

414.3

ARTICLE 11

414.4

CHILD PROTECTION POLICY

414.5 Section 1. Minnesota Statutes 2020, section 245.4885, subdivision 1, is amended to read:

414.6 Subdivision 1. **Admission criteria.** (a) Prior to admission or placement, except in the
 414.7 case of an emergency, all children referred for treatment of severe emotional disturbance
 414.8 in a treatment foster care setting, residential treatment facility, or informally admitted to a
 414.9 regional treatment center shall undergo an assessment to determine the appropriate level of
 414.10 care if public funds are used to pay for the child's services.

414.11 (b) The responsible social services agency shall determine the appropriate level of care
 414.12 for a child when county-controlled funds are used to pay for the child's services or placement
 414.13 in a qualified residential treatment facility under chapter 260C and licensed by the
 414.14 commissioner under chapter 245A. In accordance with section 260C.157, a juvenile treatment
 414.15 screening team shall conduct a screening of a child before the team may recommend whether
 414.16 to place a child in a qualified residential treatment program as defined in section 260C.007,
 414.17 subdivision 26d. When a social services agency does not have responsibility for a child's
 414.18 placement and the child is enrolled in a prepaid health program under section 256B.69, the
 414.19 enrolled child's contracted health plan must determine the appropriate level of care for the
 414.20 child. When Indian Health Services funds or funds of a tribally owned facility funded under
 414.21 the Indian Self-Determination and Education Assistance Act, Public Law 93-638, are to be
 414.22 used for a child, the Indian Health Services or 638 tribal health facility must determine the
 414.23 appropriate level of care for the child. When more than one entity bears responsibility for
 414.24 a child's coverage, the entities shall coordinate level of care determination activities for the
 414.25 child to the extent possible.

414.26 (c) The responsible social services agency must make the child's level of care
 414.27 determination available to the child's juvenile treatment screening team, as permitted under
 414.28 chapter 13. The level of care determination shall inform the juvenile treatment screening
 414.29 team process and the assessment in section 260C.704 when considering whether to place
 414.30 the child in a qualified residential treatment program. When the responsible social services
 414.31 agency is not involved in determining a child's placement, the child's level of care
 414.32 determination shall determine whether the proposed treatment:

414.33 (1) is necessary;

415.1 (2) is appropriate to the child's individual treatment needs;

415.2 (3) cannot be effectively provided in the child's home; and

415.3 (4) provides a length of stay as short as possible consistent with the individual child's

415.4 need needs.

312.3

ARTICLE 11

312.4

CHILD PROTECTION

SEE ARTICLE 12 SIDE-BY-SIDE FOR SENATE ARTICLE 11, SECTION 3
 COMPARISON WITH HOUSE ARTICLE 12, SECTION 6.

415.5 (d) When a level of care determination is conducted, the responsible social services
 415.6 agency or other entity may not determine that a screening of a child under section 260C.157
 415.7 or referral or admission to a treatment foster care setting or residential treatment facility is
 415.8 not appropriate solely because services were not first provided to the child in a less restrictive
 415.9 setting and the child failed to make progress toward or meet treatment goals in the less
 415.10 restrictive setting. The level of care determination must be based on a diagnostic assessment
 415.11 of a child that includes a functional assessment which evaluates the child's family, school,
 415.12 and community living situations; and an assessment of the child's need for care out of the
 415.13 home using a validated tool which assesses a child's functional status and assigns an
 415.14 appropriate level of care to the child. The validated tool must be approved by the
 415.15 commissioner of human services and may be the validated tool approved for the child's
 415.16 assessment under section 260C.704 if the juvenile treatment screening team recommended
 415.17 placement of the child in a qualified residential treatment program. If a diagnostic assessment
 415.18 including a functional assessment has been completed by a mental health professional within
 415.19 the past 180 days, a new diagnostic assessment need not be completed unless in the opinion
 415.20 of the current treating mental health professional the child's mental health status has changed
 415.21 markedly since the assessment was completed. The child's parent shall be notified if an
 415.22 assessment will not be completed and of the reasons. A copy of the notice shall be placed
 415.23 in the child's file. Recommendations developed as part of the level of care determination
 415.24 process shall include specific community services needed by the child and, if appropriate,
 415.25 the child's family, and shall indicate whether or not these services are available and accessible
 415.26 to the child and the child's family.

415.27 (e) During the level of care determination process, the child, child's family, or child's
 415.28 legal representative, as appropriate, must be informed of the child's eligibility for case
 415.29 management services and family community support services and that an individual family
 415.30 community support plan is being developed by the case manager, if assigned.

415.31 (f) When the responsible social services agency has authority, the agency must engage
 415.32 the child's parents in case planning under sections 260C.212 and 260C.708 and chapter
 415.33 260D unless a court terminates the parent's rights or court orders restrict the parent from
 415.34 participating in case planning, visitation, or parental responsibilities.

416.1 (g) The level of care determination, and placement decision, and recommendations for
 416.2 mental health services must be documented in the child's record, as required in ~~chapter~~
 416.3 chapters 260C and 260D.

416.4 **EFFECTIVE DATE.** This section is effective September 30, 2021.

416.5 Sec. 2. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 416.6 read:

416.7 Subd. 3c. **At risk of becoming a victim of sex trafficking or commercial sexual**
 416.8 **exploitation.** For the purposes of section 245A.25, a youth who is "at risk of becoming a

315.15 Sec. 4. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 315.16 read:

315.17 Subd. 3c. **At risk of becoming a victim of sex trafficking or commercial sexual**
 315.18 **exploitation.** For the purposes of section 245A.25, a youth who is "at risk of becoming a

- 416.9 victim of sex trafficking or commercial sexual exploitation" means a youth who meets the
 416.10 criteria established by the commissioner of human services for this purpose.
- 416.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 416.12 Sec. 3. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 416.13 read:
- 416.14 **Subd. 4a. Children's residential facility.** "Children's residential facility" is defined as
 416.15 a residential program licensed under this chapter or chapter 241 according to the applicable
 416.16 standards in Minnesota Rules, parts 2960.0010 to 2960.0710.
- 416.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 416.18 Sec. 4. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 416.19 read:
- 416.20 **Subd. 6d. Foster family setting.** "Foster family setting" has the meaning given in
 416.21 Minnesota Rules, chapter 2960.3010, subpart 23, and includes settings licensed by the
 416.22 commissioner of human services or the commissioner of corrections.
- 416.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 416.24 Sec. 5. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 416.25 read:
- 416.26 **Subd. 6e. Foster residence setting.** "Foster residence setting" has the meaning given
 416.27 in Minnesota Rules, chapter 2960.3010, subpart 26, and includes settings licensed by the
 416.28 commissioner of human services or the commissioner of corrections.
- 416.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 417.1 Sec. 6. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 417.2 read:
- 417.3 **Subd. 18a. Trauma.** For the purposes of section 245A.25, "trauma" means an event,
 417.4 series of events, or set of circumstances experienced by an individual as physically or
 417.5 emotionally harmful or life-threatening and has lasting adverse effects on the individual's
 417.6 functioning and mental, physical, social, emotional, or spiritual well-being. Trauma includes
 417.7 the cumulative emotional or psychological harm of group traumatic experiences transmitted
 417.8 across generations within a community that are often associated with racial and ethnic
 417.9 population groups that have suffered major intergenerational losses.
- 417.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 315.19 victim of sex trafficking or commercial sexual exploitation" means a youth who meets the
 315.20 criteria established by the commissioner of human services for this purpose.
- 315.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 315.22 Sec. 5. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 315.23 read:
- 315.24 **Subd. 4a. Children's residential facility.** "Children's residential facility" means a
 315.25 residential program licensed under this chapter or chapter 241 according to the applicable
 315.26 standards in Minnesota Rules, parts 2960.0010 to 2960.0710.
- 315.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 316.1 Sec. 6. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 316.2 read:
- 316.3 **Subd. 6d. Foster family setting.** "Foster family setting" has the meaning given in
 316.4 Minnesota Rules, part 2960.3010, subpart 23, and includes settings licensed by the
 316.5 commissioner of human services or the commissioner of corrections.
- 316.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 316.7 Sec. 7. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 316.8 read:
- 316.9 **Subd. 6e. Foster residence setting.** "Foster residence setting" has the meaning given
 316.10 in Minnesota Rules, part 2960.3010, subpart 26, and includes settings licensed by the
 316.11 commissioner of human services or the commissioner of corrections.
- 316.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 316.13 Sec. 8. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
 316.14 read:
- 316.15 **Subd. 18a. Trauma.** For the purposes of section 245A.25, "trauma" means an event,
 316.16 series of events, or set of circumstances experienced by an individual as physically or
 316.17 emotionally harmful or life-threatening and has lasting adverse effects on the individual's
 316.18 functioning and mental, physical, social, emotional, or spiritual well-being. Trauma includes
 316.19 the cumulative emotional or psychological harm of group traumatic experiences transmitted
 316.20 across generations within a community that are often associated with racial and ethnic
 316.21 population groups that have suffered major intergenerational losses.
- 316.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

417.11 Sec. 7. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
417.12 read:

417.13 Subd. 23. **Victim of sex trafficking or commercial sexual exploitation.** For the purposes
417.14 of section 245A.25, "victim of sex trafficking or commercial sexual exploitation" means a
417.15 person who meets the definitions in section 260C.007, subdivision 31, clauses (4) and (5).

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

417.17 Sec. 8. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
417.18 read:

417.19 Subd. 24. **Youth.** For the purposes of section 245A.25, "youth" means a "child" as
417.20 defined in section 260C.007, subdivision 4, and includes individuals under 21 years of age
417.21 who are in foster care pursuant to section 260C.451.

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

417.23 Sec. 9. Minnesota Statutes 2020, section 245A.041, is amended by adding a subdivision
417.24 to read:

417.25 Subd. 6. **First date of working in a facility or setting; documentation**
417.26 **requirements.** Children's residential facility and foster residence setting license holders
417.27 **must document the first date that a person who is a background study subject begins working**
417.28 **in the license holder's facility or setting. If the license holder does not maintain documentation**
417.29 **of each background study subject's first date of working in the facility or setting in the**
417.30 **license holder's personnel files, the license holder must provide documentation to the**
418.1 **commissioner that contains the first date that each background study subject began working**
418.2 **in the license holder's program upon the commissioner's request.**

418.3 **EFFECTIVE DATE.** This section is effective August 1, 2021.

418.4 Sec. 10. **[245A.25] RESIDENTIAL PROGRAM CERTIFICATIONS FOR**
418.5 **COMPLIANCE WITH THE FAMILY FIRST PREVENTION SERVICES ACT.**

418.6 Subdivision 1. **Certification scope and applicability.** (a) This section establishes the
418.7 requirements that a children's residential facility or child foster residence setting must meet
418.8 to be certified for the purposes of Title IV-E funding requirements as:

418.9 (1) a qualified residential treatment program;

418.10 (2) a residential setting specializing in providing care and supportive services for youth
418.11 who have been or are at risk of becoming victims of sex trafficking or commercial sexual
418.12 exploitation;

418.13 (3) a residential setting specializing in providing prenatal, postpartum, or parenting
418.14 support for youth; or

316.23 Sec. 9. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision to
316.24 read:

316.25 Subd. 23. **Victim of sex trafficking or commercial sexual exploitation.** For the purposes
316.26 of section 245A.25, "victim of sex trafficking or commercial sexual exploitation" means a
316.27 person who meets the definitions in section 260C.007, subdivision 31, clauses (4) and (5).

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

317.1 Sec. 10. Minnesota Statutes 2020, section 245A.02, is amended by adding a subdivision
317.2 to read:

317.3 Subd. 24. **Youth.** For the purposes of section 245A.25, "youth" means a child as defined
317.4 in section 260C.007, subdivision 4, and includes individuals under 21 years of age who are
317.5 in foster care pursuant to section 260C.451.

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

317.7 Sec. 11. Minnesota Statutes 2020, section 245A.041, is amended by adding a subdivision
317.8 to read:

317.9 Subd. 5. **First date of working in a facility or setting; documentation**
317.10 **requirements.** Children's residential facility and foster residence setting license holders
317.11 **must document the first date that a person who is a background study subject begins working**
317.12 **in the license holder's facility or setting. If the license holder does not maintain documentation**
317.13 **of each background study subject's first date of working in the facility or setting in the**
317.14 **license holder's personnel files, the license holder must provide documentation to the**
317.15 **commissioner that contains the first date that each background study subject began working**
317.16 **in the license holder's program upon the commissioner's request.**

317.17 **EFFECTIVE DATE.** This section is effective August 1, 2021.

