

ARTICLE 1**CHILD PROTECTION AND WELFARE**

1.1
1.2
1.3 Section 1. Minnesota Statutes 2023 Supplement, section 256.01, subdivision 12b, is
1.4 amended to read:

1.5 Subd. 12b. **Department of Human Services systemic critical incident review team.** (a)
1.6 The commissioner may establish a Department of Human Services systemic critical incident
1.7 review team to review (1) critical incidents reported as required under section 626.557 for
1.8 which the Department of Human Services is responsible under section 626.5572, subdivision
1.9 13; chapter 245D; or Minnesota Rules, chapter 9544; or (2) child fatalities and near fatalities
1.10 that occur in licensed facilities and are not due to natural causes. When reviewing a critical
1.11 incident, the systemic critical incident review team shall identify systemic influences to the
1.12 incident rather than determine the culpability of any actors involved in the incident. The
1.13 systemic critical incident review may assess the entire critical incident process from the
1.14 point of an entity reporting the critical incident through the ongoing case management
1.15 process. Department staff shall lead and conduct the reviews and may utilize county staff
1.16 as reviewers. The systemic critical incident review process may include but is not limited
1.17 to:

1.18 (1) data collection about the incident and actors involved. Data may include the relevant
1.19 critical services; the service provider's policies and procedures applicable to the incident;
1.20 the community support plan as defined in section 245D.02, subdivision 4b, for the person
1.21 receiving services; or an interview of an actor involved in the critical incident or the review
1.22 of the critical incident. Actors may include:

1.23 (i) staff of the provider agency;

1.24 (ii) lead agency staff administering home and community-based services delivered by
1.25 the provider;

1.26 (iii) Department of Human Services staff with oversight of home and community-based
1.27 services;

1.28 (iv) Department of Health staff with oversight of home and community-based services;

1.29 (v) members of the community including advocates, legal representatives, health care
1.30 providers, pharmacy staff, or others with knowledge of the incident or the actors in the
1.31 incident; and

1.32 (vi) staff from the Office of the Ombudsman for Mental Health and Developmental
1.33 Disabilities and the Office of Ombudsman for Long-Term Care;

2.1 (2) systemic mapping of the critical incident. The team conducting the systemic mapping
2.2 of the incident may include any actors identified in clause (1), designated representatives
2.3 of other provider agencies, regional teams, and representatives of the local regional quality
2.4 council identified in section 256B.097; and

2.5 (3) analysis of the case for systemic influences.

2.6 Data collected by the critical incident review team shall be aggregated and provided to
2.7 regional teams, participating regional quality councils, and the commissioner. The regional
2.8 teams and quality councils shall analyze the data and make recommendations to the
2.9 commissioner regarding systemic changes that would decrease the number and severity of
2.10 critical incidents in the future or improve the quality of the home and community-based
2.11 service system.

2.12 (b) Cases selected for the systemic critical incident review process shall be selected by
2.13 a selection committee among the following critical incident categories:

2.14 (1) cases of caregiver neglect identified in section 626.5572, subdivision 17;

2.15 (2) cases involving financial exploitation identified in section 626.5572, subdivision 9;

2.16 (3) incidents identified in section 245D.02, subdivision 11;

2.17 (4) behavior interventions identified in Minnesota Rules, part 9544.0110;

2.18 (5) service terminations reported to the department in accordance with section 245D.10,
2.19 subdivision 3a; and

2.20 (6) other incidents determined by the commissioner.

2.21 (c) The systemic critical incident review under this section shall not replace the process
2.22 for screening or investigating cases of alleged maltreatment of an adult under section 626.557
2.23 or of a child under chapter 260E. The department may select cases for systemic critical
2.24 incident review, under the jurisdiction of the commissioner, reported for suspected
2.25 maltreatment and closed following initial or final disposition.

2.26 (d) The proceedings and records of the review team are confidential data on individuals
2.27 or protected nonpublic data as defined in section 13.02, subdivisions 3 and 13. Data that
2.28 document a person's opinions formed as a result of the review are not subject to discovery
2.29 or introduction into evidence in a civil or criminal action against a professional, the state,
2.30 or a county agency arising out of the matters that the team is reviewing. Information,
2.31 documents, and records otherwise available from other sources are not immune from
2.32 discovery or use in a civil or criminal action solely because the information, documents,

3.1 and records were assessed or presented during proceedings of the review team. A person
3.2 who presented information before the systemic critical incident review team or who is a
3.3 member of the team shall not be prevented from testifying about matters within the person's
3.4 knowledge. In a civil or criminal proceeding, a person shall not be questioned about opinions
3.5 formed by the person as a result of the review.

3.6 (e) By October 1 of each year, the commissioner shall prepare an annual public report
3.7 containing the following information:

3.8 (1) the number of cases reviewed under each critical incident category identified in
3.9 paragraph (b) and a geographical description of where cases under each category originated;

3.10 (2) an aggregate summary of the systemic themes from the critical incidents examined
3.11 by the critical incident review team during the previous year;

3.12 (3) a synopsis of the conclusions, incident analyses, or exploratory activities taken in
3.13 regard to the critical incidents examined by the critical incident review team; and

3.14 (4) recommendations made to the commissioner regarding systemic changes that could
3.15 decrease the number and severity of critical incidents in the future or improve the quality
3.16 of the home and community-based service system.

3.17 **EFFECTIVE DATE.** This section is effective July 1, 2025.

3.18 Sec. 2. Minnesota Statutes 2022, section 256N.26, subdivision 12, is amended to read:

3.19 Subd. 12. **Treatment of Supplemental Security Income.** (a) If a child placed in foster
3.20 care receives benefits through Supplemental Security Income (SSI) at the time of foster
3.21 care placement or subsequent to placement in foster care, the financially responsible agency
3.22 may apply to be the payee for the child for the duration of the child's placement in foster
3.23 care. If a child continues to be eligible for SSI after finalization of the adoption or transfer
3.24 of permanent legal and physical custody and is determined to be eligible for a payment
3.25 under Northstar Care for Children, a permanent caregiver may choose to receive payment
3.26 from both programs simultaneously. The permanent caregiver is responsible to report the
3.27 amount of the payment to the Social Security Administration and the SSI payment will be
3.28 reduced as required by the Social Security Administration.

3.29 (b) If a financially responsible agency applies to be the payee for a child who receives
3.30 benefits through SSI, or receives the benefits under this subdivision on behalf of a child,
3.31 the financially responsible agency must provide written notice by certified mail, return
3.32 receipt requested to:

4.1 (1) the child, if the child is 13 years of age or older;

4.2 (2) the child's parent, guardian, or custodian or if there is no legal parent or custodian
4.3 the child's relative selected by the agency;

4.4 (3) the guardian ad litem;

4.5 (4) the legally responsible agency; and

4.6 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

4.7 (c) If a financially responsible agency receives benefits under this subdivision on behalf
4.8 of a child 13 years of age or older, the legally responsible agency and the guardian ad litem
4.9 must disclose this information to the child in person in a manner that best helps the child
4.10 understand the information. This paragraph does not apply in circumstances where the child
4.11 is living outside of Minnesota.

4.12 (d) If a financially responsible agency receives the benefits under this subdivision on
4.13 behalf of a child, it cannot use those funds for any other purpose than the care of that child.
4.14 The financially responsible agency must not commingle any benefits received under this
4.15 subdivision and must not put the benefits received on behalf of a child under this subdivision
4.16 into a general fund.

4.17 (e) If a financially responsible agency receives any benefits under this subdivision, it
4.18 must keep a record of:

4.19 (1) the total dollar amount it received on behalf of all children it receives benefits for;

4.20 (2) the total number of children it applied to be a payee for; and

4.21 (3) the total number of children it received benefits for.

4.22 (f) By July 1, 2025, and each July 1 thereafter, each financially responsible agency must
4.23 submit a report to the commissioner of children, youth, and families that includes the
4.24 information required under paragraph (e). By September 1 of each year, the commissioner
4.25 must submit a report to the chairs and ranking minority members of the legislative committees
4.26 with jurisdiction over child protection that compiles the information provided to the
4.27 commissioner by each financially responsible agency under paragraph (e); subdivision 13,
4.28 paragraph (e); and section 260C.331, subdivision 7, paragraph (d). This paragraph expires
4.29 January 31, 2034.

