent
261.21 legal and physical custody of a child to a relative under Minnesota Statutes 2010, section
261.22 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a
261.23 similar law of another jurisdiction.

261.24 A child is the subject of a report of threatened injury when the responsible social
261.25 services agency receives birth match data under paragraph (o) from the Department of
261.26 Human Services.

261.27 (o) Upon receiving data under section 144.225, subdivision 2b, contained in a
261.28 birth record or recognition of parentage identifying a child who is subject to threatened
261.29 injury under paragraph (n), the Department of Human Services shall send the data to the
261.30 responsible social services agency. The data is known as "birth match" data. Unless the
261.31 responsible social services agency has already begun an investigation or assessment of the
261.32 report due to the birth of the child or execution of the recognition of parentage and the
261.33 parent's previous history with child protection, the agency shall accept the birth match
261.34 data as a report under this section. The agency may use either a family assessment or
261.35 investigation to determine whether the child is safe. All of the provisions of this section
261.36 apply. If the child is determined to be safe, the agency shall consult with the county
262.1 attorney to determine the appropriateness of filing a petition alleging the child is in need
262.2 of protection or services under section 260C.007, subdivision 6, clause (16), in order to
262.3 deliver needed services. If the child is determined not to be safe, the agency and the county
262.4 attorney shall take appropriate action as required under section 260C.503, subdivision 2.

79.10 (p) Persons who conduct assessments or investigations under this section shall take
 79.11 into account accepted child-rearing practices of the culture in which a child participates
 79.12 and accepted teacher discipline practices, which are not injurious to the child's health,
 79.13 welfare, and safety.

79.14 (q) "Accidental" means a sudden, not reasonably foreseeable, and unexpected
 79.15 occurrence or event which:

79.16 (1) is not likely to occur and could not have been prevented by exercise of due
 79.17 care; and

79.18 (2) if occurring while a child is receiving services from a facility, happens when the
 79.19 facility and the employee or person providing services in the facility are in compliance
 79.20 with the laws and rules relevant to the occurrence or event.

79.21 (r) "Nonmaltreatment mistake" means:

79.22 (1) at the time of the incident, the individual was performing duties identified in the
 79.23 center's child care program plan required under Minnesota Rules, part 9503.0045;

79.24 (2) the individual has not been determined responsible for a similar incident that
 79.25 resulted in a finding of maltreatment for at least seven years;

79.26 (3) the individual has not been determined to have committed a similar
 79.27 nonmaltreatment mistake under this paragraph for at least four years;

79.28 (4) any injury to a child resulting from the incident, if treated, is treated only with
 79.29 remedies that are available over the counter, whether ordered by a medical professional or
 79.30 not; and

79.31 (5) except for the period when the incident occurred, the facility and the individual
 79.32 providing services were both in compliance with all licensing requirements relevant to the
 79.33 incident.

79.34 This definition only applies to child care centers licensed under Minnesota
 79.35 Rules, chapter 9503. If clauses (1) to (5) apply, rather than making a determination of
 80.1 substantiated maltreatment by the individual, the commissioner of human services shall
 80.2 determine that a nonmaltreatment mistake was made by the individual.

80.3 Sec. 86. Minnesota Statutes 2014, section 626.556, subdivision 3, is amended to read:

80.4 Subd. 3. **Persons mandated to report; persons voluntarily reporting.** (a) A
 80.5 person who knows or has reason to believe a child is being neglected or physically or
 80.6 sexually abused, as defined in subdivision 2, or has been neglected or physically or
 80.7 sexually abused within the preceding three years, shall immediately report the information
 80.8 to the local welfare agency, agency responsible for assessing or investigating the report,
 80.9 police department, or the county sheriff if the person is:

262.5 (p) Persons who conduct assessments or investigations under this section shall take
 262.6 into account accepted child-rearing practices of the culture in which a child participates
 262.7 and accepted teacher discipline practices, which are not injurious to the child's health,
 262.8 welfare, and safety.

262.9 (q) "Accidental" means a sudden, not reasonably foreseeable, and unexpected
 262.10 occurrence or event which:

262.11 (1) is not likely to occur and could not have been prevented by exercise of due
 262.12 care; and

262.13 (2) if occurring while a child is receiving services from a facility, happens when the
 262.14 facility and the employee or person providing services in the facility are in compliance
 262.15 with the laws and rules relevant to the occurrence or event.

262.16 (r) "Nonmaltreatment mistake" means:

262.17 (1) at the time of the incident, the individual was performing duties identified in the
 262.18 center's child care program plan required under Minnesota Rules, part 9503.0045;

262.19 (2) the individual has not been determined responsible for a similar incident that
 262.20 resulted in a finding of maltreatment for at least seven years;

262.21 (3) the individual has not been determined to have committed a similar
 262.22 nonmaltreatment mistake under this paragraph for at least four years;

262.23 (4) any injury to a child resulting from the incident, if treated, is treated only with
 262.24 remedies that are available over the counter, whether ordered by a medical professional or
 262.25 not; and

262.26 (5) except for the period when the incident occurred, the facility and the individual
 262.27 providing services were both in compliance with all licensing requirements relevant to the
 262.28 incident.

262.29 This definition only applies to child care centers licensed under Minnesota
 262.30 Rules, chapter 9503. If clauses (1) to (5) apply, rather than making a determination of
 262.31 substantiated maltreatment by the individual, the commissioner of human services shall
 262.32 determine that a nonmaltreatment mistake was made by the individual.

262.33 Sec. 70. Minnesota Statutes 2014, section 626.556, subdivision 3, is amended to read:

262.34 Subd. 3. **Persons mandated to report.** (a) A person who knows or has reason
 262.35 to believe a child is being neglected or physically or sexually abused, as defined in
 263.1 subdivision 2, or has been neglected or physically or sexually abused within the preceding
 263.2 three years, shall immediately report the information to the local welfare agency, agency
 263.3 responsible for assessing or investigating the report, police department, or the county
 263.4 sheriff if the person is:

80.10 (1) a professional or professional's delegate who is engaged in the practice of
 80.11 the healing arts, social services, hospital administration, psychological or psychiatric
 80.12 treatment, child care, education, correctional supervision, probation and correctional
 80.13 services, or law enforcement; or

80.14 (2) employed as a member of the clergy and received the information while
 80.15 engaged in ministerial duties, provided that a member of the clergy is not required by
 80.16 this subdivision to report information that is otherwise privileged under section 595.02,
 80.17 subdivision 1, paragraph (c).

~~80.18 The police department or the county sheriff, upon receiving a report, shall
 80.19 immediately notify the local welfare agency or agency responsible for assessing or
 80.20 investigating the report, orally and in writing. The local welfare agency, or agency
 80.21 responsible for assessing or investigating the report, upon receiving a report, shall
 80.22 immediately notify the local police department or the county sheriff orally and in writing.
 80.23 The county sheriff and the head of every local welfare agency, agency responsible
 80.24 for assessing or investigating reports, and police department shall each designate a
 80.25 person within their agency, department, or office who is responsible for ensuring that
 80.26 the notification duties of this paragraph and paragraph (b) are carried out. Nothing in
 80.27 this subdivision shall be construed to require more than one report from any institution,
 80.28 facility, school, or agency.~~

80.29 (b) Any person may voluntarily report to the local welfare agency, agency responsible
 80.30 for assessing or investigating the report, police department, or the county sheriff if the
 80.31 person knows, has reason to believe, or suspects a child is being or has been neglected or
 80.32 subjected to physical or sexual abuse. ~~The police department or the county sheriff, upon
 80.33 receiving a report, shall immediately notify the local welfare agency or agency responsible
 80.34 for assessing or investigating the report, orally and in writing. The local welfare agency or
 81.1 agency responsible for assessing or investigating the report, upon receiving a report, shall
 81.2 immediately notify the local police department or the county sheriff orally and in writing.~~

81.3 (c) A person mandated to report physical or sexual child abuse or neglect occurring
 81.4 within a licensed facility shall report the information to the agency responsible for
 81.5 licensing the facility under sections 144.50 to 144.58; 241.021; 245A.01 to 245A.16; or
 81.6 chapter 245D; or a nonlicensed personal care provider organization as defined in section
 81.7 256B.0625, subdivision 19. A health or corrections agency receiving a report may request
 81.8 the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b. A
 81.9 board or other entity whose licensees perform work within a school facility, upon receiving
 81.10 a complaint of alleged maltreatment, shall provide information about the circumstances of
 81.11 the alleged maltreatment to the commissioner of education. Section 13.03, subdivision 4,
 81.12 applies to data received by the commissioner of education from a licensing entity.

263.5 (1) a professional or professional's delegate who is engaged in the practice of
 263.6 the healing arts, social services, hospital administration, psychological or psychiatric
 263.7 treatment, child care, education, correctional supervision, probation and correctional
 263.8 services, or law enforcement; or

263.9 (2) employed as a member of the clergy and received the information while
 263.10 engaged in ministerial duties, provided that a member of the clergy is not required by
 263.11 this subdivision to report information that is otherwise privileged under section 595.02,
 263.12 subdivision 1, paragraph (c).

263.13 The police department or the county sheriff, upon receiving a report, shall
 263.14 immediately notify the local welfare agency or agency responsible for assessing or
 263.15 investigating the report, orally and in writing. The local welfare agency, or agency
 263.16 responsible for assessing or investigating the report, ~~upon receiving a report~~, shall
 263.17 immediately notify the local police department or the county sheriff orally and in writing
 263.18 when a report is received, including reports that are not accepted for investigation or
 263.19 assessment. The county sheriff and the head of every local welfare agency, agency
 263.20 responsible for assessing or investigating reports, and police department shall each
 263.21 designate a person within their agency, department, or office who is responsible for
 263.22 ensuring that the notification duties of this paragraph and paragraph (b) are carried out.
 263.23 Nothing in this subdivision shall be construed to require more than one report from any
 263.24 institution, facility, school, or agency.

263.25 (b) Any person may voluntarily report to the local welfare agency, agency
 263.26 responsible for assessing or investigating the report, police department, or the county
 263.27 sheriff if the person knows, has reason to believe, or suspects a child is being or has been
 263.28 neglected or subjected to physical or sexual abuse. The police department or the county
 263.29 sheriff, upon receiving a report, shall immediately notify the local welfare agency or
 263.30 agency responsible for assessing or investigating the report, orally and in writing. The
 263.31 local welfare agency or agency responsible for assessing or investigating the report, ~~upon
 263.32 receiving a report~~, shall immediately notify the local police department or the county
 263.33 sheriff orally and in writing when a report is received, including reports that are not
 263.34 accepted for investigation or assessment.

263.35 (c) A person mandated to report physical or sexual child abuse or neglect occurring
 263.36 within a licensed facility shall report the information to the agency responsible for
 264.1 licensing the facility under sections 144.50 to 144.58; 241.021; 245A.01 to 245A.16; or
 264.2 chapter 245D; or a nonlicensed personal care provider organization as defined in section
 264.3 256B.0625, subdivision 19. A health or corrections agency receiving a report may request
 264.4 the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b. A
 264.5 board or other entity whose licensees perform work within a school facility, upon receiving
 264.6 a complaint of alleged maltreatment, shall provide information about the circumstances of
 264.7 the alleged maltreatment to the commissioner of education. Section 13.03, subdivision 4,
 264.8 applies to data received by the commissioner of education from a licensing entity.

81.13 (d) ~~Any person mandated to report shall receive a summary of the disposition of~~
 81.14 ~~any report made by that reporter, including whether the case has been opened for child~~
 81.15 ~~protection or other services, or if a referral has been made to a community organization,~~
 81.16 ~~unless release would be detrimental to the best interests of the child. Any person who is~~
 81.17 ~~not mandated to report shall, upon request to the local welfare agency, receive a concise~~
 81.18 ~~summary of the disposition of any report made by that reporter, unless release would be~~
 81.19 ~~detrimental to the best interests of the child. Notification requirements under subdivision~~
 81.20 10 apply to all reports received under this section.

81.21 (e) For purposes of this section, "immediately" means as soon as possible but in
 81.22 no event longer than 24 hours.

81.23 Sec. 87. Minnesota Statutes 2014, section 626.556, subdivision 6a, is amended to read:

81.24 Subd. 6a. **Failure to notify.** If a local welfare agency receives a report under
 81.25 subdivision 3, paragraph (a) or (b), and fails to notify the local police department or county
 81.26 sheriff as required by subdivision 3, ~~paragraph (a) or (b)~~ 10, the person within the agency
 81.27 who is responsible for ensuring that notification is made shall be subject to disciplinary
 81.28 action in keeping with the agency's existing policy or collective bargaining agreement on
 81.29 discipline of employees. If a local police department or a county sheriff receives a report
 81.30 under subdivision 3, paragraph (a) or (b), and fails to notify the local welfare agency as
 81.31 required by subdivision 3, ~~paragraph (a) or (b)~~ 10, the person within the police department
 81.32 or county sheriff's office who is responsible for ensuring that notification is made shall be
 81.33 subject to disciplinary action in keeping with the agency's existing policy or collective
 81.34 bargaining agreement on discipline of employees.

82.1 Sec. 88. Minnesota Statutes 2014, section 626.556, subdivision 7, as amended by Laws
 82.2 2015, chapter 4, section 2, is amended to read:

82.3 Subd. 7. **Report; information provided to parent; reporter.** (a) An oral report
 82.4 shall be made immediately by telephone or otherwise. An oral report made by a person
 82.5 required under subdivision 3 to report shall be followed within 72 hours, exclusive
 82.6 of weekends and holidays, by a report in writing to the appropriate police department,
 82.7 the county sheriff, the agency responsible for assessing or investigating the report, or
 82.8 the local welfare agency.

82.9 (b) ~~The local welfare agency shall determine if the report is accepted for an~~
 82.10 ~~assessment or investigation to be screened in or out as soon as possible but in no event~~
 82.11 ~~longer than 24 hours after the report is received. When determining whether a report will~~
 82.12 be screened in or out, the agency receiving the report must consider, when relevant, all
 82.13 previous history, including reports that were screened out. The agency may communicate
 82.14 with treating professionals and individuals specified under subdivision 10, paragraph
 82.15 (i), clause (3), item (iii).

264.9 (d) Any person mandated to report shall receive a summary of the disposition of
 264.10 any report made by that reporter, including whether the case has been opened for child
 264.11 protection or other services, or if a referral has been made to a community organization,
 264.12 unless release would be detrimental to the best interests of the child. Any person who is
 264.13 not mandated to report shall, upon request to the local welfare agency, receive a concise
 264.14 summary of the disposition of any report made by that reporter, unless release would be
 264.15 detrimental to the best interests of the child.

264.16 (e) For purposes of this section, "immediately" means as soon as possible but in
 264.17 no event longer than 24 hours.

264.18 Sec. 71. Minnesota Statutes 2014, section 626.556, subdivision 6a, is amended to read:

264.19 Subd. 6a. **Failure to notify.** If a local welfare agency receives a report under
 264.20 subdivision 3 10, paragraph (a) ~~or (b)~~, and fails to notify the local police department or
 264.21 county sheriff as required by subdivision 3 10, paragraph (a) ~~or (b)~~, the person within
 264.22 the agency who is responsible for ensuring that notification is made shall be subject to
 264.23 disciplinary action in keeping with the agency's existing policy or collective bargaining
 264.24 agreement on discipline of employees. If a local police department or a county sheriff
 264.25 receives a report under subdivision 3, paragraph (a) or (b), and fails to notify the local
 264.26 welfare agency as required by subdivision 3, paragraph (a) or (b), the person within
 264.27 the police department or county sheriff's office who is responsible for ensuring that
 264.28 notification is made shall be subject to disciplinary action in keeping with the agency's
 264.29 existing policy or collective bargaining agreement on discipline of employees.

264.30 Sec. 72. Minnesota Statutes 2014, section 626.556, subdivision 7, as amended by Laws
 264.31 2015, chapter 4, section 2, is amended to read:

264.32 Subd. 7. **Report; information provided to parent.** (a) An oral report shall be
 264.33 made immediately by telephone or otherwise. An oral report made by a person required
 264.34 under subdivision 3 to report shall be followed within 72 hours, exclusive of weekends
 265.1 and holidays, by a report in writing to the appropriate police department, the county
 265.2 sheriff, the agency responsible for ~~assessing or investigating~~ or assessing the report, or
 265.3 the local welfare agency.

265.4 (b) ~~The local welfare agency shall immediately notify local law enforcement when a~~
 265.5 ~~report is received, including reports that are not accepted for investigation or assessment.~~

265.6 (c) ~~The local welfare agency shall determine if the report is accepted for an~~
 265.7 ~~assessment or investigation or assessment as soon as possible but in no event longer~~
 265.8 ~~than 24 hours after the report is received.~~

82.16 ~~(b)~~ (c) Any report shall be of sufficient content to identify the child, any person
 82.17 believed to be responsible for the abuse or neglect of the child if the person is known, the
 82.18 nature and extent of the abuse or neglect and the name and address of the reporter. The
 82.19 local welfare agency or agency responsible for assessing or investigating the report shall
 82.20 accept a report made under subdivision 3 notwithstanding refusal by a reporter to provide
 82.21 the reporter's name or address as long as the report is otherwise sufficient under this
 82.22 paragraph. Written reports received by a police department or the county sheriff shall be
 82.23 forwarded immediately to the local welfare agency or the agency responsible for assessing
 82.24 or investigating the report. The police department or the county sheriff may keep copies of
 82.25 reports received by them. Copies of written reports received by a local welfare department
 82.26 or the agency responsible for assessing or investigating the report shall be forwarded
 82.27 immediately to the local police department or the county sheriff.

