

1.1 moves to amend H.F. No. 2414, the delete everything amendment
1.2 (A19-0349), as follows:

1.3 Page 49, after line 25, insert:

1.4 "Sec. Minnesota Statutes 2018, section 13.46, subdivision 2, is amended to read:

1.5 Subd. 2. **General.** (a) Data on individuals collected, maintained, used, or disseminated
1.6 by the welfare system are private data on individuals, and shall not be disclosed except:

1.7 (1) according to section 13.05;

1.8 (2) according to court order;

1.9 (3) according to a statute specifically authorizing access to the private data;

1.10 (4) to an agent of the welfare system and an investigator acting on behalf of a county,
1.11 the state, or the federal government, including a law enforcement person or attorney in the
1.12 investigation or prosecution of a criminal, civil, or administrative proceeding relating to the
1.13 administration of a program;

1.14 (5) to personnel of the welfare system who require the data to verify an individual's
1.15 identity; determine eligibility, amount of assistance, and the need to provide services to an
1.16 individual or family across programs; coordinate services for an individual or family;
1.17 evaluate the effectiveness of programs; assess parental contribution amounts; and investigate
1.18 suspected fraud;

1.19 (6) to administer federal funds or programs;

1.20 (7) between personnel of the welfare system working in the same program;

1.21 (8) to the Department of Revenue to assess parental contribution amounts for purposes
1.22 of section 252.27, subdivision 2a, administer and evaluate tax refund or tax credit programs
1.23 and to identify individuals who may benefit from these programs. The following information

2.1 may be disclosed under this paragraph: an individual's and their dependent's names, dates
2.2 of birth, Social Security numbers, income, addresses, and other data as required, upon
2.3 request by the Department of Revenue. Disclosures by the commissioner of revenue to the
2.4 commissioner of human services for the purposes described in this clause are governed by
2.5 section 270B.14, subdivision 1. Tax refund or tax credit programs include, but are not limited
2.6 to, the dependent care credit under section 290.067, the Minnesota working family credit
2.7 under section 290.0671, the property tax refund and rental credit under section 290A.04,
2.8 and the Minnesota education credit under section 290.0674;

2.9 (9) between the Department of Human Services, the Department of Employment and
2.10 Economic Development, and when applicable, the Department of Education, for the following
2.11 purposes:

2.12 (i) to monitor the eligibility of the data subject for unemployment benefits, for any
2.13 employment or training program administered, supervised, or certified by that agency;

2.14 (ii) to administer any rehabilitation program or child care assistance program, whether
2.15 alone or in conjunction with the welfare system;

2.16 (iii) to monitor and evaluate the Minnesota family investment program or the child care
2.17 assistance program by exchanging data on recipients and former recipients of food support,
2.18 cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter
2.19 119B, medical programs under chapter 256B or 256L, or a medical program formerly
2.20 codified under chapter 256D; and

2.21 (iv) to analyze public assistance employment services and program utilization, cost,
2.22 effectiveness, and outcomes as implemented under the authority established in Title II,
2.23 Sections 201-204 of the Ticket to Work and Work Incentives Improvement Act of 1999.
2.24 Health records governed by sections 144.291 to 144.298 and "protected health information"
2.25 as defined in Code of Federal Regulations, title 45, section 160.103, and governed by Code
2.26 of Federal Regulations, title 45, parts 160-164, including health care claims utilization
2.27 information, must not be exchanged under this clause;

2.28 (10) to appropriate parties in connection with an emergency if knowledge of the
2.29 information is necessary to protect the health or safety of the individual or other individuals
2.30 or persons;

2.31 (11) data maintained by residential programs as defined in section 245A.02 may be
2.32 disclosed to the protection and advocacy system established in this state according to Part
2.33 C of Public Law 98-527 to protect the legal and human rights of persons with developmental
2.34 disabilities or other related conditions who live in residential facilities for these persons if

3.1 the protection and advocacy system receives a complaint by or on behalf of that person and
3.2 the person does not have a legal guardian or the state or a designee of the state is the legal
3.3 guardian of the person;

3.4 (12) to the county medical examiner or the county coroner for identifying or locating
3.5 relatives or friends of a deceased person;

3.6 (13) data on a child support obligor who makes payments to the public agency may be
3.7 disclosed to the Minnesota Office of Higher Education to the extent necessary to determine
3.8 eligibility under section 136A.121, subdivision 2, clause (5);

3.9 (14) participant Social Security numbers and names collected by the telephone assistance
3.10 program may be disclosed to the Department of Revenue to conduct an electronic data
3.11 match with the property tax refund database to determine eligibility under section 237.70,
3.12 subdivision 4a;

3.13 (15) the current address of a Minnesota family investment program participant may be
3.14 disclosed to law enforcement officers who provide the name of the participant and notify
3.15 the agency that:

3.16 (i) the participant:

3.17 (A) is a fugitive felon fleeing to avoid prosecution, or custody or confinement after
3.18 conviction, for a crime or attempt to commit a crime that is a felony under the laws of the
3.19 jurisdiction from which the individual is fleeing; or

3.20 (B) is violating a condition of probation or parole imposed under state or federal law;

3.21 (ii) the location or apprehension of the felon is within the law enforcement officer's
3.22 official duties; and

3.23 (iii) the request is made in writing and in the proper exercise of those duties;