5.1 Sec. 3. Minnesota Statutes 2022, section 256N.26, subdivision 13, is amended to read:

5.2 Subd. 13. **Treatment of Retirement ~~survivor's, Survivors, and Disability Insurance;~~**
5.3 **veteran's benefits;**2 **railroad retirement benefits;**2 **and black lung benefits.** (a) If a child
5.4 placed in foster care receives Retirement ~~survivor's, Survivors, and~~ Disability Insurance;2
5.5 veteran's benefits;2 railroad retirement benefits;2 or black lung benefits at the time of foster
5.6 care placement or subsequent to placement in foster care, the financially responsible agency
5.7 may apply to be the payee for the child for the duration of the child's placement in foster
5.8 care. If it is anticipated that a child will be eligible to receive Retirement ~~survivor's, Survivors,~~
5.9 ~~and~~ Disability Insurance;2 veteran's benefits;2 railroad retirement benefits;2 or black lung
5.10 benefits after finalization of the adoption or assignment of permanent legal and physical
5.11 custody, the permanent caregiver shall apply to be the payee of those benefits on the child's
5.12 behalf.

5.13 (b) If the financially responsible agency applies to be the payee for a child who receives
5.14 Retirement, Survivors, and Disability Insurance; veteran's benefits; railroad retirement
5.15 benefits; or black lung benefits, or receives the benefits under this subdivision on behalf of
5.16 a child, the financially responsible agency must provide written notice by certified mail,
5.17 return receipt requested to:

5.18 (1) the child, if the child is 13 years of age or older;

5.19 (2) the child's parent, guardian, or custodian or if there is no legal parent or custodian
5.20 the child's relative selected by the agency;

5.21 (3) the guardian ad litem;

5.22 (4) the legally responsible agency; and

5.23 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

5.24 (c) If a financially responsible agency receives benefits under this subdivision on behalf
5.25 of a child 13 years of age or older, the legally responsible agency and the guardian ad litem
5.26 must disclose this information to the child in person in a manner that best helps the child
5.27 understand the information. This paragraph does not apply in circumstances where the child
5.28 is living outside of Minnesota.

5.29 (d) If a financially responsible agency receives the benefits under this subdivision on
5.30 behalf of a child, it cannot use those funds for any other purpose than the care of that child.
5.31 The financially responsible agency must not commingle any benefits received under this
5.32 subdivision and must not put the benefits received on behalf of a child under this subdivision
5.33 into a general fund.

6.1 (e) If a financially responsible agency receives any benefits under this subdivision, it
6.2 must keep a record of:

6.3 (1) the total dollar amount it received on behalf of all children it receives benefits for;

6.4 (2) the total number of children it applied to be a payee for; and

6.5 (3) the total number of children it received benefits for.

6.6 (f) By July 1, 2025 and each July 1 thereafter, each financially responsible agency must
6.7 submit a report to the commissioner of children, youth, and families that includes the
6.8 information required under paragraph (e).

6.9 Sec. 4. Minnesota Statutes 2023 Supplement, section 260.761, subdivision 2, is amended
6.10 to read:

6.11 **Subd. 2. Notice to Tribes of services or court proceedings involving an Indian**

6.12 **child.** (a) When a child-placing agency has information that a family assessment,
6.13 investigation, or noncaregiver ~~sex~~ human trafficking assessment being conducted may
6.14 involve an Indian child, the child-placing agency shall notify the Indian child's Tribe of the
6.15 family assessment, investigation, or noncaregiver ~~sex~~ human trafficking assessment according
6.16 to section 260E.18. The child-placing agency shall provide initial notice by telephone and
6.17 by email or facsimile and shall include the child's full name and date of birth; the full names
6.18 and dates of birth of the child's biological parents; and if known the full names and dates
6.19 of birth of the child's grandparents and of the child's Indian custodian. If information
6.20 regarding the child's grandparents or Indian custodian is not immediately available, the
6.21 child-placing agency shall continue to request this information and shall notify the Tribe
6.22 when it is received. Notice shall be provided to all Tribes to which the child may have any
6.23 Tribal lineage. The child-placing agency shall request that the Tribe or a designated Tribal
6.24 representative participate in evaluating the family circumstances, identifying family and
6.25 Tribal community resources, and developing case plans. The child-placing agency shall
6.26 continue to include the Tribe in service planning and updates as to the progress of the case.

6.27 (b) When a child-placing agency has information that a child receiving services may be
6.28 an Indian child, the child-placing agency shall notify the Tribe by telephone and by email
6.29 or facsimile of the child's full name and date of birth, the full names and dates of birth of
6.30 the child's biological parents, and, if known, the full names and dates of birth of the child's
6.31 grandparents and of the child's Indian custodian. This notification must be provided for the
6.32 Tribe to determine if the child is a member or eligible for Tribal membership, and the agency
6.33 must provide this notification to the Tribe within seven days of receiving information that

7.1 the child may be an Indian child. If information regarding the child's grandparents or Indian
7.2 custodian is not available within the seven-day period, the child-placing agency shall continue
7.3 to request this information and shall notify the Tribe when it is received. Notice shall be
7.4 provided to all Tribes to which the child may have any Tribal lineage.

7.5 (c) In all child placement proceedings, when a court has reason to believe that a child
7.6 placed in emergency protective care is an Indian child, the court administrator or a designee
7.7 shall, as soon as possible and before a hearing takes place, notify the Tribal social services
7.8 agency by telephone and by email or facsimile of the date, time, and location of the
7.9 emergency protective care or other initial hearing. The court shall make efforts to allow
7.10 appearances by telephone or video conference for Tribal representatives, parents, and Indian
7.11 custodians.

7.12 (d) The child-placing agency or individual petitioner shall effect service of any petition
7.13 governed by sections 260.751 to 260.835 by certified mail or registered mail, return receipt
7.14 requested upon the Indian child's parents, Indian custodian, and Indian child's Tribe at least
7.15 10 days before the admit-deny hearing is held. If the identity or location of the Indian child's
7.16 parents or Indian custodian and Tribe cannot be determined, the child-placing agency shall
7.17 provide the notice required in this paragraph to the United States Secretary of the Interior,
7.18 Bureau of Indian Affairs by certified mail, return receipt requested.

7.19 (e) A Tribe, the Indian child's parents, or the Indian custodian may request up to 20
7.20 additional days to prepare for the admit-deny hearing. The court shall allow appearances
7.21 by telephone, video conference, or other electronic medium for Tribal representatives, the
7.22 Indian child's parents, or the Indian custodian.

7.23 (f) A child-placing agency or individual petitioner must provide the notices required
7.24 under this subdivision at the earliest possible time to facilitate involvement of the Indian
7.25 child's Tribe. Nothing in this subdivision is intended to hinder the ability of the child-placing
7.26 agency, individual petitioner, and the court to respond to an emergency situation. Lack of
7.27 participation by a Tribe shall not prevent the Tribe from intervening in services and
7.28 proceedings at a later date. A Tribe may participate in a case at any time. At any stage of
7.29 the child-placing agency's involvement with an Indian child, the agency shall provide full
7.30 cooperation to the Tribal social services agency, including disclosure of all data concerning
7.31 the Indian child. Nothing in this subdivision relieves the child-placing agency of satisfying
7.32 the notice requirements in state or federal law.

7.33 **EFFECTIVE DATE.** This section is effective July 1, 2025.

8.1 Sec. 5. Minnesota Statutes 2023 Supplement, section 260.762, subdivision 2, is amended
8.2 to read:

8.3 Subd. 2. **Requirements for child-placing agencies and individual petitioners.** A
8.4 child-placing agency or individual petitioner shall:

8.5 (1) work with the Indian child's Tribe and family to develop an alternative plan to
8.6 out-of-home placement;

8.7 (2) before making a decision that may affect an Indian child's safety and well-being or
8.8 when contemplating out-of-home placement of an Indian child, seek guidance from the
8.9 Indian child's Tribe on family structure, how the family can seek help, what family and
8.10 Tribal resources are available, and what barriers the family faces at that time that could
8.11 threaten its preservation; ~~and~~

8.12 (3) request participation of the Indian child's Tribe at the earliest possible time and
8.13 request the Tribe's active participation throughout the case; and

8.14 (4) notify the Indian child's Tribe or Tribes by telephone and by email or facsimile
8.15 immediately but no later than 24 hours after receiving information on a missing child as
8.16 defined under section 260C.212, subdivision 13, paragraph (a).

8.17 Sec. 6. Minnesota Statutes 2022, section 260C.007, subdivision 5, is amended to read:

8.18 Subd. 5. **Child abuse.** "Child abuse" means an act that involves a minor victim that
8.19 constitutes a violation of section 609.221, 609.222, 609.223, 609.224, 609.2242, 609.282,
8.20 609.322, 609.324, 609.342, 609.343, 609.344, 609.345, 609.3458, 609.377, 609.378,
8.21 617.246, or that is physical or sexual abuse as defined in section 260E.03, or an act committed
8.22 in another state that involves a minor victim and would constitute a violation of one of these
8.23 sections if committed in this state.

8.24 **EFFECTIVE DATE.** This section is effective July 1, 2025.