82.28 ~~(e)~~ (d) When requested, the agency responsible for assessing or investigating a
 82.29 report shall inform the reporter within ten days after the report was made, either orally or
 82.30 in writing, whether the report was accepted or not. If the responsible agency determines
 82.31 the report does not constitute a report under this section, the agency shall advise the
 82.32 reporter the report was screened out. Any person mandated to report shall receive a
 82.33 summary of the disposition of any report made by that reporter, including whether the case
 82.34 has been opened for child protection or other services, or if a referral has been made to a
 82.35 community organization, unless release would be detrimental to the best interests of the
 82.36 child. Any person who is not mandated to report shall, upon request to the local welfare
 83.1 agency, receive a concise summary of the disposition of any report made by that reporter,
 83.2 unless release would be detrimental to the best interests of the child.

83.3 (e) Reports that are not screened in must be maintained in accordance with
 83.4 subdivision 11c, paragraph (a).

83.5 ~~(d)~~ (f) Notwithstanding paragraph (a), the commissioner of education must inform
 83.6 the parent, guardian, or legal custodian of the child who is the subject of a report of
 83.7 alleged maltreatment in a school facility within ten days of receiving the report, either
 83.8 orally or in writing, whether the commissioner is assessing or investigating the report
 83.9 of alleged maltreatment.

83.10 ~~(e)~~ (g) Regardless of whether a report is made under this subdivision, as soon as
 83.11 practicable after a school receives information regarding an incident that may constitute
 83.12 maltreatment of a child in a school facility, the school shall inform the parent, legal
 83.13 guardian, or custodian of the child that an incident has occurred that may constitute
 83.14 maltreatment of the child, when the incident occurred, and the nature of the conduct
 83.15 that may constitute maltreatment.

265.9 ~~(b)~~ (d) Any report shall be of sufficient content to identify the child, any person
 265.10 believed to be responsible for the abuse or neglect of the child if the person is known, the
 265.11 nature and extent of the abuse or neglect and the name and address of the reporter. The
 265.12 local welfare agency or agency responsible for assessing or investigating the report shall
 265.13 accept a report made under subdivision 3 notwithstanding refusal by a reporter to provide
 265.14 the reporter's name or address as long as the report is otherwise sufficient under this
 265.15 paragraph. Written reports received by a police department or the county sheriff shall be
 265.16 forwarded immediately to the local welfare agency or the agency responsible for assessing
 265.17 or investigating the report. The police department or the county sheriff may keep copies of
 265.18 reports received by them. Copies of written reports received by a local welfare department
 265.19 or the agency responsible for assessing or investigating the report shall be forwarded
 265.20 immediately to the local police department or the county sheriff.

265.21 ~~(e)~~ (e) When requested, the agency responsible for assessing or investigating a
 265.22 report shall inform the reporter within ten days after the report was made, either orally or
 265.23 in writing, whether the report was accepted or not. If the responsible agency determines
 265.24 the report does not constitute a report under this section, the agency shall advise the
 265.25 reporter the report was screened out.

265.26 (f) A local welfare agency or agency responsible for investigating or assessing a
 265.27 report may use a screened-out report for making an offer of social services to the subjects
 265.28 of the screened-out report. A local welfare agency or agency responsible for evaluating a
 265.29 report alleging maltreatment of a child shall consider prior reports, including screened-out
 265.30 reports, to determine whether an investigation or family assessment must be conducted. A
 265.31 screened-out report must be maintained in accordance with subdivision 11c, paragraph (a).

265.32 ~~(d)~~ (g) Notwithstanding paragraph (a), the commissioner of education must inform
 265.33 the parent, guardian, or legal custodian of the child who is the subject of a report of
 265.34 alleged maltreatment in a school facility within ten days of receiving the report, either
 265.35 orally or in writing, whether the commissioner is assessing or investigating the report
 265.36 of alleged maltreatment.

266.1 ~~(e)~~ (h) Regardless of whether a report is made under this subdivision, as soon as
 266.2 practicable after a school receives information regarding an incident that may constitute
 266.3 maltreatment of a child in a school facility, the school shall inform the parent, legal
 266.4 guardian, or custodian of the child that an incident has occurred that may constitute
 266.5 maltreatment of the child, when the incident occurred, and the nature of the conduct
 266.6 that may constitute maltreatment.

83.16 ~~(h)~~ (h) A written copy of a report maintained by personnel of agencies, other than
 83.17 welfare or law enforcement agencies, which are subject to chapter 13 shall be confidential.
 83.18 An individual subject of the report may obtain access to the original report as provided
 83.19 by subdivision 11.

83.20 Sec. 89. Minnesota Statutes 2014, section 626.556, is amended by adding a subdivision
 83.21 to read:

83.22 Subd. 7a. **Mandatory guidance for screening reports.** (a) Child protection intake
 83.23 workers, supervisors, and others involved with child protection screening shall, at a
 83.24 minimum, follow the guidance provided in the Minnesota Child Maltreatment Screening
 83.25 Guidelines when screening reports and, when notified by the commissioner of human
 83.26 services, shall immediately implement updated procedures and protocols.

83.27 (b) Any modifications to the screening guidelines by the county agency must be
 83.28 preapproved by the commissioner of human services and must not be less protective of
 83.29 children than is mandated by statute. The guidelines may provide additional protections
 83.30 for children but must not limit reports that are screened in or provide additional limits on
 83.31 consideration of reports that were screened out in making screening determinations.

83.32 Sec. 90. Minnesota Statutes 2014, section 626.556, subdivision 10, is amended to read:

83.33 Subd. 10. **Duties of local welfare agency and local law enforcement agency upon**
 83.34 **receipt of report; mandatory notification between police or sheriff and agency.** (a)
 84.1 The police department or the county sheriff shall immediately notify the local welfare
 84.2 agency or agency responsible for child protection reports under this section orally and
 84.3 in writing when a report is received. The local welfare agency or agency responsible for
 84.4 child protection reports shall immediately notify the local police department or the county
 84.5 sheriff orally and in writing when a report is received. The county sheriff and the head of
 84.6 every local welfare agency, agency responsible for child protection reports, and police
 84.7 department shall each designate a person within their agency, department, or office who is
 84.8 responsible for ensuring that the notification duties of this paragraph are carried out.

84.9 (b) Upon receipt of a report, the local welfare agency shall determine whether to
 84.10 conduct a family assessment or an investigation as appropriate to prevent or provide a
 84.11 remedy for child maltreatment. The local welfare agency:

84.12 (1) shall conduct an investigation on reports involving sexual abuse or substantial
 84.13 child endangerment;

84.14 (2) shall begin an immediate investigation if, at any time when it is using a family
 84.15 assessment response, it determines that there is reason to believe that sexual abuse or
 84.16 substantial child endangerment or a serious threat to the child's safety exists;

266.7 ~~(i)~~ (i) A written copy of a report maintained by personnel of agencies, other than
 266.8 welfare or law enforcement agencies, which are subject to chapter 13 shall be confidential.
 266.9 An individual subject of the report may obtain access to the original report as provided
 266.10 by subdivision 11.

266.11 Sec. 73. Minnesota Statutes 2014, section 626.556, is amended by adding a subdivision
 266.12 to read:

266.13 Subd. 7a. **Guidance for screening reports.** (a) Child protection staff, supervisors,
 266.14 and others involved in child protection screening shall follow the guidance provided
 266.15 in the child maltreatment screening guidelines issued by the commissioner of human
 266.16 services and, when notified by the commissioner, shall immediately implement updated
 266.17 procedures and protocols.

266.18 (b) In consultation with the county attorney, the county social service agency may
 266.19 elect to adopt a standard consistent with state law that permits the county to accept reports
 266.20 that are not required to be screened in under the child maltreatment screening guidelines.

266.21 Sec. 74. Minnesota Statutes 2014, section 626.556, subdivision 10, is amended to read:

266.22 Subd. 10. **Duties of local welfare agency and local law enforcement agency upon**
 266.23 **receipt of report.** (a) Upon receipt of a report, the local welfare agency shall determine
 266.24 whether to conduct a family assessment or an investigation as appropriate to prevent or
 266.25 provide a remedy for child maltreatment. The local welfare agency must notify local
 266.26 law enforcement when a report is received, including reports that are not accepted for
 266.27 investigation or assessment. The local welfare agency:

266.28 (1) shall conduct an investigation on reports involving sexual abuse or substantial
 266.29 child endangerment;

266.30 (2) shall begin an immediate investigation if, at any time when it is using a family
 266.31 assessment response, it determines that there is reason to believe that substantial child
 266.32 endangerment or a serious threat to the child's safety exists;

84.17 (3) may conduct a family assessment for reports that do not allege sexual abuse or
 84.18 substantial child endangerment. In determining that a family assessment is appropriate,
 84.19 the local welfare agency may consider issues of child safety, parental cooperation, and
 84.20 the need for an immediate response; and

84.21 (4) may conduct a family assessment on a report that was initially screened and
 84.22 assigned for an investigation. In determining that a complete investigation is not required,
 84.23 the local welfare agency must document the reason for terminating the investigation and
 84.24 notify the local law enforcement agency if the local law enforcement agency is conducting
 84.25 a joint investigation.

84.26 If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian,
 84.27 or individual functioning within the family unit as a person responsible for the child's
 84.28 care, or sexual abuse by a person with a significant relationship to the child when that
 84.29 person resides in the child's household or by a sibling, the local welfare agency shall
 84.30 immediately conduct a family assessment or investigation as identified in clauses (1)
 84.31 to (4). In conducting a family assessment or investigation, the local welfare agency
 84.32 shall gather information on the existence of substance abuse and domestic violence and
 84.33 offer services for purposes of preventing future child maltreatment, safeguarding and
 84.34 enhancing the welfare of the abused or neglected minor, and supporting and preserving
 84.35 family life whenever possible. If the report alleges a violation of a criminal statute
 84.36 involving sexual abuse, physical abuse, or neglect or endangerment, under section
 85.1 609.378, the local law enforcement agency and local welfare agency shall coordinate the
 85.2 planning and execution of their respective investigation and assessment efforts to avoid a
 85.3 duplication of fact-finding efforts and multiple interviews. Each agency shall prepare a
 85.4 separate report of the results of its investigation or assessment. In cases of alleged child
 85.5 maltreatment resulting in death, the local agency may rely on the fact-finding efforts of a
 85.6 law enforcement investigation to make a determination of whether or not maltreatment
 85.7 occurred. When necessary the local welfare agency shall seek authority to remove the
 85.8 child from the custody of a parent, guardian, or adult with whom the child is living. In
 85.9 performing any of these duties, the local welfare agency shall maintain appropriate records.

85.10 If the family assessment or investigation indicates there is a potential for abuse of
 85.11 alcohol or other drugs by the parent, guardian, or person responsible for the child's care,
 85.12 the local welfare agency shall conduct a chemical use assessment pursuant to Minnesota
 85.13 Rules, part 9530.6615.

85.14 (b) (c) When a local agency receives a report or otherwise has information indicating
 85.15 that a child who is a client, as defined in section 245.91, has been the subject of physical
 85.16 abuse, sexual abuse, or neglect at an agency, facility, or program as defined in section
 85.17 245.91, it shall, in addition to its other duties under this section, immediately inform the
 85.18 ombudsman established under sections 245.91 to 245.97. The commissioner of education
 85.19 shall inform the ombudsman established under sections 245.91 to 245.97 of reports
 85.20 regarding a child defined as a client in section 245.91 that maltreatment occurred at a
 85.21 school as defined in sections 120A.05, subdivisions 9, 11, and 13, and 124D.10.

266.33 (3) may conduct a family assessment for reports that do not allege substantial child
 266.34 endangerment. In determining that a family assessment is appropriate, the local welfare
 267.1 agency may consider issues of child safety, parental cooperation, and the need for an
 267.2 immediate response; and

267.3 (4) may conduct a family assessment on a report that was initially screened and
 267.4 assigned for an investigation. In determining that a complete investigation is not required,
 267.5 the local welfare agency must document the reason for terminating the investigation and
 267.6 notify the local law enforcement agency if the local law enforcement agency is conducting
 267.7 a joint investigation.

267.8 If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian,
 267.9 or individual functioning within the family unit as a person responsible for the child's
 267.10 care, or sexual abuse by a person with a significant relationship to the child when that
 267.11 person resides in the child's household or by a sibling, the local welfare agency shall
 267.12 immediately conduct a family assessment or investigation as identified in clauses (1) to
 267.13 (4). In conducting a family assessment or investigation, the local welfare agency shall
 267.14 gather information on the existence of substance abuse and domestic violence and offer
 267.15 services for purposes of preventing future child maltreatment, safeguarding and enhancing
 267.16 the welfare of the abused or neglected minor, and supporting and preserving family
 267.17 life whenever possible. If the report alleges a violation of a criminal statute involving
 267.18 sexual abuse, physical abuse, or neglect or endangerment, under section 609.378, the
 267.19 local law enforcement agency and local welfare agency shall coordinate the planning and
 267.20 execution of their respective investigation and assessment efforts to avoid a duplication of
 267.21 fact-finding efforts and multiple interviews. Each agency shall prepare a separate report of
 267.22 the results of its investigation. In cases of alleged child maltreatment resulting in death,
 267.23 the local agency may rely on the fact-finding efforts of a law enforcement investigation
 267.24 to make a determination of whether or not maltreatment occurred. When necessary the
 267.25 local welfare agency shall seek authority to remove the child from the custody of a parent,
 267.26 guardian, or adult with whom the child is living. In performing any of these duties, the
 267.27 local welfare agency shall maintain appropriate records.

267.28 If the family assessment or investigation indicates there is a potential for abuse of
 267.29 alcohol or other drugs by the parent, guardian, or person responsible for the child's care,
 267.30 the local welfare agency shall conduct a chemical use assessment pursuant to Minnesota
 267.31 Rules, part 9530.6615.

267.32 (b) When a local agency receives a report or otherwise has information indicating
 267.33 that a child who is a client, as defined in section 245.91, has been the subject of physical
 267.34 abuse, sexual abuse, or neglect at an agency, facility, or program as defined in section
 267.35 245.91, it shall, in addition to its other duties under this section, immediately inform the
 267.36 ombudsman established under sections 245.91 to 245.97. The commissioner of education
 268.1 shall inform the ombudsman established under sections 245.91 to 245.97 of reports
 268.2 regarding a child defined as a client in section 245.91 that maltreatment occurred at a
 268.3 school as defined in sections 120A.05, subdivisions 9, 11, and 13, and 124D.10.

85.22 ~~(e)~~ (d) Authority of the local welfare agency responsible for assessing or
 85.23 investigating the child abuse or neglect report, the agency responsible for assessing or
 85.24 investigating the report, and of the local law enforcement agency for investigating the
 85.25 alleged abuse or neglect includes, but is not limited to, authority to interview, without
 85.26 parental consent, the alleged victim and any other minors who currently reside with or
 85.27 who have resided with the alleged offender. The interview may take place at school or at
 85.28 any facility or other place where the alleged victim or other minors might be found or the
 85.29 child may be transported to, and the interview conducted at, a place appropriate for the
 85.30 interview of a child designated by the local welfare agency or law enforcement agency.
 85.31 The interview may take place outside the presence of the alleged offender or parent, legal
 85.32 custodian, guardian, or school official. For family assessments, it is the preferred practice
 85.33 to request a parent or guardian's permission to interview the child prior to conducting the
 85.34 child interview, unless doing so would compromise the safety assessment. Except as
 85.35 provided in this paragraph, the parent, legal custodian, or guardian shall be notified by
 85.36 the responsible local welfare or law enforcement agency no later than the conclusion of
 86.1 the investigation or assessment that this interview has occurred. Notwithstanding rule 32
 86.2 of the Minnesota Rules of Procedure for Juvenile Courts, the juvenile court may, after
 86.3 hearing on an ex parte motion by the local welfare agency, order that, where reasonable
 86.4 cause exists, the agency withhold notification of this interview from the parent, legal
 86.5 custodian, or guardian. If the interview took place or is to take place on school property,
 86.6 the order shall specify that school officials may not disclose to the parent, legal custodian,
 86.7 or guardian the contents of the notification of intent to interview the child on school
 86.8 property, as provided under this paragraph, and any other related information regarding
 86.9 the interview that may be a part of the child's school record. A copy of the order shall be
 86.10 sent by the local welfare or law enforcement agency to the appropriate school official.

86.11 ~~(d)~~ (e) When the local welfare, local law enforcement agency, or the agency
 86.12 responsible for assessing or investigating a report of maltreatment determines that an
 86.13 interview should take place on school property, written notification of intent to interview
 86.14 the child on school property must be received by school officials prior to the interview.
 86.15 The notification shall include the name of the child to be interviewed, the purpose of the
 86.16 interview, and a reference to the statutory authority to conduct an interview on school
 86.17 property. For interviews conducted by the local welfare agency, the notification shall
 86.18 be signed by the chair of the local social services agency or the chair's designee. The
 86.19 notification shall be private data on individuals subject to the provisions of this paragraph.
 86.20 School officials may not disclose to the parent, legal custodian, or guardian the contents
 86.21 of the notification or any other related information regarding the interview until notified
 86.22 in writing by the local welfare or law enforcement agency that the investigation or
 86.23 assessment has been concluded, unless a school employee or agent is alleged to have
 86.24 maltreated the child. Until that time, the local welfare or law enforcement agency or the
 86.25 agency responsible for assessing or investigating a report of maltreatment shall be solely
 86.26 responsible for any disclosures regarding the nature of the assessment or investigation.