3.24 (16) the current address of a recipient of general assistance may be disclosed to probation
3.25 officers and corrections agents who are supervising the recipient and to law enforcement
3.26 officers who are investigating the recipient in connection with a felony level offense;

3.27 (17) information obtained from food support applicant or recipient households may be
3.28 disclosed to local, state, or federal law enforcement officials, upon their written request, for
3.29 the purpose of investigating an alleged violation of the Food Stamp Act, according to Code
3.30 of Federal Regulations, title 7, section 272.1(c);

3.31 (18) the address, Social Security number, and, if available, photograph of any member
3.32 of a household receiving food support shall be made available, on request, to a local, state,

4.1 or federal law enforcement officer if the officer furnishes the agency with the name of the
4.2 member and notifies the agency that:

4.3 (i) the member:

4.4 (A) is fleeing to avoid prosecution, or custody or confinement after conviction, for a
4.5 crime or attempt to commit a crime that is a felony in the jurisdiction the member is fleeing;

4.6 (B) is violating a condition of probation or parole imposed under state or federal law;
4.7 or

4.8 (C) has information that is necessary for the officer to conduct an official duty related
4.9 to conduct described in subitem (A) or (B);

4.10 (ii) locating or apprehending the member is within the officer's official duties; and

4.11 (iii) the request is made in writing and in the proper exercise of the officer's official duty;

4.12 (19) the current address of a recipient of Minnesota family investment program, general
4.13 assistance, or food support may be disclosed to law enforcement officers who, in writing,
4.14 provide the name of the recipient and notify the agency that the recipient is a person required
4.15 to register under section 243.166, but is not residing at the address at which the recipient is
4.16 registered under section 243.166;

4.17 (20) certain information regarding child support obligors who are in arrears may be
4.18 made public according to section 518A.74;

4.19 (21) data on child support payments made by a child support obligor and data on the
4.20 distribution of those payments excluding identifying information on obligees may be
4.21 disclosed to all obligees to whom the obligor owes support, and data on the enforcement
4.22 actions undertaken by the public authority, the status of those actions, and data on the income
4.23 of the obligor or obligee may be disclosed to the other party;

4.24 (22) data in the work reporting system may be disclosed under section 256.998,
4.25 subdivision 7;

4.26 (23) to the Department of Education for the purpose of matching Department of Education
4.27 student data with public assistance data to determine students eligible for free and
4.28 reduced-price meals, meal supplements, and free milk according to United States Code,
4.29 title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to allocate federal and state
4.30 funds that are distributed based on income of the student's family; and to verify receipt of
4.31 energy assistance for the telephone assistance plan;

5.1 (24) the current address and telephone number of program recipients and emergency
5.2 contacts may be released to the commissioner of health or a community health board as
5.3 defined in section 145A.02, subdivision 5, when the commissioner or community health
5.4 board has reason to believe that a program recipient is a disease case, carrier, suspect case,
5.5 or at risk of illness, and the data are necessary to locate the person;

5.6 (25) to other state agencies, statewide systems, and political subdivisions of this state,
5.7 including the attorney general, and agencies of other states, interstate information networks,
5.8 federal agencies, and other entities as required by federal regulation or law for the
5.9 administration of the child support enforcement program;

5.10 (26) to personnel of public assistance programs as defined in section 256.741, for access
5.11 to the child support system database for the purpose of administration, including monitoring
5.12 and evaluation of those public assistance programs;

5.13 (27) to monitor and evaluate the Minnesota family investment program by exchanging
5.14 data between the Departments of Human Services and Education, on recipients and former
5.15 recipients of food support, cash assistance under chapter 256, 256D, 256J, or 256K, child
5.16 care assistance under chapter 119B, medical programs under chapter 256B or 256L, or a
5.17 medical program formerly codified under chapter 256D;

5.18 (28) to evaluate child support program performance and to identify and prevent fraud
5.19 in the child support program by exchanging data between the Department of Human Services,
5.20 Department of Revenue under section 270B.14, subdivision 1, paragraphs (a) and (b),
5.21 without regard to the limitation of use in paragraph (c), Department of Health, Department
5.22 of Employment and Economic Development, and other state agencies as is reasonably
5.23 necessary to perform these functions;

5.24 (29) counties and the Department of Human Services operating child care assistance
5.25 programs under chapter 119B may disseminate data on program participants, applicants,
5.26 and providers to the commissioner of education;

5.27 (30) child support data on the child, the parents, and relatives of the child may be
5.28 disclosed to agencies administering programs under titles IV-B and IV-E of the Social
5.29 Security Act, as authorized by federal law;

5.30 (31) to a health care provider governed by sections 144.291 to 144.298, to the extent
5.31 necessary to coordinate services;

6.1 (32) to the chief administrative officer of a school to coordinate services for a student
6.2 and family; data that may be disclosed under this clause are limited to name, date of birth,
6.3 gender, and address; or

6.4 (33) to county correctional agencies to the extent necessary to coordinate services and
6.5 diversion programs; data that may be disclosed under this clause are limited to name, client
6.6 demographics, program, case status, and county worker information.

6.7 (b) Information on persons who have been treated for drug or alcohol abuse may only
6.8 be disclosed according to the requirements of Code of Federal Regulations, title 42, sections
6.9 2.1 to 2.67.