8.25 Sec. 7. Minnesota Statutes 2022, section 260C.007, subdivision 6, is amended to read:

8.26 Subd. 6. **Child in need of protection or services.** "Child in need of protection or
8.27 services" means a child who is in need of protection or services because the child:

8.28 (1) is abandoned or without parent, guardian, or custodian;

8.29 (2)(i) has been a victim of physical or sexual abuse as defined in section 260E.03,
8.30 subdivision 18 or 20, (ii) resides with or has resided with a victim of child abuse as defined
8.31 in subdivision 5 or domestic child abuse as defined in subdivision 13, (iii) resides with or

9.1 would reside with a perpetrator of domestic child abuse as defined in subdivision 13 or child
9.2 abuse as defined in subdivision 5 or 13, or (iv) is a victim of emotional maltreatment as
9.3 defined in subdivision 15;

9.4 (3) is without necessary food, clothing, shelter, education, or other required care for the
9.5 child's physical or mental health or morals because the child's parent, guardian, or custodian
9.6 is unable or unwilling to provide that care;

9.7 (4) is without the special care made necessary by a physical, mental, or emotional
9.8 condition because the child's parent, guardian, or custodian is unable or unwilling to provide
9.9 that care;

9.10 (5) is medically neglected, which includes, but is not limited to, the withholding of
9.11 medically indicated treatment from an infant with a disability with a life-threatening
9.12 condition. The term "withholding of medically indicated treatment" means the failure to
9.13 respond to the infant's life-threatening conditions by providing treatment, including
9.14 appropriate nutrition, hydration, and medication which, in the treating physician's, advanced
9.15 practice registered nurse's, or physician assistant's reasonable medical judgment, will be
9.16 most likely to be effective in ameliorating or correcting all conditions, except that the term
9.17 does not include the failure to provide treatment other than appropriate nutrition, hydration,
9.18 or medication to an infant when, in the treating physician's, advanced practice registered
9.19 nurse's, or physician assistant's reasonable medical judgment:

9.20 (i) the infant is chronically and irreversibly comatose;

9.21 (ii) the provision of the treatment would merely prolong dying, not be effective in
9.22 ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be
9.23 futile in terms of the survival of the infant; or

9.24 (iii) the provision of the treatment would be virtually futile in terms of the survival of
9.25 the infant and the treatment itself under the circumstances would be inhumane;

9.26 (6) is one whose parent, guardian, or other custodian for good cause desires to be relieved
9.27 of the child's care and custody, including a child who entered foster care under a voluntary
9.28 placement agreement between the parent and the responsible social services agency under
9.29 section 260C.227;

9.30 (7) has been placed for adoption or care in violation of law;

9.31 (8) is without proper parental care because of the emotional, mental, or physical disability,
9.32 or state of immaturity of the child's parent, guardian, or other custodian;

10.1 (9) is one whose behavior, condition, or environment is such as to be injurious or
10.2 dangerous to the child or others. An injurious or dangerous environment may include, but
10.3 is not limited to, the exposure of a child to criminal activity in the child's home;

10.4 (10) is experiencing growth delays, which may be referred to as failure to thrive, that
10.5 have been diagnosed by a physician and are due to parental neglect;

10.6 (11) is a sexually exploited youth;

10.7 (12) is a labor trafficked youth;

10.8 ~~(12)~~ (13) has committed a delinquent act or a juvenile petty offense before becoming
10.9 ten years old;

10.10 ~~(13)~~ (14) is a runaway;

10.11 ~~(14)~~ (15) is a habitual truant;

10.12 ~~(15)~~ (16) has been found incompetent to proceed or has been found not guilty by reason
10.13 of mental illness or mental deficiency in connection with a delinquency proceeding, a
10.14 certification under section 260B.125, an extended jurisdiction juvenile prosecution, or a
10.15 proceeding involving a juvenile petty offense; or

10.16 ~~(16)~~ (17) has a parent whose parental rights to one or more other children were
10.17 involuntarily terminated or whose custodial rights to another child have been involuntarily
10.18 transferred to a relative and there is a case plan prepared by the responsible social services
10.19 agency documenting a compelling reason why filing the termination of parental rights
10.20 petition under section 260C.503, subdivision 2, is not in the best interests of the child.

10.21 **EFFECTIVE DATE.** This section is effective July 1, 2025.

10.22 Sec. 8. Minnesota Statutes 2022, section 260C.007, is amended by adding a subdivision
10.23 to read:

10.24 **Subd. 33. Labor trafficked youth.** For the purposes of this section, "labor trafficked
10.25 youth" means a child, as defined in subdivision 4, who:

10.26 (1) is a labor trafficking victim as defined in section 609.281, subdivision 6; or

10.27 (2) is a victim of severe forms of trafficking in persons as defined in United States Code,
10.28 title 22, section 7102(11)(B).

11.1 Sec. 9. Minnesota Statutes 2022, section 260C.007, is amended by adding a subdivision
11.2 to read:

11.3 Subd. 34. **Human trafficking.** For purposes of this section, "human trafficking" includes
11.4 labor trafficking as defined in section 609.281, subdivision 5; sex trafficking as defined in
11.5 section 609.321, subdivision 7a; and severe forms of trafficking in persons as defined in
11.6 United States Code, title 22, section 7102(11).

11.7 Sec. 10. Minnesota Statutes 2022, section 260C.212, subdivision 13, is amended to read:

11.8 Subd. 13. ~~Protecting~~ **Responding to missing and runaway children and youth at**
11.9 **risk of sex and preventing human trafficking or commercial sexual exploitation.** (a)
11.10 For purposes of this subdivision, "missing child or youth" means a child, as defined by
11.11 section 260C.007, subdivision 4, who is under the legal custody of a responsible social
11.12 services agency, as defined by section 260C.007, subdivision 22, and is absent from the
11.13 foster care setting, including family foster home, residential facility or independent living
11.14 setting, or home of the parent or guardian during a trial home visit, and cannot be located.

11.15 ~~(a)~~ (b) The local responsible social services agency shall develop protocols to
11.16 expeditiously locate any missing child missing from foster care or youth.

11.17 ~~(b)~~ (c) When the local responsible social services agency shall report learns that a child
11.18 or youth is missing, the agency staff must immediately, but no later than 24 hours, after
11.19 receiving information on a missing or abducted child:

11.20 (1) report to the local law enforcement agency for entry into the National Crime
11.21 Information Center (NCIC) database of the Federal Bureau of Investigation; and to the
11.22 National Center for Missing and Exploited Children and document having made this report.
11.23 When making a report to local law enforcement and National Center for Missing and
11.24 Exploited Children, the agency must include, when reasonably possible:

11.25 (i) a photo of the child or youth;

11.26 (ii) a description of the child or youth's physical features, such as height, weight, sex,
11.27 ethnicity, race, hair color, and eye color; and

11.28 (iii) endangerment information, such as the child or youth's pregnancy status,
11.29 prescriptions, medications, suicidal tendencies, vulnerability to being trafficked, and other
11.30 health or risk factors; and

11.31 (2) notify the court, parties to the case, parents and relatives who are not parties as the
11.32 agency deems appropriate, and any Tribe who has legal responsibility or received notice

12.1 under section 260.761, subdivision 2, but has not yet determined enrollment or eligibility
 12.2 status.

12.3 ~~(e)~~ (d) While the child or youth is missing, the local responsible social services agency
 12.4 shall must:

12.5 (1) implement protocols to expeditiously locate the child or youth;

12.6 (2) maintain regular communication with law enforcement agencies and the National
 12.7 Center for Missing and Exploited Children in efforts to provide a safe recovery of the missing
 12.8 child or youth and document this communication;

12.9 (3) share information pertaining to the child or youth's recovery, and circumstances
 12.10 related to recovery, with law enforcement agencies and the National Center for Missing
 12.11 and Exploited Children; and

12.12 (4) not discharge a child or youth from foster care or close the social services case until
 12.13 diligent efforts have been exhausted to locate the child or youth and the court terminates
 12.14 the agency's jurisdiction.

12.15 ~~(d)~~ (e) When the child or youth is located, the local responsible social services agency
 12.16 shall must:

12.17 (1) notify all individuals and agencies that require notification in paragraph (c) of the
 12.18 child or youth's return;

12.19 (2) interview the child or youth to determine and document, on a form approved by the
 12.20 commissioner of children, youth, and families, what the child or youth experienced while
 12.21 missing and the primary factors that contributed to the child's running away or otherwise
 12.22 being absent child or youth's absence from care and;

12.23 (3) to the extent possible and appropriate, respond to those the primary contributing
 12.24 factors in current and subsequent placements;

12.25 ~~(e) The local social services agency shall determine what the child experienced while~~
 12.26 ~~absent from care, including screening~~ (4) screen the child or youth's reported experience
 12.27 to determine identify if the child or youth is a possible sex victim of human trafficking or
 12.28 commercial sexual exploitation victim, as defined in section 260C.007, subdivision 31. 34;
 12.29 and

12.30 ~~(f) the local social services~~ (5) if the child or youth is identified to have been a victim
 12.31 of human trafficking, agency shall report immediately, but no later than 24 hours, to the

13.1 local law enforcement agency any reasonable cause to believe a child is, or is at risk of
 13.2 being, a sex trafficking or commercial sexual exploitation victim.