268.4 (c) Authority of the local welfare agency responsible for assessing or investigating
 268.5 the child abuse or neglect report, the agency responsible for assessing or investigating
 268.6 the report, and of the local law enforcement agency for investigating the alleged abuse or
 268.7 neglect includes, but is not limited to, authority to interview, without parental consent,
 268.8 the alleged victim and any other minors who currently reside with or who have resided
 268.9 with the alleged offender. The interview may take place at school or at any facility or
 268.10 other place where the alleged victim or other minors might be found or the child may be
 268.11 transported to, and the interview conducted at, a place appropriate for the interview of a
 268.12 child designated by the local welfare agency or law enforcement agency. The interview
 268.13 may take place outside the presence of the alleged offender or parent, legal custodian,
 268.14 guardian, or school official. For family assessments, it is the preferred practice to request
 268.15 a parent or guardian's permission to interview the child prior to conducting the child
 268.16 interview, unless doing so would compromise the safety assessment. Except as provided in
 268.17 this paragraph, the parent, legal custodian, or guardian shall be notified by the responsible
 268.18 local welfare or law enforcement agency no later than the conclusion of the investigation
 268.19 or assessment that this interview has occurred. Notwithstanding rule 32 of the Minnesota
 268.20 Rules of Procedure for Juvenile Courts, the juvenile court may, after hearing on an ex parte
 268.21 motion by the local welfare agency, order that, where reasonable cause exists, the agency
 268.22 withhold notification of this interview from the parent, legal custodian, or guardian. If the
 268.23 interview took place or is to take place on school property, the order shall specify that
 268.24 school officials may not disclose to the parent, legal custodian, or guardian the contents
 268.25 of the notification of intent to interview the child on school property, as provided under
 268.26 this paragraph, and any other related information regarding the interview that may be a
 268.27 part of the child's school record. A copy of the order shall be sent by the local welfare or
 268.28 law enforcement agency to the appropriate school official.

268.29 (d) When the local welfare, local law enforcement agency, or the agency responsible
 268.30 for assessing or investigating a report of maltreatment determines that an interview should
 268.31 take place on school property, written notification of intent to interview the child on school
 268.32 property must be received by school officials prior to the interview. The notification
 268.33 shall include the name of the child to be interviewed, the purpose of the interview, and
 268.34 a reference to the statutory authority to conduct an interview on school property. For
 268.35 interviews conducted by the local welfare agency, the notification shall be signed by the
 268.36 chair of the local social services agency or the chair's designee. The notification shall be
 269.1 private data on individuals subject to the provisions of this paragraph. School officials
 269.2 may not disclose to the parent, legal custodian, or guardian the contents of the notification
 269.3 or any other related information regarding the interview until notified in writing by the
 269.4 local welfare or law enforcement agency that the investigation or assessment has been
 269.5 concluded, unless a school employee or agent is alleged to have maltreated the child.
 269.6 Until that time, the local welfare or law enforcement agency or the agency responsible
 269.7 for assessing or investigating a report of maltreatment shall be solely responsible for any
 269.8 disclosures regarding the nature of the assessment or investigation.

86.27 Except where the alleged offender is believed to be a school official or employee,
 86.28 the time and place, and manner of the interview on school premises shall be within the
 86.29 discretion of school officials, but the local welfare or law enforcement agency shall have
 86.30 the exclusive authority to determine who may attend the interview. The conditions as to
 86.31 time, place, and manner of the interview set by the school officials shall be reasonable and
 86.32 the interview shall be conducted not more than 24 hours after the receipt of the notification
 86.33 unless another time is considered necessary by agreement between the school officials and
 86.34 the local welfare or law enforcement agency. Where the school fails to comply with the
 86.35 provisions of this paragraph, the juvenile court may order the school to comply. Every
 87.1 effort must be made to reduce the disruption of the educational program of the child, other
 87.2 students, or school staff when an interview is conducted on school premises.

87.3 ~~(e)~~ (f) Where the alleged offender or a person responsible for the care of the alleged
 87.4 victim or other minor prevents access to the victim or other minor by the local welfare
 87.5 agency, the juvenile court may order the parents, legal custodian, or guardian to produce
 87.6 the alleged victim or other minor for questioning by the local welfare agency or the local
 87.7 law enforcement agency outside the presence of the alleged offender or any person
 87.8 responsible for the child's care at reasonable places and times as specified by court order.

87.9 ~~(f)~~ (g) Before making an order under paragraph ~~(e)~~ (f), the court shall issue an order
 87.10 to show cause, either upon its own motion or upon a verified petition, specifying the basis
 87.11 for the requested interviews and fixing the time and place of the hearing. The order to
 87.12 show cause shall be served personally and shall be heard in the same manner as provided
 87.13 in other cases in the juvenile court. The court shall consider the need for appointment of a
 87.14 guardian ad litem to protect the best interests of the child. If appointed, the guardian ad
 87.15 litem shall be present at the hearing on the order to show cause.

87.16 ~~(g)~~ (h) The commissioner of human services, the ombudsman for mental health and
 87.17 developmental disabilities, the local welfare agencies responsible for investigating reports,
 87.18 the commissioner of education, and the local law enforcement agencies have the right to
 87.19 enter facilities as defined in subdivision 2 and to inspect and copy the facility's records,
 87.20 including medical records, as part of the investigation. Notwithstanding the provisions of
 87.21 chapter 13, they also have the right to inform the facility under investigation that they are
 87.22 conducting an investigation, to disclose to the facility the names of the individuals under
 87.23 investigation for abusing or neglecting a child, and to provide the facility with a copy of
 87.24 the report and the investigative findings.

269.9 Except where the alleged offender is believed to be a school official or employee,
 269.10 the time and place, and manner of the interview on school premises shall be within the
 269.11 discretion of school officials, but the local welfare or law enforcement agency shall have
 269.12 the exclusive authority to determine who may attend the interview. The conditions as to
 269.13 time, place, and manner of the interview set by the school officials shall be reasonable and
 269.14 the interview shall be conducted not more than 24 hours after the receipt of the notification
 269.15 unless another time is considered necessary by agreement between the school officials and
 269.16 the local welfare or law enforcement agency. Where the school fails to comply with the
 269.17 provisions of this paragraph, the juvenile court may order the school to comply. Every
 269.18 effort must be made to reduce the disruption of the educational program of the child, other
 269.19 students, or school staff when an interview is conducted on school premises.

269.20 ~~(e)~~ (f) Where the alleged offender or a person responsible for the care of the alleged
 269.21 victim or other minor prevents access to the victim or other minor by the local welfare
 269.22 agency, the juvenile court may order the parents, legal custodian, or guardian to produce
 269.23 the alleged victim or other minor for questioning by the local welfare agency or the local
 269.24 law enforcement agency outside the presence of the alleged offender or any person
 269.25 responsible for the child's care at reasonable places and times as specified by court order.

269.26 ~~(f)~~ (g) Before making an order under paragraph ~~(e)~~ (f), the court shall issue an order to
 269.27 show cause, either upon its own motion or upon a verified petition, specifying the basis for
 269.28 the requested interviews and fixing the time and place of the hearing. The order to show
 269.29 cause shall be served personally and shall be heard in the same manner as provided in
 269.30 other cases in the juvenile court. The court shall consider the need for appointment of a
 269.31 guardian ad litem to protect the best interests of the child. If appointed, the guardian ad
 269.32 litem shall be present at the hearing on the order to show cause.

269.33 ~~(g)~~ (h) The commissioner of human services, the ombudsman for mental health and
 269.34 developmental disabilities, the local welfare agencies responsible for investigating reports,
 269.35 the commissioner of education, and the local law enforcement agencies have the right to
 269.36 enter facilities as defined in subdivision 2 and to inspect and copy the facility's records,
 270.1 including medical records, as part of the investigation. Notwithstanding the provisions of
 270.2 chapter 13, they also have the right to inform the facility under investigation that they are
 270.3 conducting an investigation, to disclose to the facility the names of the individuals under
 270.4 investigation for abusing or neglecting a child, and to provide the facility with a copy of
 270.5 the report and the investigative findings.

87.25 ~~(h)~~ (i) The local welfare agency responsible for conducting a family assessment or
 87.26 investigation shall collect available and relevant information to determine child safety,
 87.27 risk of subsequent child maltreatment, and family strengths and needs and share not public
 87.28 information with an Indian's tribal social services agency without violating any law of the
 87.29 state that may otherwise impose duties of confidentiality on the local welfare agency in
 87.30 order to implement the tribal state agreement. The local welfare agency or the agency
 87.31 responsible for investigating the report shall collect available and relevant information
 87.32 to ascertain whether maltreatment occurred and whether protective services are needed.
 87.33 Information collected includes, when relevant, information with regard to the person
 87.34 reporting the alleged maltreatment, including the nature of the reporter's relationship to the
 87.35 child and to the alleged offender, and the basis of the reporter's knowledge for the report;
 87.36 the child allegedly being maltreated; the alleged offender; the child's caretaker; and other
 88.1 collateral sources having relevant information related to the alleged maltreatment. The
 88.2 local welfare agency or the agency responsible for investigating the report may make a
 88.3 determination of no maltreatment early in an investigation, and close the case and retain
 88.4 immunity, if the collected information shows no basis for a full investigation.

88.5 Information relevant to the assessment or investigation must be asked for, and
 88.6 may include:

88.7 (1) the child's sex and age, prior reports of maltreatment, information relating
 88.8 to developmental functioning, credibility of the child's statement, and whether the
 88.9 information provided under this clause is consistent with other information collected
 88.10 during the course of the assessment or investigation;

88.11 (2) the alleged offender's age, a record check for prior reports of maltreatment, and
 88.12 criminal charges and convictions. The local welfare agency or the agency responsible for
 88.13 assessing or investigating the report must provide the alleged offender with an opportunity
 88.14 to make a statement. The alleged offender may submit supporting documentation relevant
 88.15 to the assessment or investigation;

88.16 (3) collateral source information regarding the alleged maltreatment and care of the
 88.17 child. Collateral information includes, when relevant: (i) a medical examination of the
 88.18 child; (ii) prior medical records relating to the alleged maltreatment or the care of the
 88.19 child maintained by any facility, clinic, or health care professional and an interview with
 88.20 the treating professionals; and (iii) interviews with the child's caretakers, including the
 88.21 child's parent, guardian, foster parent, child care provider, teachers, counselors, family
 88.22 members, relatives, and other persons who may have knowledge regarding the alleged
 88.23 maltreatment and the care of the child; and

88.24 (4) information on the existence of domestic abuse and violence in the home of
 88.25 the child, and substance abuse.

270.6 (h) The local welfare agency responsible for conducting a family assessment or
 270.7 investigation shall collect available and relevant information to determine child safety,
 270.8 risk of subsequent child maltreatment, and family strengths and needs and share not public
 270.9 information with an Indian's tribal social services agency without violating any law of the
 270.10 state that may otherwise impose duties of confidentiality on the local welfare agency in
 270.11 order to implement the tribal state agreement. The local welfare agency or the agency
 270.12 responsible for investigating the report shall collect available and relevant information
 270.13 to ascertain whether maltreatment occurred and whether protective services are needed.
 270.14 Information collected includes, when relevant, information with regard to the person
 270.15 reporting the alleged maltreatment, including the nature of the reporter's relationship to the
 270.16 child and to the alleged offender, and the basis of the reporter's knowledge for the report;
 270.17 the child allegedly being maltreated; the alleged offender; the child's caretaker; and other
 270.18 collateral sources having relevant information related to the alleged maltreatment. The
 270.19 local welfare agency or the agency responsible for investigating the report may make a
 270.20 determination of no maltreatment early in an investigation, and close the case and retain
 270.21 immunity, if the collected information shows no basis for a full investigation.

270.22 Information relevant to the assessment or investigation must be asked for, and
 270.23 may include:

270.24 (1) the child's sex and age;² prior reports of maltreatment, including any
 270.25 maltreatment reports that were screened out and not accepted for assessment or
 270.26 investigation; information relating to developmental functioning;² credibility of the child's
 270.27 statement;² and whether the information provided under this clause is consistent with other
 270.28 information collected during the course of the assessment or investigation;

270.29 (2) the alleged offender's age, a record check for prior reports of maltreatment, and
 270.30 criminal charges and convictions. The local welfare agency or the agency responsible for
 270.31 assessing or investigating the report must provide the alleged offender with an opportunity
 270.32 to make a statement. The alleged offender may submit supporting documentation relevant
 270.33 to the assessment or investigation;

270.34 (3) collateral source information regarding the alleged maltreatment and care of the
 270.35 child. Collateral information includes, when relevant: (i) a medical examination of the
 270.36 child; (ii) prior medical records relating to the alleged maltreatment or the care of the
 271.1 child maintained by any facility, clinic, or health care professional and an interview with
 271.2 the treating professionals; and (iii) interviews with the child's caretakers, including the
 271.3 child's parent, guardian, foster parent, child care provider, teachers, counselors, family
 271.4 members, relatives, and other persons who may have knowledge regarding the alleged
 271.5 maltreatment and the care of the child; and

271.6 (4) information on the existence of domestic abuse and violence in the home of
 271.7 the child, and substance abuse.

88.26 Nothing in this paragraph precludes the local welfare agency, the local law
 88.27 enforcement agency, or the agency responsible for assessing or investigating the report
 88.28 from collecting other relevant information necessary to conduct the assessment or
 88.29 investigation. Notwithstanding sections 13.384 or 144.291 to 144.298, the local welfare
 88.30 agency has access to medical data and records for purposes of clause (3). Notwithstanding
 88.31 the data's classification in the possession of any other agency, data acquired by the
 88.32 local welfare agency or the agency responsible for assessing or investigating the report
 88.33 during the course of the assessment or investigation are private data on individuals and
 88.34 must be maintained in accordance with subdivision 11. Data of the commissioner of
 88.35 education collected or maintained during and for the purpose of an investigation of
 89.1 alleged maltreatment in a school are governed by this section, notwithstanding the data's
 89.2 classification as educational, licensing, or personnel data under chapter 13.

89.3 In conducting an assessment or investigation involving a school facility as defined
 89.4 in subdivision 2, paragraph (i), the commissioner of education shall collect investigative
 89.5 reports and data that are relevant to a report of maltreatment and are from local law
 89.6 enforcement and the school facility.

89.7 ~~(j)~~ (j) Upon receipt of a report, the local welfare agency shall conduct a face-to-face
 89.8 contact with the child reported to be maltreated and with the child's primary caregiver
 89.9 sufficient to complete a safety assessment and ensure the immediate safety of the child.
 89.10 The face-to-face contact with the child and primary caregiver shall occur immediately
 89.11 if sexual abuse or substantial child endangerment is alleged and within five calendar
 89.12 days for all other reports. If the alleged offender was not already interviewed as the
 89.13 primary caregiver, the local welfare agency shall also conduct a face-to-face interview
 89.14 with the alleged offender in the early stages of the assessment or investigation. At the
 89.15 initial contact, the local child welfare agency or the agency responsible for assessing or
 89.16 investigating the report must inform the alleged offender of the complaints or allegations
 89.17 made against the individual in a manner consistent with laws protecting the rights of the
 89.18 person who made the report. The interview with the alleged offender may be postponed if
 89.19 it would jeopardize an active law enforcement investigation.

89.20 ~~(j)~~ (k) When conducting an investigation, the local welfare agency shall use a
 89.21 question and answer interviewing format with questioning as nondirective as possible to
 89.22 elicit spontaneous responses. For investigations only, the following interviewing methods
 89.23 and procedures must be used whenever possible when collecting information:

89.24 (1) audio recordings of all interviews with witnesses and collateral sources; and

89.25 (2) in cases of alleged sexual abuse, audio-video recordings of each interview with
 89.26 the alleged victim and child witnesses.

271.8 Nothing in this paragraph precludes the local welfare agency, the local law
 271.9 enforcement agency, or the agency responsible for assessing or investigating the report
 271.10 from collecting other relevant information necessary to conduct the assessment or
 271.11 investigation. Notwithstanding sections 13.384 or 144.291 to 144.298, the local welfare
 271.12 agency has access to medical data and records for purposes of clause (3). Notwithstanding
 271.13 the data's classification in the possession of any other agency, data acquired by the
 271.14 local welfare agency or the agency responsible for assessing or investigating the report
 271.15 during the course of the assessment or investigation are private data on individuals and
 271.16 must be maintained in accordance with subdivision 11. Data of the commissioner of
 271.17 education collected or maintained during and for the purpose of an investigation of
 271.18 alleged maltreatment in a school are governed by this section, notwithstanding the data's
 271.19 classification as educational, licensing, or personnel data under chapter 13.

271.20 In conducting an assessment or investigation involving a school facility as defined
 271.21 in subdivision 2, paragraph (i), the commissioner of education shall collect investigative
 271.22 reports and data that are relevant to a report of maltreatment and are from local law
 271.23 enforcement and the school facility.

271.24 (i) Upon receipt of a report, the local welfare agency shall conduct a face-to-face
 271.25 contact with the child reported to be maltreated and with the child's primary caregiver
 271.26 sufficient to complete a safety assessment and ensure the immediate safety of the child.
 271.27 The face-to-face contact with the child and primary caregiver shall occur immediately
 271.28 if substantial child endangerment is alleged and within five calendar days for all other
 271.29 reports. If the alleged offender was not already interviewed as the primary caregiver, the
 271.30 local welfare agency shall also conduct a face-to-face interview with the alleged offender
 271.31 in the early stages of the assessment or investigation. At the initial contact, the local child
 271.32 welfare agency or the agency responsible for assessing or investigating the report must
 271.33 inform the alleged offender of the complaints or allegations made against the individual in
 271.34 a manner consistent with laws protecting the rights of the person who made the report.
 271.35 The interview with the alleged offender may be postponed if it would jeopardize an active
 271.36 law enforcement investigation.