317.18 Sec. 12. **[245A.25] RESIDENTIAL PROGRAM CERTIFICATIONS FOR**
317.19 **COMPLIANCE WITH THE FAMILY FIRST PREVENTION SERVICES ACT.**

317.20 Subdivision 1. **Certification scope and applicability.** (a) This section establishes the
317.21 requirements that a children's residential facility or child foster residence setting must meet
317.22 to be certified for the purposes of Title IV-E funding requirements as:

317.23 (1) a qualified residential treatment program;

317.24 (2) a residential setting specializing in providing care and supportive services for youth
317.25 who have been or are at risk of becoming victims of sex trafficking or commercial sexual
317.26 exploitation;

317.27 (3) a residential setting specializing in providing prenatal, postpartum, or parenting
317.28 support for youth; or

- 418.15 (4) a supervised independent living setting for youth who are 18 years of age or older.
- 418.16 (b) This section does not apply to a foster family setting in which the license holder
418.17 resides in the foster home.
- 418.18 (c) Children's residential facilities licensed as detention settings according to Minnesota
418.19 Rules, parts 2960.0230 to 2960.0290, or secure programs according to Minnesota Rules,
418.20 parts 2960.0300 to 2960.0420, may not be certified under this section.
- 418.21 (d) For purposes of this section, "license holder" means an individual, organization, or
418.22 government entity that was issued a children's residential facility or foster residence setting
418.23 license by the commissioner of human services under this chapter or by the commissioner
418.24 of corrections under chapter 241.
- 418.25 (e) Certifications issued under this section for foster residence settings may only be
418.26 issued by the commissioner of human services and are not delegated to county or private
418.27 licensing agencies under section 245A.16.
- 418.28 Subd. 2. **Program certification types and requests for certification.** (a) By July 1,
418.29 2021, the commissioner of human services must offer certifications to license holders for
418.30 the following types of programs:
- 418.31 (1) qualified residential treatment programs;
- 419.1 (2) residential settings specializing in providing care and supportive services for youth
419.2 who have been or are at risk of becoming victims of sex trafficking or commercial sexual
419.3 exploitation;
- 419.4 (3) residential settings specializing in providing prenatal, postpartum, or parenting
419.5 support for youth; and
- 419.6 (4) supervised independent living settings for youth who are 18 years of age or older.
- 419.7 (b) An applicant or license holder must submit a request for certification under this
419.8 section on a form and in a manner prescribed by the commissioner of human services. The
419.9 decision of the commissioner of human services to grant or deny a certification request is
419.10 final and not subject to appeal under chapter 14.
- 419.11 Subd. 3. **Trauma-informed care.** (a) Programs certified under subdivisions 4 or 5 must
419.12 provide services to a person according to a trauma-informed model of care that meets the
419.13 requirements of this subdivision, except that programs certified under subdivision 5 are not
419.14 required to meet the requirements of paragraph (e).
- 419.15 (b) For the purposes of this section, "trauma-informed care" is defined as care that:
- 419.16 (1) acknowledges the effects of trauma on a person receiving services and on the person's
419.17 family;

- 317.29 (4) a supervised independent living setting for youth who are 18 years of age or older.
- 317.30 (b) This section does not apply to a foster family setting in which the license holder
317.31 resides in the foster home.
- 318.1 (c) Children's residential facilities licensed as detention settings according to Minnesota
318.2 Rules, parts 2960.0230 to 2960.0290, or secure programs according to Minnesota Rules,
318.3 parts 2960.0300 to 2960.0420, may not be certified under this section.
- 318.4 (d) For purposes of this section, "license holder" means an individual, organization, or
318.5 government entity that was issued a children's residential facility or foster residence setting
318.6 license by the commissioner of human services under this chapter or by the commissioner
318.7 of corrections under chapter 241.
- 318.8 (e) Certifications issued under this section for foster residence settings may only be
318.9 issued by the commissioner of human services and are not delegated to county or private
318.10 licensing agencies under section 245A.16.
- 318.11 Subd. 2. **Program certification types and requests for certification.** (a) By July 1,
318.12 2021, the commissioner of human services must offer certifications to license holders for
318.13 the following types of programs:
- 318.14 (1) qualified residential treatment programs;
- 318.15 (2) residential settings specializing in providing care and supportive services for youth
318.16 who have been or are at risk of becoming victims of sex trafficking or commercial sexual
318.17 exploitation;
- 318.18 (3) residential settings specializing in providing prenatal, postpartum, or parenting
318.19 support for youth; and
- 318.20 (4) supervised independent living settings for youth who are 18 years of age or older.
- 318.21 (b) An applicant or license holder must submit a request for certification under this
318.22 section on a form and in a manner prescribed by the commissioner of human services. The
318.23 decision of the commissioner of human services to grant or deny a certification request is
318.24 final and not subject to appeal under chapter 14.
- 318.25 Subd. 3. **Trauma-informed care.** (a) Programs certified under subdivision 4 or 5 must
318.26 provide services to a person according to a trauma-informed model of care that meets the
318.27 requirements of this subdivision, except that programs certified under subdivision 5 are not
318.28 required to meet the requirements of paragraph (e).
- 318.29 (b) For the purposes of this section, "trauma-informed care" means care that:
- 318.30 (1) acknowledges the effects of trauma on a person receiving services and on the person's
318.31 family;

- 419.18 (2) modifies services to respond to the effects of trauma on the person receiving services;
 419.19 (3) emphasizes skill and strength-building rather than symptom management; and
 419.20 (4) focuses on the physical and psychological safety of the person receiving services
 419.21 and the person's family.
- 419.22 (c) The license holder must have a process for identifying the signs and symptoms of
 419.23 trauma in a youth and must address the youth's needs related to trauma. This process must
 419.24 include:
- 419.25 (1) screening for trauma by completing a trauma-specific screening tool with each youth
 419.26 upon the youth's admission or obtaining the results of a trauma-specific screening tool that
 419.27 was completed with the youth within 30 days prior to the youth's admission to the program;
 419.28 and
- 419.29 (2) ensuring that trauma-based interventions targeting specific trauma-related symptoms
 419.30 are available to each youth when needed to assist the youth in obtaining services. For
 419.31 qualified residential treatment programs, this must include the provision of services in
 419.32 paragraph (e).
- 420.1 (d) The license holder must develop and provide services to each youth according to the
 420.2 principles of trauma-informed care including:
- 420.3 (1) recognizing the impact of trauma on a youth when determining the youth's service
 420.4 needs and providing services to the youth;
- 420.5 (2) allowing each youth to participate in reviewing and developing the youth's
 420.6 individualized treatment or service plan;
- 420.7 (3) providing services to each youth that are person-centered and culturally responsive;
 420.8 and
- 420.9 (4) adjusting services for each youth to address additional needs of the youth.
- 420.10 (e) In addition to the other requirements of this subdivision, qualified residential treatment
 420.11 programs must use a trauma-based treatment model that includes:
- 420.12 (1) assessing each youth to determine if the youth needs trauma-specific treatment
 420.13 interventions;
- 420.14 (2) identifying in each youth's treatment plan how the program will provide
 420.15 trauma-specific treatment interventions to the youth;
- 420.16 (3) providing trauma-specific treatment interventions to a youth that target the youth's
 420.17 specific trauma-related symptoms; and
- 420.18 (4) training all clinical staff of the program on trauma-specific treatment interventions.

- 318.32 (2) modifies services to respond to the effects of trauma on the person receiving services;
 319.1 (3) emphasizes skill and strength-building rather than symptom management; and
 319.2 (4) focuses on the physical and psychological safety of the person receiving services
 319.3 and the person's family.
- 319.4 (c) The license holder must have a process for identifying the signs and symptoms of
 319.5 trauma in a youth and must address the youth's needs related to trauma. This process must
 319.6 include:
- 319.7 (1) screening for trauma by completing a trauma-specific screening tool with each youth
 319.8 upon the youth's admission or obtaining the results of a trauma-specific screening tool that
 319.9 was completed with the youth within 30 days prior to the youth's admission to the program;
 319.10 and
- 319.11 (2) ensuring that trauma-based interventions targeting specific trauma-related symptoms
 319.12 are available to each youth when needed to assist the youth in obtaining services. For
 319.13 qualified residential treatment programs, this must include the provision of services in
 319.14 paragraph (e).
- 319.15 (d) The license holder must develop and provide services to each youth according to the
 319.16 principles of trauma-informed care including:
- 319.17 (1) recognizing the impact of trauma on a youth when determining the youth's service
 319.18 needs and providing services to the youth;
- 319.19 (2) allowing each youth to participate in reviewing and developing the youth's
 319.20 individualized treatment or service plan;
- 319.21 (3) providing services to each youth that are person-centered and culturally responsive;
 319.22 and
- 319.23 (4) adjusting services for each youth to address additional needs of the youth.
- 319.24 (e) In addition to the other requirements of this subdivision, qualified residential treatment
 319.25 programs must use a trauma-based treatment model that includes:
- 319.26 (1) assessing each youth to determine if the youth needs trauma-specific treatment
 319.27 interventions;
- 319.28 (2) identifying in each youth's treatment plan how the program will provide
 319.29 trauma-specific treatment interventions to the youth;
- 319.30 (3) providing trauma-specific treatment interventions to a youth that target the youth's
 319.31 specific trauma-related symptoms; and
- 320.1 (4) training all clinical staff of the program on trauma-specific treatment interventions.

420.19 (f) At the license holder's program, the license holder must provide a physical, social,
420.20 and emotional environment that:

420.21 (1) promotes the physical and psychological safety of each youth;
420.22 (2) avoids aspects that may be retraumatizing;
420.23 (3) responds to trauma experienced by each youth and the youth's other needs; and
420.24 (4) includes designated spaces that are available to each youth for engaging in sensory
420.25 and self-soothing activities.

420.26 (g) The license holder must base the program's policies and procedures on
420.27 trauma-informed principles. In the program's policies and procedures, the license holder
420.28 must:

420.29 (1) describe how the program provides services according to a trauma-informed model
420.30 of care;

421.1 (2) describe how the program's environment fulfills the requirements of paragraph (f);
421.2 (3) prohibit the use of aversive consequences for a youth's violation of program rules
421.3 or any other reason;

421.4 (4) describe the process for how the license holder incorporates trauma-informed
421.5 principles and practices into the organizational culture of the license holder's program; and

421.6 (5) if the program is certified to use restrictive procedures under Minnesota Rules, part
421.7 2960.0710, describe how the program uses restrictive procedures only when necessary for
421.8 a youth in a manner that addresses the youth's history of trauma and avoids causing the
421.9 youth additional trauma.

421.10 (h) Prior to allowing a staff person to have direct contact, as defined in section 245C.02,
421.11 subdivision 11, with a youth and annually thereafter, the license holder must train each staff
421.12 person about:

421.13 (1) concepts of trauma-informed care and how to provide services to each youth according
421.14 to these concepts; and

421.15 (2) impacts of each youth's culture, race, gender, and sexual orientation on the youth's
421.16 behavioral health and traumatic experiences.

421.17 **Subd. 4. Qualified residential treatment programs; certification requirements. (a)**
421.18 **To be certified as a qualified residential treatment program, a license holder must meet:**

421.19 (1) the definition of a qualified residential treatment program in section 260C.007,
421.20 subdivision 26d;

320.2 (f) At the license holder's program, the license holder must provide a physical, social,
320.3 and emotional environment that:

320.4 (1) promotes the physical and psychological safety of each youth;
320.5 (2) avoids aspects that may be retraumatizing;
320.6 (3) responds to trauma experienced by each youth and the youth's other needs; and
320.7 (4) includes designated spaces that are available to each youth for engaging in sensory
320.8 and self-soothing activities.

320.9 (g) The license holder must base the program's policies and procedures on
320.10 trauma-informed principles. In the program's policies and procedures, the license holder
320.11 must:

320.12 (1) describe how the program provides services according to a trauma-informed model
320.13 of care;

320.14 (2) describe how the program's environment fulfills the requirements of paragraph (f);
320.15 (3) prohibit the use of aversive consequences for a youth's violation of program rules
320.16 or any other reason;

320.17 (4) describe the process for how the license holder incorporates trauma-informed
320.18 principles and practices into the organizational culture of the license holder's program; and

320.19 (5) if the program is certified to use restrictive procedures under Minnesota Rules, part
320.20 2960.0710, describe how the program uses restrictive procedures only when necessary for
320.21 a youth in a manner that addresses the youth's history of trauma and avoids causing the
320.22 youth additional trauma.

320.23 (h) Prior to allowing a staff person to have direct contact, as defined in section 245C.02,
320.24 subdivision 11, with a youth and annually thereafter, the license holder must train each staff
320.25 person about:

320.26 (1) concepts of trauma-informed care and how to provide services to each youth according
320.27 to these concepts; and

320.28 (2) impacts of each youth's culture, race, gender, and sexual orientation on the youth's
320.29 behavioral health and traumatic experiences.

320.30 **Subd. 4. Qualified residential treatment programs; certification requirements. (a)**
320.31 **To be certified as a qualified residential treatment program, a license holder must meet:**

321.1 (1) the definition of a qualified residential treatment program in section 260C.007,
321.2 subdivision 26d;

421.21 (2) the requirements for providing trauma-informed care and using a trauma-based
421.22 treatment model in subdivision 3; and

421.23 (3) the requirements of this subdivision.

421.24 (b) For each youth placed at the license holder's program, the license holder must
421.25 collaborate with the responsible social services agency and other appropriate parties to
421.26 implement the youth's out-of-home placement plan and the youth's short-term and long-term
421.27 mental health and behavioral health goals in the assessment required by sections 260C.212,
421.28 subdivision 1; 260C.704; and 260C.708.

421.29 (c) A qualified residential treatment program must use a trauma-based treatment model
421.30 that meets all of the requirements of subdivision 3 that is designed to address the needs,
421.31 including clinical needs, of youth with serious emotional or behavioral disorders or
421.32 disturbances. The license holder must develop, document, and review a treatment plan for
422.1 each youth according to the requirements of Minnesota Rules, parts 2960.0180, subpart 2,
422.2 item B; and 2960.0190, subpart 2.

422.3 (d) The following types of staff must be on-site according to the program's treatment
422.4 model and must be available 24 hours a day and seven days a week to provide care within
422.5 the scope of their practice:

422.6 (1) a registered nurse or licensed practical nurse licensed by the Minnesota Board of
422.7 Nursing to practice professional nursing or practical nursing as defined in section 148.171,
422.8 subdivisions 14 and 15; and

422.9 (2) other licensed clinical staff to meet each youth's clinical needs.

422.10 (e) A qualified residential treatment program must be accredited by one of the following
422.11 independent, not-for-profit organizations:

422.12 (1) the Commission on Accreditation of Rehabilitation Facilities (CARF);

422.13 (2) the Joint Commission;

422.14 (3) the Council on Accreditation (COA); or

422.15 (4) another independent, not-for-profit accrediting organization approved by the Secretary
422.16 of the United States Department of Health and Human Services.

422.17 (f) The license holder must facilitate participation of a youth's family members in the
422.18 youth's treatment program, consistent with the youth's best interests and according to the
422.19 youth's out-of-home placement plan required by sections 260C.212, subdivision 1; and
422.20 260C.708.

422.21 (g) The license holder must contact and facilitate outreach to each youth's family
422.22 members, including the youth's siblings, and must document outreach to the youth's family
422.23 members in the youth's file, including the contact method and each family member's contact

321.3 (2) the requirements for providing trauma-informed care and using a trauma-based
321.4 treatment model in subdivision 3; and

321.5 (3) the requirements of this subdivision.

321.6 (b) For each youth placed in the license holder's program, the license holder must
321.7 collaborate with the responsible social services agency and other appropriate parties to
321.8 implement the youth's out-of-home placement plan and the youth's short-term and long-term
321.9 mental health and behavioral health goals in the assessment required by sections 260C.212,
321.10 subdivision 1; 260C.704; and 260C.708.

321.11 (c) A qualified residential treatment program must use a trauma-based treatment model
321.12 that meets all of the requirements of subdivision 3 that is designed to address the needs,
321.13 including clinical needs, of youth with serious emotional or behavioral disorders or
321.14 disturbances. The license holder must develop, document, and review a treatment plan for
321.15 each youth according to the requirements of Minnesota Rules, parts 2960.0180, subpart 2,
321.16 item B; and 2960.0190, subpart 2.

321.17 (d) The following types of staff must be on-site according to the program's treatment
321.18 model and must be available 24 hours a day and seven days a week to provide care within
321.19 the scope of their practice:

321.20 (1) a registered nurse or licensed practical nurse licensed by the Minnesota Board of
321.21 Nursing to practice professional nursing or practical nursing as defined in section 148.171,
321.22 subdivisions 14 and 15; and

321.23 (2) other licensed clinical staff to meet each youth's clinical needs.