13.3 ~~(g)~~ (f) With respect to any child or youth for whom the responsible social services agency
 13.4 has responsibility for placement, care, or supervision, the local responsible social services
 13.5 agency shall determine:

13.6 (1) identify and document any reasonable cause to believe that the child or youth is a
 13.7 human trafficking victim as defined in section 260C.007, subdivision 34, or a youth at risk
 13.8 of sex trafficking or commercial sexual exploitation as defined by the commissioner of
 13.9 children, youth, and families; and

13.10 (2) provide access to appropriate services, which may include services under Safe Harbor,
 13.11 as described in section 145.4717 with respect to any child for whom the local social services
 13.12 agency has responsibility for placement, care, or supervision when the local social services
 13.13 agency has reasonable cause to believe that the child is, or is at risk of being, a sex trafficking
 13.14 or commercial sexual exploitation victim. 145.4716, amending the child or youth's
 13.15 out-of-home placement plan in subdivision 1, as necessary.

13.16 **EFFECTIVE DATE.** This section is effective July 1, 2024, except for paragraph (f),
 13.17 which is effective July 1, 2025.

13.18 Sec. 11. Minnesota Statutes 2022, section 260C.331, is amended by adding a subdivision
 13.19 to read:

13.20 Subd. 7. **Notice.** (a) If the responsible social services agency receives Retirement,
 13.21 Survivors, and Disability Insurance; Supplemental Security Income; veteran's benefits;
 13.22 railroad retirement benefits; or black lung benefits on behalf of a child, it must provide
 13.23 written notice by certified mail, return receipt requested to:

13.24 (1) the child, if the child is 13 years of age or older;

13.25 (2) the child's parent, guardian, or custodian or if there is no legal parent or custodian
 13.26 the child's relative selected by the agency;

13.27 (3) the guardian ad litem;

13.28 (4) the legally responsible agency as defined in section 256N.02, if different than the
 13.29 responsible social services agency; and

13.30 (5) the counsel appointed for the child pursuant to section 260C.163, subdivision 3.

13.31 (b) If the responsible social services agency receives benefits under this subdivision on
 13.32 behalf of a child 13 years of age or older, the legally responsible agency as defined in section

14.1 256N.02, subdivision 14, if different, and the guardian ad litem must disclose this information
 14.2 to the child in person in a manner that best helps the child understand the information. This
 14.3 paragraph does not apply in circumstances where the child is living outside of Minnesota.

14.4 (c) If the responsible social services agency receives the benefits listed under this
 14.5 subdivision on behalf of a child, it cannot use those funds for any other purpose than the
 14.6 care of that child. The responsible social services agency must not commingle any benefits
 14.7 received under this subdivision and must not put the benefits received on behalf of a child
 14.8 into a general fund.

14.9 (d) If the responsible social services agency receives any benefits listed under this
 14.10 subdivision, it must keep a record of:

14.11 (1) the total dollar amount it received on behalf of all children it receives benefits for;

14.12 (2) the total number of children it applied to be a payee for; and

14.13 (3) the total number of children it receives benefits for. By July 1, 2025, and each July
 14.14 1 thereafter, the responsible social services agency must submit a report to the commissioner
 14.15 that includes the information required under this paragraph.

14.16 Sec. 12. Minnesota Statutes 2023 Supplement, section 260E.02, subdivision 1, as amended
 14.17 by Laws 2024, chapter 80, article 8, section 31, is amended to read:

14.18 Subdivision 1. **Establishment of team.** A county shall establish a multidisciplinary
 14.19 child protection team that may include, but is not limited to, the director of the local welfare
 14.20 agency or designees, the county attorney or designees, the county sheriff or designees,
 14.21 representatives of health and education, representatives of mental health, representatives of
 14.22 agencies providing specialized services or responding to youth who experience or are at
 14.23 risk of experiencing sex or labor trafficking or sexual exploitation, or other appropriate
 14.24 human services, children's services, or community-based agencies, and parent groups. As
 14.25 used in this section, a "community-based agency" may include, but is not limited to, schools,
 14.26 social services agencies, family service and mental health collaboratives, children's advocacy
 14.27 centers, early childhood and family education programs, Head Start, or other agencies
 14.28 serving children and families. A member of the team must be designated as the lead person
 14.29 of the team responsible for the planning process to develop standards for the team's activities
 14.30 with battered women's and domestic abuse programs and services.

14.31 **EFFECTIVE DATE.** This section is effective July 1, 2025.

15.1 Sec. 13. Minnesota Statutes 2022, section 260E.03, is amended by adding a subdivision
15.2 to read:

15.3 Subd. 11a. **Labor trafficking.** "Labor trafficking" means the subjection of a child to
15.4 the acts listed in section 609.281, subdivision 5, limited to the purposes of forced or coerced
15.5 labor or services as defined by section 609.281, subdivision 4, and debt bondage as defined
15.6 by section 609.281, subdivision 3, regardless of whether the alleged offender is a
15.7 noncaregiver human trafficker as defined in subdivision 17a.

15.8 **EFFECTIVE DATE.** This section is effective July 1, 2025.

15.9 Sec. 14. Minnesota Statutes 2023 Supplement, section 260E.03, subdivision 15a, is
15.10 amended to read:

15.11 Subd. 15a. **Noncaregiver ~~sex~~ human trafficker.** "Noncaregiver ~~sex~~ human trafficker"
15.12 means an individual who is alleged to have engaged in the act of sex or labor trafficking a
15.13 child and who is not a person responsible for the child's care, who does not have a significant
15.14 relationship with the child as defined in section 609.341, ~~and who is not a person in a current~~
15.15 ~~or recent position of authority as defined in section 609.341, subdivision 10.~~

15.16 **EFFECTIVE DATE.** This section is effective July 1, 2025.

15.17 Sec. 15. Minnesota Statutes 2023 Supplement, section 260E.03, subdivision 15b, is
15.18 amended to read:

15.19 Subd. 15b. **Noncaregiver ~~sex~~ human trafficking assessment.** "Noncaregiver ~~sex~~ human
15.20 trafficking assessment" is a comprehensive assessment of child safety, the risk of subsequent
15.21 child maltreatment, and strengths and needs of the child and family. The local welfare
15.22 agency shall only perform a noncaregiver ~~sex~~ human trafficking assessment when a
15.23 maltreatment report alleges sex or labor trafficking of a child by someone other than the
15.24 child's caregiver. A noncaregiver ~~sex~~ human trafficking assessment does not include a
15.25 determination of whether child maltreatment occurred. A noncaregiver ~~sex~~ human trafficking
15.26 assessment includes a determination of a family's need for services to address the safety of
15.27 the child or children, the safety of family members, and the risk of subsequent child
15.28 maltreatment.

15.29 **EFFECTIVE DATE.** This section is effective July 1, 2025.

16.1 Sec. 16. Minnesota Statutes 2023 Supplement, section 260E.03, subdivision 22, is amended
16.2 to read:

16.3 Subd. 22. **Substantial child endangerment.** "Substantial child endangerment" means
16.4 that a person responsible for a child's care, by act or omission, commits or attempts to
16.5 commit an act against a child in the person's care that constitutes any of the following:

16.6 (1) egregious harm under subdivision 5;

16.7 (2) abandonment under section 260C.301, subdivision 2;

16.8 (3) neglect under subdivision 15, paragraph (a), clause (2), that substantially endangers
16.9 the child's physical or mental health, including a growth delay, which may be referred to
16.10 as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

16.11 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

16.12 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

16.13 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

16.14 (7) sex trafficking, solicitation, inducement, or promotion of prostitution under section
16.15 609.322;

16.16 (8) criminal sexual conduct under sections 609.342 to 609.3451;

16.17 (9) sexual extortion under section 609.3458;

16.18 (10) solicitation of children to engage in sexual conduct under section 609.352;

16.19 (11) malicious punishment or neglect or endangerment of a child under section 609.377
16.20 or 609.378;

16.21 (12) use of a minor in sexual performance under section 617.246; ~~or~~

16.22 (13) labor trafficking under sections 609.281 and 609.282; or

16.23 ~~(13)~~ (14) parental behavior, status, or condition requiring the county attorney to file a
16.24 termination of parental rights petition under section 260C.503, subdivision 2.