272.1 (j) When conducting an investigation, the local welfare agency shall use a question
 272.2 and answer interviewing format with questioning as nondirective as possible to elicit
 272.3 spontaneous responses. For investigations only, the following interviewing methods and
 272.4 procedures must be used whenever possible when collecting information:

272.5 (1) audio recordings of all interviews with witnesses and collateral sources; and

272.6 (2) in cases of alleged sexual abuse, audio-video recordings of each interview with
 272.7 the alleged victim and child witnesses.

89.27 ~~(k)~~ (l) In conducting an assessment or investigation involving a school facility
 89.28 as defined in subdivision 2, paragraph (i), the commissioner of education shall collect
 89.29 available and relevant information and use the procedures in paragraphs ~~(i)~~ (j), (k), and
 89.30 subdivision 3d, except that the requirement for face-to-face observation of the child
 89.31 and face-to-face interview of the alleged offender is to occur in the initial stages of the
 89.32 assessment or investigation provided that the commissioner may also base the assessment
 89.33 or investigation on investigative reports and data received from the school facility and
 89.34 local law enforcement, to the extent those investigations satisfy the requirements of
 89.35 paragraphs ~~(i)~~ and (j), (k), and subdivision 3d.

90.1 Sec. 91. Minnesota Statutes 2014, section 626.556, subdivision 10e, is amended to read:

90.2 Subd. 10e. **Determinations.** (a) The local welfare agency shall conclude the family
 90.3 assessment or the investigation within 45 days of the receipt of a report. The conclusion of
 90.4 the assessment or investigation may be extended to permit the completion of a criminal
 90.5 investigation or the receipt of expert information requested within 45 days of the receipt
 90.6 of the report.

90.7 (b) After conducting a family assessment, the local welfare agency shall determine
 90.8 whether services are needed to address the safety of the child and other family members
 90.9 and the risk of subsequent maltreatment.

90.10 (c) After conducting an investigation, the local welfare agency shall make two
 90.11 determinations: first, whether maltreatment has occurred; and second, whether child
 90.12 protective services are needed. No determination of maltreatment shall be made when the
 90.13 alleged perpetrator is a child under the age of ten.

90.14 (d) If the commissioner of education conducts an assessment or investigation,
 90.15 the commissioner shall determine whether maltreatment occurred and what corrective
 90.16 or protective action was taken by the school facility. If a determination is made that
 90.17 maltreatment has occurred, the commissioner shall report to the employer, the school
 90.18 board, and any appropriate licensing entity the determination that maltreatment occurred
 90.19 and what corrective or protective action was taken by the school facility. In all other cases,
 90.20 the commissioner shall inform the school board or employer that a report was received,
 90.21 the subject of the report, the date of the initial report, the category of maltreatment alleged
 90.22 as defined in paragraph (f), the fact that maltreatment was not determined, and a summary
 90.23 of the specific reasons for the determination.

90.24 (e) When maltreatment is determined in an investigation involving a facility,
 90.25 the investigating agency shall also determine whether the facility or individual was
 90.26 responsible, or whether both the facility and the individual were responsible for the
 90.27 maltreatment using the mitigating factors in paragraph (i). Determinations under this
 90.28 subdivision must be made based on a preponderance of the evidence and are private data
 90.29 on individuals or nonpublic data as maintained by the commissioner of education.

272.8 (k) In conducting an assessment or investigation involving a school facility as
 272.9 defined in subdivision 2, paragraph (i), the commissioner of education shall collect
 272.10 available and relevant information and use the procedures in paragraphs (i), (k), and
 272.11 subdivision 3d, except that the requirement for face-to-face observation of the child
 272.12 and face-to-face interview of the alleged offender is to occur in the initial stages of the
 272.13 assessment or investigation provided that the commissioner may also base the assessment
 272.14 or investigation on investigative reports and data received from the school facility and
 272.15 local law enforcement, to the extent those investigations satisfy the requirements of
 272.16 paragraphs (i) and (k), and subdivision 3d.

272.17 Sec. 75. Minnesota Statutes 2014, section 626.556, subdivision 10e, is amended to read:

272.18 Subd. 10e. **Determinations.** (a) The local welfare agency shall conclude the family
 272.19 assessment or the investigation within 45 days of the receipt of a report. The conclusion of
 272.20 the assessment or investigation may be extended to permit the completion of a criminal
 272.21 investigation or the receipt of expert information requested within 45 days of the receipt
 272.22 of the report.

272.23 (b) After conducting a family assessment, the local welfare agency shall determine
 272.24 whether services are needed to address the safety of the child and other family members
 272.25 and the risk of subsequent maltreatment.

272.26 (c) After conducting an investigation, the local welfare agency shall make two
 272.27 determinations: first, whether maltreatment has occurred; and second, whether child
 272.28 protective services are needed. No determination of maltreatment shall be made when the
 272.29 alleged perpetrator is a child under the age of ten.

272.30 (d) If the commissioner of education conducts an assessment or investigation,
 272.31 the commissioner shall determine whether maltreatment occurred and what corrective
 272.32 or protective action was taken by the school facility. If a determination is made that
 272.33 maltreatment has occurred, the commissioner shall report to the employer, the school
 272.34 board, and any appropriate licensing entity the determination that maltreatment occurred
 272.35 and what corrective or protective action was taken by the school facility. In all other cases,
 273.1 the commissioner shall inform the school board or employer that a report was received,
 273.2 the subject of the report, the date of the initial report, the category of maltreatment alleged
 273.3 as defined in paragraph (f), the fact that maltreatment was not determined, and a summary
 273.4 of the specific reasons for the determination.

273.5 (e) When maltreatment is determined in an investigation involving a facility,
 273.6 the investigating agency shall also determine whether the facility or individual was
 273.7 responsible, or whether both the facility and the individual were responsible for the
 273.8 maltreatment using the mitigating factors in paragraph (i). Determinations under this
 273.9 subdivision must be made based on a preponderance of the evidence and are private data
 273.10 on individuals or nonpublic data as maintained by the commissioner of education.

90.30 (f) For the purposes of this subdivision, "maltreatment" means any of the following
90.31 acts or omissions:

90.32 (1) physical abuse as defined in subdivision 2, paragraph (g);

90.33 (2) neglect as defined in subdivision 2, paragraph (f);

90.34 (3) sexual abuse as defined in subdivision 2, paragraph (d);

90.35 (4) mental injury as defined in subdivision 2, paragraph (m); or

90.36 (5) maltreatment of a child in a facility as defined in subdivision 2, paragraph (i).

91.1 (g) For the purposes of this subdivision, a determination that child protective
91.2 services are needed means that the local welfare agency has documented conditions
91.3 during the assessment or investigation sufficient to cause a child protection worker, as
91.4 defined in section 626.559, subdivision 1, to conclude that a child is at significant risk of
91.5 maltreatment if protective intervention is not provided and that the individuals responsible
91.6 for the child's care have not taken or are not likely to take actions to protect the child
91.7 from maltreatment or risk of maltreatment.

91.8 (h) This subdivision does not mean that maltreatment has occurred solely because
91.9 the child's parent, guardian, or other person responsible for the child's care in good faith
91.10 selects and depends upon spiritual means or prayer for treatment or care of disease
91.11 or remedial care of the child, in lieu of medical care. However, if lack of medical care
91.12 may result in serious danger to the child's health, the local welfare agency may ensure
91.13 that necessary medical services are provided to the child.

91.14 (i) When determining whether the facility or individual is the responsible party, or
91.15 whether both the facility and the individual are responsible for determined maltreatment in
91.16 a facility, the investigating agency shall consider at least the following mitigating factors:

91.17 (1) whether the actions of the facility or the individual caregivers were according to,
91.18 and followed the terms of, an erroneous physician order, prescription, individual care plan,
91.19 or directive; however, this is not a mitigating factor when the facility or caregiver was
91.20 responsible for the issuance of the erroneous order, prescription, individual care plan, or
91.21 directive or knew or should have known of the errors and took no reasonable measures to
91.22 correct the defect before administering care;

91.23 (2) comparative responsibility between the facility, other caregivers, and
91.24 requirements placed upon an employee, including the facility's compliance with related
91.25 regulatory standards and the adequacy of facility policies and procedures, facility training,
91.26 an individual's participation in the training, the caregiver's supervision, and facility staffing
91.27 levels and the scope of the individual employee's authority and discretion; and

91.28 (3) whether the facility or individual followed professional standards in exercising
91.29 professional judgment.

273.11 (f) For the purposes of this subdivision, "maltreatment" means any of the following
273.12 acts or omissions:

273.13 (1) physical abuse as defined in subdivision 2, paragraph (g);

273.14 (2) neglect as defined in subdivision 2, paragraph (f);

273.15 (3) sexual abuse as defined in subdivision 2, paragraph (d);

273.16 (4) mental injury as defined in subdivision 2, paragraph (m); or

273.17 (5) maltreatment of a child in a facility as defined in subdivision 2, paragraph (i).

273.18 (g) For the purposes of this subdivision, a determination that child protective
273.19 services are needed means that the local welfare agency has documented conditions
273.20 during the assessment or investigation sufficient to cause a child protection worker, as
273.21 defined in section 626.559, subdivision 1, to conclude that a child is at significant risk of
273.22 maltreatment if protective intervention is not provided and that the individuals responsible
273.23 for the child's care have not taken or are not likely to take actions to protect the child
273.24 from maltreatment or risk of maltreatment.

273.25 (h) This subdivision does not mean that maltreatment has occurred solely because
273.26 the child's parent, guardian, or other person responsible for the child's care in good faith
273.27 selects and depends upon spiritual means or prayer for treatment or care of disease
273.28 or remedial care of the child, in lieu of medical care. However, if lack of medical care
273.29 may result in serious danger to the child's health, the local welfare agency may ensure
273.30 that necessary medical services are provided to the child.

273.31 (i) When determining whether the facility or individual is the responsible party, or
273.32 whether both the facility and the individual are responsible for determined maltreatment in
273.33 a facility, the investigating agency shall consider at least the following mitigating factors:

273.34 (1) whether the actions of the facility or the individual caregivers were according to,
273.35 and followed the terms of, an erroneous physician order, prescription, individual care plan,
273.36 or directive; however, this is not a mitigating factor when the facility or caregiver was
274.1 responsible for the issuance of the erroneous order, prescription, individual care plan, or
274.2 directive or knew or should have known of the errors and took no reasonable measures to
274.3 correct the defect before administering care;

274.4 (2) comparative responsibility between the facility, other caregivers, and
274.5 requirements placed upon an employee, including the facility's compliance with related
274.6 regulatory standards and the adequacy of facility policies and procedures, facility training,
274.7 an individual's participation in the training, the caregiver's supervision, and facility staffing
274.8 levels and the scope of the individual employee's authority and discretion; and

274.9 (3) whether the facility or individual followed professional standards in exercising
274.10 professional judgment.

91.30 The evaluation of the facility's responsibility under clause (2) must not be based on the
 91.31 completeness of the risk assessment or risk reduction plan required under section 245A.66,
 91.32 but must be based on the facility's compliance with the regulatory standards for policies and
 91.33 procedures, training, and supervision as cited in Minnesota Statutes and Minnesota Rules.

91.34 (j) Notwithstanding paragraph (i), when maltreatment is determined to have been
 91.35 committed by an individual who is also the facility license holder, both the individual and
 91.36 the facility must be determined responsible for the maltreatment, and both the background
 92.1 study disqualification standards under section 245C.15, subdivision 4, and the licensing
 92.2 actions under sections 245A.06 or 245A.07 apply.

~~92.3 (k) Individual counties may implement more detailed definitions or criteria that
 92.4 indicate which allegations to investigate, as long as a county's policies are consistent
 92.5 with the definitions in the statutes and rules and are approved by the county board. Each
 92.6 local welfare agency shall periodically inform mandated reporters under subdivision 3
 92.7 who work in the county of the definitions of maltreatment in the statutes and rules and any
 92.8 additional definitions or criteria that have been approved by the county board.~~

92.9 Sec. 92. Minnesota Statutes 2014, section 626.556, subdivision 10j, is amended to read:

92.10 Subd. 10j. **Release of data to mandated reporters.** (a) A local social services or
 92.11 child protection agency, or the agency responsible for assessing or investigating the report
 92.12 of maltreatment, ~~may~~ shall provide relevant private data on individuals obtained under
 92.13 this section to a mandated ~~reporters~~ reporter who made the report and who ~~have~~ has an
 92.14 ongoing responsibility for the health, education, or welfare of a child affected by the data,
 92.15 unless the agency determines that providing the data would not be in the best interests
 92.16 of the child. The agency may provide the data to other mandated reporters with ongoing
 92.17 responsibility for the health, education, or welfare of the child. Mandated reporters with
 92.18 ongoing responsibility for the health, education, or welfare of a child affected by the data
 92.19 include the child's teachers or other appropriate school personnel, foster parents, health
 92.20 care providers, respite care workers, therapists, social workers, child care providers,
 92.21 residential care staff, crisis nursery staff, probation officers, and court services personnel.
 92.22 Under this section, a mandated reporter need not have made the report to be considered a
 92.23 person with ongoing responsibility for the health, education, or welfare of a child affected
 92.24 by the data. Data provided under this section must be limited to data pertinent to the
 92.25 individual's responsibility for caring for the child.

92.26 (b) A reporter who receives private data on individuals under this subdivision must
 92.27 treat the data according to that classification, regardless of whether the reporter is an
 92.28 employee of a government entity. The remedies and penalties under sections 13.08 and
 92.29 13.09 apply if a reporter releases data in violation of this section or other law.

92.30 Sec. 93. Minnesota Statutes 2014, section 626.556, subdivision 10m, is amended to
 92.31 read:

274.11 The evaluation of the facility's responsibility under clause (2) must not be based on the
 274.12 completeness of the risk assessment or risk reduction plan required under section 245A.66,
 274.13 but must be based on the facility's compliance with the regulatory standards for policies and
 274.14 procedures, training, and supervision as cited in Minnesota Statutes and Minnesota Rules.

274.15 (j) Notwithstanding paragraph (i), when maltreatment is determined to have been
 274.16 committed by an individual who is also the facility license holder, both the individual and
 274.17 the facility must be determined responsible for the maltreatment, and both the background
 274.18 study disqualification standards under section 245C.15, subdivision 4, and the licensing
 274.19 actions under sections 245A.06 or 245A.07 apply.

~~274.20 (k) Individual counties may implement more detailed definitions or criteria that
 274.21 indicate which allegations to investigate, as long as a county's policies are consistent
 274.22 with the definitions in the statutes and rules and are approved by the county board. Each
 274.23 local welfare agency shall periodically inform mandated reporters under subdivision 3
 274.24 who work in the county of the definitions of maltreatment in the statutes and rules and any
 274.25 additional definitions or criteria that have been approved by the county board.~~

92.32 Subd. 10m. **Provision of child protective services; consultation with county**

92.33 **attorney.** (a) The local welfare agency shall create a written plan, in collaboration with
92.34 the family whenever possible, within 30 days of the determination that child protective
93.1 services are needed or upon joint agreement of the local welfare agency and the family
93.2 that family support and preservation services are needed. Child protective services for a
93.3 family are voluntary unless ordered by the court.

93.4 (b) The local welfare agency shall consult with the county attorney to determine the
93.5 appropriateness of filing a petition alleging the child is in need of protection or services
93.6 under section 260C.007, subdivision 6, if:

93.7 (1) the family does not accept or comply with a plan for child protective services;

93.8 (2) voluntary child protective services may not provide sufficient protection for the
93.9 child; or

93.10 (3) the family is not cooperating with an investigation.

93.11 If the agency responsible for child protection under this section is an Indian tribe
93.12 social service agency, the agency shall consult with the tribal authority that would be
93.13 responsible for filing a petition.

93.14 Sec. 94. Minnesota Statutes 2014, section 626.556, subdivision 11c, is amended to read:

93.15 Subd. 11c. **Welfare, court services agency, and school records maintained;**

93.16 **county duty to maintain reports.** Notwithstanding sections 138.163 and 138.17,
93.17 records maintained or records derived from reports of abuse by local welfare agencies,
93.18 agencies responsible for assessing or investigating the report, court services agencies, or
93.19 schools under this section shall be destroyed as provided in paragraphs (a) to ~~(d)~~ (e) by
93.20 the responsible authority.

93.21 (a) For reports that were not screened in, family assessment cases, and cases
93.22 where an investigation results in no determination of maltreatment or the need for child
93.23 protective services, the assessment or investigation records must be maintained by the
93.24 local welfare agency for a period of ~~four~~ five years after the date of the final entry in the
93.25 case record. Records under this paragraph may not be used for employment, background
93.26 checks, or purposes other than to assist in future risk and safety assessments.

93.27 (b) All records relating to reports which, upon investigation, indicate either
93.28 maltreatment or a need for child protective services shall be maintained for ten years after
93.29 the date of the final entry in the case record.

274.26 Sec. 76. Minnesota Statutes 2014, section 626.556, subdivision 11c, is amended to read:

274.27 Subd. 11c. **Welfare, court services agency, and school records maintained.**

274.28 Notwithstanding sections 138.163 and 138.17, records maintained or records derived
274.29 from reports of abuse by local welfare agencies, agencies responsible for assessing or
274.30 investigating the report, court services agencies, or schools under this section shall be
274.31 destroyed as provided in paragraphs (a) to (d) by the responsible authority.