6.10 (c) Data provided to law enforcement agencies under paragraph (a), clause (15), (16),
6.11 (17), or (18), or paragraph (b), are investigative data and are confidential or protected
6.12 nonpublic while the investigation is active. The data are private after the investigation
6.13 becomes inactive under section 13.82, subdivision 5, paragraph (a) or (b).

6.14 (d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but are
6.15 not subject to the access provisions of subdivision 10, paragraph (b).

6.16 For the purposes of this subdivision, a request will be deemed to be made in writing if
6.17 made through a computer interface system.

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

6.19 Page 50, after line 23, insert:

6.20 "Sec. Minnesota Statutes 2018, section 13.461, subdivision 28, is amended to read:

6.21 Subd. 28. **Child care assistance program.** Data collected, maintained, used, or
6.22 disseminated by the welfare system pertaining to persons selected as legal nonlicensed child
6.23 care providers by families receiving child care assistance are classified under section 119B.02,
6.24 subdivision 6, paragraph (a). Child care assistance program payment data is classified under
6.25 section 119B.02, subdivision 6, paragraph (b).

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

6.27 Page 67, line 26, before the period, insert "or not to complete the exit interview"

6.28 Page 68, line 5, delete "commissioner or"

6.29 Page 68, line 17, after the period, insert "Paragraphs (c) to (f) are effective September
6.30 30, 2019."

6.31 Page 92, after line 23, insert:

7.1 **"EFFECTIVE DATE. This section is effective September 30, 2019."**

7.2 Page 92, after line 29, insert:

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

7.4 Page 97, after line 7, insert:

7.5 **"EFFECTIVE DATE. This section is effective September 30, 2019."**

7.6 Page 139, after line 19, insert:

7.7 "Sec. Minnesota Statutes 2018, section 245C.15, subdivision 2, is amended to read:

7.8 Subd. 2. **15-year disqualification.** (a) An individual is disqualified under section 245C.14
 7.9 if: (1) less than 15 years have passed since the discharge of the sentence imposed, if any,
 7.10 for the offense; and (2) the individual has committed a felony-level violation of any of the
 7.11 following offenses: sections 256.98 (wrongfully obtaining assistance); 268.182 (fraud);
 7.12 393.07, subdivision 10, paragraph (c) (federal Food Stamp Program fraud); 609.165 (felon
 7.13 ineligible to possess firearm); 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide
 7.14 or injury); 609.215 (suicide); 609.223 or 609.2231 (assault in the third or fourth degree);
 7.15 repeat offenses under 609.224 (assault in the fifth degree); 609.229 (crimes committed for
 7.16 benefit of a gang); 609.2325 (criminal abuse of a vulnerable adult); 609.2335 (financial
 7.17 exploitation of a vulnerable adult); 609.235 (use of drugs to injure or facilitate crime);
 7.18 609.24 (simple robbery); 609.255 (false imprisonment); 609.2664 (manslaughter of an
 7.19 unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second
 7.20 degree); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an
 7.21 unborn child in the second degree); 609.268 (injury or death of an unborn child in the
 7.22 commission of a crime); 609.27 (coercion); 609.275 (attempt to coerce); 609.466 (medical
 7.23 assistance fraud); 609.495 (aiding an offender); 609.498, subdivision 1 or 1b (aggravated
 7.24 first-degree or first-degree tampering with a witness); 609.52 (theft); 609.521 (possession
 7.25 of shoplifting gear); 609.525 (bringing stolen goods into Minnesota); 609.527 (identity
 7.26 theft); 609.53 (receiving stolen property); 609.535 (issuance of dishonored checks); 609.562
 7.27 (arson in the second degree); 609.563 (arson in the third degree); 609.582 (burglary); 609.59
 7.28 (possession of burglary tools); 609.611 (insurance fraud); 609.625 (aggravated forgery);
 7.29 609.63 (forgery); 609.631 (check forgery; offering a forged check); 609.635 (obtaining
 7.30 signature by false pretense); 609.66 (dangerous weapons); 609.67 (machine guns and
 7.31 short-barreled shotguns); 609.687 (adulteration); 609.71 (riot); 609.713 (terroristic threats);
 7.32 609.817 (criminal penalties for acts involving human services programs); 609.82 (fraud in
 7.33 obtaining credit); 609.821 (financial transaction card fraud); 617.23 (indecent exposure),

8.1 not involving a minor; repeat offenses under 617.241 (obscene materials and performances;
8.2 distribution and exhibition prohibited; penalty); 624.713 (certain persons not to possess
8.3 firearms); chapter 152 (drugs; controlled substance); or Minnesota Statutes 2012, section
8.4 609.21; or a felony-level conviction involving alcohol or drug use.

8.5 (b) An individual is disqualified under section 245C.14 if less than 15 years has passed
8.6 since the individual's aiding and abetting, attempt, or conspiracy to commit any of the
8.7 offenses listed in paragraph (a), as each of these offenses is defined in Minnesota Statutes.

8.8 (c) An individual is disqualified under section 245C.14 if less than 15 years has passed
8.9 since the termination of the individual's parental rights under section 260C.301, subdivision
8.10 1, paragraph (b), or subdivision 3.

8.11 (d) An individual is disqualified under section 245C.14 if less than 15 years has passed
8.12 since the discharge of the sentence imposed for an offense in any other state or country, the
8.13 elements of which are substantially similar to the elements of the offenses listed in paragraph
8.14 (a).