321.24 (e) A qualified residential treatment program must be accredited by one of the following
321.25 independent, not-for-profit organizations:

321.26 (1) the Commission on Accreditation of Rehabilitation Facilities (CARF);

321.27 (2) the Joint Commission;

321.28 (3) the Council on Accreditation (COA); or

321.29 (4) another independent, not-for-profit accrediting organization approved by the Secretary
321.30 of the United States Department of Health and Human Services.

321.31 (f) The license holder must facilitate participation of a youth's family members in the
321.32 youth's treatment program, consistent with the youth's best interests and according to the
322.1 youth's out-of-home placement plan required by sections 260C.212, subdivision 1; and
322.2 260C.708.

322.3 (g) The license holder must contact and facilitate outreach to each youth's family
322.4 members, including the youth's siblings, and must document outreach to the youth's family
322.5 members in the youth's file, including the contact method and each family member's contact

422.24 information. In the youth's file, the license holder must record and maintain the contact
 422.25 information for all known biological family members and fictive kin of the youth.

422.26 (h) The license holder must document in the youth's file how the program integrates
 422.27 family members into the treatment process for the youth, including after the youth's discharge
 422.28 from the program, and how the program maintains the youth's connections to the youth's
 422.29 siblings.

422.30 (i) The program must provide discharge planning and family-based aftercare support to
 422.31 each youth for at least six months after the youth's discharge from the program. When
 422.32 providing aftercare to a youth, the program must have monthly contact with the youth and
 423.1 the youth's caregivers to promote the youth's engagement in aftercare services and to regularly
 423.2 evaluate the family's needs. The program's monthly contact with the youth may be
 423.3 face-to-face, by telephone, or virtual.

423.4 (j) The license holder must maintain a service delivery plan that describes how the
 423.5 program provides services according to the requirements in paragraphs (b) to (i).

423.6 Subd. 5. Residential settings specializing in providing care and supportive services
 423.7 for youth who have been or are at risk of becoming victims of sex trafficking or
 423.8 commercial sexual exploitation; certification requirements. (a) To be certified as a
 423.9 residential setting specializing in providing care and supportive services for youth who have
 423.10 been or are at risk of becoming victims of sex trafficking or commercial sexual exploitation,
 423.11 a license holder must meet the requirements of this subdivision.

423.12 (b) Settings certified according to this subdivision are exempt from the requirements of
 423.13 section 245A.04, subdivision 11, paragraph (b).

423.14 (c) The program must use a trauma-informed model of care that meets all of the applicable
 423.15 requirements of subdivision 3, and that is designed to address the needs, including emotional
 423.16 and mental health needs, of youth who have been or are at risk of becoming victims of sex
 423.17 trafficking or commercial sexual exploitation.

423.18 (d) The program must provide high-quality care and supportive services for youth who
 423.19 have been or are at risk of becoming victims of sex trafficking or commercial sexual
 423.20 exploitation and must:

423.21 (1) offer a safe setting to each youth designed to prevent ongoing and future trafficking
 423.22 of the youth;

423.23 (2) provide equitable, culturally responsive, and individualized services to each youth;

423.24 (3) assist each youth with accessing medical, mental health, legal, advocacy, and family
 423.25 services based on the youth's individual needs;

423.26 (4) provide each youth with relevant educational, life skills, and employment supports
 423.27 based on the youth's individual needs;

322.6 information. In the youth's file, the license holder must record and maintain the contact
 322.7 information for all known biological family members and fictive kin of the youth.

322.8 (h) The license holder must document in the youth's file how the program integrates
 322.9 family members into the treatment process for the youth, including after the youth's discharge
 322.10 from the program, and how the program maintains the youth's connections to the youth's
 322.11 siblings.

322.12 (i) The program must provide discharge planning and family-based aftercare support to
 322.13 each youth for at least six months after the youth's discharge from the program. When
 322.14 providing aftercare to a youth, the program must have monthly contact with the youth and
 322.15 the youth's caregivers to promote the youth's engagement in aftercare services and to regularly
 322.16 evaluate the family's needs. The program's monthly contact with the youth may be
 322.17 face-to-face, by telephone, or virtual.

322.18 (j) The license holder must maintain a service delivery plan that describes how the
 322.19 program provides services according to the requirements in paragraphs (b) to (i).

322.20 Subd. 5. Residential settings specializing in providing care and supportive services
 322.21 for youth who have been or are at risk of becoming victims of sex trafficking or
 322.22 commercial sexual exploitation; certification requirements. (a) To be certified as a
 322.23 residential setting specializing in providing care and supportive services for youth who have
 322.24 been or are at risk of becoming victims of sex trafficking or commercial sexual exploitation,
 322.25 a license holder must meet the requirements of this subdivision.

322.26 (b) Settings certified according to this subdivision are exempt from the requirements of
 322.27 section 245A.04, subdivision 11, paragraph (b).

322.28 (c) The program must use a trauma-informed model of care that meets all of the applicable
 322.29 requirements of subdivision 3, and that is designed to address the needs, including emotional
 322.30 and mental health needs, of youth who have been or are at risk of becoming victims of sex
 322.31 trafficking or commercial sexual exploitation.

323.1 (d) The program must provide high-quality care and supportive services for youth who
 323.2 have been or are at risk of becoming victims of sex trafficking or commercial sexual
 323.3 exploitation and must:

323.4 (1) offer a safe setting to each youth designed to prevent ongoing and future trafficking
 323.5 of the youth;

323.6 (2) provide equitable, culturally responsive, and individualized services to each youth;

323.7 (3) assist each youth with accessing medical, mental health, legal, advocacy, and family
 323.8 services based on the youth's individual needs;

323.9 (4) provide each youth with relevant educational, life skills, and employment supports
 323.10 based on the youth's individual needs;

423.28 (5) offer a trafficking prevention education curriculum and provide support for each
423.29 youth at risk of future sex trafficking or commercial sexual exploitation; and

423.30 (6) engage with the discharge planning process for each youth and the youth's family.

423.31 (e) The license holder must maintain a service delivery plan that describes how the
423.32 program provides services according to the requirements in paragraphs (c) and (d).

424.1 (f) The license holder must ensure that each staff person who has direct contact, as
424.2 defined in section 245C.02, subdivision 11, with a youth served by the license holder's
424.3 program completes a human trafficking training approved by the Department of Human
424.4 Services' Children and Family Services Administration before the staff person has direct
424.5 contact with a youth served by the program and annually thereafter. For programs certified
424.6 prior to January 1, 2022, the license holder must ensure that each staff person at the license
424.7 holder's program completes the initial training by January 1, 2022.

424.8 **Subd. 6. Residential settings specializing in providing prenatal, postpartum, or**
424.9 **parenting supports for youth; certification requirements.** (a) To be certified as a
424.10 residential setting specializing in providing prenatal, postpartum, or parenting supports for
424.11 youth, a license holder must meet the requirements of this subdivision.

424.12 (b) The license holder must collaborate with the responsible social services agency and
424.13 other appropriate parties to implement each youth's out-of-home placement plan required
424.14 by section 260C.212, subdivision 1.

424.15 (c) The license holder must specialize in providing prenatal, postpartum, or parenting
424.16 supports for youth and must:

424.17 (1) provide equitable, culturally responsive, and individualized services to each youth;

424.18 (2) assist each youth with accessing postpartum services during the same period of time
424.19 that a woman is considered pregnant for the purposes of medical assistance eligibility under
424.20 section 256B.055, subdivision 6, including providing each youth with:

424.21 (i) sexual and reproductive health services and education; and

424.22 (ii) a postpartum mental health assessment and follow-up services; and

424.23 (3) discharge planning that includes the youth and the youth's family.

424.24 (d) On or before the date of a child's initial physical presence at the facility, the license
424.25 holder must provide education to the child's parent related to safe bathing and reducing the
424.26 risk of sudden unexpected infant death and abusive head trauma from shaking infants and
424.27 young children. The license holder must use the educational material developed by the
424.28 commissioner of human services to comply with this requirement. At a minimum, the
424.29 education must address:

323.11 (5) offer a trafficking prevention education curriculum and provide support for each
323.12 youth at risk of future sex trafficking or commercial sexual exploitation; and

323.13 (6) engage with the discharge planning process for each youth and the youth's family.

323.14 (e) The license holder must maintain a service delivery plan that describes how the
323.15 program provides services according to the requirements in paragraphs (c) and (d).

323.16 (f) The license holder must ensure that each staff person who has direct contact, as
323.17 defined in section 245C.02, subdivision 11, with a youth served by the license holder's
323.18 program completes a human trafficking training approved by the Department of Human
323.19 Services' Children and Family Services Administration before the staff person has direct
323.20 contact with a youth served by the program and annually thereafter. For programs certified
323.21 prior to January 1, 2022, the license holder must ensure that each staff person at the license
323.22 holder's program completes the initial training by January 1, 2022.

323.23 **Subd. 6. Residential settings specializing in providing prenatal, postpartum, or**
323.24 **parenting supports for youth; certification requirements.** (a) To be certified as a
323.25 residential setting specializing in providing prenatal, postpartum, or parenting supports for
323.26 youth, a license holder must meet the requirements of this subdivision.

323.27 (b) The license holder must collaborate with the responsible social services agency and
323.28 other appropriate parties to implement each youth's out-of-home placement plan required
323.29 by section 260C.212, subdivision 1.

323.30 (c) The license holder must specialize in providing prenatal, postpartum, or parenting
323.31 supports for youth and must:

323.32 (1) provide equitable, culturally responsive, and individualized services to each youth;

324.1 (2) assist each youth with accessing postpartum services during the same period of time
324.2 that a woman is considered pregnant for the purposes of medical assistance eligibility under
324.3 section 256B.055, subdivision 6, including providing each youth with:

324.4 (i) sexual and reproductive health services and education; and

324.5 (ii) a postpartum mental health assessment and follow-up services; and

324.6 (3) discharge planning that includes the youth and the youth's family.

324.7 (d) On or before the date of a child's initial physical presence at the facility, the license
324.8 holder must provide education to the child's parent related to safe bathing and reducing the
324.9 risk of sudden unexpected infant death and abusive head trauma from shaking infants and
324.10 young children. The license holder must use the educational material developed by the
324.11 commissioner of human services to comply with this requirement. At a minimum, the
324.12 education must address:

424.30 (1) instruction that: (i) a child or infant should never be left unattended around water;
 424.31 (ii) a tub should be filled with only two to four inches of water for infants; and (iii) an infant
 424.32 should never be put into a tub when the water is running; and

425.1 (2) the risk factors related to sudden unexpected infant death and abusive head trauma
 425.2 from shaking infants and young children and means of reducing the risks, including the
 425.3 safety precautions identified in section 245A.1435 and the risks of co-sleeping.

425.4 The license holder must document the parent's receipt of the education and keep the
 425.5 documentation in the parent's file. The documentation must indicate whether the parent
 425.6 agrees to comply with the safeguards described in this paragraph. If the parent refuses to
 425.7 comply, program staff must provide additional education to the parent as described in the
 425.8 parental supervision plan. The parental supervision plan must include the intervention,
 425.9 frequency, and staff responsible for the duration of the parent's participation in the program
 425.10 or until the parent agrees to comply with the safeguards described in this paragraph.

425.11 (e) On or before the date of a child's initial physical presence at the facility, the license
 425.12 holder must document the parent's capacity to meet the health and safety needs of the child
 425.13 while on the facility premises considering the following factors:

425.14 (1) the parent's physical and mental health;
 425.15 (2) the parent being under the influence of drugs, alcohol, medications, or other chemicals;
 425.16 (3) the child's physical and mental health; and
 425.17 (4) any other information available to the license holder indicating that the parent may
 425.18 not be able to adequately care for the child.

425.19 (f) The license holder must have written procedures specifying the actions that staff shall
 425.20 take if a parent is or becomes unable to adequately care for the parent's child.

425.21 (g) If the parent refuses to comply with the safeguards described in paragraph (d) or is
 425.22 unable to adequately care for the child, the license holder must develop a parental supervision
 425.23 plan in conjunction with the parent. The plan must account for any factors in paragraph (e)
 425.24 that contribute to the parent's inability to adequately care for the child. The plan must be
 425.25 dated and signed by the staff person who completed the plan.

425.26 (h) The license holder must have written procedures addressing whether the program
 425.27 permits a parent to arrange for supervision of the parent's child by another youth in the
 425.28 program. If permitted, the facility must have a procedure that requires staff approval of the
 425.29 supervision arrangement before the supervision by the nonparental youth occurs. The
 425.30 procedure for approval must include an assessment of the nonparental youth's capacity to
 425.31 assume the supervisory responsibilities using the criteria in paragraph (e). The license holder
 425.32 must document the license holder's approval of the supervisory arrangement and the
 425.33 assessment of the nonparental youth's capacity to supervise the child and must keep this

324.13 (1) instruction that: (i) a child or infant should never be left unattended around water;
 324.14 (ii) a tub should be filled with only two to four inches of water for infants; and (iii) an infant
 324.15 should never be put into a tub when the water is running; and

324.16 (2) the risk factors related to sudden unexpected infant death and abusive head trauma
 324.17 from shaking infants and young children and means of reducing the risks, including the
 324.18 safety precautions identified in section 245A.1435 and the risks of co-sleeping.

324.19 The license holder must document the parent's receipt of the education and keep the
 324.20 documentation in the parent's file. The documentation must indicate whether the parent
 324.21 agrees to comply with the safeguards described in this paragraph. If the parent refuses to
 324.22 comply, program staff must provide additional education to the parent as described in the
 324.23 parental supervision plan. The parental supervision plan must include the intervention,
 324.24 frequency, and staff responsible for the duration of the parent's participation in the program
 324.25 or until the parent agrees to comply with the safeguards described in this paragraph.

324.26 (e) On or before the date of a child's initial physical presence at the facility, the license
 324.27 holder must document the parent's capacity to meet the health and safety needs of the child
 324.28 while on the facility premises considering the following factors:

324.29 (1) the parent's physical and mental health;
 324.30 (2) the parent being under the influence of drugs, alcohol, medications, or other chemicals;
 324.31 (3) the child's physical and mental health; and
 325.1 (4) any other information available to the license holder indicating that the parent may
 325.2 not be able to adequately care for the child.

325.3 (f) The license holder must have written procedures specifying the actions that staff shall
 325.4 take if a parent is or becomes unable to adequately care for the parent's child.

325.5 (g) If the parent refuses to comply with the safeguards described in paragraph (d) or is
 325.6 unable to adequately care for the child, the license holder must develop a parental supervision
 325.7 plan in conjunction with the parent. The plan must account for any factors in paragraph (e)
 325.8 that contribute to the parent's inability to adequately care for the child. The plan must be
 325.9 dated and signed by the staff person who completed the plan.