274.32 (a) For reports alleging child maltreatment that were not accepted for assessment
274.33 or investigation, family assessment cases, and cases where an investigation results in no
274.34 determination of maltreatment or the need for child protective services, the assessment or
274.35 investigation records must be maintained for a period of ~~four~~ five years after the date the
275.1 report was not accepted for assessment or investigation or of the final entry in the case
275.2 record. Records of reports that were not accepted must contain sufficient information to
275.3 identify the subjects of the report, the nature of the alleged maltreatment, and the reasons
275.4 as to why the report was not accepted. Records under this paragraph may not be used for
275.5 employment, background checks, or purposes other than to assist in future screening
275.6 decisions and risk and safety assessments.

275.7 (b) All records relating to reports which, upon investigation, indicate either
275.8 maltreatment or a need for child protective services shall be maintained for ten years after
275.9 the date of the final entry in the case record.

93.30 (c) All records regarding a report of maltreatment, including any notification of
 93.31 intent to interview which was received by a school under subdivision 10, paragraph (d)
 93.32 (e), shall be destroyed by the school when ordered to do so by the agency conducting the
 93.33 assessment or investigation. The agency shall order the destruction of the notification
 93.34 when other records relating to the report under investigation or assessment are destroyed
 93.35 under this subdivision.

94.1 (d) Private or confidential data released to a court services agency under subdivision
 94.2 10h must be destroyed by the court services agency when ordered to do so by the local
 94.3 welfare agency that released the data. The local welfare agency or agency responsible for
 94.4 assessing or investigating the report shall order destruction of the data when other records
 94.5 relating to the assessment or investigation are destroyed under this subdivision.

94.6 (e) For reports alleging child maltreatment that were not accepted for assessment
 94.7 or investigation, counties shall:

94.8 (1) maintain sufficient information to identify repeat reports alleging maltreatment
 94.9 of the same child or children for 365 days five years from the date the report was screened
 94.10 out; and the commissioner of human services shall specify to the counties the minimum
 94.11 information needed to accomplish this purpose. Counties shall:

94.12 (2) document the reason as to why the report was not accepted for assessment or
 94.13 investigation; and

94.14 (3) enter this the data under clauses (1) and (2) into the state social services
 94.15 information system.

94.16 Sec. 95. Minnesota Statutes 2014, section 626.556, is amended by adding a subdivision
 94.17 to read:

94.18 Subd. 16. **Commissioner's duty to provide oversight; quality assurance reviews;**
 94.19 **annual summary results of reviews.** (a) The commissioner shall develop a plan to
 94.20 perform quality assurance reviews of county agency screening practices and decisions.
 94.21 The commissioner shall, during quality assurance reviews of county agency screening
 94.22 practices, assess for evidence that the screening practices and decisions have followed the
 94.23 guidelines for cultural competence issued by the Department of Human Services. The
 94.24 commissioner shall provide oversight and guidance to counties to ensure the consistent
 94.25 application of screening guidelines, thorough and appropriate screening decisions, and
 94.26 correct documentation and maintenance of reports.

94.27 (b) The commissioner shall produce an annual report of the summary results of
 94.28 the reviews. The report is public information and must be provided to the chairs and
 94.29 ranking minority members of the legislative committees having jurisdiction over child
 94.30 protection issues.

275.10 (c) All records regarding a report of maltreatment, including any notification of intent
 275.11 to interview which was received by a school under subdivision 10, paragraph (d), shall be
 275.12 destroyed by the school when ordered to do so by the agency conducting the assessment or
 275.13 investigation. The agency shall order the destruction of the notification when other records
 275.14 relating to the report under investigation or assessment are destroyed under this subdivision.

275.15 (d) Private or confidential data released to a court services agency under subdivision
 275.16 10h must be destroyed by the court services agency when ordered to do so by the local
 275.17 welfare agency that released the data. The local welfare agency or agency responsible for
 275.18 assessing or investigating the report shall order destruction of the data when other records
 275.19 relating to the assessment or investigation are destroyed under this subdivision.

275.20 (e) ~~For reports alleging child maltreatment that were not accepted for assessment~~
 275.21 ~~or investigation, counties shall maintain sufficient information to identify repeat reports~~
 275.22 ~~alleging maltreatment of the same child or children for 365 days from the date the report~~
 275.23 ~~was screened out. The commissioner of human services shall specify to the counties the~~
 275.24 ~~minimum information needed to accomplish this purpose. Counties shall enter this data~~
 275.25 ~~into the state social services information system.~~

275.26 Sec. 77. Minnesota Statutes 2014, section 626.556, is amended by adding a subdivision
 275.27 to read:

275.28 Subd. 16. **Commissioner's duty to provide oversight; quality assurance reviews;**
 275.29 **annual summary of reviews.** (a) The commissioner shall develop a plan to perform
 275.30 quality assurance reviews of local welfare agency screening practices and decisions.
 275.31 The commissioner shall provide oversight and guidance to counties to ensure consistent
 275.32 application of screening guidelines, thorough and appropriate screening decisions, and
 275.33 correct documentation and maintenance of reports. Quality assurance reviews must begin
 275.34 no later than September 30, 2015.

276.1 (b) The commissioner shall produce an annual report of the summary results of the
 276.2 reviews. The report must only contain aggregate data and may not include any data that
 276.3 could be used to personally identify any subject whose data is included in the report. The
 276.4 report is public information and must be provided to the chairs and ranking minority
 276.5 members of the legislative committees having jurisdiction over child protection issues.

94.31 Sec. 96. Laws 2014, chapter 189, section 5, is amended to read:
 94.32 Sec. 5. Minnesota Statutes 2012, section 518C.201, is amended to read:
 94.33 **518C.201 BASES FOR JURISDICTION OVER NONRESIDENT.**

95.1 (a) In a proceeding to establish, ~~or enforce, or modify~~ a support order or to determine
 95.2 parentage of a child, a tribunal of this state may exercise personal jurisdiction over a
 95.3 nonresident individual or the individual's guardian or conservator if:

95.4 (1) the individual is personally served with a summons or comparable document
 95.5 within this state;

95.6 (2) the individual submits to the jurisdiction of this state by consent, by entering a
 95.7 general appearance, or by filing a responsive document having the effect of waiving any
 95.8 contest to personal jurisdiction;

95.9 (3) the individual resided with the child in this state;

95.10 (4) the individual resided in this state and provided prenatal expenses or support
 95.11 for the child;

95.12 (5) the child resides in this state as a result of the acts or directives of the individual;

95.13 (6) the individual engaged in sexual intercourse in this state and the child may have
 95.14 been conceived by that act of intercourse;

95.15 (7) the individual asserted parentage of a child under sections 257.51 to 257.75; or

95.16 (8) there is any other basis consistent with the constitutions of this state and the
 95.17 United States for the exercise of personal jurisdiction.

95.18 (b) The bases of personal jurisdiction in paragraph (a) or in any other law of this state
 95.19 may not be used to acquire personal jurisdiction for a tribunal of this state to modify a child
 95.20 support order of another state unless the requirements of section 518C.611 are met, or, in
 95.21 the case of a foreign support order, unless the requirements of section 518C.615 are met.

276.6 Sec. 78. Minnesota Statutes 2014, section 626.559, is amended by adding a subdivision
 276.7 to read:

276.8 Subd. 1b. **Background studies.** (a) Effective July 1, 2016, all newly employed
 276.9 county employees who have responsibility for child protective duties are required to
 276.10 undergo a background study according to the requirements of chapter 245C.

276.11 (b) No later than August 31, 2016, all county employees who have responsibility
 276.12 for child protective duties and who were employed prior to July 1, 2016, must undergo a
 276.13 background study according to the requirements of chapter 245C.

276.14 Sec. 79. Laws 2014, chapter 189, section 5, is amended to read:

276.15 Sec. 5. Minnesota Statutes 2012, section 518C.201, is amended to read:

276.16 **518C.201 BASES FOR JURISDICTION OVER NONRESIDENT.**

276.17 (a) In a proceeding to establish, ~~or enforce, or modify~~ a support order or to determine
 276.18 parentage of a child, a tribunal of this state may exercise personal jurisdiction over a
 276.19 nonresident individual or the individual's guardian or conservator if:

276.20 (1) the individual is personally served with a summons or comparable document
 276.21 within this state;

276.22 (2) the individual submits to the jurisdiction of this state by consent, by entering a
 276.23 general appearance, or by filing a responsive document having the effect of waiving any
 276.24 contest to personal jurisdiction;

276.25 (3) the individual resided with the child in this state;

276.26 (4) the individual resided in this state and provided prenatal expenses or support
 276.27 for the child;

276.28 (5) the child resides in this state as a result of the acts or directives of the individual;

276.29 (6) the individual engaged in sexual intercourse in this state and the child may have
 276.30 been conceived by that act of intercourse;

276.31 (7) the individual asserted parentage of a child under sections 257.51 to 257.75; or

276.32 (8) there is any other basis consistent with the constitutions of this state and the
 276.33 United States for the exercise of personal jurisdiction.

277.1 (b) The bases of personal jurisdiction in paragraph (a) or in any other law of this state
 277.2 may not be used to acquire personal jurisdiction for a tribunal of this state to modify a child
 277.3 support order of another state unless the requirements of section 518C.611 are met, or, in
 277.4 the case of a foreign support order, unless the requirements of section 518C.615 are met.

95.22 Sec. 97. Laws 2014, chapter 189, section 10, is amended to read:

95.23 Sec. 10. Minnesota Statutes 2012, section 518C.206, is amended to read:

95.24 **518C.206 ENFORCEMENT AND MODIFICATION OF SUPPORT ORDER**

95.25 **BY TRIBUNAL HAVING CONTINUING JURISDICTION TO ENFORCE CHILD**

95.26 **SUPPORT ORDER.**

95.27 (a) A tribunal of this state that has issued a child support order consistent with the
95.28 law of this state may serve as an initiating tribunal to request a tribunal of another state
95.29 to enforce:

95.30 (1) the order if the order is the controlling order and has not been modified by
95.31 a tribunal of another state that assumed jurisdiction pursuant to ~~this chapter or a law~~
95.32 ~~substantially similar to this chapter~~ the Uniform Interstate Family Support Act; or

95.33 (2) a money judgment for arrearages of support and interest on the order accrued before
95.34 a determination that an order of a tribunal of another state is the controlling order.

96.1 (b) A tribunal of this state having continuing, ~~exclusive~~ jurisdiction over a support
96.2 order may act as a responding tribunal to enforce the order.

96.3 Sec. 98. Laws 2014, chapter 189, section 11, is amended to read:

96.4 Sec. 11. Minnesota Statutes 2012, section 518C.207, is amended to read:

96.5 **518C.207 RECOGNITION DETERMINATION OF CONTROLLING CHILD**

96.6 **SUPPORT ORDER.**

96.7 (a) If a proceeding is brought under this chapter and only one tribunal has issued a
96.8 child support order, the order of that tribunal is ~~controlling~~ controls and must be recognized.

96.9 (b) If a proceeding is brought under this chapter, and two or more child support
96.10 orders have been issued by tribunals of this state, another state, or a foreign country with
96.11 regard to the same obligor and child, a tribunal of this state having personal jurisdiction
96.12 over both the obligor and the individual obligee shall apply the following rules and by
96.13 order shall determine which order controls and must be recognized:

96.14 (1) If only one of the tribunals would have continuing, exclusive jurisdiction under
96.15 this chapter, the order of that tribunal is ~~controlling~~ controls.

96.16 (2) If more than one of the tribunals would have continuing, exclusive jurisdiction
96.17 under this chapter:

96.18 (i) an order issued by a tribunal in the current home state of the child controls; or

96.19 (ii) if an order has not been issued in the current home state of the child, the order
96.20 most recently issued controls.

96.21 (3) If none of the tribunals would have continuing, exclusive jurisdiction under this
96.22 chapter, the tribunal of this state shall issue a child support order, which controls.

277.5 Sec. 80. Laws 2014, chapter 189, section 10, is amended to read:

277.6 Sec. 10. Minnesota Statutes 2012, section 518C.206, is amended to read:

277.7 **518C.206 ENFORCEMENT AND MODIFICATION OF SUPPORT ORDER**

277.8 **BY TRIBUNAL HAVING CONTINUING JURISDICTION TO ENFORCE CHILD**

277.9 **SUPPORT ORDER.**

277.10 (a) A tribunal of this state that has issued a child support order consistent with the
277.11 law of this state may serve as an initiating tribunal to request a tribunal of another state
277.12 to enforce:

277.13 (1) the order if the order is the controlling order and has not been modified by
277.14 a tribunal of another state that assumed jurisdiction pursuant to ~~this chapter or a law~~
277.15 ~~substantially similar to this chapter~~ the Uniform Interstate Family Support Act; or

277.16 (2) a money judgment for arrearages of support and interest on the order accrued before
277.17 a determination that an order of a tribunal of another state is the controlling order.

277.18 (b) A tribunal of this state having continuing, ~~exclusive~~ jurisdiction over a support
277.19 order may act as a responding tribunal to enforce the order.

277.20 Sec. 81. Laws 2014, chapter 189, section 11, is amended to read:

277.21 Sec. 11. Minnesota Statutes 2012, section 518C.207, is amended to read:

277.22 **518C.207 RECOGNITION DETERMINATION OF CONTROLLING CHILD**

277.23 **SUPPORT ORDER.**

277.24 (a) If a proceeding is brought under this chapter and only one tribunal has issued a
277.25 child support order, the order of that tribunal is ~~controlling~~ controls and must be recognized.

277.26 (b) If a proceeding is brought under this chapter, and two or more child support
277.27 orders have been issued by tribunals of this state, another state, or a foreign country with
277.28 regard to the same obligor and child, a tribunal of this state having personal jurisdiction
277.29 over both the obligor and the individual obligee shall apply the following rules and by
277.30 order shall determine which order controls and must be recognized:

277.31 (1) If only one of the tribunals would have continuing, exclusive jurisdiction under
277.32 this chapter, the order of that tribunal is ~~controlling~~ controls.

277.33 (2) If more than one of the tribunals would have continuing, exclusive jurisdiction
277.34 under this chapter:

278.1 (i) an order issued by a tribunal in the current home state of the child controls; or

278.2 (ii) if an order has not been issued in the current home state of the child, the order
278.3 most recently issued controls.

278.4 (3) If none of the tribunals would have continuing, exclusive jurisdiction under this
278.5 chapter, the tribunal of this state shall issue a child support order, which controls.

96.23 (c) If two or more child support orders have been issued for the same obligor and
 96.24 child, upon request of a party who is an individual or that is a support enforcement agency,
 96.25 a tribunal of this state having personal jurisdiction over both the obligor and the obligee
 96.26 who is an individual shall determine which order controls under paragraph (b). The
 96.27 request may be filed with a registration for enforcement or registration for modification
 96.28 pursuant to sections 518C.601 to 518C.616, or may be filed as a separate proceeding.

96.29 (d) A request to determine which is the controlling order must be accompanied
 96.30 by a copy of every child support order in effect and the applicable record of payments.
 96.31 The requesting party shall give notice of the request to each party whose rights may
 96.32 be affected by the determination.

96.33 (e) The tribunal that issued the controlling order under paragraph (a), (b), or (c) has
 96.34 continuing jurisdiction to the extent provided in section 518C.205, or 518C.206.

97.1 (f) A tribunal of this state which determines by order which is the controlling order
 97.2 under paragraph (b), clause (1) or (2), or paragraph (c), or which issues a new controlling
 97.3 child support order under paragraph (b), clause (3), shall state in that order:

97.4 (1) the basis upon which the tribunal made its determination;

97.5 (2) the amount of prospective support, if any; and

97.6 (3) the total amount of consolidated arrears and accrued interest, if any, under all of
 97.7 the orders after all payments made are credited as provided by section 518C.209.

97.8 (g) Within 30 days after issuance of the order determining which is the controlling
 97.9 order, the party obtaining that order shall file a certified copy of it with each tribunal that
 97.10 issued or registered an earlier order of child support. A party or support enforcement
 97.11 agency obtaining the order that fails to file a certified copy is subject to appropriate
 97.12 sanctions by a tribunal in which the issue of failure to file arises. The failure to file does
 97.13 not affect the validity or enforceability of the controlling order.

97.14 (h) An order that has been determined to be the controlling order, or a judgment for
 97.15 consolidated arrears of support and interest, if any, made pursuant to this section must be
 97.16 recognized in proceedings under this chapter.

97.17 Sec. 99. Laws 2014, chapter 189, section 16, is amended to read:

97.18 Sec. 16. Minnesota Statutes 2012, section 518C.301, is amended to read:

97.19 **518C.301 PROCEEDINGS UNDER THIS CHAPTER.**

97.20 (a) Except as otherwise provided in this chapter, sections 518C.301 to 518C.319
 97.21 apply to all proceedings under this chapter.

97.22 (b) ~~This chapter provides for the following proceedings:~~

97.23 ~~(1) establishment of an order for spousal support or child support pursuant to~~
 97.24 ~~section 518C.401;~~

278.6 (c) If two or more child support orders have been issued for the same obligor and
 278.7 child, upon request of a party who is an individual or that is a support enforcement agency,
 278.8 a tribunal of this state having personal jurisdiction over both the obligor and the obligee
 278.9 who is an individual shall determine which order controls under paragraph (b). The
 278.10 request may be filed with a registration for enforcement or registration for modification
 278.11 pursuant to sections 518C.601 to 518C.616, or may be filed as a separate proceeding.

278.12 (d) A request to determine which is the controlling order must be accompanied
 278.13 by a copy of every child support order in effect and the applicable record of payments.
 278.14 The requesting party shall give notice of the request to each party whose rights may
 278.15 be affected by the determination.

278.16 (e) The tribunal that issued the controlling order under paragraph (a), (b), or (c) has
 278.17 continuing jurisdiction to the extent provided in section 518C.205, or 518C.206.