8.15 (e) If the individual studied commits one of the offenses listed in paragraph (a), but the
8.16 sentence or level of offense is a gross misdemeanor or misdemeanor, the individual is
8.17 disqualified but the disqualification look-back period for the offense is the period applicable
8.18 to the gross misdemeanor or misdemeanor disposition.

8.19 (f) When a disqualification is based on a judicial determination other than a conviction,
8.20 the disqualification period begins from the date of the court order. When a disqualification
8.21 is based on an admission, the disqualification period begins from the date of an admission
8.22 in court. When a disqualification is based on an Alford Plea, the disqualification period
8.23 begins from the date the Alford Plea is entered in court. When a disqualification is based
8.24 on a preponderance of evidence of a disqualifying act, the disqualification date begins from
8.25 the date of the dismissal, the date of discharge of the sentence imposed for a conviction for
8.26 a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

8.27 Sec. Minnesota Statutes 2018, section 245C.15, subdivision 3, is amended to read:

8.28 Subd. 3. **Ten-year disqualification.** (a) An individual is disqualified under section
8.29 245C.14 if: (1) less than ten years have passed since the discharge of the sentence imposed,
8.30 if any, for the offense; and (2) the individual has committed a gross misdemeanor-level
8.31 violation of any of the following offenses: sections 256.98 (wrongfully obtaining assistance);
8.32 268.182 (fraud); 393.07, subdivision 10, paragraph (c) (federal Food Stamp Program fraud);
8.33 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide or injury); 609.221 or 609.222

9.1 (assault in the first or second degree); 609.223 or 609.2231 (assault in the third or fourth
9.2 degree); 609.224 (assault in the fifth degree); 609.224, subdivision 2, paragraph (c) (assault
9.3 in the fifth degree by a caregiver against a vulnerable adult); 609.2242 and 609.2243
9.4 (domestic assault); 609.23 (mistreatment of persons confined); 609.231 (mistreatment of
9.5 residents or patients); 609.2325 (criminal abuse of a vulnerable adult); 609.233 (criminal
9.6 neglect of a vulnerable adult); 609.2335 (financial exploitation of a vulnerable adult);
9.7 609.234 (failure to report maltreatment of a vulnerable adult); 609.265 (abduction); 609.275
9.8 (attempt to coerce); 609.324, subdivision 1a (other prohibited acts; minor engaged in
9.9 prostitution); 609.33 (disorderly house); 609.377 (malicious punishment of a child); 609.378
9.10 (neglect or endangerment of a child); 609.466 (medical assistance fraud); 609.52 (theft);
9.11 609.525 (bringing stolen goods into Minnesota); 609.527 (identity theft); 609.53 (receiving
9.12 stolen property); 609.535 (issuance of dishonored checks); 609.582 (burglary); 609.59
9.13 (possession of burglary tools); 609.611 (insurance fraud); 609.631 (check forgery; offering
9.14 a forged check); 609.66 (dangerous weapons); 609.71 (riot); 609.72, subdivision 3 (disorderly
9.15 conduct against a vulnerable adult); repeat offenses under 609.746 (interference with privacy);
9.16 609.749, subdivision 2 (stalking); 609.817 (criminal penalties for acts involving human
9.17 services programs); 609.82 (fraud in obtaining credit); 609.821 (financial transaction card
9.18 fraud); 617.23 (indecent exposure), not involving a minor; 617.241 (obscene materials and
9.19 performances); 617.243 (indecent literature, distribution); 617.293 (harmful materials;
9.20 dissemination and display to minors prohibited); or Minnesota Statutes 2012, section 609.21;
9.21 or violation of an order for protection under section 518B.01, subdivision 14.

9.22 (b) An individual is disqualified under section 245C.14 if less than ten years has passed
9.23 since the individual's aiding and abetting, attempt, or conspiracy to commit any of the
9.24 offenses listed in paragraph (a), as each of these offenses is defined in Minnesota Statutes.

9.25 (c) An individual is disqualified under section 245C.14 if less than ten years has passed
9.26 since the discharge of the sentence imposed for an offense in any other state or country, the
9.27 elements of which are substantially similar to the elements of any of the offenses listed in
9.28 paragraph (a).

9.29 (d) If the individual studied commits one of the offenses listed in paragraph (a), but the
9.30 sentence or level of offense is a misdemeanor disposition, the individual is disqualified but
9.31 the disqualification lookback period for the offense is the period applicable to misdemeanors.

9.32 (e) When a disqualification is based on a judicial determination other than a conviction,
9.33 the disqualification period begins from the date of the court order. When a disqualification
9.34 is based on an admission, the disqualification period begins from the date of an admission
9.35 in court. When a disqualification is based on an Alford Plea, the disqualification period

10.1 begins from the date the Alford Plea is entered in court. When a disqualification is based
 10.2 on a preponderance of evidence of a disqualifying act, the disqualification date begins from
 10.3 the date of the dismissal, the date of discharge of the sentence imposed for a conviction for
 10.4 a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