16.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

16.26 Sec. 17. Minnesota Statutes 2022, section 260E.14, subdivision 3, is amended to read:

16.27 Subd. 3. **Neglect ~~or~~, physical abuse, or labor trafficking.** (a) The local welfare agency
16.28 is responsible for immediately conducting a family assessment or investigation if the report
16.29 alleges neglect or physical abuse by a parent, guardian, or individual functioning within the
16.30 family unit as a person responsible for the child's care.

17.1 (b) The local welfare agency is also responsible for conducting a family assessment or
 17.2 investigation when a child is identified as a victim of labor trafficking.

17.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

17.4 Sec. 18. Minnesota Statutes 2023 Supplement, section 260E.14, subdivision 5, is amended
 17.5 to read:

17.6 Subd. 5. **Law enforcement.** (a) The local law enforcement agency is the agency
 17.7 responsible for investigating a report of maltreatment if a violation of a criminal statute is
 17.8 alleged.

17.9 (b) Law enforcement and the responsible agency must coordinate their investigations
 17.10 or assessments as required under this chapter when: (1) a report alleges maltreatment that
 17.11 is a violation of a criminal statute by a person who is a parent, guardian, sibling, person
 17.12 responsible for the child's care within the family unit, or by a person who lives in the child's
 17.13 household and who has a significant relationship to the child in a setting other than a facility
 17.14 as defined in section 260E.03; or (2) a report alleges sex or labor trafficking of a child.

17.15 **EFFECTIVE DATE.** This section is effective July 1, 2025.

17.16 Sec. 19. Minnesota Statutes 2023 Supplement, section 260E.17, subdivision 1, is amended
 17.17 to read:

17.18 Subdivision 1. **Local welfare agency.** (a) Upon receipt of a report, the local welfare
 17.19 agency shall determine whether to conduct a family assessment, an investigation, or a
 17.20 noncaregiver ~~sex~~ human trafficking assessment as appropriate to prevent or provide a remedy
 17.21 for maltreatment.

17.22 (b) The local welfare agency shall conduct an investigation when the report involves
 17.23 sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.

17.24 (c) The local welfare agency shall begin an immediate investigation at any time when
 17.25 the local welfare agency is responding with a family assessment and the local welfare agency
 17.26 determines that there is reason to believe that sexual abuse, substantial child endangerment,
 17.27 or a serious threat to the child's safety exists.

17.28 (d) The local welfare agency may conduct a family assessment for reports that do not
 17.29 allege sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.
 17.30 In determining that a family assessment is appropriate, the local welfare agency may consider
 17.31 issues of child safety, parental cooperation, and the need for an immediate response.

18.1 (e) The local welfare agency may conduct a family assessment for a report that was
 18.2 initially screened and assigned for an investigation. In determining that a complete
 18.3 investigation is not required, the local welfare agency must document the reason for
 18.4 terminating the investigation and notify the local law enforcement agency if the local law
 18.5 enforcement agency is conducting a joint investigation.

18.6 (f) The local welfare agency shall conduct a noncaregiver ~~sex~~ human trafficking
 18.7 assessment when a maltreatment report alleges sex or labor trafficking of a child and the
 18.8 alleged offender is a noncaregiver ~~sex~~ human trafficker as defined by section 260E.03,
 18.9 subdivision 15a.

18.10 (g) During a noncaregiver ~~sex~~ human trafficking assessment, the local welfare agency
 18.11 shall initiate an immediate investigation if there is reason to believe that a child's parent,
 18.12 caregiver, or household member allegedly engaged in the act of sex or labor trafficking a
 18.13 child or was alleged to have engaged in any conduct requiring the agency to conduct an
 18.14 investigation.

18.15 **EFFECTIVE DATE.** This section is effective July 1, 2025.

18.16 Sec. 20. Minnesota Statutes 2023 Supplement, section 260E.18, is amended to read:

18.17 **260E.18 NOTICE TO CHILD'S TRIBE.**

18.18 The local welfare agency shall provide immediate notice, according to section 260.761,
 18.19 subdivision 2, to an Indian child's Tribe when the agency has reason to believe that the
 18.20 family assessment, investigation, or noncaregiver ~~sex~~ human trafficking assessment may
 18.21 involve an Indian child. For purposes of this section, "immediate notice" means notice
 18.22 provided within 24 hours.

18.23 **EFFECTIVE DATE.** This section is effective July 1, 2025.

18.24 Sec. 21. Minnesota Statutes 2023 Supplement, section 260E.20, subdivision 2, is amended
 18.25 to read:

18.26 Subd. 2. **Face-to-face contact.** (a) Upon receipt of a screened in report, the local welfare
 18.27 agency shall have face-to-face contact with the child reported to be maltreated and with the
 18.28 child's primary caregiver sufficient to complete a safety assessment and ensure the immediate
 18.29 safety of the child. When it is possible and the report alleges substantial child endangerment
 18.30 or sexual abuse, the local welfare agency is not required to provide notice before conducting
 18.31 the initial face-to-face contact with the child and the child's primary caregiver.

19.1 (b) Except in a noncaregiver ~~sex~~ human trafficking assessment, the local welfare agency
19.2 shall have face-to-face contact with the child and primary caregiver immediately after the
19.3 agency screens in a report if sexual abuse or substantial child endangerment is alleged and
19.4 within five calendar days of a screened in report for all other reports. If the alleged offender
19.5 was not already interviewed as the primary caregiver, the local welfare agency shall also
19.6 conduct a face-to-face interview with the alleged offender in the early stages of the
19.7 assessment or investigation, except in a noncaregiver ~~sex~~ human trafficking assessment.
19.8 Face-to-face contact with the child and primary caregiver in response to a report alleging
19.9 sexual abuse or substantial child endangerment may be postponed for no more than five
19.10 calendar days if the child is residing in a location that is confirmed to restrict contact with
19.11 the alleged offender as established in guidelines issued by the commissioner, or if the local
19.12 welfare agency is pursuing a court order for the child's caregiver to produce the child for
19.13 questioning under section 260E.22, subdivision 5.

19.14 (c) At the initial contact with the alleged offender, the local welfare agency or the agency
19.15 responsible for assessing or investigating the report must inform the alleged offender of the
19.16 complaints or allegations made against the individual in a manner consistent with laws
19.17 protecting the rights of the person who made the report. The interview with the alleged
19.18 offender may be postponed if it would jeopardize an active law enforcement investigation.
19.19 In a noncaregiver ~~sex~~ human trafficking assessment, the local child welfare agency is not
19.20 required to inform or interview the alleged offender.

19.21 (d) The local welfare agency or the agency responsible for assessing or investigating
19.22 the report must provide the alleged offender with an opportunity to make a statement, except
19.23 in a noncaregiver ~~sex~~ human trafficking assessment. The alleged offender may submit
19.24 supporting documentation relevant to the assessment or investigation.

19.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

19.26 Sec. 22. Minnesota Statutes 2023 Supplement, section 260E.24, subdivision 2, is amended
19.27 to read:

19.28 Subd. 2. **Determination after family assessment or a noncaregiver ~~sex~~ human**
19.29 **trafficking assessment.** After conducting a family assessment or a noncaregiver ~~sex~~ human
19.30 trafficking assessment, the local welfare agency shall determine whether child protective
19.31 services are needed to address the safety of the child and other family members and the risk
19.32 of subsequent maltreatment. The local welfare agency must document the information
19.33 collected under section 260E.20, subdivision 3, related to the completed family assessment
19.34 in the child's or family's case notes.

20.1 **EFFECTIVE DATE.** This section is effective July 1, 2025.

20.2 Sec. 23. Minnesota Statutes 2023 Supplement, section 260E.24, subdivision 7, is amended
20.3 to read:

20.4 Subd. 7. **Notification at conclusion of family assessment or a noncaregiver ~~sex~~ human**
20.5 **trafficking assessment.** Within ten working days of the conclusion of a family assessment
20.6 or a noncaregiver ~~sex~~ human trafficking assessment, the local welfare agency shall notify
20.7 the parent or guardian of the child of the need for services to address child safety concerns
20.8 or significant risk of subsequent maltreatment. The local welfare agency and the family
20.9 may also jointly agree that family support and family preservation services are needed.

20.10 **EFFECTIVE DATE.** This section is effective July 1, 2025.

20.11 Sec. 24. Minnesota Statutes 2023 Supplement, section 260E.33, subdivision 1, is amended
20.12 to read:

20.13 Subdivision 1. **Following a family assessment or a noncaregiver ~~sex~~ human trafficking**
20.14 **assessment.** Administrative reconsideration is not applicable to a family assessment or
20.15 noncaregiver ~~sex~~ human trafficking assessment since no determination concerning
20.16 maltreatment is made.

20.17 **EFFECTIVE DATE.** This section is effective July 1, 2025.