325.10 (h) The license holder must have written procedures addressing whether the program
 325.11 permits a parent to arrange for supervision of the parent's child by another youth in the
 325.12 program. If permitted, the facility must have a procedure that requires staff approval of the
 325.13 supervision arrangement before the supervision by the nonparental youth occurs. The
 325.14 procedure for approval must include an assessment of the nonparental youth's capacity to
 325.15 assume the supervisory responsibilities using the criteria in paragraph (e). The license holder
 325.16 must document the license holder's approval of the supervisory arrangement and the
 325.17 assessment of the nonparental youth's capacity to supervise the child and must keep this

- 426.1 documentation in the file of the parent whose child is being supervised by the nonparental
 426.2 youth.
- 426.3 (i) The license holder must maintain a service delivery plan that describes how the
 426.4 program provides services according to paragraphs (b) to (h).
- 426.5 **Subd. 7. Supervised independent living settings for youth 18 years of age or older;**
 426.6 **certification requirements. (a) To be certified as a supervised independent living setting**
 426.7 **for youth who are 18 years of age or older, a license holder must meet the requirements of**
 426.8 **this subdivision.**
- 426.9 (b) A license holder must provide training, counseling, instruction, supervision, and
 426.10 assistance for independent living, to meet the needs of the youth being served.
- 426.11 (c) A license holder may provide services to assist the youth with locating housing,
 426.12 money management, meal preparation, shopping, health care, transportation, and any other
 426.13 support services necessary to meet the youth's needs and improve the youth's ability to
 426.14 conduct such tasks independently.
- 426.15 (d) The service plan for the youth must contain an objective of independent living skills.
- 426.16 (e) The license holder must maintain a service delivery plan that describes how the
 426.17 program provides services according to paragraphs (b) to (d).
- 426.18 **Subd. 8. Monitoring and inspections. (a) For a program licensed by the commissioner**
 426.19 **of human services, the commissioner of human services may review a program's compliance**
 426.20 **with certification requirements by conducting an inspection, a licensing review, or an**
 426.21 **investigation of the program. The commissioner may issue a correction order to the license**
 426.22 **holder for a program's noncompliance with the certification requirements of this section.**
 426.23 **For a program licensed by the commissioner of human services, a license holder must make**
 426.24 **a request for reconsideration of a correction order according to section 245A.06, subdivision**
 426.25 **2.**
- 426.26 (b) For a program licensed by the commissioner of corrections, the commissioner of
 426.27 human services may review the program's compliance with the requirements for a certification
 426.28 issued under this section biennially and may issue a correction order identifying the program's
 426.29 noncompliance with the requirements of this section. The correction order must state the
 426.30 following:
- 426.31 (1) the conditions that constitute a violation of a law or rule;
 426.32 (2) the specific law or rule violated; and
- 427.1 (3) the time allowed for the program to correct each violation.
- 427.2 (c) For a program licensed by the commissioner of corrections, if a license holder believes
 427.3 that there are errors in the correction order of the commissioner of human services, the
 427.4 license holder may ask the Department of Human Services to reconsider the parts of the

- 325.18 documentation in the file of the parent whose child is being supervised by the nonparental
 325.19 youth.
- 325.20 (i) The license holder must maintain a service delivery plan that describes how the
 325.21 program provides services according to paragraphs (b) to (h).
- 325.22 **Subd. 7. Supervised independent living settings for youth 18 years of age or older;**
 325.23 **certification requirements. (a) To be certified as a supervised independent living setting**
 325.24 **for youth who are 18 years of age or older, a license holder must meet the requirements of**
 325.25 **this subdivision.**
- 325.26 (b) A license holder must provide training, counseling, instruction, supervision, and
 325.27 assistance for independent living according to the youth's needs.
- 325.28 (c) A license holder may provide services to assist the youth with locating housing,
 325.29 money management, meal preparation, shopping, health care, transportation, and any other
 325.30 support services necessary to meet the youth's needs and improve the youth's ability to
 325.31 conduct such tasks independently.
- 325.32 (d) The service plan for the youth must contain an objective of independent living skills.
- 326.1 (e) The license holder must maintain a service delivery plan that describes how the
 326.2 program provides services according to paragraphs (b) to (d).
- 326.3 **Subd. 8. Monitoring and inspections. (a) For a program licensed by the commissioner**
 326.4 **of human services, the commissioner of human services may review a program's compliance**
 326.5 **with certification requirements by conducting an inspection, a licensing review, or an**
 326.6 **investigation of the program. The commissioner may issue a correction order to the license**
 326.7 **holder for a program's noncompliance with the certification requirements of this section.**
 326.8 **For a program licensed by the commissioner of human services, a license holder must make**
 326.9 **a request for reconsideration of a correction order according to section 245A.06, subdivision**
 326.10 **2.**
- 326.11 (b) For a program licensed by the commissioner of corrections, the commissioner of
 326.12 human services may review the program's compliance with the requirements for a certification
 326.13 issued under this section biennially and may issue a correction order identifying the program's
 326.14 noncompliance with the requirements of this section. The correction order must state the
 326.15 following:
- 326.16 (1) the conditions that constitute a violation of a law or rule;
 326.17 (2) the specific law or rule violated; and
- 326.18 (3) the time allowed for the program to correct each violation.
- 326.19 (c) For a program licensed by the commissioner of corrections, if a license holder believes
 326.20 that there are errors in the correction order of the commissioner of human services, the
 326.21 license holder may ask the Department of Human Services to reconsider the parts of the

427.5 correction order that the license holder alleges are in error. To submit a request for
427.6 reconsideration, the license holder must send a written request for reconsideration by United
427.7 States mail to the commissioner of human services. The request for reconsideration must
427.8 be postmarked within 20 calendar days of the date that the correction order was received
427.9 by the license holder and must:

427.10 (1) specify the parts of the correction order that are alleged to be in error;
427.11 (2) explain why the parts of the correction order are in error; and
427.12 (3) include documentation to support the allegation of error.

427.13 A request for reconsideration does not stay any provisions or requirements of the correction
427.14 order. The commissioner of human services' disposition of a request for reconsideration is
427.15 final and not subject to appeal under chapter 14.

427.16 (d) Nothing in this subdivision prohibits the commissioner of human services from
427.17 decertifying a license holder according to subdivision 9 prior to issuing a correction order.

427.18 Subd. 9. **Decertification.** (a) The commissioner of human services may rescind a
427.19 certification issued under this section if a license holder fails to comply with the certification
427.20 requirements in this section.

427.21 (b) The license holder may request reconsideration of a decertification by notifying the
427.22 commissioner of human services by certified mail or personal service. The license holder
427.23 must request reconsideration of a decertification in writing. If the license holder sends the
427.24 request for reconsideration of a decertification by certified mail, the license holder must
427.25 send the request by United States mail to the commissioner of human services and the
427.26 request must be postmarked within 20 calendar days after the license holder received the
427.27 notice of decertification. If the license holder requests reconsideration of a decertification
427.28 by personal service, the request for reconsideration must be received by the commissioner
427.29 of human services within 20 calendar days after the license holder received the notice of
427.30 decertification. When submitting a request for reconsideration of a decertification, the license
427.31 holder must submit a written argument or evidence in support of the request for
427.32 reconsideration.

428.1 (c) The commissioner of human services' disposition of a request for reconsideration is
428.2 final and not subject to appeal under chapter 14.

428.3 Subd. 10. **Variances.** The commissioner of human services may grant variances to the
428.4 requirements in this section that do not affect a youth's health or safety or compliance with
428.5 federal requirements for Title IV-E funding if the conditions in section 245A.04, subdivision
428.6 9, are met.

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

326.22 correction order that the license holder alleges are in error. To submit a request for
326.23 reconsideration, the license holder must send a written request for reconsideration by United
326.24 States mail to the commissioner of human services. The request for reconsideration must
326.25 be postmarked within 20 calendar days of the date that the correction order was received
326.26 by the license holder and must:

326.27 (1) specify the parts of the correction order that are alleged to be in error;
326.28 (2) explain why the parts of the correction order are in error; and
326.29 (3) include documentation to support the allegation of error.

326.30 A request for reconsideration does not stay any provisions or requirements of the correction
326.31 order. The commissioner of human services' disposition of a request for reconsideration is
326.32 final and not subject to appeal under chapter 14.

327.1 (d) Nothing in this subdivision prohibits the commissioner of human services from
327.2 decertifying a license holder according to subdivision 9 prior to issuing a correction order.

327.3 Subd. 9. **Decertification.** (a) The commissioner of human services may rescind a
327.4 certification issued under this section if a license holder fails to comply with the certification
327.5 requirements in this section.

327.6 (b) The license holder may request reconsideration of a decertification by notifying the
327.7 commissioner of human services by certified mail or personal service. The license holder
327.8 must request reconsideration of a decertification in writing. If the license holder sends the
327.9 request for reconsideration of a decertification by certified mail, the license holder must
327.10 send the request by United States mail to the commissioner of human services and the
327.11 request must be postmarked within 20 calendar days after the license holder received the
327.12 notice of decertification. If the license holder requests reconsideration of a decertification
327.13 by personal service, the request for reconsideration must be received by the commissioner
327.14 of human services within 20 calendar days after the license holder received the notice of
327.15 decertification. When submitting a request for reconsideration of a decertification, the license
327.16 holder must submit a written argument or evidence in support of the request for
327.17 reconsideration.

327.18 (c) The commissioner of human services' disposition of a request for reconsideration is
327.19 final and not subject to appeal under chapter 14.

327.20 Subd. 10. **Variances.** The commissioner of human services may grant variances to the
327.21 requirements in this section that do not affect a youth's health or safety or compliance with
327.22 federal requirements for Title IV-E funding if the conditions in section 245A.04, subdivision
327.23 9, are met.

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

428.8 Sec. 11. Minnesota Statutes 2020, section 256.01, subdivision 14b, is amended to read:

428.9 Subd. 14b. **American Indian child welfare projects.** (a) The commissioner of human
 428.10 services may authorize projects to initiate tribal delivery of child welfare services to American
 428.11 Indian children and their parents and custodians living on the reservation. The commissioner
 428.12 has authority to solicit and determine which tribes may participate in a project. Grants may
 428.13 be issued to Minnesota Indian tribes to support the projects. The commissioner may waive
 428.14 existing state rules as needed to accomplish the projects. The commissioner may authorize
 428.15 projects to use alternative methods of (1) screening, investigating, and assessing reports of
 428.16 child maltreatment, and (2) administrative reconsideration, administrative appeal, and
 428.17 judicial appeal of maltreatment determinations, provided the alternative methods used by
 428.18 the projects comply with the provisions of section 256.045 and chapter 260E that deal with
 428.19 the rights of individuals who are the subjects of reports or investigations, including notice
 428.20 and appeal rights and data practices requirements. The commissioner shall only authorize
 428.21 alternative methods that comply with the public policy under section 260E.01. The
 428.22 commissioner may seek any federal approval necessary to carry out the projects as well as
 428.23 seek and use any funds available to the commissioner, including use of federal funds,
 428.24 foundation funds, existing grant funds, and other funds. The commissioner is authorized to
 428.25 advance state funds as necessary to operate the projects. Federal reimbursement applicable
 428.26 to the projects is appropriated to the commissioner for the purposes of the projects. The
 428.27 projects must be required to address responsibility for safety, permanency, and well-being
 428.28 of children.

428.29 (b) For the purposes of this section, "American Indian child" means a person under 21
 428.30 years old and who is a tribal member or eligible for membership in one of the tribes chosen
 428.31 for a project under this subdivision and who is residing on the reservation of that tribe.

428.32 (c) In order to qualify for an American Indian child welfare project, a tribe must:

428.33 (1) be one of the existing tribes with reservation land in Minnesota;

429.1 (2) have a tribal court with jurisdiction over child custody proceedings;

429.2 (3) have a substantial number of children for whom determinations of maltreatment have
 429.3 occurred;

429.4 (4)(i) have capacity to respond to reports of abuse and neglect under chapter 260E; or
 429.5 (ii) have codified the tribe's screening, investigation, and assessment of reports of child
 429.6 maltreatment procedures, if authorized to use an alternative method by the commissioner
 429.7 under paragraph (a);

429.8 (5) provide a wide range of services to families in need of child welfare services; ~~and~~

429.9 (6) have a tribal-state title IV-E agreement in effect; ~~and~~ and

429.10 (7) enter into host Tribal contracts pursuant to section 256.0112, subdivision 6.

327.25 Sec. 13. Minnesota Statutes 2020, section 256.01, subdivision 14b, is amended to read:

327.26 Subd. 14b. **American Indian child welfare projects.** (a) The commissioner of human
 327.27 services may authorize projects to initiate tribal delivery of child welfare services to American
 327.28 Indian children and their parents and custodians living on the reservation. The commissioner
 327.29 has authority to solicit and determine which tribes may participate in a project. Grants may
 327.30 be issued to Minnesota Indian tribes to support the projects. The commissioner may waive
 327.31 existing state rules as needed to accomplish the projects. The commissioner may authorize
 327.32 projects to use alternative methods of (1) screening, investigating, and assessing reports of
 327.33 child maltreatment, and (2) administrative reconsideration, administrative appeal, and
 328.1 judicial appeal of maltreatment determinations, provided the alternative methods used by
 328.2 the projects comply with the provisions of section 256.045 and chapter 260E that deal with
 328.3 the rights of individuals who are the subjects of reports or investigations, including notice
 328.4 and appeal rights and data practices requirements. The commissioner shall only authorize
 328.5 alternative methods that comply with the public policy under section 260E.01. The
 328.6 commissioner may seek any federal approval necessary to carry out the projects as well as
 328.7 seek and use any funds available to the commissioner, including use of federal funds,
 328.8 foundation funds, existing grant funds, and other funds. The commissioner is authorized to
 328.9 advance state funds as necessary to operate the projects. Federal reimbursement applicable
 328.10 to the projects is appropriated to the commissioner for the purposes of the projects. The
 328.11 projects must be required to address responsibility for safety, permanency, and well-being
 328.12 of children.

328.13 (b) For the purposes of this section, "American Indian child" means a person under 21
 328.14 years old and who is a tribal member or eligible for membership in one of the tribes chosen
 328.15 for a project under this subdivision and who is residing on the reservation of that tribe.

328.16 (c) In order to qualify for an American Indian child welfare project, a tribe must:

328.17 (1) be one of the existing tribes with reservation land in Minnesota;

328.18 (2) have a tribal court with jurisdiction over child custody proceedings;

328.19 (3) have a substantial number of children for whom determinations of maltreatment have
 328.20 occurred;

328.21 (4)(i) have capacity to respond to reports of abuse and neglect under chapter 260E; or
 328.22 (ii) have codified the tribe's screening, investigation, and assessment of reports of child
 328.23 maltreatment procedures, if authorized to use an alternative method by the commissioner
 328.24 under paragraph (a);

328.25 (5) provide a wide range of services to families in need of child welfare services; ~~and~~

328.26 (6) have a tribal-state title IV-E agreement in effect; ~~and~~ and

328.27 (7) enter into host Tribal contracts pursuant to section 256.0112, subdivision 6.