10.5 Sec. Minnesota Statutes 2018, section 245C.15, subdivision 4, is amended to read:

10.6 Subd. 4. **Seven-year disqualification.** (a) An individual is disqualified under section
 10.7 245C.14 if: (1) less than seven years has passed since the discharge of the sentence imposed,
 10.8 if any, for the offense; and (2) the individual has committed a misdemeanor-level violation
 10.9 of any of the following offenses: sections 256.98 (wrongfully obtaining assistance); 268.182
 10.10 (fraud); 393.07, subdivision 10, paragraph (c) (federal Food Stamp Program fraud); 609.2112,
 10.11 609.2113, or 609.2114 (criminal vehicular homicide or injury); 609.221 (assault in the first
 10.12 degree); 609.222 (assault in the second degree); 609.223 (assault in the third degree);
 10.13 609.2231 (assault in the fourth degree); 609.224 (assault in the fifth degree); 609.2242
 10.14 (domestic assault); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure
 10.15 to report maltreatment of a vulnerable adult); 609.2672 (assault of an unborn child in the
 10.16 third degree); 609.27 (coercion); violation of an order for protection under 609.3232
 10.17 (protective order authorized; procedures; penalties); 609.466 (medical assistance fraud);
 10.18 609.52 (theft); 609.525 (bringing stolen goods into Minnesota); 609.527 (identity theft);
 10.19 609.53 (receiving stolen property); 609.535 (issuance of dishonored checks); 609.611
 10.20 (insurance fraud); 609.66 (dangerous weapons); 609.665 (spring guns); 609.746 (interference
 10.21 with privacy); 609.79 (obscene or harassing telephone calls); 609.795 (letter, telegram, or
 10.22 package; opening; harassment); 609.817 (criminal penalties for acts involving human services
 10.23 programs); 609.82 (fraud in obtaining credit); 609.821 (financial transaction card fraud);
 10.24 617.23 (indecent exposure), not involving a minor; 617.293 (harmful materials; dissemination
 10.25 and display to minors prohibited); or Minnesota Statutes 2012, section 609.21; or violation
 10.26 of an order for protection under section 518B.01 (Domestic Abuse Act).

10.27 (b) An individual is disqualified under section 245C.14 if less than seven years has
 10.28 passed since a determination or disposition of the individual's:

10.29 (1) failure to make required reports under section 626.556, subdivision 3, or 626.557,
 10.30 subdivision 3, for incidents in which: (i) the final disposition under section 626.556 or
 10.31 626.557 was substantiated maltreatment, and (ii) the maltreatment was recurring or serious;
 10.32 or

10.33 (2) substantiated serious or recurring maltreatment of a minor under section 626.556, a
 10.34 vulnerable adult under section 626.557, or serious or recurring maltreatment in any other

11.1 state, the elements of which are substantially similar to the elements of maltreatment under
 11.2 section 626.556 or 626.557 for which: (i) there is a preponderance of evidence that the
 11.3 maltreatment occurred, and (ii) the subject was responsible for the maltreatment.

11.4 (c) An individual is disqualified under section 245C.14 if less than seven years has
 11.5 passed since the individual's aiding and abetting, attempt, or conspiracy to commit any of
 11.6 the offenses listed in paragraphs (a) and (b), as each of these offenses is defined in Minnesota
 11.7 Statutes.

11.8 (d) An individual is disqualified under section 245C.14 if less than seven years has
 11.9 passed since the discharge of the sentence imposed for an offense in any other state or
 11.10 country, the elements of which are substantially similar to the elements of any of the offenses
 11.11 listed in paragraphs (a) and (b).

11.12 (e) When a disqualification is based on a judicial determination other than a conviction,
 11.13 the disqualification period begins from the date of the court order. When a disqualification
 11.14 is based on an admission, the disqualification period begins from the date of an admission
 11.15 in court. When a disqualification is based on an Alford Plea, the disqualification period
 11.16 begins from the date the Alford Plea is entered in court. When a disqualification is based
 11.17 on a preponderance of evidence of a disqualifying act, the disqualification date begins from
 11.18 the date of the dismissal, the date of discharge of the sentence imposed for a conviction for
 11.19 a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

11.20 (f) An individual is disqualified under section 245C.14 if less than seven years has passed
 11.21 since the individual was disqualified under section 256.98, subdivision 8."

11.22 Page 149, line 13, delete "section" and insert "sections 609.816 and"

11.23 Page 149, delete section 83

11.24 Page 159, after line 2, insert:

11.25 "Sec. Minnesota Statutes 2018, section 256.046, is amended by adding a subdivision
 11.26 to read:

11.27 **Subd. 3. Administrative disqualification of child care providers caring for children**
 11.28 **receiving child care assistance.** (a) The department or local agency shall pursue an
 11.29 administrative disqualification, if the child care provider is accused of committing an
 11.30 intentional program violation, in lieu of a criminal action when it has not been pursued.
 11.31 Intentional program violations include intentionally making false or misleading statements;
 11.32 intentionally misrepresenting, concealing, or withholding facts; and repeatedly and
 11.33 intentionally violating program regulations under chapters 119B and 245E. Intent may be

12.1 proven by demonstrating a pattern of conduct that violates program rules under chapters
12.2 119B and 245E.

12.3 (b) To initiate an administrative disqualification, a local agency or the commissioner
12.4 must mail written notice to the provider against whom the action is being taken. Unless
12.5 otherwise specified under chapter 119B or 245E or Minnesota Rules, chapter 3400, a local
12.6 agency or the commissioner must mail the written notice at least 15 calendar days before
12.7 the adverse action's effective date. The notice shall state (1) the factual basis for the agency's
12.8 determination, (2) the action the agency intends to take, (3) the dollar amount of the monetary
12.9 recovery or recoupment, if known, and (4) the provider's right to appeal the agency's proposed
12.10 action.