20.18 Sec. 25. Minnesota Statutes 2023 Supplement, section 260E.35, subdivision 6, is amended
20.19 to read:

20.20 Subd. 6. **Data retention.** (a) Notwithstanding sections 138.163 and 138.17, a record
20.21 maintained or a record derived from a report of maltreatment by a local welfare agency,
20.22 agency responsible for assessing or investigating the report, court services agency, or school
20.23 under this chapter shall be destroyed as provided in paragraphs (b) to (e) by the responsible
20.24 authority.

20.25 (b) For a report alleging maltreatment that was not accepted for an assessment or an
20.26 investigation, a family assessment case, a noncaregiver ~~sex~~ human trafficking assessment
20.27 case, and a case where an investigation results in no determination of maltreatment or the
20.28 need for child protective services, the record must be maintained for a period of five years
20.29 after the date that the report was not accepted for assessment or investigation or the date of
20.30 the final entry in the case record. A record of a report that was not accepted must contain
20.31 sufficient information to identify the subjects of the report, the nature of the alleged
20.32 maltreatment, and the reasons why the report was not accepted. Records under this paragraph

21.1 may not be used for employment, background checks, or purposes other than to assist in
21.2 future screening decisions and risk and safety assessments.

21.3 (c) All records relating to reports that, upon investigation, indicate maltreatment or a
21.4 need for child protective services shall be maintained for ten years after the date of the final
21.5 entry in the case record.

21.6 (d) All records regarding a report of maltreatment, including a notification of intent to
21.7 interview that was received by a school under section 260E.22, subdivision 7, shall be
21.8 destroyed by the school when ordered to do so by the agency conducting the assessment or
21.9 investigation. The agency shall order the destruction of the notification when other records
21.10 relating to the report under investigation or assessment are destroyed under this subdivision.

21.11 (e) Private or confidential data released to a court services agency under subdivision 3,
21.12 paragraph (d), must be destroyed by the court services agency when ordered to do so by the
21.13 local welfare agency that released the data. The local welfare agency or agency responsible
21.14 for assessing or investigating the report shall order destruction of the data when other records
21.15 relating to the assessment or investigation are destroyed under this subdivision.

21.16 **EFFECTIVE DATE.** This section is effective July 1, 2025.

21.17 Sec. 26. Minnesota Statutes 2022, section 260E.36, subdivision 1a, is amended to read:

21.18 Subd. 1a. ~~Sex~~ **Human trafficking and, sexual exploitation, and youth missing from**
21.19 **care training requirement.** As required by the Child Abuse Prevention and Treatment Act
21.20 amendments through Public Law 114-22 and to implement Public Law ~~Laws~~ Laws 113-183 and
21.21 115-123, all child protection social workers and social services staff who have responsibility
21.22 for child protective duties under this chapter or chapter 260C shall complete training
21.23 implemented by the commissioner of human services regarding sex identification, prevention,
21.24 and response to human trafficking and sexual exploitation of children and youth, including
21.25 prevention for youth missing from care.

21.26 **EFFECTIVE DATE.** This section is effective July 1, 2025.

21.27 Sec. 27. **[260E.39] CHILD FATALITY AND NEAR FATALITY REVIEW.**

21.28 Subdivision 1. Definitions. For purposes of this section, the following terms have the
21.29 meanings given:

21.30 (1) "critical incident" means a child fatality or near fatality in which maltreatment was
21.31 a known or suspected contributing cause;

22.1 (2) "joint review" means the critical incident review conducted by the child mortality
 22.2 review panel jointly with the local review team under subdivision 4, paragraph (b);

22.3 (3) "local review" means the local critical incident review conducted by the local review
 22.4 team under subdivision 4, paragraph (c);

22.5 (4) "local review team" means a local child mortality review team established under
 22.6 subdivision 2; and

22.7 (5) "panel" means the child mortality review panel established under subdivision 3.

22.8 Subd. 2. **Local child mortality review teams.** (a) Each county shall establish a
 22.9 multidisciplinary local child mortality review team and shall participate in local critical
 22.10 incident reviews that are based on safety science principles to support a culture of learning.
 22.11 The local welfare agency's child protection team may serve as the local review team. The
 22.12 local review team shall include but not be limited to professionals with knowledge of the
 22.13 critical incident being reviewed and, if the critical incident being reviewed involved an
 22.14 Indian child as defined in section 260.755, subdivision 8, at least one representative from
 22.15 the child's Tribe.

22.16 (b) The local review team shall conduct reviews of critical incidents jointly with the
 22.17 child mortality review panel or as otherwise required under subdivision 4, paragraph (c).

22.18 Subd. 3. **Child mortality review panel; establishment and membership.** (a) The
 22.19 commissioner shall establish a child mortality review panel to review critical incidents
 22.20 attributed to child maltreatment. The purpose of the panel is to identify systemic changes
 22.21 to improve child safety and well-being and recommend modifications in statute, rule, policy,
 22.22 and procedure.

22.23 (b) The panel shall consist of:

22.24 (1) the commissioner of children, youth, and families, or a designee;

22.25 (2) the commissioner of human services, or a designee;

22.26 (3) the commissioner of health, or a designee;

22.27 (4) the commissioner of education, or a designee;

22.28 (5) the superintendent of the Bureau of Criminal Apprehension, or a designee;

22.29 (6) a judge, appointed by the Minnesota judicial branch; and

22.30 (7) other members appointed by the governor, including but not limited to:

22.31 (i) a physician who is a medical examiner;

- 23.1 (ii) a physician who is a child abuse specialist pediatrician;
- 23.2 (iii) a county attorney who works on child protection cases;
- 23.3 (iv) two current child protection supervisors for local welfare agencies, each of whom
- 23.4 has previous experience as a frontline child protection worker;
- 23.5 (v) a current local welfare agency director who has previous experience as a frontline
- 23.6 child protection worker or supervisor;
- 23.7 (vi) two current child protection supervisors or directors for Tribal child welfare agencies,
- 23.8 each of whom has previous experience as a frontline child protection worker or supervisor;
- 23.9 (vii) a county or Tribal public health worker; and
- 23.10 (viii) a member representing law enforcement.
- 23.11 (c) The governor shall designate one member as chair of the panel from the members
- 23.12 listed in paragraph (b), clauses (6) and (7).
- 23.13 (d) Members of the panel shall serve terms of four years for an unlimited number of
- 23.14 terms. A member of the panel may be removed by the appointing authority for the member.
- 23.15 (e) The commissioner shall employ an executive director for the panel to:
- 23.16 (1) provide administrative support to the panel and the chair, including providing the
- 23.17 panel with critical incident notices submitted by local welfare agencies;
- 23.18 (2) compile and synthesize information for the panel;
- 23.19 (3) draft recommendations and reports for the panel's final approval; and
- 23.20 (4) conduct or otherwise direct training and consultation under subdivision 7.
- 23.21 **Subd. 4. Critical incident review process.** (a) A local welfare agency that has determined
- 23.22 that maltreatment was the cause of or a contributing factor in a critical incident must notify
- 23.23 the commissioner and the executive director of the panel within three business days of
- 23.24 making the determination.
- 23.25 (b) The panel shall conduct a joint review with the local review team for:
- 23.26 (1) any critical incident relating to a family, child, or caregiver involved in a local welfare
- 23.27 agency family assessment or investigation within the 12 months preceding the critical
- 23.28 incident;
- 23.29 (2) a critical incident the governor or commissioner directs the panel to review; and
- 23.30 (3) any other critical incident the panel chooses for review.

24.1 (c) The local review team must review all critical incident cases not subject to joint
24.2 review under paragraph (b).

24.3 (d) Within 120 days of initiating a joint review or local review of a critical incident,
24.4 except as provided under paragraph (h), the panel or local review team shall complete the
24.5 joint review or local review and compile a report. The report must include any systemic
24.6 learnings that may increase child safety and well-being, and may include policy or practice
24.7 considerations for systems changes that may improve child well-being and safety.

24.8 (e) A local review team must provide its report following a local review to the panel
24.9 within three business days after the report is complete. After receiving the local review team
24.10 report, the panel may conduct a further joint review.

24.11 (f) Following the panel's joint review or after receiving a local review team report, the
24.12 panel may make recommendations to any state or local agency, branch of government, or
24.13 system partner to improve child safety and well-being.

24.14 (g) The commissioner shall conduct additional information gathering as requested by
24.15 the panel or the local review team. The commissioner must conduct information gathering
24.16 for all cases for which the panel requests assistance. The commissioner shall compile a
24.17 summary report for each critical incident for which information gathering is conducted and
24.18 provide the report to the panel and the local welfare agency that reported the critical incident.