278.18 (f) A tribunal of this state which determines by order which is the controlling order
 278.19 under paragraph (b), clause (1) or (2), or paragraph (c), or which issues a new controlling
 278.20 child support order under paragraph (b), clause (3), shall state in that order:

278.21 (1) the basis upon which the tribunal made its determination;

278.22 (2) the amount of prospective support, if any; and

278.23 (3) the total amount of consolidated arrears and accrued interest, if any, under all of
 278.24 the orders after all payments made are credited as provided by section 518C.209.

278.25 (g) Within 30 days after issuance of the order determining which is the controlling
 278.26 order, the party obtaining that order shall file a certified copy of it with each tribunal that
 278.27 issued or registered an earlier order of child support. A party or support enforcement
 278.28 agency obtaining the order that fails to file a certified copy is subject to appropriate
 278.29 sanctions by a tribunal in which the issue of failure to file arises. The failure to file does
 278.30 not affect the validity or enforceability of the controlling order.

278.31 (h) An order that has been determined to be the controlling order, or a judgment for
 278.32 consolidated arrears of support and interest, if any, made pursuant to this section must be
 278.33 recognized in proceedings under this chapter.

278.34 Sec. 82. Laws 2014, chapter 189, section 16, is amended to read:

279.1 Sec. 16. Minnesota Statutes 2012, section 518C.301, is amended to read:

279.2 **518C.301 PROCEEDINGS UNDER THIS CHAPTER.**

279.3 (a) Except as otherwise provided in this chapter, sections 518C.301 to 518C.319
 279.4 apply to all proceedings under this chapter.

279.5 (b) ~~This chapter provides for the following proceedings:~~

279.6 ~~(1) establishment of an order for spousal support or child support pursuant to~~
 279.7 ~~section 518C.401;~~

97.25 ~~(2) enforcement of a support order and income-withholding order of another state or~~
 97.26 ~~a foreign country without registration pursuant to sections 518C.501 and 518C.502;~~

97.27 ~~(3) registration of an order for spousal support or child support of another state or a~~
 97.28 ~~foreign country for enforcement pursuant to sections 518C.601 to 518C.612;~~

97.29 ~~(4) modification of an order for child support or spousal support issued by a tribunal~~
 97.30 ~~of this state pursuant to sections 518C.203 to 518C.206;~~

97.31 ~~(5) registration of an order for child support of another state or a foreign country for~~
 97.32 ~~modification pursuant to sections 518C.601 to 518C.612;~~

97.33 ~~(6) determination of parentage of a child pursuant to section 518C.701; and~~

97.34 ~~(7) assertion of jurisdiction over nonresidents pursuant to sections 518C.201 and~~
 97.35 ~~518C.202.~~

98.1 ~~(e)~~ (b) An individual petitioner or a support enforcement agency may commence
 98.2 a proceeding authorized under this chapter by filing a petition in an initiating tribunal
 98.3 for forwarding to a responding tribunal or by filing a petition or a comparable pleading
 98.4 directly in a tribunal of another state or a foreign country which has or can obtain personal
 98.5 jurisdiction over the respondent.

98.6 Sec. 100. Laws 2014, chapter 189, section 17, is amended to read:
 98.7 Sec. 17. Minnesota Statutes 2012, section 518C.303, is amended to read:
 98.8 **518C.303 APPLICATION OF LAW OF THIS STATE.**

98.9 Except as otherwise provided by this chapter, a responding tribunal of this state shall:

98.10 (1) apply the procedural and substantive law, ~~including the rules on choice of law;~~
 98.11 generally applicable to similar proceedings originating in this state and may exercise all
 98.12 powers and provide all remedies available in those proceedings; and

98.13 (2) determine the duty of support and the amount payable in accordance with the
 98.14 law and support guidelines of this state.

98.15 Sec. 101. Laws 2014, chapter 189, section 18, is amended to read:
 98.16 Sec. 18. Minnesota Statutes 2012, section 518C.304, is amended to read:
 98.17 **518C.304 DUTIES OF INITIATING TRIBUNAL.**

98.18 (a) Upon the filing of a petition authorized by this chapter, an initiating tribunal of
 98.19 this state shall forward the petition and its accompanying documents:

98.20 (1) to the responding tribunal or appropriate support enforcement agency in the
 98.21 responding state; or

98.22 (2) if the identity of the responding tribunal is unknown, to the state information
 98.23 agency of the responding state with a request that they be forwarded to the appropriate
 98.24 tribunal and that receipt be acknowledged.

279.8 ~~(2) enforcement of a support order and income-withholding order of another state or~~
 279.9 ~~a foreign country without registration pursuant to sections 518C.501 and 518C.502;~~

279.10 ~~(3) registration of an order for spousal support or child support of another state or a~~
 279.11 ~~foreign country for enforcement pursuant to sections 518C.601 to 518C.612;~~

279.12 ~~(4) modification of an order for child support or spousal support issued by a tribunal~~
 279.13 ~~of this state pursuant to sections 518C.203 to 518C.206;~~

279.14 ~~(5) registration of an order for child support of another state or a foreign country for~~
 279.15 ~~modification pursuant to sections 518C.601 to 518C.612;~~

279.16 ~~(6) determination of parentage of a child pursuant to section 518C.701; and~~

279.17 ~~(7) assertion of jurisdiction over nonresidents pursuant to sections 518C.201 and~~
 279.18 ~~518C.202.~~

279.19 ~~(e)~~ (b) An individual petitioner or a support enforcement agency may commence
 279.20 a proceeding authorized under this chapter by filing a petition in an initiating tribunal
 279.21 for forwarding to a responding tribunal or by filing a petition or a comparable pleading
 279.22 directly in a tribunal of another state or a foreign country which has or can obtain personal
 279.23 jurisdiction over the respondent.

279.24 Sec. 83. Laws 2014, chapter 189, section 17, is amended to read:
 279.25 Sec. 17. Minnesota Statutes 2012, section 518C.303, is amended to read:
 279.26 **518C.303 APPLICATION OF LAW OF THIS STATE.**

279.27 Except as otherwise provided by this chapter, a responding tribunal of this state shall:

279.28 (1) apply the procedural and substantive law, ~~including the rules on choice of law;~~
 279.29 generally applicable to similar proceedings originating in this state and may exercise all
 279.30 powers and provide all remedies available in those proceedings; and

279.31 (2) determine the duty of support and the amount payable in accordance with the
 279.32 law and support guidelines of this state.

279.33 Sec. 84. Laws 2014, chapter 189, section 18, is amended to read:
 280.1 Sec. 18. Minnesota Statutes 2012, section 518C.304, is amended to read:
 280.2 **518C.304 DUTIES OF INITIATING TRIBUNAL.**

280.3 (a) Upon the filing of a petition authorized by this chapter, an initiating tribunal of
 280.4 this state shall forward the petition and its accompanying documents:

280.5 (1) to the responding tribunal or appropriate support enforcement agency in the
 280.6 responding state; or

280.7 (2) if the identity of the responding tribunal is unknown, to the state information
 280.8 agency of the responding state with a request that they be forwarded to the appropriate
 280.9 tribunal and that receipt be acknowledged.

98.25 (b) If requested by the responding tribunal, a tribunal of this state shall issue a
 98.26 certificate or other documents and make findings required by the law of the responding
 98.27 state. If the responding tribunal is in a foreign country, upon request the tribunal of this
 98.28 state shall specify the amount of support sought, convert that amount into the equivalent
 98.29 amount in the foreign currency under applicable official or market exchange rate as
 98.30 publicly reported, and provide other documents necessary to satisfy the requirements of
 98.31 the responding foreign tribunal.

98.32 Sec. 102. Laws 2014, chapter 189, section 19, is amended to read:

99.1 Sec. 19. Minnesota Statutes 2012, section 518C.305, is amended to read:

99.2 **518C.305 DUTIES AND POWERS OF RESPONDING TRIBUNAL.**

99.3 (a) When a responding tribunal of this state receives a petition or comparable
 99.4 pleading from an initiating tribunal or directly pursuant to section 518C.301, paragraph (e)
 99.5 (b), it shall cause the petition or pleading to be filed and notify the petitioner where and
 99.6 when it was filed.

99.7 (b) A responding tribunal of this state, to the extent ~~otherwise authorized by~~ not
 99.8 prohibited by other law, may do one or more of the following:

99.9 (1) establish or enforce a support order, modify a child support order, determine the
 99.10 controlling child support order, or to determine parentage of a child;

99.11 (2) order an obligor to comply with a support order, specifying the amount and
 99.12 the manner of compliance;

99.13 (3) order income withholding;

99.14 (4) determine the amount of any arrearages, and specify a method of payment;

99.15 (5) enforce orders by civil or criminal contempt, or both;

99.16 (6) set aside property for satisfaction of the support order;

99.17 (7) place liens and order execution on the obligor's property;

99.18 (8) order an obligor to keep the tribunal informed of the obligor's current residential
 99.19 address, electronic mail address, telephone number, employer, address of employment,
 99.20 and telephone number at the place of employment;

99.21 (9) issue a bench warrant for an obligor who has failed after proper notice to appear
 99.22 at a hearing ordered by the tribunal and enter the bench warrant in any local and state
 99.23 computer systems for criminal warrants;

99.24 (10) order the obligor to seek appropriate employment by specified methods;

99.25 (11) award reasonable attorney's fees and other fees and costs; and

99.26 (12) grant any other available remedy.

280.10 (b) If requested by the responding tribunal, a tribunal of this state shall issue a
 280.11 certificate or other documents and make findings required by the law of the responding
 280.12 state. If the responding tribunal is in a foreign country, upon request the tribunal of this
 280.13 state shall specify the amount of support sought, convert that amount into the equivalent
 280.14 amount in the foreign currency under applicable official or market exchange rate as
 280.15 publicly reported, and provide other documents necessary to satisfy the requirements of
 280.16 the responding foreign tribunal.

280.17 Sec. 85. Laws 2014, chapter 189, section 19, is amended to read:

280.18 Sec. 19. Minnesota Statutes 2012, section 518C.305, is amended to read:

280.19 **518C.305 DUTIES AND POWERS OF RESPONDING TRIBUNAL.**

280.20 (a) When a responding tribunal of this state receives a petition or comparable
 280.21 pleading from an initiating tribunal or directly pursuant to section 518C.301, paragraph (e)
 280.22 (b), it shall cause the petition or pleading to be filed and notify the petitioner where and
 280.23 when it was filed.

280.24 (b) A responding tribunal of this state, to the extent ~~otherwise authorized by~~ not
 280.25 prohibited by other law, may do one or more of the following:

280.26 (1) establish or enforce a support order, modify a child support order, determine the
 280.27 controlling child support order, or to determine parentage of a child;

280.28 (2) order an obligor to comply with a support order, specifying the amount and
 280.29 the manner of compliance;

280.30 (3) order income withholding;

280.31 (4) determine the amount of any arrearages, and specify a method of payment;

280.32 (5) enforce orders by civil or criminal contempt, or both;

280.33 (6) set aside property for satisfaction of the support order;

280.34 (7) place liens and order execution on the obligor's property;

281.1 (8) order an obligor to keep the tribunal informed of the obligor's current residential
 281.2 address, electronic mail address, telephone number, employer, address of employment,
 281.3 and telephone number at the place of employment;

281.4 (9) issue a bench warrant for an obligor who has failed after proper notice to appear
 281.5 at a hearing ordered by the tribunal and enter the bench warrant in any local and state
 281.6 computer systems for criminal warrants;

281.7 (10) order the obligor to seek appropriate employment by specified methods;

281.8 (11) award reasonable attorney's fees and other fees and costs; and

281.9 (12) grant any other available remedy.

99.27 (c) A responding tribunal of this state shall include in a support order issued under
99.28 this chapter, or in the documents accompanying the order, the calculations on which
99.29 the support order is based.

99.30 (d) A responding tribunal of this state may not condition the payment of a support
99.31 order issued under this chapter upon compliance by a party with provisions for visitation.

99.32 (e) If a responding tribunal of this state issues an order under this chapter, the
99.33 tribunal shall send a copy of the order to the petitioner and the respondent and to the
99.34 initiating tribunal, if any.

99.35 (f) If requested to enforce a support order, arrears, or judgment or modify a support
99.36 order stated in a foreign currency, a responding tribunal of this state shall convert the
100.1 amount stated in the foreign currency to the equivalent amount in dollars under the
100.2 applicable official or market exchange rate as publicly reported.

100.3 Sec. 103. Laws 2014, chapter 189, section 23, is amended to read:

100.4 Sec. 23. Minnesota Statutes 2012, section 518C.310, is amended to read:

100.5 **518C.310 DUTIES OF STATE INFORMATION AGENCY.**

100.6 (a) The unit within the Department of Human Services that receives and disseminates
100.7 incoming interstate actions under title IV-D of the Social Security Act is the State
100.8 Information Agency under this chapter.

100.9 (b) The State Information Agency shall:

100.10 (1) compile and maintain a current list, including addresses, of the tribunals in this
100.11 state which have jurisdiction under this chapter and any support enforcement agencies in
100.12 this state and transmit a copy to the state information agency of every other state;

100.13 (2) maintain a register of names and addresses of tribunals and support enforcement
100.14 agencies received from other states;

100.15 (3) forward to the appropriate tribunal in the place in this state in which the
100.16 individual obligee or the obligor resides, or in which the obligor's property is believed
100.17 to be located, all documents concerning a proceeding under this chapter received from
100.18 another state or a foreign country; and

100.19 (4) obtain information concerning the location of the obligor and the obligor's
100.20 property within this state not exempt from execution, by such means as postal verification
100.21 and federal or state locator services, examination of telephone directories, requests for the
100.22 obligor's address from employers, and examination of governmental records, including, to
100.23 the extent not prohibited by other law, those relating to real property, vital statistics, law
100.24 enforcement, taxation, motor vehicles, driver's licenses, and Social Security.

100.25 Sec. 104. Laws 2014, chapter 189, section 24, is amended to read:

100.26 Sec. 24. Minnesota Statutes 2012, section 518C.311, is amended to read:

100.27 **518C.311 PLEADINGS AND ACCOMPANYING DOCUMENTS.**

281.10 (c) A responding tribunal of this state shall include in a support order issued under
281.11 this chapter, or in the documents accompanying the order, the calculations on which
281.12 the support order is based.

281.13 (d) A responding tribunal of this state may not condition the payment of a support
281.14 order issued under this chapter upon compliance by a party with provisions for visitation.

281.15 (e) If a responding tribunal of this state issues an order under this chapter, the
281.16 tribunal shall send a copy of the order to the petitioner and the respondent and to the
281.17 initiating tribunal, if any.

281.18 (f) If requested to enforce a support order, arrears, or judgment or modify a support
281.19 order stated in a foreign currency, a responding tribunal of this state shall convert the
281.20 amount stated in the foreign currency to the equivalent amount in dollars under the
281.21 applicable official or market exchange rate as publicly reported.

281.22 Sec. 86. Laws 2014, chapter 189, section 23, is amended to read:

281.23 Sec. 23. Minnesota Statutes 2012, section 518C.310, is amended to read:

281.24 **518C.310 DUTIES OF STATE INFORMATION AGENCY.**

281.25 (a) The unit within the Department of Human Services that receives and disseminates
281.26 incoming interstate actions under title IV-D of the Social Security Act is the State
281.27 Information Agency under this chapter.

281.28 (b) The State Information Agency shall:

281.29 (1) compile and maintain a current list, including addresses, of the tribunals in this
281.30 state which have jurisdiction under this chapter and any support enforcement agencies in
281.31 this state and transmit a copy to the state information agency of every other state;

281.32 (2) maintain a register of names and addresses of tribunals and support enforcement
281.33 agencies received from other states;

281.34 (3) forward to the appropriate tribunal in the place in this state in which the
281.35 individual obligee or the obligor resides, or in which the obligor's property is believed
282.1 to be located, all documents concerning a proceeding under this chapter received from
282.2 another state or a foreign country; and

282.3 (4) obtain information concerning the location of the obligor and the obligor's
282.4 property within this state not exempt from execution, by such means as postal verification
282.5 and federal or state locator services, examination of telephone directories, requests for the
282.6 obligor's address from employers, and examination of governmental records, including, to
282.7 the extent not prohibited by other law, those relating to real property, vital statistics, law
282.8 enforcement, taxation, motor vehicles, driver's licenses, and Social Security.

282.9 Sec. 87. Laws 2014, chapter 189, section 24, is amended to read:

282.10 Sec. 24. Minnesota Statutes 2012, section 518C.311, is amended to read:

282.11 **518C.311 PLEADINGS AND ACCOMPANYING DOCUMENTS.**

100.28 (a) A petitioner seeking to establish or modify a support order, determine parentage
 100.29 of a child, or register and modify a support order of a tribunal of another state or a foreign
 100.30 country, in a proceeding under this chapter must file a petition. Unless otherwise ordered
 100.31 under section 518C.312, the petition or accompanying documents must provide, so far
 100.32 as known, the name, residential address, and Social Security numbers of the obligor and
 100.33 the obligee or parent and alleged parent, and the name, sex, residential address, Social
 100.34 Security number, and date of birth of each child for whom support is sought or whose
 101.1 ~~parenthood parentage~~ is to be determined. Unless filed at the time of registration, the
 101.2 petition must be accompanied by a certified copy of any support order ~~in effect known~~
 101.3 to have been issued by another tribunal. The petition may include any other information
 101.4 that may assist in locating or identifying the respondent.

101.5 (b) The petition must specify the relief sought. The petition and accompanying
 101.6 documents must conform substantially with the requirements imposed by the forms
 101.7 mandated by federal law for use in cases filed by a support enforcement agency.