429.11 (d) Grants awarded under this section may be used for the nonfederal costs of providing
 429.12 child welfare services to American Indian children on the tribe's reservation, including costs
 429.13 associated with:

429.14 (1) assessment and prevention of child abuse and neglect;
 429.15 (2) family preservation;
 429.16 (3) facilitative, supportive, and reunification services;
 429.17 (4) out-of-home placement for children removed from the home for child protective
 429.18 purposes; and
 429.19 (5) other activities and services approved by the commissioner that further the goals of
 429.20 providing safety, permanency, and well-being of American Indian children.

429.21 (e) When a tribe has initiated a project and has been approved by the commissioner to
 429.22 assume child welfare responsibilities for American Indian children of that tribe under this
 429.23 section, the affected county social service agency is relieved of responsibility for responding
 429.24 to reports of abuse and neglect under chapter 260E for those children during the time within
 429.25 which the tribal project is in effect and funded. The commissioner shall work with tribes
 429.26 and affected counties to develop procedures for data collection, evaluation, and clarification
 429.27 of ongoing role and financial responsibilities of the county and tribe for child welfare services
 429.28 prior to initiation of the project. Children who have not been identified by the tribe as
 429.29 participating in the project shall remain the responsibility of the county. Nothing in this
 429.30 section shall alter responsibilities of the county for law enforcement or court services.

430.1 (f) Participating tribes may conduct children's mental health screenings under section
 430.2 245.4874, subdivision 1, paragraph (a), clause (12), for children who are eligible for the
 430.3 initiative and living on the reservation and who meet one of the following criteria:

430.4 (1) the child must be receiving child protective services;
 430.5 (2) the child must be in foster care; or
 430.6 (3) the child's parents must have had parental rights suspended or terminated.

430.7 Tribes may access reimbursement from available state funds for conducting the screenings.
 430.8 Nothing in this section shall alter responsibilities of the county for providing services under
 430.9 section 245.487.

430.10 (g) Participating tribes may establish a local child mortality review panel. In establishing
 430.11 a local child mortality review panel, the tribe agrees to conduct local child mortality reviews
 430.12 for child deaths or near-fatalities occurring on the reservation under subdivision 12. Tribes
 430.13 with established child mortality review panels shall have access to nonpublic data and shall
 430.14 protect nonpublic data under subdivision 12, paragraphs (c) to (e). The tribe shall provide
 430.15 written notice to the commissioner and affected counties when a local child mortality review
 430.16 panel has been established and shall provide data upon request of the commissioner for

328.28 (d) Grants awarded under this section may be used for the nonfederal costs of providing
 328.29 child welfare services to American Indian children on the tribe's reservation, including costs
 328.30 associated with:

328.31 (1) assessment and prevention of child abuse and neglect;
 328.32 (2) family preservation;
 329.1 (3) facilitative, supportive, and reunification services;
 329.2 (4) out-of-home placement for children removed from the home for child protective
 329.3 purposes; and
 329.4 (5) other activities and services approved by the commissioner that further the goals of
 329.5 providing safety, permanency, and well-being of American Indian children.

329.6 (e) When a tribe has initiated a project and has been approved by the commissioner to
 329.7 assume child welfare responsibilities for American Indian children of that tribe under this
 329.8 section, the affected county social service agency is relieved of responsibility for responding
 329.9 to reports of abuse and neglect under chapter 260E for those children during the time within
 329.10 which the tribal project is in effect and funded. The commissioner shall work with tribes
 329.11 and affected counties to develop procedures for data collection, evaluation, and clarification
 329.12 of ongoing role and financial responsibilities of the county and tribe for child welfare services
 329.13 prior to initiation of the project. Children who have not been identified by the tribe as
 329.14 participating in the project shall remain the responsibility of the county. Nothing in this
 329.15 section shall alter responsibilities of the county for law enforcement or court services.

329.16 (f) Participating tribes may conduct children's mental health screenings under section
 329.17 245.4874, subdivision 1, paragraph (a), clause (12), for children who are eligible for the
 329.18 initiative and living on the reservation and who meet one of the following criteria:

329.19 (1) the child must be receiving child protective services;
 329.20 (2) the child must be in foster care; or
 329.21 (3) the child's parents must have had parental rights suspended or terminated.

329.22 Tribes may access reimbursement from available state funds for conducting the screenings.
 329.23 Nothing in this section shall alter responsibilities of the county for providing services under
 329.24 section 245.487.

329.25 (g) Participating tribes may establish a local child mortality review panel. In establishing
 329.26 a local child mortality review panel, the tribe agrees to conduct local child mortality reviews
 329.27 for child deaths or near-fatalities occurring on the reservation under subdivision 12. Tribes
 329.28 with established child mortality review panels shall have access to nonpublic data and shall
 329.29 protect nonpublic data under subdivision 12, paragraphs (c) to (e). The tribe shall provide
 329.30 written notice to the commissioner and affected counties when a local child mortality review
 329.31 panel has been established and shall provide data upon request of the commissioner for

430.17 purposes of sharing nonpublic data with members of the state child mortality review panel
430.18 in connection to an individual case.

430.19 (h) The commissioner shall collect information on outcomes relating to child safety,
430.20 permanency, and well-being of American Indian children who are served in the projects.
430.21 Participating tribes must provide information to the state in a format and completeness
430.22 deemed acceptable by the state to meet state and federal reporting requirements.

430.23 (i) In consultation with the White Earth Band, the commissioner shall develop and submit
430.24 to the chairs and ranking minority members of the legislative committees with jurisdiction
430.25 over health and human services a plan to transfer legal responsibility for providing child
430.26 protective services to White Earth Band member children residing in Hennepin County to
430.27 the White Earth Band. The plan shall include a financing proposal, definitions of key terms,
430.28 statutory amendments required, and other provisions required to implement the plan. The
430.29 commissioner shall submit the plan by January 15, 2012.

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

431.1 Sec. 12. Minnesota Statutes 2020, section 256.0112, subdivision 6, is amended to read:

431.2 Subd. 6. **Contracting within and across county lines; lead county contracts; lead**
431.3 **tribal contracts.** Paragraphs (a) to (e) govern contracting within and across county lines
431.4 and lead county contracts. **Paragraphs (a) to (e) govern contracting within and across**
431.5 **reservation boundaries and lead tribal contracts for initiative tribes under section 256.01,**
431.6 **subdivision 14b. For purposes of this subdivision, "local agency" includes a tribe or a county**
431.7 **agency.**

431.8 (a) Once a local agency and an approved vendor execute a contract that meets the
431.9 requirements of this subdivision, the contract governs all other purchases of service from
431.10 the vendor by all other local agencies for the term of the contract. The local agency that
431.11 negotiated and entered into the contract becomes the lead tribe or county for the contract.

431.12 (b) When the local agency in the county or reservation where a vendor is located wants
431.13 to purchase services from that vendor and the vendor has no contract with the local agency
431.14 or any other tribe or county, the local agency must negotiate and execute a contract with
431.15 the vendor.

431.16 (c) When a local agency ~~in one county~~ wants to purchase services from a vendor located
431.17 in another county or reservation, it must notify the local agency in the county or reservation
431.18 where the vendor is located. Within 30 days of being notified, the local agency in the vendor's
431.19 county or reservation must:

431.20 (1) if it has a contract with the vendor, send a copy to the inquiring local agency;

431.21 (2) if there is a contract with the vendor for which another local agency is the lead tribe
431.22 or county, identify the lead tribe or county to the inquiring agency; or

329.32 purposes of sharing nonpublic data with members of the state child mortality review panel
329.33 in connection to an individual case.

330.1 (h) The commissioner shall collect information on outcomes relating to child safety,
330.2 permanency, and well-being of American Indian children who are served in the projects.
330.3 Participating tribes must provide information to the state in a format and completeness
330.4 deemed acceptable by the state to meet state and federal reporting requirements.

330.5 (i) In consultation with the White Earth Band, the commissioner shall develop and submit
330.6 to the chairs and ranking minority members of the legislative committees with jurisdiction
330.7 over health and human services a plan to transfer legal responsibility for providing child
330.8 protective services to White Earth Band member children residing in Hennepin County to
330.9 the White Earth Band. The plan shall include a financing proposal, definitions of key terms,
330.10 statutory amendments required, and other provisions required to implement the plan. The
330.11 commissioner shall submit the plan by January 15, 2012.

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

330.13 Sec. 14. Minnesota Statutes 2020, section 256.0112, subdivision 6, is amended to read:

330.14 Subd. 6. **Contracting within and across county lines; lead county contracts; lead**
330.15 **Tribal contracts.** Paragraphs (a) to (e) govern contracting within and across county lines
330.16 and lead county contracts. **Paragraphs (a) to (e) govern contracting within and across**
330.17 **reservation boundaries and lead Tribal contracts for initiative tribes under section 256.01,**
330.18 **subdivision 14b. For purposes of this subdivision, "local agency" includes a tribe or a county**
330.19 **agency.**

330.20 (a) Once a local agency and an approved vendor execute a contract that meets the
330.21 requirements of this subdivision, the contract governs all other purchases of service from
330.22 the vendor by all other local agencies for the term of the contract. The local agency that
330.23 negotiated and entered into the contract becomes the lead tribe or county for the contract.

330.24 (b) When the local agency in the county or reservation where a vendor is located wants
330.25 to purchase services from that vendor and the vendor has no contract with the local agency
330.26 or any other tribe or county, the local agency must negotiate and execute a contract with
330.27 the vendor.

330.28 (c) When a local agency ~~in one county~~ wants to purchase services from a vendor located
330.29 in another county or reservation, it must notify the local agency in the county or reservation
330.30 where the vendor is located. Within 30 days of being notified, the local agency in the vendor's
330.31 county or reservation must:

330.32 (1) if it has a contract with the vendor, send a copy to the inquiring local agency;

331.1 (2) if there is a contract with the vendor for which another local agency is the lead tribe
331.2 or county, identify the lead tribe or county to the inquiring agency; or

431.23 (3) if no local agency has a contract with the vendor, inform the inquiring agency whether
 431.24 it will negotiate a contract and become the lead tribe or county. If the agency where the
 431.25 vendor is located will not negotiate a contract with the vendor because of concerns related
 431.26 to clients' health and safety, the agency must share those concerns with the inquiring local
 431.27 agency.

431.28 (d) If the local agency in the county where the vendor is located declines to negotiate a
 431.29 contract with the vendor or fails to respond within 30 days of receiving the notification
 431.30 under paragraph (c), the inquiring agency is authorized to negotiate a contract and must
 431.31 notify the local agency that declined or failed to respond.

431.32 (e) When the inquiring county local agency under paragraph (d) becomes the lead tribe
 431.33 or county for a contract and the contract expires and needs to be renegotiated, that tribe or
 432.1 county must again follow the requirements under paragraph (c) and notify the local agency
 432.2 where the vendor is located. The local agency where the vendor is located has the option
 432.3 of becoming the lead tribe or county for the new contract. If the local agency does not
 432.4 exercise the option, paragraph (d) applies.

432.5 (f) This subdivision does not affect the requirement to seek county concurrence under
 432.6 section 256B.092, subdivision 8a, when the services are to be purchased for a person with
 432.7 a developmental disability or under section 245.4711, subdivision 3, when the services to
 432.8 be purchased are for an adult with serious and persistent mental illness.

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

331.3 (3) if no local agency has a contract with the vendor, inform the inquiring agency whether
 331.4 it will negotiate a contract and become the lead tribe or county. If the agency where the
 331.5 vendor is located will not negotiate a contract with the vendor because of concerns related
 331.6 to clients' health and safety, the agency must share those concerns with the inquiring local
 331.7 agency.

331.8 (d) If the local agency in the county where the vendor is located declines to negotiate a
 331.9 contract with the vendor or fails to respond within 30 days of receiving the notification
 331.10 under paragraph (c), the inquiring agency is authorized to negotiate a contract and must
 331.11 notify the local agency that declined or failed to respond.

331.12 (e) When the inquiring county local agency under paragraph (d) becomes the lead tribe
 331.13 or county for a contract and the contract expires and needs to be renegotiated, that tribe or
 331.14 county must again follow the requirements under paragraph (c) and notify the local agency
 331.15 where the vendor is located. The local agency where the vendor is located has the option
 331.16 of becoming the lead tribe or county for the new contract. If the local agency does not
 331.17 exercise the option, paragraph (d) applies.

331.18 (f) This subdivision does not affect the requirement to seek county concurrence under
 331.19 section 256B.092, subdivision 8a, when the services are to be purchased for a person with
 331.20 a developmental disability or under section 245.4711, subdivision 3, when the services to
 331.21 be purchased are for an adult with serious and persistent mental illness.

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

365.9 Section 1. Minnesota Statutes 2020, section 256.741, is amended by adding a subdivision
 365.10 to read:

365.11 Subd. 12a. Appeals of good cause determinations. According to section 256.045, an
 365.12 individual may appeal the determination or redetermination of good cause under this section.
 365.13 To initiate an appeal of a good cause determination or redetermination, the individual must
 365.14 make a request for a state agency hearing in writing within 30 calendar days after the date
 365.15 that a notice of denial for good cause is mailed or otherwise transmitted to the individual.
 365.16 Until a human services judge issues a decision under section 256.0451, subdivision 22, the
 365.17 child support agency shall cease all child support enforcement efforts and shall not report
 365.18 the individual's noncooperation to public assistance agencies.

365.19 Sec. 2. Minnesota Statutes 2020, section 256.741, is amended by adding a subdivision to
 365.20 read:

365.21 Subd. 12b. Reporting noncooperation. The public authority may issue a notice of the
 365.22 individual's noncooperation to each public assistance agency providing public assistance
 365.23 to the individual if:

365.24 (1) 30 calendar days have passed since the later of the initial county denial or the date
 365.25 of the denial following the state agency hearing; or

365.26 (2) the individual has not cooperated with the child support agency as required in
365.27 subdivision 5.

285.1 Sec. 36. Minnesota Statutes 2020, section 259.241, is amended to read:

285.2 **259.241 ADULT ADOPTION.**

285.3 (a) Any adult person may be adopted, regardless of the adult person's residence. A
285.4 resident of Minnesota may petition the court of record having jurisdiction of adoption
285.5 proceedings to adopt an individual who has reached the age of 18 years or older.

285.6 (b) The consent of the person to be adopted shall be the only consent necessary, according
285.7 to section 259.24. The consent of an adult in the adult person's own adoption is invalid if
285.8 the adult is considered to be a vulnerable adult under section 626.5572, subdivision 21, or
285.9 if the person consenting to the adoption is determined not competent to give consent.