24.19 (h) If the panel or local review team requests information gathering from the
24.20 commissioner, the panel or local review team may conduct the joint review or local review
24.21 and compile its report under paragraph (d) after receiving the commissioner's summary
24.22 information-gathering report. The timeline for a local or joint review under paragraph (d)
24.23 may be extended if the panel or local review team requests additional information gathering
24.24 to complete their review. If the local review team extends the timeline for its review and
24.25 report, the local welfare agency must notify the executive director of the panel of the
24.26 extension and the expected completion date.

24.27 (i) The review of any critical incident shall proceed as specified in this section, regardless
24.28 of the status of any pending litigation or other active investigation.

24.29 **Subd. 5. Critical incident reviews; data practices and immunity.** (a) In conducting
24.30 reviews, the panel, the local review team, and the commissioner shall have access to not
24.31 public data under chapter 13 maintained by state agencies, statewide systems, or political
24.32 subdivisions that are related to the child's critical incident or circumstances surrounding the
24.33 care of the child. The panel, the local review team, and the commissioner shall also have
24.34 access to records of private hospitals as necessary to carry out the duties prescribed by this

25.1 section. A state agency, statewide system, or political subdivision shall provide the data
25.2 upon request from the commissioner. Not public data may be shared with members of the
25.3 panel, a local review team, or the commissioner in connection with an individual case.

25.4 (b) Notwithstanding the data's classification in the possession of any other agency, data
25.5 acquired by a local review team, the panel, or the commissioner in the exercise of their
25.6 duties are protected nonpublic or confidential data as defined in section 13.02 but may be
25.7 disclosed as necessary to carry out the duties of the review team, panel, or commissioner.
25.8 The data are not subject to subpoena or discovery.

25.9 (c) The commissioner shall disclose information regarding a critical incident upon request
25.10 but shall not disclose data that was classified as confidential or private data on decedents
25.11 under section 13.10 or private, confidential, or protected nonpublic data in the disseminating
25.12 agency, except that the commissioner may disclose local social service agency data as
25.13 provided in section 260E.35 on individual cases involving a critical incident with a person
25.14 served by the local social service agency prior to the date of the critical incident.

25.15 (d) A person attending a local review team or child mortality review panel meeting shall
25.16 not disclose what transpired at the meeting except to carry out the purposes of the local
25.17 review team or panel. The commissioner shall not disclose what transpired during its
25.18 information-gathering process except to carry out the duties of the commissioner. The
25.19 proceedings and records of the local review team, the panel, and the commissioner are
25.20 protected nonpublic data as defined in section 13.02, subdivision 13, and are not subject to
25.21 discovery or introduction into evidence in a civil or criminal action. Information, documents,
25.22 and records otherwise available from other sources are not immune from discovery or use
25.23 in a civil or criminal action solely because they were presented during proceedings of the
25.24 local review team, the panel, or the commissioner.

25.25 (e) A person who presented information before the local review team, the panel, or the
25.26 commissioner or who is a member of the local review team or the panel, or an employee
25.27 conducting information gathering as designated by the commissioner, shall not be prevented
25.28 from testifying about matters within the person's knowledge. However, in a civil or criminal
25.29 proceeding, a person may not be questioned about the person's presentation of information
25.30 to the local review team, the panel, or the commissioner, or about the information reviewed
25.31 or discussed during a critical incident review or the information-gathering process, any
25.32 conclusions drawn or recommendations made related to information gathering or a critical
25.33 incident review, or opinions formed by the person as a result of the panel or review team
25.34 meetings.

26.1 (f) A person who presented information before the local review team, the panel, or the
 26.2 commissioner, or who is a member of the local review team or the panel, or an employee
 26.3 conducting information gathering as designated by the commissioner, is immune from any
 26.4 civil or criminal liability that might otherwise result from the person's presentation or
 26.5 statements if the person was acting in good faith and assisting with information gathering
 26.6 or in a critical incident review under this section.

26.7 Subd. 6. **Child mortality review panel; annual report.** Beginning December 15, 2026,
 26.8 and on or before December 15 annually thereafter, the commissioner shall publish a report
 26.9 of the child mortality review panel. The report shall include but not be limited to de-identified
 26.10 summary data on the number of critical incidents reported to the panel, the number of critical
 26.11 incidents reviewed by the panel and local review teams, and systemic learnings identified
 26.12 by the panel or local review teams during the period covered by the report. The report shall
 26.13 also include recommendations on improving the child protection system, including
 26.14 modifications to statutes, rules, policies, and procedures. The panel may make
 26.15 recommendations to the legislature or any state or local agency at any time, outside of its
 26.16 annual report.

26.17 Subd. 7. **Local welfare agency critical incident review training.** The commissioner
 26.18 shall provide training and support to local review teams and the panel to assist with local
 26.19 or joint review processes and procedures. The commissioner shall also provide consultation
 26.20 to local review teams and the panel conducting local or joint reviews pursuant to this section.

26.21 Subd. 8. **Culture of learning and improvement.** The local review teams and panel
 26.22 shall advance and support a culture of learning and improvement within Minnesota's child
 26.23 welfare system.

26.24 **EFFECTIVE DATE.** This section is effective July 1, 2025.

26.25 Sec. 28. Minnesota Statutes 2023 Supplement, section 518A.42, subdivision 3, is amended
 26.26 to read:

26.27 Subd. 3. **Exception.** (a) ~~This section~~ The minimum basic support amount under
 26.28 subdivision 2 does not apply to an obligor who is incarcerated or is a recipient of a general
 26.29 assistance grant, Supplemental Security Income, temporary assistance for needy families
 26.30 (TANF) grant, or comparable state-funded Minnesota family investment program (MFIP)
 26.31 benefits.

26.32 (b) The minimum basic support amount under subdivision 2 does not apply to an obligor
 26.33 who is a recipient of:

- 27.1 (1) a general assistance grant;
 27.2 (2) Supplemental Security Income;
 27.3 (3) a Temporary Assistance for Needy Families (TANF) grant; or
 27.4 (4) comparable state-funded Minnesota family investment program (MFIP) benefits.

27.5 ~~(b)~~ (c) If the court finds the obligor receives no income and completely lacks the ability
 27.6 to earn income, the minimum basic support amount under ~~this~~ subdivision 2 does not apply.

27.7 ~~(e)~~ (d) If the obligor's basic support amount is reduced below the minimum basic support
 27.8 amount due to the application of the parenting expense adjustment, the minimum basic
 27.9 support amount under ~~this~~ subdivision 2 does not apply and the lesser amount is the guideline
 27.10 basic support.

27.11 Sec. 29. Laws 2023, chapter 70, article 14, section 42, subdivision 6, is amended to read:

27.12 **Subd. 6. Community Resource Center Advisory Council; establishment and**
 27.13 **duties.** (a) The commissioner, in consultation with other relevant state agencies, shall appoint
 27.14 members to the Community Resource Center Advisory Council.

27.15 (b) Membership must be demographically and geographically diverse and include:

27.16 (1) parents and family members with lived experience who lack opportunities;

27.17 (2) community-based organizations serving families who lack opportunities;

27.18 (3) Tribal and urban American Indian representatives;

27.19 (4) county government representatives;

27.20 (5) school and school district representatives; and

27.21 (6) state partner representatives.

27.22 (c) Duties of the Community Resource Center Advisory Council include but are not
 27.23 limited to:

27.24 (1) advising the commissioner on the development and funding of a network of
 27.25 community resource centers;

27.26 (2) advising the commissioner on the development of requests for proposals and grant
 27.27 award processes;

27.28 (3) advising the commissioner on the development of program outcomes and
 27.29 accountability measures; and

28.1 (4) advising the commissioner on ongoing governance and necessary support in the
28.2 implementation of community resource centers.

28.3 (d) Compensation for members of the Community Resource Center Advisory Council
28.4 is governed by Minnesota Statutes, section 15.0575, except that a public member may be
28.5 compensated at the rate of up to \$125 per day.

28.6 (e) A vacancy on the council may be filled by the appointing authority for the remainder
28.7 of the unexpired term.

28.8 **Sec. 30. SUPREME COURT COUNCIL ON CHILD PROTECTION AND**
28.9 **MALTREATMENT PREVENTION.**

28.10 Subdivision 1. **Establishment.** The chief justice of the supreme court is invited to
28.11 establish a Supreme Court Council on Child Protection and Maltreatment Prevention as
28.12 part of Minnesota's Court Improvement Program, the Children's Justice Initiative, authorized
28.13 under Public Law 116-260, Division CC, title III, section 305, of the Consolidated
28.14 Appropriations Act of 2021, to develop a comprehensive blueprint to improve Minnesota's
28.15 child protection system and prevent unnecessary entry of children and families into the
28.16 system.