101.8 Sec. 105. Laws 2014, chapter 189, section 27, is amended to read:

101.9 Sec. 27. Minnesota Statutes 2012, section 518C.314, is amended to read:

101.10 **518C.314 LIMITED IMMUNITY OF PETITIONER.**

101.11 (a) Participation by a petitioner in a proceeding under this chapter before a
 101.12 responding tribunal, whether in person, by private attorney, or through services provided
 101.13 by the support enforcement agency, does not confer personal jurisdiction over the
 101.14 petitioner in another proceeding.

101.15 (b) A petitioner is not amenable to service of civil process while physically present
 101.16 in this state to participate in a proceeding under this chapter.

101.17 (c) The immunity granted by this section does not extend to civil litigation based on
 101.18 acts unrelated to a proceeding under this chapter committed by a party while physically
 101.19 present in this state to participate in the proceeding.

101.20 Sec. 106. Laws 2014, chapter 189, section 28, is amended to read:

101.21 Sec. 28. Minnesota Statutes 2012, section 518C.316, is amended to read:

101.22 **518C.316 SPECIAL RULES OF EVIDENCE AND PROCEDURE.**

101.23 (a) The physical presence of ~~the petitioner a nonresident party who is an individual~~
 101.24 in a ~~responding~~ tribunal of this state is not required for the establishment, enforcement,
 101.25 or modification of a support order or the rendition of a judgment determining parentage
 101.26 of a child.

101.27 (b) ~~A verified petition, An affidavit, a document substantially complying with~~
 101.28 federally mandated forms, ~~and or~~ a document incorporated by reference in any of them,
 101.29 not excluded under the hearsay rule if given in person, is admissible in evidence if given
 101.30 under ~~oath~~ penalty of perjury by a party or witness residing outside this state.

282.12 (a) A petitioner seeking to establish or modify a support order, determine parentage
 282.13 of a child, or register and modify a support order of a tribunal of another state or a foreign
 282.14 country, in a proceeding under this chapter must file a petition. Unless otherwise ordered
 282.15 under section 518C.312, the petition or accompanying documents must provide, so far
 282.16 as known, the name, residential address, and Social Security numbers of the obligor and
 282.17 the obligee or parent and alleged parent, and the name, sex, residential address, Social
 282.18 Security number, and date of birth of each child for whom support is sought or whose
 282.19 ~~parenthood parentage~~ is to be determined. Unless filed at the time of registration, the
 282.20 petition must be accompanied by a certified copy of any support order ~~in effect known~~
 282.21 to have been issued by another tribunal. The petition may include any other information
 282.22 that may assist in locating or identifying the respondent.

282.23 (b) The petition must specify the relief sought. The petition and accompanying
 282.24 documents must conform substantially with the requirements imposed by the forms
 282.25 mandated by federal law for use in cases filed by a support enforcement agency.

282.26 Sec. 88. Laws 2014, chapter 189, section 27, is amended to read:

282.27 Sec. 27. Minnesota Statutes 2012, section 518C.314, is amended to read:

282.28 **518C.314 LIMITED IMMUNITY OF PETITIONER.**

282.29 (a) Participation by a petitioner in a proceeding under this chapter before a
 282.30 responding tribunal, whether in person, by private attorney, or through services provided
 282.31 by the support enforcement agency, does not confer personal jurisdiction over the
 282.32 petitioner in another proceeding.

282.33 (b) A petitioner is not amenable to service of civil process while physically present
 282.34 in this state to participate in a proceeding under this chapter.

283.1 (c) The immunity granted by this section does not extend to civil litigation based on
 283.2 acts unrelated to a proceeding under this chapter committed by a party while physically
 283.3 present in this state to participate in the proceeding.

283.4 Sec. 89. Laws 2014, chapter 189, section 28, is amended to read:

283.5 Sec. 28. Minnesota Statutes 2012, section 518C.316, is amended to read:

283.6 **518C.316 SPECIAL RULES OF EVIDENCE AND PROCEDURE.**

283.7 (a) The physical presence of ~~the petitioner a nonresident party who is an individual~~
 283.8 in a ~~responding~~ tribunal of this state is not required for the establishment, enforcement,
 283.9 or modification of a support order or the rendition of a judgment determining parentage
 283.10 of a child.

283.11 (b) ~~A verified petition, An affidavit, a document substantially complying with~~
 283.12 federally mandated forms, ~~and or~~ a document incorporated by reference in any of them,
 283.13 not excluded under the hearsay rule if given in person, is admissible in evidence if given
 283.14 under ~~oath~~ penalty of perjury by a party or witness residing outside this state.

101.31 (c) A copy of the record of child support payments certified as a true copy of the
 101.32 original by the custodian of the record may be forwarded to a responding tribunal. The copy
 101.33 is evidence of facts asserted in it, and is admissible to show whether payments were made.

102.1 (d) Copies of bills for testing for parentage of a child, and for prenatal and postnatal
 102.2 health care of the mother and child, furnished to the adverse party at least ten days before
 102.3 trial, are admissible in evidence to prove the amount of the charges billed and that the
 102.4 charges were reasonable, necessary, and customary.

102.5 (e) Documentary evidence transmitted from outside this state to a tribunal of this state
 102.6 by telephone, telecopier, or other electronic means that do not provide an original record
 102.7 may not be excluded from evidence on an objection based on the means of transmission.

102.8 (f) In a proceeding under this chapter, a tribunal of this state shall permit a party
 102.9 or witness residing outside this state to be deposed or to testify under penalty of perjury
 102.10 by telephone, audiovisual means, or other electronic means at a designated tribunal or
 102.11 other location. A tribunal of this state shall cooperate with other tribunals in designating
 102.12 an appropriate location for the deposition or testimony.

102.13 (g) If a party called to testify at a civil hearing refuses to answer on the ground that
 102.14 the testimony may be self-incriminating, the trier of fact may draw an adverse inference
 102.15 from the refusal.

102.16 (h) A privilege against disclosure of communications between spouses does not
 102.17 apply in a proceeding under this chapter.

102.18 (i) The defense of immunity based on the relationship of husband and wife or parent
 102.19 and child does not apply in a proceeding under this chapter.

102.20 (j) A voluntary acknowledgment of paternity, certified as a true copy, is admissible
 102.21 to establish parentage of a child.

102.22 Sec. 107. Laws 2014, chapter 189, section 29, is amended to read:
 102.23 Sec. 29. Minnesota Statutes 2012, section 518C.317, is amended to read:
 102.24 **518C.317 COMMUNICATIONS BETWEEN TRIBUNALS.**

102.25 A tribunal of this state may communicate with a tribunal outside this state in
 102.26 ~~writing, by e-mail, or a record,~~ or by telephone, electronic mail, or other means, to obtain
 102.27 information concerning the laws of that state, the legal effect of a judgment, decree, or
 102.28 order of that tribunal, and the status of a proceeding. A tribunal of this state may furnish
 102.29 similar information by similar means to a tribunal outside this state.

102.30 Sec. 108. Laws 2014, chapter 189, section 31, is amended to read:
 102.31 Sec. 31. Minnesota Statutes 2012, section 518C.319, is amended to read:
 102.32 **518C.319 RECEIPT AND DISBURSEMENT OF PAYMENTS.**

283.15 (c) A copy of the record of child support payments certified as a true copy of the
 283.16 original by the custodian of the record may be forwarded to a responding tribunal. The copy
 283.17 is evidence of facts asserted in it, and is admissible to show whether payments were made.

283.18 (d) Copies of bills for testing for parentage of a child, and for prenatal and postnatal
 283.19 health care of the mother and child, furnished to the adverse party at least ten days before
 283.20 trial, are admissible in evidence to prove the amount of the charges billed and that the
 283.21 charges were reasonable, necessary, and customary.

283.22 (e) Documentary evidence transmitted from outside this state to a tribunal of this state
 283.23 by telephone, telecopier, or other electronic means that do not provide an original record
 283.24 may not be excluded from evidence on an objection based on the means of transmission.

283.25 (f) In a proceeding under this chapter, a tribunal of this state shall permit a party
 283.26 or witness residing outside this state to be deposed or to testify under penalty of perjury
 283.27 by telephone, audiovisual means, or other electronic means at a designated tribunal or
 283.28 other location. A tribunal of this state shall cooperate with other tribunals in designating
 283.29 an appropriate location for the deposition or testimony.

283.30 (g) If a party called to testify at a civil hearing refuses to answer on the ground that
 283.31 the testimony may be self-incriminating, the trier of fact may draw an adverse inference
 283.32 from the refusal.

283.33 (h) A privilege against disclosure of communications between spouses does not
 283.34 apply in a proceeding under this chapter.

284.1 (i) The defense of immunity based on the relationship of husband and wife or parent
 284.2 and child does not apply in a proceeding under this chapter.

284.3 (j) A voluntary acknowledgment of paternity, certified as a true copy, is admissible
 284.4 to establish parentage of a child.

284.5 Sec. 90. Laws 2014, chapter 189, section 29, is amended to read:
 284.6 Sec. 29. Minnesota Statutes 2012, section 518C.317, is amended to read:
 284.7 **518C.317 COMMUNICATIONS BETWEEN TRIBUNALS.**

284.8 A tribunal of this state may communicate with a tribunal outside this state in
 284.9 ~~writing, by e-mail, or a record,~~ or by telephone, electronic mail, or other means, to obtain
 284.10 information concerning the laws of that state, the legal effect of a judgment, decree, or
 284.11 order of that tribunal, and the status of a proceeding. A tribunal of this state may furnish
 284.12 similar information by similar means to a tribunal outside this state.

284.13 Sec. 91. Laws 2014, chapter 189, section 31, is amended to read:
 284.14 Sec. 31. Minnesota Statutes 2012, section 518C.319, is amended to read:
 284.15 **518C.319 RECEIPT AND DISBURSEMENT OF PAYMENTS.**

102.33 (a) A support enforcement agency or tribunal of this state shall disburse promptly
 102.34 any amounts received pursuant to a support order, as directed by the order. The agency
 103.1 or tribunal shall furnish to a requesting party or tribunal of another state or a foreign
 103.2 country a certified statement by the custodian of the record of the amounts and dates
 103.3 of all payments received.

103.4 (b) If neither the obligor, ~~not~~ nor the obligee who is an individual, nor the child
 103.5 resides in this state, upon request from the support enforcement agency of this state or
 103.6 another state, the support enforcement agency of this state or a tribunal of this state shall:

103.7 (1) direct that the support payment be made to the support enforcement agency in
 103.8 the state in which the obligee is receiving services; and

103.9 (2) issue and send to the obligor's employer a conforming income-withholding order
 103.10 or an administrative notice of change of payee, reflecting the redirected payments.

103.11 (c) The support enforcement agency of this state receiving redirected payments from
 103.12 another state pursuant to a law similar to paragraph (b) shall furnish to a requesting party
 103.13 or tribunal of the other state a certified statement by the custodian of the record of the
 103.14 amount and dates of all payments received.

103.15 Sec. 109. Laws 2014, chapter 189, section 43, is amended to read:
 103.16 Sec. 43. Minnesota Statutes 2012, section 518C.604, is amended to read:
 103.17 **518C.604 CHOICE OF LAW.**

103.18 (a) Except as otherwise provided in paragraph (d), the law of the issuing state or
 103.19 foreign country governs:

103.20 (1) the nature, extent, amount, and duration of current payments under a registered
 103.21 support order;

103.22 (2) the computation and payment of arrearages and accrual of interest on the
 103.23 arrearages under the support order; and

103.24 (3) the existence and satisfaction of other obligations under the support order.

103.25 (b) In a proceeding for arrearages under a registered support order, the statute of
 103.26 limitation under the laws of this state or of the issuing state or foreign country, whichever
 103.27 is longer, applies.

103.28 (c) A responding tribunal of this state shall apply the procedures and remedies of
 103.29 this state to enforce current support and collect arrears and interest due on a support order
 103.30 of another state or a foreign country registered in this state.

284.16 (a) A support enforcement agency or tribunal of this state shall disburse promptly
 284.17 any amounts received pursuant to a support order, as directed by the order. The agency
 284.18 or tribunal shall furnish to a requesting party or tribunal of another state or a foreign
 284.19 country a certified statement by the custodian of the record of the amounts and dates
 284.20 of all payments received.

284.21 (b) If neither the obligor, ~~not~~ nor the obligee who is an individual, nor the child
 284.22 resides in this state, upon request from the support enforcement agency of this state or
 284.23 another state, the support enforcement agency of this state or a tribunal of this state shall:

284.24 (1) direct that the support payment be made to the support enforcement agency in
 284.25 the state in which the obligee is receiving services; and

284.26 (2) issue and send to the obligor's employer a conforming income-withholding order
 284.27 or an administrative notice of change of payee, reflecting the redirected payments.

284.28 (c) The support enforcement agency of this state receiving redirected payments from
 284.29 another state pursuant to a law similar to paragraph (b) shall furnish to a requesting party
 284.30 or tribunal of the other state a certified statement by the custodian of the record of the
 284.31 amount and dates of all payments received.

284.32 Sec. 92. Laws 2014, chapter 189, section 43, is amended to read:
 285.1 Sec. 43. Minnesota Statutes 2012, section 518C.604, is amended to read:
 285.2 **518C.604 CHOICE OF LAW.**

285.3 (a) Except as otherwise provided in paragraph (d), the law of the issuing state or
 285.4 foreign country governs:

285.5 (1) the nature, extent, amount, and duration of current payments under a registered
 285.6 support order;

285.7 (2) the computation and payment of arrearages and accrual of interest on the
 285.8 arrearages under the support order; and

285.9 (3) the existence and satisfaction of other obligations under the support order.

285.10 (b) In a proceeding for arrearages under a registered support order, the statute of
 285.11 limitation under the laws of this state or of the issuing state or foreign country, whichever
 285.12 is longer, applies.

285.13 (c) A responding tribunal of this state shall apply the procedures and remedies of
 285.14 this state to enforce current support and collect arrears and interest due on a support order
 285.15 of another state or a foreign country registered in this state.

103.31 (d) After a tribunal of this state or another state determines which is the controlling
 103.32 order and issues an order consolidating arrears, if any, a tribunal of this state shall
 103.33 prospectively apply the law of the state or foreign country issuing the controlling order,
 103.34 including its law on interest on arrears, on current and future support, and on consolidated
 103.35 arrears.

104.1 Sec. 110. Laws 2014, chapter 189, section 50, is amended to read:

104.2 Sec. 50. Minnesota Statutes 2012, section 518C.611, is amended to read:

104.3 **518C.611 MODIFICATION OF CHILD SUPPORT ORDER OF ANOTHER**
 104.4 **STATE.**

104.5 (a) If section 518C.613 does not apply, upon petition a tribunal of this state may
 104.6 modify a child support order issued in another state that is registered in this state if, after
 104.7 notice and hearing, it finds that:

104.8 (1) the following requirements are met:

104.9 (i) neither the child, nor the obligee who is an individual, nor the obligor resides
 104.10 in the issuing state;

104.11 (ii) a petitioner who is a nonresident of this state seeks modification; and

104.12 (iii) the respondent is subject to the personal jurisdiction of the tribunal of this state; or

104.13 (2) this state is the residence of the child, or a party who is an individual is subject to
 104.14 the personal jurisdiction of the tribunal of this state and all of the parties who are individuals
 104.15 have filed ~~written~~ consents in a record in the issuing tribunal for a tribunal of this state to
 104.16 modify the support order and assume continuing, exclusive jurisdiction ~~over the order~~.

104.17 (b) Modification of a registered child support order is subject to the same
 104.18 requirements, procedures, and defenses that apply to the modification of an order issued
 104.19 by a tribunal of this state and the order may be enforced and satisfied in the same manner.

104.20 (c) A tribunal of this state may not modify any aspect of a child support order that
 104.21 may not be modified under the law of the issuing state, including the duration of the
 104.22 obligation of support. If two or more tribunals have issued child support orders for the
 104.23 same obligor and child, the order that controls and must be recognized under section
 104.24 518C.207 establishes the aspects of the support order which are nonmodifiable.

104.25 (d) In a proceeding to modify a child support order, the law of the state that is
 104.26 determined to have issued the initial controlling order governs the duration of the
 104.27 obligation of support. The obligor's fulfillment of the duty of support established by that
 104.28 order precludes imposition of a further obligation of support by a tribunal of this state.

104.29 (e) On issuance of an order by a tribunal of this state modifying a child support order
 104.30 issued in another state, a tribunal of this state becomes the tribunal having continuing,
 104.31 exclusive jurisdiction.

285.16 (d) After a tribunal of this state or another state determines which is the controlling
 285.17 order and issues an order consolidating arrears, if any, a tribunal of this state shall
 285.18 prospectively apply the law of the state or foreign country issuing the controlling order,
 285.19 including its law on interest on arrears, on current and future support, and on consolidated
 285.20 arrears.

285.21 Sec. 93. Laws 2014, chapter 189, section 50, is amended to read:

285.22 Sec. 50. Minnesota Statutes 2012, section 518C.611, is amended to read:

285.23 **518C.611 MODIFICATION OF CHILD SUPPORT ORDER OF ANOTHER**
 285.24 **STATE.**

285.25 (a) If section 518C.613 does not apply, upon petition a tribunal of this state may
 285.26 modify a child support order issued in another state that is registered in this state if, after
 285.27 notice and hearing, it finds that:

285.28 (1) the following requirements are met:

285.29 (i) neither the child, nor the obligee who is an individual, nor the obligor resides
 285.30 in the issuing state;

285.31 (ii) a petitioner who is a nonresident of this state seeks modification; and

285.32 (iii) the respondent is subject to the personal jurisdiction of the tribunal of this state; or

285.33 (2) this state is the residence of the child, or a party who is an individual is subject to
 285.34 the personal jurisdiction of the tribunal of this state and all of the parties who are individuals
 286.1 have filed ~~written~~ consents in a record in the issuing tribunal for a tribunal of this state to
 286.2 modify the support order and assume continuing, exclusive jurisdiction ~~over the order~~.