285.10 (c) Notwithstanding paragraph (b), a person in extended foster care under section
285.11 260C.451 may consent to the person's own adoption as long as the court with jurisdiction
285.12 finds the person competent to give consent.

285.13 ~~(d)~~ (d) The decree of adoption establishes a parent-child relationship between the adopting
285.14 parent or parents and the person adopted, including the right to inherit, and also terminates
285.15 the parental rights and sibling relationship between the adopted person and the adopted
285.16 person's birth parents and siblings according to section 259.59.

285.17 ~~(e)~~ (e) If the adopted person requests a change of name, the adoption decree shall order
285.18 the name change.

286.3 Sec. 38. Minnesota Statutes 2020, section 259.53, subdivision 4, is amended to read:

286.4 Subd. 4. **Preadoption residence.** No petition shall be granted under this chapter until
286.5 the child ~~shall have~~ has lived for three months in the proposed adoptive home, subject to a
286.6 right of visitation by the commissioner or an agency or their authorized representatives.

286.11 Sec. 40. Minnesota Statutes 2020, section 259.75, subdivision 5, is amended to read:

286.12 Subd. 5. **Withdrawal of registration.** A child's registration shall be withdrawn when
286.13 the exchange service has been notified in writing by the local social service agency or the
286.14 licensed child-placing agency that the child has been placed in an adoptive home ~~or~~ has
286.15 died, or is no longer under the guardianship of the commissioner and is no longer seeking
286.16 an adoptive home.

286.17 Sec. 41. Minnesota Statutes 2020, section 259.75, subdivision 6, is amended to read:

286.18 Subd. 6. **Periodic review of status.** ~~(a) The exchange service commissioner shall~~
286.19 ~~semiannually check review the state adoption exchange status of listed children for whom~~
286.20 ~~inquiries have been received~~ identified under subdivision 2, including a child whose
286.21 registration was withdrawn pursuant to subdivision 5. The commissioner may determine
286.22 that a child who is unregistered, or whose registration has been deferred, must be registered

286.23 and require the authorized child-placing agency to register the child with the state adoption
 286.24 exchange within ten working days of the commissioner's determination.

286.25 (b) Periodic checks reviews shall be made by the service commissioner to determine the
 286.26 progress toward adoption of those children and the status of children registered but never
 286.27 listed in the exchange book because of placement in an adoptive home prior to or at the
 286.28 time of registration state adoption exchange.

287.1 Sec. 42. Minnesota Statutes 2020, section 259.75, subdivision 9, is amended to read:

287.2 Subd. 9. **Rules; staff.** The commissioner of human services shall make rules as necessary
 287.3 to administer this section and shall employ necessary staff to carry out the purposes of this
 287.4 section. The commissioner may contract for services to carry out the purposes of this section.

287.5 Sec. 43. Minnesota Statutes 2020, section 259.83, subdivision 1a, is amended to read:

287.6 Subd. 1a. **Social and medical history.** (a) If a person aged 19 years and over who was
 287.7 adopted on or after August 1, 1994, or the adoptive parent requests the detailed nonidentifying
 287.8 social and medical history of the adopted person's birth family that was provided at the time
 287.9 of the adoption, agencies must provide the information to the adopted person or adoptive
 287.10 parent on the applicable form required under section sections 259.43 and 260C.212,
 287.11 subdivision 15.

287.12 (b) If an adopted person aged 19 years and over or the adoptive parent requests the
 287.13 agency to contact the adopted person's birth parents to request current nonidentifying social
 287.14 and medical history of the adopted person's birth family, agencies must use the applicable
 287.15 form required under section sections 259.43 and 260C.212, subdivision 15, when obtaining
 287.16 the information for the adopted person or adoptive parent.

287.17 Sec. 44. Minnesota Statutes 2020, section 259A.75, subdivision 1, is amended to read:

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

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

287.27 (c) The commissioner shall set aside an amount not to exceed five percent of the total
 287.28 amount of the fiscal year appropriation from the state for the adoption assistance program
 287.29 to reimburse a Minnesota county or tribal social services placing agency for child-specific
 287.30 adoption placement services. When adoption assistance payments for children's needs exceed
 287.31 95 percent of the total amount of the fiscal year appropriation from the state for the adoption

- 288.1 assistance program, the amount of reimbursement available to placing agencies for adoption
288.2 services is reduced correspondingly.
- 288.3 Sec. 45. Minnesota Statutes 2020, section 259A.75, subdivision 2, is amended to read:
- 288.4 Subd. 2. **Purchase of service contract child eligibility criteria.** ~~(a)~~ A child who is the
288.5 subject of a purchase of service contract must:
- 288.6 (1) have the goal of adoption, which may include an adoption in accordance with tribal
288.7 law;
- 288.8 (2) be under the guardianship of the commissioner of human services or be a ward of
288.9 tribal court pursuant to section 260.755, subdivision 20; and
- 288.10 (3) meet all of the special needs criteria according to section 259A.10, subdivision 2,
288.11 256N.23, subdivision 2.
- 288.12 ~~(b) A child under the guardianship of the commissioner must have an identified adoptive
288.13 parent and a fully executed adoption placement agreement according to section 260C.613,
288.14 subdivision 1, paragraph (a).~~
- 288.15 Sec. 46. Minnesota Statutes 2020, section 259A.75, subdivision 3, is amended to read:
- 288.16 Subd. 3. **Agency eligibility criteria.** (a) A Minnesota county or Tribal social services
288.17 agency shall receive reimbursement for child-specific adoption placement services for an
288.18 eligible child that it purchases from a private adoption agency licensed in Minnesota or any
288.19 other state or tribal social services agency.
- 288.20 (b) Reimbursement for adoption services is available only for services provided prior
288.21 to the date of the adoption decree.
- 288.22 Sec. 47. Minnesota Statutes 2020, section 259A.75, subdivision 4, is amended to read:
- 288.23 Subd. 4. **Application and eligibility determination.** (a) A Minnesota county or Tribal
288.24 social services agency may request reimbursement of costs for adoption placement services
288.25 by submitting a complete purchase of service application, according to the requirements
288.26 and procedures and on forms prescribed by the commissioner.
- 288.27 (b) The commissioner shall determine eligibility for reimbursement of adoption placement
288.28 services. If determined eligible, the commissioner of human services shall sign the purchase
288.29 of service agreement, making this a fully executed contract. No reimbursement under this
288.30 section shall be made to an agency for services provided prior to the fully executed contract.
- 289.1 (c) Separate purchase of service agreements shall be made, and separate records
289.2 maintained, on each child. Only one agreement per child per adoptive placement is permitted.
289.3 For siblings who are placed together, services shall be planned and provided to best maximize
289.4 efficiency of the contracted hours.

- 432.10 Sec. 13. Minnesota Statutes 2020, section 260C.007, subdivision 6, is amended to read:
- 432.11 Subd. 6. **Child in need of protection or services.** "Child in need of protection or
- 432.12 services" means a child who is in need of protection or services because the child:
- 432.13 (1) is abandoned or without parent, guardian, or custodian;
- 432.14 (2)(i) has been a victim of physical or sexual abuse as defined in section 260E.03,
- 432.15 subdivision 18 or 20, (ii) resides with or has resided with a victim of child abuse as defined
- 432.16 in subdivision 5 or domestic child abuse as defined in subdivision 13, (iii) resides with or
- 432.17 would reside with a perpetrator of domestic child abuse as defined in subdivision 13 or child
- 432.18 abuse as defined in subdivision 5 or 13, or (iv) is a victim of emotional maltreatment as
- 432.19 defined in subdivision 15;
- 432.20 (3) is without necessary food, clothing, shelter, education, or other required care for the
- 432.21 child's physical or mental health or morals because the child's parent, guardian, or custodian
- 432.22 is unable or unwilling to provide that care;
- 432.23 (4) is without the special care made necessary by a physical, mental, or emotional
- 432.24 condition because the child's parent, guardian, or custodian is unable or unwilling to provide
- 432.25 that care;
- 432.26 (5) is medically neglected, which includes, but is not limited to, the withholding of
- 432.27 medically indicated treatment from an infant with a disability with a life-threatening
- 432.28 condition. The term "withholding of medically indicated treatment" means the failure to
- 432.29 respond to the infant's life-threatening conditions by providing treatment, including
- 432.30 appropriate nutrition, hydration, and medication which, in the treating physician's or advanced
- 432.31 practice registered nurse's reasonable medical judgment, will be most likely to be effective
- 432.32 in ameliorating or correcting all conditions, except that the term does not include the failure
- 432.33 to provide treatment other than appropriate nutrition, hydration, or medication to an infant
- 433.1 when, in the treating physician's or advanced practice registered nurse's reasonable medical
- 433.2 judgment:
- 433.3 (i) the infant is chronically and irreversibly comatose;
- 433.4 (ii) the provision of the treatment would merely prolong dying, not be effective in
- 433.5 ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be
- 433.6 futile in terms of the survival of the infant; or
- 433.7 (iii) the provision of the treatment would be virtually futile in terms of the survival of
- 433.8 the infant and the treatment itself under the circumstances would be inhumane;
- 433.9 (6) is one whose parent, guardian, or other custodian for good cause desires to be relieved
- 433.10 of the child's care and custody, including a child who entered foster care under a voluntary
- 433.11 placement agreement between the parent and the responsible social services agency under
- 433.12 section 260C.227;
- 433.13 (7) has been placed for adoption or care in violation of law;

- 433.14 (8) is without proper parental care because of the emotional, mental, or physical disability,
 433.15 or state of immaturity of the child's parent, guardian, or other custodian;
- 433.16 (9) is one whose behavior, condition, or environment is such as to be injurious or
 433.17 dangerous to the child or others. An injurious or dangerous environment may include, but
 433.18 is not limited to, the exposure of a child to criminal activity in the child's home;
- 433.19 (10) is experiencing growth delays, which may be referred to as failure to thrive, that
 433.20 have been diagnosed by a physician and are due to parental neglect;
- 433.21 (11) is a sexually exploited youth;
- 433.22 (12) has committed a delinquent act or a juvenile petty offense before becoming ~~ten~~ 13
 433.23 years old;
- 433.24 (13) is a runaway;
- 433.25 (14) is a habitual truant;
- 433.26 (15) has been found incompetent to proceed or has been found not guilty by reason of
 433.27 mental illness or mental deficiency in connection with a delinquency proceeding, a
 433.28 certification under section 260B.125, an extended jurisdiction juvenile prosecution, or a
 433.29 proceeding involving a juvenile petty offense; or
- 433.30 (16) has a parent whose parental rights to one or more other children were involuntarily
 433.31 terminated or whose custodial rights to another child have been involuntarily transferred to
 434.1 a relative and there is a case plan prepared by the responsible social services agency
 434.2 documenting a compelling reason why filing the termination of parental rights petition under
 434.3 section 260C.503, subdivision 2, is not in the best interests of the child.

289.5 Sec. 48. Minnesota Statutes 2020, section 260C.007, subdivision 22a, is amended to read:

289.6 Subd. 22a. **Licensed residential family-based substance use disorder treatment**
 289.7 **program.** "Licensed residential family-based substance use disorder treatment program"
 289.8 means a residential treatment facility that provides the parent or guardian with parenting
 289.9 skills training, parent education, or individual and family counseling, under an organizational
 289.10 structure and treatment framework that involves understanding, recognizing, and responding
 289.11 to the effects of all types of trauma according to recognized principles of a trauma-informed
 289.12 approach and trauma-specific interventions to address the consequences of trauma and
 289.13 facilitate healing. The residential program must be licensed by the Department of Human
 289.14 Services under ~~chapter~~ chapters 245A and ~~sections 245G.01 to 245G.16, 245G.19, and~~
 289.15 ~~245G.21~~ 245G or Tribally licensed or approved as a residential substance use disorder
 289.16 treatment program specializing in the treatment of clients with children.

434.4 Sec. 14. Minnesota Statutes 2020, section 260C.007, subdivision 26c, is amended to read:

434.5 Subd. 26c. **Qualified individual.** (a) "Qualified individual" means a trained culturally
 434.6 competent professional or licensed clinician, including a mental health professional under
 434.7 section 245.4871, subdivision 27, who is ~~not~~ qualified to conduct the assessment approved
 434.8 by the commissioner. The qualified individual must not be an employee of the responsible
 434.9 social services agency and who is not connected to or affiliated with any placement setting
 434.10 in which a responsible social services agency has placed children.

434.11 (b) When the Indian Child Welfare Act of 1978, United States Code, title 25, sections
 434.12 1901 to 1963, applies to a child, the county must contact the child's tribe without delay to
 434.13 give the tribe the option to designate a qualified individual who is a trained culturally
 434.14 competent professional or licensed clinician, including a mental health professional under
 434.15 section 245.4871, subdivision 27, who is not employed by the responsible social services
 434.16 agency and who is not connected to or affiliated with any placement setting in which a
 434.17 responsible social services agency has placed children. Only a federal waiver that
 434.18 demonstrates maintained objectivity may allow a responsible social services agency employee
 434.19 or tribal employee affiliated with any placement setting in which the responsible social
 434.20 services agency has placed children to be designated the qualified individual.

434.21 Sec. 15. Minnesota Statutes 2020, section 260C.007, subdivision 31, is amended to read:

434.22 Subd. 31. **Sexually exploited youth.** "Sexually exploited youth" means an individual
 434.23 who:

434.24 (1) is alleged to have engaged in conduct which would, if committed by an adult, violate
 434.25 any federal, state, or local law relating to being hired, offering to be hired, or agreeing to
 434.26 be hired by another individual to engage in sexual penetration or sexual conduct;

434.27 (2) is a victim of a crime described in section 609.342, 609.343, 609.344, 609.345,
 434.28 609.3451, 609.3453, 609.352, 617.246, or 617.247;

434.29 (3) is a victim of a crime described in United States Code, title 18, section 2260; 2421;
 434.30 2422; 2423; 2425; 2425A; or 2256; ~~or~~

434.31 (4) is a sex trafficking victim as defined in section 609.321, subdivision 7b; or

435.1 (5) is a victim of commercial sexual exploitation as defined in United States Code, title
 435.2 22, section 7102(11)(A) and (12).

435.3 **EFFECTIVE DATE.** This section is effective September 30, 2021.