12.11 (c) The provider may appeal an administrative disqualification by submitting a written
12.12 request to the Department of Human Services, Appeals Division. A provider's request must
12.13 be received by the Appeals Division no later than 30 days after the date a local agency or
12.14 the commissioner mails the notice.

12.15 (d) The provider's appeal request must contain the following:

12.16 (1) each disputed item, the reason for the dispute, and, if applicable, an estimate of the
12.17 dollar amount involved for each disputed item;

12.18 (2) the computation the provider believes to be correct, if applicable;

12.19 (3) the statute or rule relied on for each disputed item; and

12.20 (4) the name, address, and telephone number of the person at the provider's place of
12.21 business with whom contact may be made regarding the appeal.

12.22 (e) On appeal the issuing agency bears the burden of proof to demonstrate by a
12.23 preponderance of the evidence that the provider committed an intentional program violation.

12.24 (f) The hearing is subject to the requirements of sections 256.045 and 256.0451. The
12.25 human services judge may combine a fair hearing and administrative disqualification hearing
12.26 into a single hearing if the factual issues arise out of the same or related circumstances and
12.27 the provider receives prior notice that the hearings will be combined.

12.28 (g) A provider found to have committed an intentional program violation and is
12.29 administratively disqualified shall be disqualified, for a period of three years for the first
12.30 offense and permanently for any subsequent offense, from receiving any payments from
12.31 any child care program under chapter 119B.

13.1 (h) Unless a timely and proper appeal made under this section is received by the
 13.2 department, the administrative determination of the department is final and binding.

13.3 Sec. Minnesota Statutes 2018, section 256.98, subdivision 8, is amended to read:

13.4 Subd. 8. **Disqualification from program.** (a) Any person found to be guilty of
 13.5 wrongfully obtaining assistance by a federal or state court or by an administrative hearing
 13.6 determination, or waiver thereof, through a disqualification consent agreement, or as part
 13.7 of any approved diversion plan under section 401.065, or any court-ordered stay which
 13.8 carries with it any probationary or other conditions, in the Minnesota family investment
 13.9 program and any affiliated program to include the diversionary work program and the work
 13.10 participation cash benefit program, the food stamp or food support program, the general
 13.11 assistance program, housing support under chapter 256I, or the Minnesota supplemental
 13.12 aid program shall be disqualified from that program. In addition, any person disqualified
 13.13 from the Minnesota family investment program shall also be disqualified from the food
 13.14 stamp or food support program. The needs of that individual shall not be taken into
 13.15 consideration in determining the grant level for that assistance unit:

13.16 (1) for one year after the first offense;

13.17 (2) for two years after the second offense; and

13.18 (3) permanently after the third or subsequent offense.

13.19 The period of program disqualification shall begin on the date stipulated on the advance
 13.20 notice of disqualification without possibility of postponement for administrative stay or
 13.21 administrative hearing and shall continue through completion unless and until the findings
 13.22 upon which the sanctions were imposed are reversed by a court of competent jurisdiction.
 13.23 The period for which sanctions are imposed is not subject to review. The sanctions provided
 13.24 under this subdivision are in addition to, and not in substitution for, any other sanctions that
 13.25 may be provided for by law for the offense involved. A disqualification established through
 13.26 hearing or waiver shall result in the disqualification period beginning immediately unless
 13.27 the person has become otherwise ineligible for assistance. If the person is ineligible for
 13.28 assistance, the disqualification period begins when the person again meets the eligibility
 13.29 criteria of the program from which they were disqualified and makes application for that
 13.30 program.

13.31 (b) A family receiving assistance through child care assistance programs under chapter
 13.32 119B with a family member who is found to be guilty of wrongfully obtaining child care
 13.33 assistance by a federal court, state court, or an administrative hearing determination or

14.1 waiver, through a disqualification consent agreement, as part of an approved diversion plan
 14.2 under section 401.065, or a court-ordered stay with probationary or other conditions, is
 14.3 disqualified from child care assistance programs. The disqualifications must be for periods
 14.4 of one year and two years for the first and second offenses, respectively. Subsequent
 14.5 violations must result in permanent disqualification. During the disqualification period,
 14.6 disqualification from any child care program must extend to all child care programs and
 14.7 must be immediately applied.

14.8 (c) A provider caring for children receiving assistance through child care assistance
 14.9 programs under chapter 119B is disqualified from receiving payment for child care services
 14.10 from the child care assistance program under chapter 119B when the provider is found to
 14.11 have wrongfully obtained child care assistance by a federal court, state court, or an
 14.12 administrative hearing determination or waiver under section 256.046, through a
 14.13 disqualification consent agreement, as part of an approved diversion plan under section
 14.14 401.065, or a court-ordered stay with probationary or other conditions. The disqualification
 14.15 must be for a period of ~~one year~~ three years for the first offense ~~and two years for the second~~
 14.16 ~~offense~~. Any subsequent violation must result in permanent disqualification. The
 14.17 disqualification period must be imposed immediately after a determination is made under
 14.18 this paragraph. During the disqualification period, the provider is disqualified from receiving
 14.19 payment from any child care program under chapter 119B.