286.3 (b) Modification of a registered child support order is subject to the same
 286.4 requirements, procedures, and defenses that apply to the modification of an order issued
 286.5 by a tribunal of this state and the order may be enforced and satisfied in the same manner.

286.6 (c) A tribunal of this state may not modify any aspect of a child support order that
 286.7 may not be modified under the law of the issuing state, including the duration of the
 286.8 obligation of support. If two or more tribunals have issued child support orders for the
 286.9 same obligor and child, the order that controls and must be recognized under section
 286.10 518C.207 establishes the aspects of the support order which are nonmodifiable.

286.11 (d) In a proceeding to modify a child support order, the law of the state that is
 286.12 determined to have issued the initial controlling order governs the duration of the
 286.13 obligation of support. The obligor's fulfillment of the duty of support established by that
 286.14 order precludes imposition of a further obligation of support by a tribunal of this state.

286.15 (e) On issuance of an order by a tribunal of this state modifying a child support order
 286.16 issued in another state, a tribunal of this state becomes the tribunal having continuing,
 286.17 exclusive jurisdiction.

104.32 (f) Notwithstanding paragraphs (a) to ~~(d)~~ (e) and section 518C.201, paragraph (b),
 104.33 a tribunal of this state retains jurisdiction to modify an order issued by a tribunal of this
 104.34 state if:

104.35 (1) one party resides in another state; and

104.36 (2) the other party resides outside the United States.

105.1 Sec. 111. Laws 2014, chapter 189, section 51, is amended to read:

105.2 Sec. 51. Minnesota Statutes 2012, section 518C.612, is amended to read:

105.3 **518C.612 RECOGNITION OF ORDER MODIFIED IN ANOTHER STATE.**

105.4 If a child support order issued by a tribunal of this state is modified by a tribunal of
 105.5 another state which assumed jurisdiction ~~according to this chapter or a law substantially~~
 105.6 ~~similar to this chapter~~ pursuant to the Uniform Interstate Family Support Act, a tribunal of
 105.7 this state:

105.8 (1) may enforce its order that was modified only as to arrears and interest accruing
 105.9 before the modification;

105.10 (2) may provide appropriate relief for violations of its order which occurred before
 105.11 the effective date of the modification; and

105.12 (3) shall recognize the modifying order of the other state, upon registration, for the
 105.13 purpose of enforcement.

105.14 Sec. 112. Laws 2014, chapter 189, section 73, is amended to read:

105.15 Sec. 73. **EFFECTIVE DATE.**

105.16 This act ~~becomes~~ is effective ~~on the date that the United States deposits the~~
 105.17 ~~instrument of ratification for the Hague Convention on the International Recovery of Child~~
 105.18 ~~Support and Other Forms of Family Maintenance with the Hague Conference on Private~~
 105.19 ~~International Law~~ July 1, 2015.

105.20 **EFFECTIVE DATE.** This section is effective July 1, 2015.

105.21 Sec. 113. **GROUP RESIDENTIAL HOUSING REPORT ON PROGRAM**

105.22 **IMPROVEMENTS.**

105.23 (a) The commissioner shall, in coordination with stakeholders and advocates, build
 105.24 on the group residential housing (GRH) reforms made in the 2015 legislative session
 105.25 related to program integrity and uniformity, by restructuring the payment rates, exploring
 105.26 assessment tools, and proposing any other necessary modifications that will result in a
 105.27 more cost-effective program, and report to the members of the legislative committees
 105.28 having jurisdiction over GRH issues by December 15, 2015.

286.18 (f) Notwithstanding paragraphs (a) to ~~(d)~~ (e) and section 518C.201, paragraph (b),
 286.19 a tribunal of this state retains jurisdiction to modify an order issued by a tribunal of this
 286.20 state if:

286.21 (1) one party resides in another state; and

286.22 (2) the other party resides outside the United States.

286.23 Sec. 94. Laws 2014, chapter 189, section 51, is amended to read:

286.24 Sec. 51. Minnesota Statutes 2012, section 518C.612, is amended to read:

286.25 **518C.612 RECOGNITION OF ORDER MODIFIED IN ANOTHER STATE.**

286.26 If a child support order issued by a tribunal of this state is modified by a tribunal of
 286.27 another state which assumed jurisdiction ~~according to this chapter or a law substantially~~
 286.28 ~~similar to this chapter~~ pursuant to the Uniform Interstate Family Support Act, a tribunal of
 286.29 this state:

286.30 (1) may enforce its order that was modified only as to arrears and interest accruing
 286.31 before the modification;

286.32 (2) may provide appropriate relief for violations of its order which occurred before
 286.33 the effective date of the modification; and

286.34 (3) shall recognize the modifying order of the other state, upon registration, for the
 286.35 purpose of enforcement.

287.1 Sec. 95. Laws 2014, chapter 189, section 73, is amended to read:

287.2 Sec. 73. **EFFECTIVE DATE.**

287.3 This act ~~becomes~~ is effective ~~on the date that the United States deposits the~~
 287.4 ~~instrument of ratification for the Hague Convention on the International Recovery of Child~~
 287.5 ~~Support and Other Forms of Family Maintenance with the Hague Conference on Private~~
 287.6 ~~International Law~~ July 1, 2015.

287.7 **EFFECTIVE DATE.** This section is effective July 1, 2015.

105.29 (b) The working group, consisting of the commissioner, stakeholders, and advocates,
 105.30 shall examine the feasibility and fiscal implications of restructuring service rates by
 105.31 eliminating the supplemental service rates, and developing a plan to fund only those
 105.32 services, based on individual need, that are not covered by medical assistance, other
 105.33 insurance, or other programs. In addition, the working group shall analyze the payment
 106.1 structure, and explore different options, including tiered rates for services, and provide the
 106.2 plan and analysis under this paragraph in the report under paragraph (a).

106.3 (c) To determine individual need, the working group shall explore assessment tools,
 106.4 and determine the appropriate assessment tool for the different populations served by the
 106.5 GRH program, which include homeless individuals, individuals with mental illness, and
 106.6 individuals who are chemically dependent. The working group shall coordinate efforts
 106.7 with agency staff who have expertise related to these populations, and use relevant
 106.8 information and data that is available, to determine the most appropriate and effective
 106.9 assessment tool or tools, and provide the analysis and an assessment recommendation in
 106.10 the report under paragraph (a).

106.11 Sec. 114. **PARENTING EXPENSE ADJUSTMENT REVIEW.**

106.12 The commissioner of human services shall review the parenting expense adjustment
 106.13 in Minnesota Statutes, section 518A.36, and identify and recommend changes to the
 106.14 parenting expense adjustment. The commissioner is authorized to retain the services of
 106.15 an economist to help create an equitable parenting expense adjustment formula. The
 106.16 commissioner may hire an economist by use of a sole-source contract.

287.8 Sec. 96. **CHILD SUPPORT WORK GROUP.**

287.9 (a) A child support work group is established to review the parenting expense
 287.10 adjustment in Minnesota Statutes, section 518A.36, and to identify and recommend
 287.11 changes to the parenting expense adjustment.

287.32 (c) The work group shall be authorized to retain the services of an economist to help
 287.33 create an equitable parenting expense adjustment formula. The work group may hire an
 287.34 economist by use of a sole-source contract.

287.12 (b) Members of the work group shall include:

287.13 (1) two members of the house of representatives, one appointed by the speaker of the
 287.14 house and one appointed by the minority leader;

287.15 (2) two members of the senate, one appointed by the majority leader and one
 287.16 appointed by the minority leader;

287.17 (3) the commissioner of human services or a designee;

287.18 (4) one staff member from the Child Support Division of the Department of Human
 287.19 Services, appointed by the commissioner;

287.20 (5) one representative of the Minnesota State Bar Association, Family Law section,
 287.21 appointed by the section;

287.22 (6) one representative of the Minnesota County Attorney's Association, appointed
 287.23 by the association;

287.24 (7) one representative of the Minnesota Legal Services Coalition, appointed by
 287.25 the coalition;

287.26 (8) one representative of the Minnesota Family Support and Recovery Council,
287.27 appointed by the council; and

287.28 (9) two representatives from parent advocacy groups, one representing custodial
287.29 parents and one representing noncustodial parents, appointed by the commissioner of
287.30 human services.

287.31 The commissioner, or the commissioner's designee, shall appoint the work group chair.

288.1 (d) The work group shall issue a report to the chairs and ranking minority members
288.2 of the legislative committees with jurisdiction over civil law, judiciary, and health and
288.3 human services by January 15, 2016. The report must include recommendations for
288.4 changes to the computation of child support and recommendations on the composition
288.5 of a permanent child support task force.

288.6 (e) Terms, compensation, and removal of members and the filling of vacancies are
288.7 governed by Minnesota Statutes, section 15.059.

288.8 (f) The work group expires January 16, 2016.

288.9 Sec. 97. **INSTRUCTIONS TO COMMISSIONER; SCREENING GUIDELINES.**

288.10 (a) No later than August 1, 2015, the commissioner of human services shall
288.11 update the child maltreatment screening guidelines to require agencies to consider prior
288.12 screened-out reports when determining whether a new report will be screened out or will
288.13 be accepted for investigation or assessment. The updated guidelines must emphasize that
288.14 intervention and prevention efforts are to focus on child safety and the ongoing risk of child
288.15 abuse or neglect and that the health and safety of children are of paramount concern. The
288.16 commissioner must consult with county attorneys while developing the updated guidelines.

288.17 (b) No later than September 30, 2015, the commissioner shall publish and distribute
288.18 the updated guidelines and ensure that all agency staff have received training on the
288.19 updated guidelines.

288.20 (c) Agency staff must implement the guidelines on October 1, 2015.

288.21 Sec. 98. **INSTRUCTIONS TO THE COMMISSIONER; CHILD**
288.22 **MALTREATMENT SCREENING GUIDELINES.**

288.23 (a) No later than August 1, 2015, the commissioner of human services shall update the
288.24 child maltreatment screening guidelines to require agencies to consider prior reports that
288.25 were not screened in when determining whether a new report will or will not be screened
288.26 in. The updated guidelines must emphasize that intervention and prevention efforts are to
288.27 focus on child safety and the ongoing risk of child abuse or neglect, and that the health and
288.28 safety of children are of paramount concern. The commissioner shall work with a diverse
288.29 group of community representatives who are experts on limiting cultural and ethnic bias
288.30 when developing the updated guidelines. The guidelines must be developed with special
288.31 sensitivity to reducing system bias with regard to screening and assessment tools.

106.17 Sec. 115. **INSTRUCTIONS TO THE COMMISSIONER; CHILD**
106.18 **MALTREATMENT SCREENING GUIDELINES.**

106.19 (a) No later than August 1, 2015, the commissioner of human services shall update the
106.20 child maltreatment screening guidelines to require agencies to consider prior reports that
106.21 were not screened in when determining whether a new report will or will not be screened
106.22 in. The updated guidelines must emphasize that intervention and prevention efforts are to
106.23 focus on child safety and the ongoing risk of child abuse or neglect, and that the health and
106.24 safety of children are of paramount concern. The commissioner shall work with a diverse
106.25 group of community representatives who are experts on limiting cultural and ethnic bias
106.26 when developing the updated guidelines. The guidelines must be developed with special
106.27 sensitivity to reducing system bias with regard to screening and assessment tools.

106.28 (b) No later than September 30, 2015, the commissioner shall publish and distribute
 106.29 the updated guidelines and ensure that all agency staff have received training on the
 106.30 updated guidelines.

106.31 (c) Agency staff must implement the guidelines by October 1, 2015.

106.32 Sec. 116. **COMMISSIONER'S DUTY TO PROVIDE TRAINING TO CHILD**
 106.33 **PROTECTION SUPERVISORS.**

107.1 The commissioner shall establish requirements for competency-based initial training,
 107.2 support, and continuing education for child protection supervisors. This would include
 107.3 developing a set of competencies specific to child protection supervisor knowledge, skills,
 107.4 and attitudes based on the Minnesota Child Welfare Practice Model. Competency-based
 107.5 training of supervisors must advance continuous emphasis and improvement in skills that
 107.6 promote the use of the client's culture as a resource and the ability to integrate the client's
 107.7 traditions, customs, values, and faith into service delivery.

107.8 Sec. 117. **CHILD PROTECTION UPDATED FORMULA.**

107.9 The commissioner of human services shall evaluate the formulas in Minnesota
 107.10 Statutes, sections 256M.41 and 256M.42, and recommend an updated equitable
 107.11 distribution formula beginning in fiscal year 2018, for funding child protection services
 107.12 and staffing to counties and tribes, taking into consideration any relief to counties and
 107.13 tribes for child welfare and foster care costs, additional tribes delivering social services,
 107.14 and any other relevant information that should be considered in developing a new
 107.15 distribution formula. The commissioner shall report to the legislative committees having
 107.16 jurisdiction over child protection issues by December 15, 2016.

107.17 Sec. 118. **TRANSFER.**

107.18 Minnesota Statutes, section 15.039, applies to the transfer from the Office of
 107.19 Ombudspersons for Families to the Department of Human Services.

107.20 Sec. 119. **REVISOR'S INSTRUCTION.**

107.21 The revisor shall alphabetize the definitions in Minnesota Statutes, section 626.556,
 107.22 subdivision 2, and correct related cross-references.

107.23 Sec. 120. **REPEALER.**

107.24 (a) Minnesota Statutes 2014, section 290.0671, subdivision 6a, is repealed.

107.25 (b) Minnesota Statutes 2014, section 257.0768, is repealed.

107.26 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and thereafter.

288.32 (b) No later than September 30, 2015, the commissioner shall publish and distribute
 288.33 the updated guidelines and ensure that all agency staff have received training on the
 288.34 updated guidelines.

289.1 (c) Agency staff must implement the guidelines by October 1, 2015.

289.2 Sec. 99. **COMMISSIONER'S DUTY TO PROVIDE TRAINING TO CHILD**
 289.3 **PROTECTION SUPERVISORS.**

289.4 The commissioner shall establish requirements for competency-based initial
 289.5 training, support, and continuing education for child protection supervisors. This includes
 289.6 developing a set of competencies specific to child protection supervisor knowledge, skills,
 289.7 and attitudes based on the Minnesota Child Welfare Practice Model. Competency-based
 289.8 training of supervisors must advance continuous emphasis and improvement in skills that
 289.9 promote the use of the client's culture as a resource and the ability to integrate the client's
 289.10 traditions, customs, values, and faith into service delivery.

289.11 Sec. 100. **CHILD PROTECTION UPDATED FORMULA.**

289.12 The commissioner of human services shall evaluate the formulas in Minnesota
 289.13 Statutes, section 256M.41, and recommend an updated equitable distribution formula
 289.14 beginning in fiscal year 2018, for funding child protection staffing and expanded services
 289.15 to counties and tribes, taking into consideration any relief to counties and tribes for child
 289.16 welfare and foster care costs, additional tribes delivering social services, and any other
 289.17 relevant information that should be considered in developing a new distribution formula.
 289.18 The commissioner shall report to the legislative committees having jurisdiction over child
 289.19 protection issues by December 15, 2016.

289.20 Sec. 101. **LEGISLATIVE TASK FORCE; CHILD PROTECTION.**

289.21 (a) A legislative task force is created to:

289.22 (1) review the efforts being made to implement the recommendations of the

289.23 Governor's Task Force on the Protection of Children;

289.24 (2) expand the efforts into related areas of the child welfare system;

289.25 (3) work with the commissioner and community partners to establish and evaluate

289.26 child protection grants to address disparities in child welfare pursuant to Minnesota

289.27 Statutes, section 256E.28; and

289.28 (4) identify additional areas within the child welfare system that need to be addressed

289.29 by the legislature.

289.30 (b) The four legislative members of the governor's task force shall be the members

289.31 of the legislative task force. They may appoint up to eight legislators as ex officio

289.32 members of the task force.

289.33 (c) The task force may provide oversight and monitoring of:

290.1 (1) the efforts by the Department of Human Services, counties, and tribes to

290.2 implement laws related to child protection;

290.3 (2) efforts by the Department of Human Services, counties, and tribes to implement

290.4 the recommendations of the Governor's Task Force on the Protection of Children;

290.5 (3) efforts by agencies, including but not limited to the Minnesota Department

290.6 of Education, the Minnesota Housing Finance Agency, the Minnesota Department of

290.7 Corrections, and the Minnesota Department of Public Safety, to work with the Department

290.8 of Human Services to assure safety and well-being for children at risk of harm or children

290.9 in the child welfare system;

290.10 (4) efforts by the Department of Human Services, other agencies, counties, and

290.11 tribes to implement best practices to ensure every child is protected from maltreatment

290.12 and neglect and to ensure every child has the opportunity for healthy development.

290.13 (d) The task force, in cooperation with the commissioner of human services, shall

290.14 issue a report to the legislature and governor February 1, 2016, and February 1, 2017.

290.15 The report must contain information on the progress toward implementation of changes

290.16 to the child protection system; recommendations for additional legislative changes and

290.17 procedures affecting child protection and child welfare; and funding needs to implement

290.18 recommended changes.

290.19 (e) The task force shall convene upon enactment of this act and shall continue until

290.20 the last day of the 2017 legislative session.