28.17 Subd. 2. **Membership.** (a) The council must consist of the following members:

28.18 (1) the chief justice of the supreme court or a designee;

28.19 (2) the commissioner of children, youth, and families, or a designee;

28.20 (3) two members of the house of representatives, one appointed by the speaker of the
28.21 house and one appointed by the house minority leader;

28.22 (4) two members of the senate, one appointed by the senate majority leader and one
28.23 appointed by the senate minority leader;

28.24 (5) members representing Indian Tribes, including Tribal courts, appointed by the
28.25 executive board of the Minnesota Indian Affairs Council;

28.26 (6) peace officers as defined in Minnesota Statutes, section 626.84, subdivision 1,
28.27 paragraph (c); state and local community corrections probation, parole, and supervised
28.28 release agents; and other criminal justice professionals with substantial experience responding
28.29 to reports of child maltreatment and working with minors who have had contact with the
28.30 criminal justice system, appointed by the chief justice of the supreme court;

29.1 (7) professionals with experience providing child maltreatment prevention services,
29.2 child protective services, foster care, adoption services, and postpermanency services,
29.3 appointed by the chief justice of the supreme court;

29.4 (8) legal professionals and guardians ad litem, including Indian Child Welfare Act
29.5 guardians ad litem, with significant experience in juvenile protection matters, appointed by
29.6 the chief justice of the supreme court;

29.7 (9) educational professionals, including professionals with experience in early childhood
29.8 education and providing educational services to children with disabilities, appointed by the
29.9 chief justice of the supreme court;

29.10 (10) professionals from nonprofit community organizations with experience providing
29.11 services and supports to children, parents, and relatives involved in or at risk of involvement
29.12 in child maltreatment and juvenile protection matters, appointed by the chief justice of the
29.13 supreme court;

29.14 (11) professionals with expertise on historical and generational trauma, systemic racism,
29.15 adverse childhood experiences, and the long-term impacts of child protection system
29.16 involvement on children, families, and communities historically overrepresented in the
29.17 system, appointed by the chief justice of the supreme court;

29.18 (12) professionals with expertise providing services to persons with disabilities involved
29.19 with the child protection system, appointed by the chief justice of the supreme court;

29.20 (13) persons with lived experience as a parent involved with the child protection system,
29.21 appointed by the chief justice of the supreme court;

29.22 (14) one or more persons age 18 or older with lived experience as a child involved with
29.23 the child protection system, appointed by the chief justice of the supreme court; and

29.24 (15) professionals with expertise on preventing child protection system involvement,
29.25 including expertise on the impact of generational and situational poverty on children and
29.26 child protection system involvement, appointed by the chief justice of the supreme court.

29.27 (b) A member may satisfy more than one category of experience or expertise identified
29.28 in paragraph (a).

29.29 Subd. 3. **Organization and administration.** (a) The council is governed by Minnesota
29.30 Statutes, section 15.059, except that subdivision 6 does not apply. The state court
29.31 administrator must provide the council with staff support, office and meeting space, and
29.32 access to office equipment and services.

30.1 (b) Council members serve at the pleasure of the appointing authority. The chief justice
30.2 of the supreme court must select a chair from among the members. The council may select
30.3 other officers, subcommittees, and work groups as it deems necessary.

30.4 Subd. 4. **Meetings.** (a) The council must meet at the call of the chair.

30.5 (b) The chair must convene the council's first meeting, which must occur by September
30.6 15, 2024.

30.7 Subd. 5. **Duties.** The council must develop a comprehensive blueprint for improvement
30.8 that addresses all aspects of the child protection system, including prevention and early
30.9 intervention, by:

30.10 (1) reviewing policies, laws, practices, latest research, and data related to children in the
30.11 child protection system;

30.12 (2) gathering information through surveys or focus groups, including consultation with
30.13 individuals who have lived experience with the child protection system, and reviews of
30.14 evidence supporting federal guidance and research on the child protection system and
30.15 maltreatment prevention;

30.16 (3) reviewing research that evaluates the effects of child foster care placement and
30.17 out-of-home placement on the safety, permanency, and well-being of children and that
30.18 identifies and evaluates factors designed to ensure emotional and physical safety of children
30.19 in the context of child placement and permanency dispositions, family preservation, and
30.20 reunification;

30.21 (4) making recommendations for changes in policies and law that are designed to improve
30.22 outcomes for children and families in the child protection system or at risk of maltreatment;
30.23 and

30.24 (5) recognizing the inherent sovereignty of Tribal Nations and the unique political status
30.25 of their children and families.

30.26 Subd. 6. **Reports.** By July 15, 2025, the Supreme Court Council on Child Protection
30.27 must submit a progress report on the council's duties under subdivision 5 to the governor,
30.28 the chief justice of the supreme court, and the chairs and ranking minority members of the
30.29 legislative committees with jurisdiction over child protection. By January 15, 2026, the
30.30 council must submit its final report to the governor, the chief justice of the supreme court,
30.31 and the chairs and ranking minority members of the legislative committees with jurisdiction
30.32 over child protection, detailing the comprehensive blueprint developed under subdivision
30.33 5.

31.1 Subd. 7. **Expiration.** The Supreme Court Council on Child Protection expires upon the
 31.2 submission of its final report under subdivision 6.

31.3 Sec. 31. **DIRECTION TO COMMISSIONER; CHILD MALTREATMENT**
 31.4 **REPORTING SYSTEMS REVIEW AND RECOMMENDATIONS.**

31.5 The commissioner of children, youth, and families must review current child maltreatment
 31.6 reporting processes and systems in various states and evaluate the costs and benefits of each
 31.7 reviewed state's system. In consultation with stakeholders, including but not limited to
 31.8 counties, Tribes, and organizations with expertise in child maltreatment prevention and
 31.9 child protection, the commissioner must develop recommendations on implementing a
 31.10 statewide child abuse and neglect reporting system in Minnesota and outline the benefits,
 31.11 challenges, and costs of such a transition. By June 1, 2025, the commissioner must submit
 31.12 a report detailing the commissioner's recommendations to the chairs and ranking minority
 31.13 members of the legislative committees with jurisdiction over child protection. The
 31.14 commissioner must also publish the report on the department's website.

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

31.16 Sec. 32. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; CHILD**
 31.17 **WELFARE WORKFORCE SYSTEM IMPROVEMENTS.**

31.18 When designing, developing, and implementing a data-driven, federally compliant
 31.19 Comprehensive Child Welfare Information System, the commissioner of human services
 31.20 must ensure that the system can, at a minimum, do the following:

31.21 (1) allow counties to track various financial information, including benefits received by
 31.22 counties on behalf of children in the child welfare system, and fees received by counties
 31.23 from parents with children in out-of-home placements;

31.24 (2) provide the ombudspersons under Minnesota Statutes, section 257.0755, the
 31.25 ombudsperson for American Indian families under Minnesota Statutes, section 3.9215, and
 31.26 the ombudsperson for foster youth under Minnesota Statutes, section 260C.80, with
 31.27 case-by-case access to nonprivileged information necessary for the discharge of the
 31.28 ombudsperson's duties, including specific child protection case information, while protecting
 31.29 Tribal data sovereignty;

31.30 (3) provide comprehensive statewide data reports; and

31.31 (4) track demographic information about children in the child welfare system, including
 31.32 race, cultural and ethnic identity, disability status, and economic status.

32.1 Sec. 33. **SUPPORTING RELATIVE CAREGIVER GRANTS.**

32.2 (a) The commissioner of children, youth, and families must award grants to eligible
32.3 community-based nonprofit organizations to provide culturally competent supports to relative
32.4 caregivers who are caring for relative children and connection to local and statewide
32.5 resources.

32.6 (b) Grant funds must be used to serve relative caregivers caring for children from
32.7 communities that are disproportionately overrepresented in the child welfare system based
32.8 on available data, as determined by the commissioner.

32.9 (c) Grant funds may be used to assess relative caregiver and child needs, provide
32.10 connection to local and statewide culturally competent resources, and provide culturally
32.11 competent case management to assist with complex cases. Grant funds may also be used to
32.12 provide culturally competent supports to reduce the need for child welfare involvement or
32.13 risk of child welfare involvement and increase family stability by preventing nonrelative
32.14 foster care placement.

32.15 (d) For purposes of this section, "relative" has the meaning given in Minnesota Statutes,
32.16 section 260C.007, subdivision 27.

32.17 Sec. 34. **REVISOR INSTRUCTION.**

32.18 The revisor of statutes shall renumber the subdivisions in Minnesota Statutes, section
32.19 260E.03, in alphabetical order except for subdivision 1 and correct any cross-reference
32.20 changes that result.

32.21 Sec. 35. **REPEALER.**

32.22 (a) Minnesota Statutes 2022, section 256.01, subdivisions 12 and 12a, are repealed.

32.23 (b) Minnesota Rules, part 9560.0232, subpart 5, is repealed.

32.24 **EFFECTIVE DATE.** This section is effective July 1, 2025.