435.4 Sec. 16. Minnesota Statutes 2020, section 260C.157, subdivision 3, is amended to read:

435.5 Subd. 3. **Juvenile treatment screening team.** (a) The responsible social services agency
 435.6 shall establish a juvenile treatment screening team to conduct screenings under this chapter
 435.7 ~~and section 245.487, subdivision 3, and chapter 260D~~ for a child to receive treatment for
 435.8 an emotional disturbance, a developmental disability, or related condition in a residential

331.23 Sec. 15. Minnesota Statutes 2020, section 260C.007, subdivision 26c, is amended to read:

331.24 Subd. 26c. **Qualified individual.** (a) "Qualified individual" means a trained culturally
 331.25 competent professional or licensed clinician, including a mental health professional under
 331.26 section 245.4871, subdivision 27, who is ~~not~~ qualified to conduct the assessment approved
 331.27 by the commissioner. The qualified individual must not be an employee of the responsible
 331.28 social services agency and who is not or an individual connected to or affiliated with any
 331.29 placement setting in which a responsible social services agency has placed children.

331.30 (b) When the Indian Child Welfare Act of 1978, United States Code, title 25, sections
 331.31 1901 to 1963, applies to a child, the county must contact the child's tribe without delay to
 331.32 give the tribe the option to designate a qualified individual who is a trained culturally
 331.33 competent professional or licensed clinician, including a mental health professional under
 332.1 section 245.4871, subdivision 27, who is not employed by the responsible social services
 332.2 agency and who is not connected to or affiliated with any placement setting in which a
 332.3 responsible social services agency has placed children. Only a federal waiver that
 332.4 demonstrates maintained objectivity may allow a responsible social services agency employee
 332.5 or Tribal employee affiliated with any placement setting in which the responsible social
 332.6 services agency has placed children to be designated the qualified individual.

332.7 Sec. 16. Minnesota Statutes 2020, section 260C.007, subdivision 31, is amended to read:

332.8 Subd. 31. **Sexually exploited youth.** "Sexually exploited youth" means an individual
 332.9 who:

332.10 (1) is alleged to have engaged in conduct which would, if committed by an adult, violate
 332.11 any federal, state, or local law relating to being hired, offering to be hired, or agreeing to
 332.12 be hired by another individual to engage in sexual penetration or sexual conduct;

332.13 (2) is a victim of a crime described in section 609.342, 609.343, 609.344, 609.345,
 332.14 609.3451, 609.3453, 609.352, 617.246, or 617.247;

332.15 (3) is a victim of a crime described in United States Code, title 18, section 2260; 2421;
 332.16 2422; 2423; 2425; 2425A; or 2256; ~~or~~

332.17 (4) is a sex trafficking victim as defined in section 609.321, subdivision 7b; or

332.18 (5) is a victim of commercial sexual exploitation as defined in United States Code, title
 332.19 22, section 7102(11)(A) and (12).

332.20 **EFFECTIVE DATE.** This section is effective September 30, 2021.

332.21 Sec. 17. Minnesota Statutes 2020, section 260C.157, subdivision 3, is amended to read:

332.22 Subd. 3. **Juvenile treatment screening team.** (a) The responsible social services agency
 332.23 shall establish a juvenile treatment screening team to conduct screenings under this chapter
 332.24 ~~and chapter 260D, and section 245.487, subdivision 3,~~ for a child to receive treatment for
 332.25 an emotional disturbance, a developmental disability, or related condition in a residential

435.9 treatment facility licensed by the commissioner of human services under chapter 245A, or
 435.10 licensed or approved by a tribe. A screening team is not required for a child to be in: (1) a
 435.11 residential facility specializing in prenatal, postpartum, or parenting support; (2) a facility
 435.12 specializing in high-quality residential care and supportive services to children and youth
 435.13 who ~~are~~ have been or are at risk of becoming victims of ~~sex-trafficking victims or are at~~
 435.14 ~~risk of becoming sex-trafficking victims or commercial sexual exploitation~~; (3) supervised
 435.15 settings for youth who are 18 years old of age or older and living independently; or (4) a
 435.16 licensed residential family-based treatment facility for substance abuse consistent with
 435.17 section 260C.190. Screenings are also not required when a child must be placed in a facility
 435.18 due to an emotional crisis or other mental health emergency.

435.19 (b) The responsible social services agency shall conduct screenings within 15 days of a
 435.20 request for a screening, unless the screening is for the purpose of residential treatment and
 435.21 the child is enrolled in a prepaid health program under section 256B.69, in which case the
 435.22 agency shall conduct the screening within ten working days of a request. The responsible
 435.23 social services agency shall convene the juvenile treatment screening team, which may be
 435.24 constituted under section 245.4885 or 256B.092 or Minnesota Rules, parts 9530.6600 to
 435.25 9530.6655. The team shall consist of social workers; persons with expertise in the treatment
 435.26 of juveniles who are emotionally ~~disabled~~ disturbed, chemically dependent, or have a
 435.27 developmental disability; and the child's parent, guardian, or permanent legal custodian.
 435.28 The team may include the child's relatives as defined in section 260C.007, subdivisions 26b
 435.29 and 27, the child's foster care provider, and professionals who are a resource to the child's
 435.30 family such as teachers, medical or mental health providers, and clergy, as appropriate,
 435.31 consistent with the family and permanency team as defined in section 260C.007, subdivision
 435.32 16a. Prior to forming the team, the responsible social services agency must consult with the
 435.33 child's parents, the child if the child is age 14 or older, ~~the child's parents~~, and, if applicable,
 435.34 the child's tribe to obtain recommendations regarding which individuals to include on the
 436.1 team and to ensure that the team is family-centered and will act in the child's best interest
 436.2 interests. If the child, child's parents, or legal guardians raise concerns about specific relatives
 436.3 or professionals, the team should not include those individuals. This provision does not
 436.4 apply to paragraph (c).

436.5 (c) If the agency provides notice to tribes under section 260.761, and the child screened
 436.6 is an Indian child, the responsible social services agency must make a rigorous and concerted
 436.7 effort to include a designated representative of the Indian child's tribe on the juvenile
 436.8 treatment screening team, unless the child's tribal authority declines to appoint a
 436.9 representative. The Indian child's tribe may delegate its authority to represent the child to
 436.10 any other federally recognized Indian tribe, as defined in section 260.755, subdivision 12.
 436.11 The provisions of the Indian Child Welfare Act of 1978, United States Code, title 25, sections
 436.12 1901 to 1963, and the Minnesota Indian Family Preservation Act, sections 260.751 to
 436.13 260.835, apply to this section.

436.14 (d) If the court, prior to, or as part of, a final disposition or other court order, proposes
 436.15 to place a child with an emotional disturbance or developmental disability or related condition
 436.16 in residential treatment, the responsible social services agency must conduct a screening.

332.26 treatment facility licensed by the commissioner of human services under chapter 245A, or
 332.27 licensed or approved by a tribe. A screening team is not required for a child to be in: (1) a
 332.28 residential facility specializing in prenatal, postpartum, or parenting support; (2) a facility
 332.29 specializing in high-quality residential care and supportive services to children and youth
 332.30 who ~~are~~ have been or are at risk of becoming victims of ~~sex-trafficking~~ sex trafficking
 332.31 ~~victims or are at risk of becoming sex-trafficking victims or commercial sexual exploitation~~;
 332.32 (3) supervised settings for youth who are 18 years old of age or older and living
 333.1 independently; or (4) a licensed residential family-based treatment facility for substance
 333.2 abuse consistent with section 260C.190. Screenings are also not required when a child must
 333.3 be placed in a facility due to an emotional crisis or other mental health emergency.

333.4 (b) The responsible social services agency shall conduct screenings within 15 days of a
 333.5 request for a screening, unless the screening is for the purpose of residential treatment and
 333.6 the child is enrolled in a prepaid health program under section 256B.69, in which case the
 333.7 agency shall conduct the screening within ten working days of a request. The responsible
 333.8 social services agency shall convene the juvenile treatment screening team, which may be
 333.9 constituted under section 245.4885 or 256B.092 or Minnesota Rules, parts 9530.6600 to
 333.10 9530.6655. The team shall consist of social workers; persons with expertise in the treatment
 333.11 of juveniles who are emotionally ~~disabled~~ disturbed, chemically dependent, or have a
 333.12 developmental disability; and the child's parent, guardian, or permanent legal custodian.
 333.13 The team may include the child's relatives as defined in section 260C.007, subdivisions 26b
 333.14 and 27, the child's foster care provider, and professionals who are a resource to the child's
 333.15 family such as teachers, medical or mental health providers, and clergy, as appropriate,
 333.16 consistent with the family and permanency team as defined in section 260C.007, subdivision
 333.17 16a. Prior to forming the team, the responsible social services agency must consult with the
 333.18 child's parents, the child if the child is age 14 or older, ~~the child's parents~~, and, if applicable,
 333.19 the child's tribe to obtain recommendations regarding which individuals to include on the
 333.20 team and to ensure that the team is family-centered and will act in the child's best interest
 333.21 interests. If the child, child's parents, or legal guardians raise concerns about specific relatives
 333.22 or professionals, the team should not include those individuals. This provision does not
 333.23 apply to paragraph (c).

333.24 (c) If the agency provides notice to tribes under section 260.761, and the child screened
 333.25 is an Indian child, the responsible social services agency must make a rigorous and concerted
 333.26 effort to include a designated representative of the Indian child's tribe on the juvenile
 333.27 treatment screening team, unless the child's tribal authority declines to appoint a
 333.28 representative. The Indian child's tribe may delegate its authority to represent the child to
 333.29 any other federally recognized Indian tribe, as defined in section 260.755, subdivision 12.
 333.30 The provisions of the Indian Child Welfare Act of 1978, United States Code, title 25, sections
 333.31 1901 to 1963, and the Minnesota Indian Family Preservation Act, sections 260.751 to
 333.32 260.835, apply to this section.

333.33 (d) If the court, prior to, or as part of, a final disposition or other court order, proposes
 333.34 to place a child with an emotional disturbance or developmental disability or related condition
 333.35 in residential treatment, the responsible social services agency must conduct a screening.

- 436.17 If the team recommends treating the child in a qualified residential treatment program, the
436.18 agency must follow the requirements of sections 260C.70 to 260C.714.
- 436.19 The court shall ascertain whether the child is an Indian child and shall notify the
436.20 responsible social services agency and, if the child is an Indian child, shall notify the Indian
436.21 child's tribe as paragraph (c) requires.
- 436.22 (e) When the responsible social services agency is responsible for placing and caring
436.23 for the child and the screening team recommends placing a child in a qualified residential
436.24 treatment program as defined in section 260C.007, subdivision 26d, the agency must: (1)
436.25 begin the assessment and processes required in section 260C.704 without delay; and (2)
436.26 conduct a relative search according to section 260C.221 to assemble the child's family and
436.27 permanency team under section 260C.706. Prior to notifying relatives regarding the family
436.28 and permanency team, the responsible social services agency must consult with the child's
436.29 parent or legal guardian, the child if the child is age 14 or older, ~~the child's parents~~ and, if
436.30 applicable, the child's tribe to ensure that the agency is providing notice to individuals who
436.31 will act in the child's best ~~interest~~ interests. The child and the child's parents may identify
436.32 a culturally competent qualified individual to complete the child's assessment. The agency
436.33 shall make efforts to refer the assessment to the identified qualified individual. The
436.34 assessment may not be delayed for the purpose of having the assessment completed by a
436.35 specific qualified individual.
- 437.1 (f) When a screening team determines that a child does not need treatment in a qualified
437.2 residential treatment program, the screening team must:
- 437.3 (1) document the services and supports that will prevent the child's foster care placement
437.4 and will support the child remaining at home;
- 437.5 (2) document the services and supports that the agency will arrange to place the child
437.6 in a family foster home; or
- 437.7 (3) document the services and supports that the agency has provided in any other setting.
- 437.8 (g) When the Indian child's tribe or tribal health care services provider or Indian Health
437.9 Services provider proposes to place a child for the primary purpose of treatment for an
437.10 emotional disturbance, a developmental disability, or co-occurring emotional disturbance
437.11 and chemical dependency, the Indian child's tribe or the tribe delegated by the child's tribe
437.12 shall submit necessary documentation to the county juvenile treatment screening team,
437.13 which must invite the Indian child's tribe to designate a representative to the screening team.
- 437.14 (h) The responsible social services agency must conduct and document the screening in
437.15 a format approved by the commissioner of human services.
- 437.16 **EFFECTIVE DATE.** This section is effective September 30, 2021.

- 334.1 If the team recommends treating the child in a qualified residential treatment program, the
334.2 agency must follow the requirements of sections 260C.70 to 260C.714.
- 334.3 The court shall ascertain whether the child is an Indian child and shall notify the
334.4 responsible social services agency and, if the child is an Indian child, shall notify the Indian
334.5 child's tribe as paragraph (c) requires.
- 334.6 (e) When the responsible social services agency is responsible for placing and caring
334.7 for the child and the screening team recommends placing a child in a qualified residential
334.8 treatment program as defined in section 260C.007, subdivision 26d, the agency must: (1)
334.9 begin the assessment and processes required in section 260C.704 without delay; and (2)
334.10 conduct a relative search according to section 260C.221 to assemble the child's family and
334.11 permanency team under section 260C.706. Prior to notifying relatives regarding the family
334.12 and permanency team, the responsible social services agency must consult with the child's
334.13 parents and the child if the child is age 14 or older, ~~the child's parents~~ and, if applicable, the
334.14 child's tribe to ensure that the agency is providing notice to individuals who will act in the
334.15 child's best ~~interest~~ interests. The child and the child's parents may identify a culturally
334.16 competent qualified individual to complete the child's assessment. The agency shall make
334.17 efforts to refer the assessment to the identified qualified individual. The assessment may
334.18 not be delayed for the purpose of having the assessment completed by a specific qualified
334.19 individual.
- 334.20 (f) When a screening team determines that a child does not need treatment in a qualified
334.21 residential treatment program, the screening team must:
- 334.22 (1) document the services and supports that will prevent the child's foster care placement
334.23 and will support the child remaining at home;
- 334.24 (2) document the services and supports that the agency will arrange to place the child
334.25 in a family foster home; or
- 334.26 (3) document the services and supports that the agency has provided in any other setting.
- 334.27 (g) When the Indian child's tribe or tribal health care services provider or Indian Health
334.28 Services provider proposes to place a child for the primary purpose of treatment for an
334.29 emotional disturbance, a developmental disability, or co-occurring emotional disturbance
334.30 and chemical dependency, the Indian child's tribe or the tribe delegated by the child's tribe
334.31 shall submit necessary documentation to the county juvenile treatment screening team,
334.32 which must invite the Indian child's tribe to designate a representative to the screening team.
- 335.1 (h) The responsible social services agency must conduct and document the screening in
335.2 a format approved by the commissioner of human services.
- 335.3 **EFFECTIVE DATE.** This section is effective September 30, 2021.

335.4 Sec. 18. Minnesota Statutes 2020, section 260C.163, subdivision 3, is amended to read:

335.5 Subd. 3. **Appointment of counsel.** (a) The child, parent, guardian or custodian has the
335.6 right to effective assistance of counsel in connection with a proceeding in juvenile court as
335.7 provided in this subdivision.