14.20 (d) Any person found to be guilty of wrongfully obtaining MinnesotaCare for adults
 14.21 without children and upon federal approval, all categories of medical assistance and
 14.22 remaining categories of MinnesotaCare, except for children through age 18, by a federal or
 14.23 state court or by an administrative hearing determination, or waiver thereof, through a
 14.24 disqualification consent agreement, or as part of any approved diversion plan under section
 14.25 401.065, or any court-ordered stay which carries with it any probationary or other conditions,
 14.26 is disqualified from that program. The period of disqualification is one year after the first
 14.27 offense, two years after the second offense, and permanently after the third or subsequent
 14.28 offense. The period of program disqualification shall begin on the date stipulated on the
 14.29 advance notice of disqualification without possibility of postponement for administrative
 14.30 stay or administrative hearing and shall continue through completion unless and until the
 14.31 findings upon which the sanctions were imposed are reversed by a court of competent
 14.32 jurisdiction. The period for which sanctions are imposed is not subject to review. The
 14.33 sanctions provided under this subdivision are in addition to, and not in substitution for, any
 14.34 other sanctions that may be provided for by law for the offense involved."

14.35 Page 163, delete section 108 and insert:

15.1 "Sec. Minnesota Statutes 2018, section 256B.064, is amended by adding a subdivision
15.2 to read:

15.3 Subd. 3. **Vendor mandates on prohibited payments.** (a) The commissioner shall
15.4 maintain and publish a list of each excluded individual and entity that was convicted of a
15.5 crime related to the provision, management, or administration of a medical assistance health
15.6 service, or suspended or terminated under subdivision 2. Medical assistance payments cannot
15.7 be made by a vendor for items or services furnished either directly or indirectly by an
15.8 excluded individual or entity, or at the direction of excluded individuals or entities.

15.9 (b) The vendor must check the exclusion list on a monthly basis and document the date
15.10 and time the exclusion list was checked and the name and title of the person who checked
15.11 the exclusion list. The vendor must immediately terminate payments to an individual or
15.12 entity on the exclusion list.

15.13 (c) A vendor's requirement to check the exclusion list and to terminate payments to
15.14 individuals or entities on the exclusion list applies to each individual or entity on the
15.15 exclusion list, even if the named individual or entity is not responsible for direct patient
15.16 care or direct submission of a claim to medical assistance.

15.17 (d) A vendor that pays medical assistance program funds to an individual or entity on
15.18 the exclusion list must refund any payment related to either items or services rendered by
15.19 an individual or entity on the exclusion list from the date the individual or entity is first paid
15.20 or the date the individual or entity is placed on the exclusion list, whichever is later, and a
15.21 vendor may be subject to:

15.22 (1) sanctions under subdivision 2;

15.23 (2) a civil monetary penalty of up to \$25,000 for each determination by the department
15.24 that the vendor employed or contracted with an individual or entity on the exclusion list;
15.25 and

15.26 (3) other fines or penalties allowed by law."

15.27 Page 166, lines 26 and 27, delete "may" and insert "will"

15.28 Page 171, delete section 120 and insert:

15.29 "Sec. [609.817] CRIMINAL PENALTIES FOR ACTS INVOLVING HUMAN
15.30 SERVICES PROGRAMS.

15.31 Subdivision 1. **Prohibited payments made relating to human services programs.** A
15.32 person is in violation of this section if the person knowingly and willfully offers or pays

16.1 any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly
 16.2 or covertly, in cash or in kind, to another person:

16.3 (1) to induce that person to apply for, receive, or induce another person to apply for or
 16.4 receive an item or service for which payment may be made in whole or in part by a local
 16.5 social services agency as defined in chapter 393 or by the Department of Human Services,
 16.6 or administered by the commissioner of human services; or

16.7 (2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing,
 16.8 leasing, or ordering any good, facility, service, or item for which payment may be made in
 16.9 whole or in part, or which is administered in whole or in part by a local social services
 16.10 agency as defined in chapter 393, the Department of Human Services, or the United States
 16.11 Department of Health and Human Services.

16.12 Subd. 2. **Receipt of prohibited payments relating to human services programs.** A
 16.13 person is in violation of this section if the person knowingly and willfully solicits or receives
 16.14 any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly
 16.15 or covertly, in cash or in kind:

16.16 (1) in return for applying for or receiving a human services benefit, service, or grant for
 16.17 which payment may be made in whole or in part by a local services agency as defined in
 16.18 chapter 393 or the Department of Human Services, or is administered by the commissioner
 16.19 of human services; or

16.20 (2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing,
 16.21 leasing, or ordering any good, facility, service, or item for which payment may be made in
 16.22 whole or in part, or which is administered in whole or in part, by the Department of Human
 16.23 Services, a local social services agency as defined in chapter 393, or the United States
 16.24 Department of Health and Human Services.

16.25 Subd. 3. **Payments exempt.** This section does not apply to remuneration exempted from
 16.26 the Anti-Kickback Statute under United States Code, title 42, section 1320a-7b(b)(3), or
 16.27 remuneration excepted from liability by Code of Federal Regulations, title 42, section
 16.28 1001.952.

16.29 Subd. 4. **Penalties.** (a) A person who violates subdivision 1 or 2 may be sentenced
 16.30 according to section 609.52, subdivision 3.

16.31 (1) For a violation of subdivision 1, for the purposes of sentencing under section 609.52,
 16.32 subdivision 3, the calculated value is equal to the value of the good, facility, service, or item
 16.33 that was obtained as a direct or indirect result of the prohibited payment.

17.1 (2) For a violation of subdivision 2, for the purposes of sentencing under section 609.52,
17.2 subdivision 3, the calculated value is equal to the value of the prohibited payment solicited
17.3 or received in violation of subdivision 2.

17.4 (b) A claim for any good, facility, service, or item rendered or claimed to have been
17.5 rendered in violation of this section is noncompensable and unenforceable at the time the
17.6 claim is made.

17.7 Subd. 5. **Aggregation.** In any prosecution under this section, the value of the money or
17.8 property or services received by the defendant within any six-month period may be
17.9 aggregated and the defendant charged accordingly in applying the provisions of subdivision
17.10 6.

17.11 Subd. 6. **Venue.** Notwithstanding section 627.01, an offense committed under this section
17.12 may be prosecuted in the county where any part of the offense occurred, provided that when
17.13 two or more offenses are committed by the same person in two or more counties, the accused
17.14 may be prosecuted in any county in which one of the offenses was committed for all of the
17.15 offenses aggregated under this subdivision.

17.16 Subd. 7. **False claims.** In addition to the penalties provided for in this section, a claim
17.17 that includes items or services resulting from a violation of this section constitutes a false
17.18 or fraudulent claim for purposes of section 15C.02.

17.19 Subd. 8. **Actual knowledge or specific intent not required.** With respect to a violation
17.20 of this section, a person need not have actual knowledge of this section or specific intent to
17.21 commit a violation of this section.

17.22 Sec. Minnesota Statutes 2018, section 628.26, is amended to read:

17.23 **628.26 LIMITATIONS.**

17.24 (a) Indictments or complaints for any crime resulting in the death of the victim may be
17.25 found or made at any time after the death of the person killed.

17.26 (b) Indictments or complaints for a violation of section 609.25 may be found or made
17.27 at any time after the commission of the offense.

17.28 (c) Indictments or complaints for violation of section 609.282 may be found or made at
17.29 any time after the commission of the offense if the victim was under the age of 18 at the
17.30 time of the offense.

17.31 (d) Indictments or complaints for violation of section 609.282 where the victim was 18
17.32 years of age or older at the time of the offense, or 609.42, subdivision 1, clause (1) or (2),

18.1 shall be found or made and filed in the proper court within six years after the commission
18.2 of the offense.

18.3 (e) Indictments or complaints for violation of sections 609.322 and 609.342 to 609.345,
18.4 if the victim was under the age of 18 years at the time the offense was committed, shall be
18.5 found or made and filed in the proper court within the later of nine years after the commission
18.6 of the offense or three years after the offense was reported to law enforcement authorities.

18.7 (f) Notwithstanding the limitations in paragraph (e), indictments or complaints for
18.8 violation of sections 609.322 and 609.342 to 609.344 may be found or made and filed in
18.9 the proper court at any time after commission of the offense, if physical evidence is collected
18.10 and preserved that is capable of being tested for its DNA characteristics. If this evidence is
18.11 not collected and preserved and the victim was 18 years old or older at the time of the
18.12 offense, the prosecution must be commenced within nine years after the commission of the
18.13 offense.

18.14 (g) Indictments or complaints for violation of sections 609.466 and 609.52, subdivision
18.15 2, paragraph (a), clause (3), item (iii), and 609.817, shall be found or made and filed in the
18.16 proper court within six years after the commission of the offense.

18.17 (h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision 2,
18.18 clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where the value of the
18.19 property or services stolen is more than \$35,000, or for violation of section 609.527 where
18.20 the offense involves eight or more direct victims or the total combined loss to the direct and
18.21 indirect victims is more than \$35,000, shall be found or made and filed in the proper court
18.22 within five years after the commission of the offense.

18.23 (i) Except for violations relating to false material statements, representations or omissions,
18.24 indictments or complaints for violations of section 609.671 shall be found or made and filed
18.25 in the proper court within five years after the commission of the offense.

18.26 (j) Indictments or complaints for violation of sections 609.561 to 609.563, shall be found
18.27 or made and filed in the proper court within five years after the commission of the offense.

18.28 (k) In all other cases, indictments or complaints shall be found or made and filed in the
18.29 proper court within three years after the commission of the offense.

18.30 (l) The limitations periods contained in this section shall exclude any period of time
18.31 during which the defendant was not an inhabitant of or usually resident within this state.

19.1 (m) The limitations periods contained in this section for an offense shall not include any
19.2 period during which the alleged offender participated under a written agreement in a pretrial
19.3 diversion program relating to that offense.

19.4 (n) The limitations periods contained in this section shall not include any period of time
19.5 during which physical evidence relating to the offense was undergoing DNA analysis, as
19.6 defined in section 299C.155, unless the defendant demonstrates that the prosecuting or law
19.7 enforcement agency purposefully delayed the DNA analysis process in order to gain an
19.8 unfair advantage."

19.9 Page 173, after line 24, insert:

19.10 "(c) Minnesota Statutes 2018, section 119B.125, subdivision 8, is repealed."

19.11 Renumber the sections in sequence and correct the internal references

19.12 Adjust amounts accordingly

19.13 Amend the title accordingly