335.8 (b) Except in proceedings where the sole basis for the petition is habitual truancy, if the
335.9 child desires counsel but is unable to employ it, the court shall appoint counsel to represent
335.10 the child who is ten years of age or older under section 611.14, clause (4), or other counsel
335.11 at public expense.

335.12 (c) ~~Except in proceedings where the sole basis for the petition is habitual truancy, if the~~
335.13 ~~parent, guardian, or custodian desires counsel but is unable to employ it, the court shall~~
335.14 ~~appoint counsel to represent the parent, guardian, or custodian in any case in which it feels~~
335.15 ~~that such an appointment is appropriate if the person would be financially unable to obtain~~
335.16 ~~counsel under the guidelines set forth in section 611.17. In all child protection proceedings~~
335.17 ~~where a child risks removal from the care of the child's parent, guardian, or custodian,~~
335.18 ~~including a child in need of protection or services petition, an action pursuing removal of~~
335.19 ~~a child from the child's home, a termination of parental rights petition, or a petition for~~
335.20 ~~permanent out-of-home placement, if the parent, guardian, or custodian desires counsel and~~
335.21 ~~is eligible for counsel under section 611.17, the court shall appoint counsel to represent~~
335.22 ~~each parent, guardian, or custodian prior to the first hearing on the petition and at all stages~~
335.23 ~~of the proceedings. Court appointed counsel shall be at county expense as outlined in~~
335.24 ~~paragraph (h).~~

335.25 (d) In any proceeding where the subject of a petition for a child in need of protection or
335.26 services is ten years of age or older, the responsible social services agency shall, within 14
335.27 days after filing the petition or at the emergency removal hearing under section 260C.178,
335.28 subdivision 1, if the child is present, fully and effectively inform the child of the child's
335.29 right to be represented by appointed counsel upon request and shall notify the court as to
335.30 whether the child desired counsel. Information provided to the child shall include, at a
335.31 minimum, the fact that counsel will be provided without charge to the child, that the child's
335.32 communications with counsel are confidential, and that the child has the right to participate
335.33 in all proceedings on a petition, including the opportunity to personally attend all hearings.
335.34 The responsible social services agency shall also, within 14 days of the child's tenth birthday,
336.1 fully and effectively inform the child of the child's right to be represented by counsel if the
336.2 child reaches the age of ten years while the child is the subject of a petition for a child in
336.3 need of protection or services or is a child under the guardianship of the commissioner.

336.4 (e) In any proceeding where the sole basis for the petition is habitual truancy, the child,
336.5 parent, guardian, and custodian do not have the right to appointment of a public defender
336.6 or other counsel at public expense. However, before any out-of-home placement, including
336.7 foster care or inpatient treatment, can be ordered, the court must appoint a public defender
336.8 or other counsel at public expense in accordance with this subdivision.

336.9 (f) Counsel for the child shall not also act as the child's guardian ad litem.

336.10 (g) In any proceeding where the subject of a petition for a child in need of protection or
 336.11 services is not represented by an attorney, the court shall determine the child's preferences
 336.12 regarding the proceedings, including informing the child of the right to appointed counsel
 336.13 and asking whether the child desires counsel, if the child is of suitable age to express a
 336.14 preference.

336.15 (h) Court-appointed counsel for the parent, guardian, or custodian under this subdivision
 336.16 is at county expense. If the county has contracted with counsel meeting qualifications under
 336.17 paragraph (i), the court shall appoint the counsel retained by the county, unless a conflict
 336.18 of interest exists. If a conflict exists, after consulting with the chief judge of the judicial
 336.19 district or the judge's designee, the county shall contract with competent counsel to provide
 336.20 the necessary representation. The court may appoint only one counsel at public expense for
 336.21 the first court hearing to represent the interests of the parents, guardians, and custodians,
 336.22 unless, at any time during the proceedings upon petition of a party, the court determines
 336.23 and makes written findings on the record that extraordinary circumstances exist that require
 336.24 counsel to be appointed to represent a separate interest of other parents, guardians, or
 336.25 custodians subject to the jurisdiction of the juvenile court.

336.26 (i) Counsel retained by the county under paragraph (h) must meet the qualifications
 336.27 established by the Judicial Council in at least one of the following: (1) has a minimum of
 336.28 two years' experience handling child protection cases; (2) has training in handling child
 336.29 protection cases from a course or courses approved by the Judicial Council; or (3) is
 336.30 supervised by an attorney who meets the minimum qualifications under clause (1) or (2).

336.31 **EFFECTIVE DATE.** This section is effective July 1, 2022.

289.17 Sec. 49. Minnesota Statutes 2020, section 260C.212, subdivision 1, is amended to read:

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

289.22 (b) An out-of-home placement plan means a written document which is prepared by the
 289.23 responsible social services agency jointly with the parent or parents or guardian of the child
 289.24 and in consultation with the child's guardian ad litem, the child's tribe, if the child is an
 289.25 Indian child, the child's foster parent or representative of the foster care facility, and, where
 289.26 appropriate, the child. When a child is age 14 or older, the child may include two other
 289.27 individuals on the team preparing the child's out-of-home placement plan. The child may
 289.28 select one member of the case planning team to be designated as the child's advisor and to
 289.29 advocate with respect to the application of the reasonable and prudent parenting standards.
 289.30 The responsible social services agency may reject an individual selected by the child if the
 289.31 agency has good cause to believe that the individual would not act in the best interest of the
 289.32 child. For a child in voluntary foster care for treatment under chapter 260D, preparation of
 289.33 the out-of-home placement plan shall additionally include the child's mental health treatment

- 290.1 provider. For a child 18 years of age or older, the responsible social services agency shall
 290.2 involve the child and the child's parents as appropriate. As appropriate, the plan shall be:
- 290.3 (1) submitted to the court for approval under section 260C.178, subdivision 7;
- 290.4 (2) ordered by the court, either as presented or modified after hearing, under section
 290.5 260C.178, subdivision 7, or 260C.201, subdivision 6; and
- 290.6 (3) signed by the parent or parents or guardian of the child, the child's guardian ad litem,
 290.7 a representative of the child's tribe, the responsible social services agency, and, if possible,
 290.8 the child.
- 290.9 (c) The out-of-home placement plan shall be explained to all persons involved in its
 290.10 implementation, including the child who has signed the plan, and shall set forth:
- 290.11 (1) a description of the foster care home or facility selected, including how the
 290.12 out-of-home placement plan is designed to achieve a safe placement for the child in the
 290.13 least restrictive, most family-like, setting available which is in close proximity to the home
 290.14 of the parent or parents or guardian of the child when the case plan goal is reunification,
 290.15 and how the placement is consistent with the best interests and special needs of the child
 290.16 according to the factors under subdivision 2, paragraph (b);
- 290.17 (2) the specific reasons for the placement of the child in foster care, and when
 290.18 reunification is the plan, a description of the problems or conditions in the home of the
 290.19 parent or parents which necessitated removal of the child from home and the changes the
 290.20 parent or parents must make for the child to safely return home;
- 290.21 (3) a description of the services offered and provided to prevent removal of the child
 290.22 from the home and to reunify the family including:
- 290.23 (i) the specific actions to be taken by the parent or parents of the child to eliminate or
 290.24 correct the problems or conditions identified in clause (2), and the time period during which
 290.25 the actions are to be taken; and
- 290.26 (ii) the reasonable efforts, or in the case of an Indian child, active efforts to be made to
 290.27 achieve a safe and stable home for the child including social and other supportive services
 290.28 to be provided or offered to the parent or parents or guardian of the child, the child, and the
 290.29 residential facility during the period the child is in the residential facility;
- 290.30 (4) a description of any services or resources that were requested by the child or the
 290.31 child's parent, guardian, foster parent, or custodian since the date of the child's placement
 290.32 in the residential facility, and whether those services or resources were provided and if not,
 290.33 the basis for the denial of the services or resources;
- 291.1 (5) the visitation plan for the parent or parents or guardian, other relatives as defined in
 291.2 section 260C.007, subdivision 26b or 27, and siblings of the child if the siblings are not
 291.3 placed together in foster care, and whether visitation is consistent with the best interest of
 291.4 the child, during the period the child is in foster care;

291.5 (6) when a child cannot return to or be in the care of either parent, documentation of
 291.6 steps to finalize adoption as the permanency plan for the child through reasonable efforts
 291.7 to place the child for adoption. At a minimum, the documentation must include consideration
 291.8 of whether adoption is in the best interests of the child, child-specific recruitment efforts
 291.9 such as relative search and the use of state, regional, and national adoption exchanges to
 291.10 facilitate orderly and timely placements in and outside of the state. A copy of this
 291.11 documentation shall be provided to the court in the review required under section 260C.317,
 291.12 subdivision 3, paragraph (b);

291.13 (7) when a child cannot return to or be in the care of either parent, documentation of
 291.14 steps to finalize the transfer of permanent legal and physical custody to a relative as the
 291.15 permanency plan for the child. This documentation must support the requirements of the
 291.16 kinship placement agreement under section 256N.22 and must include the reasonable efforts
 291.17 used to determine that it is not appropriate for the child to return home or be adopted, and
 291.18 reasons why permanent placement with a relative through a Northstar kinship assistance
 291.19 arrangement is in the child's best interest; how the child meets the eligibility requirements
 291.20 for Northstar kinship assistance payments; agency efforts to discuss adoption with the child's
 291.21 relative foster parent and reasons why the relative foster parent chose not to pursue adoption,
 291.22 if applicable; and agency efforts to discuss with the child's parent or parents the permanent
 291.23 transfer of permanent legal and physical custody or the reasons why these efforts were not
 291.24 made;

291.25 (8) efforts to ensure the child's educational stability while in foster care for a child who
 291.26 attained the minimum age for compulsory school attendance under state law and is enrolled
 291.27 full time in elementary or secondary school, or instructed in elementary or secondary
 291.28 education at home, or instructed in an independent study elementary or secondary program,
 291.29 or incapable of attending school on a full-time basis due to a medical condition that is
 291.30 documented and supported by regularly updated information in the child's case plan.
 291.31 Educational stability efforts include:

291.32 (i) efforts to ensure that the child remains in the same school in which the child was
 291.33 enrolled prior to placement or upon the child's move from one placement to another, including
 291.34 efforts to work with the local education authorities to ensure the child's educational stability
 291.35 and attendance; or

292.1 (ii) if it is not in the child's best interest to remain in the same school that the child was
 292.2 enrolled in prior to placement or move from one placement to another, efforts to ensure
 292.3 immediate and appropriate enrollment for the child in a new school;

292.4 (9) the educational records of the child including the most recent information available
 292.5 regarding:

292.6 (i) the names and addresses of the child's educational providers;

292.7 (ii) the child's grade level performance;

292.8 (iii) the child's school record;

- 292.9 (iv) a statement about how the child's placement in foster care takes into account
 292.10 proximity to the school in which the child is enrolled at the time of placement; and
- 292.11 (v) any other relevant educational information;
- 292.12 (10) the efforts by the responsible social services agency to ensure the oversight and
 292.13 continuity of health care services for the foster child, including:
- 292.14 (i) the plan to schedule the child's initial health screens;
- 292.15 (ii) how the child's known medical problems and identified needs from the screens,
 292.16 including any known communicable diseases, as defined in section 144.4172, subdivision
 292.17 2, shall be monitored and treated while the child is in foster care;
- 292.18 (iii) how the child's medical information shall be updated and shared, including the
 292.19 child's immunizations;
- 292.20 (iv) who is responsible to coordinate and respond to the child's health care needs,
 292.21 including the role of the parent, the agency, and the foster parent;
- 292.22 (v) who is responsible for oversight of the child's prescription medications;
- 292.23 (vi) how physicians or other appropriate medical and nonmedical professionals shall be
 292.24 consulted and involved in assessing the health and well-being of the child and determine
 292.25 the appropriate medical treatment for the child; and
- 292.26 (vii) the responsibility to ensure that the child has access to medical care through either
 292.27 medical insurance or medical assistance;
- 292.28 (11) the health records of the child including information available regarding:
- 292.29 (i) the names and addresses of the child's health care and dental care providers;
- 292.30 (ii) a record of the child's immunizations;
- 293.1 (iii) the child's known medical problems, including any known communicable diseases
 293.2 as defined in section 144.4172, subdivision 2;
- 293.3 (iv) the child's medications; and
- 293.4 (v) any other relevant health care information such as the child's eligibility for medical
 293.5 insurance or medical assistance;
- 293.6 (12) an independent living plan for a child 14 years of age or older, developed in
 293.7 consultation with the child. The child may select one member of the case planning team to
 293.8 be designated as the child's advisor and to advocate with respect to the application of the
 293.9 reasonable and prudent parenting standards in subdivision 14. The plan should include, but
 293.10 not be limited to, the following objectives:
- 293.11 (i) educational, vocational, or employment planning;

- 293.12 (ii) health care planning and medical coverage;
- 293.13 (iii) transportation including, where appropriate, assisting the child in obtaining a driver's
293.14 license;
- 293.15 (iv) money management, including the responsibility of the responsible social services
293.16 agency to ensure that the child annually receives, at no cost to the child, a consumer report
293.17 as defined under section 13C.001 and assistance in interpreting and resolving any inaccuracies
293.18 in the report;
- 293.19 (v) planning for housing;
- 293.20 (vi) social and recreational skills;
- 293.21 (vii) establishing and maintaining connections with the child's family and community;
293.22 and
- 293.23 (viii) regular opportunities to engage in age-appropriate or developmentally appropriate
293.24 activities typical for the child's age group, taking into consideration the capacities of the
293.25 individual child;
- 293.26 (13) for a child in voluntary foster care for treatment under chapter 260D, diagnostic
293.27 and assessment information, specific services relating to meeting the mental health care
293.28 needs of the child, and treatment outcomes;
- 293.29 (14) for a child 14 years of age or older, a signed acknowledgment that describes the
293.30 child's rights regarding education, health care, visitation, safety and protection from
293.31 exploitation, and court participation; receipt of the documents identified in section 260C.452;
294.1 and receipt of an annual credit report. The acknowledgment shall state that the rights were
294.2 explained in an age-appropriate manner to the child; and
- 294.3 (15) for a child placed in a qualified residential treatment program, the plan must include
294.4 the requirements in section 260C.708.
- 294.5 (d) The parent or parents or guardian and the child each shall have the right to legal
294.6 counsel in the preparation of the case plan and shall be informed of the right at the time of
294.7 placement of the child. The child shall also have the right to a guardian ad litem. If unable
294.8 to employ counsel from their own resources, the court shall appoint counsel upon the request
294.9 of the parent or parents or the child or the child's legal guardian. The parent or parents may
294.10 also receive assistance from any person or social services agency in preparation of the case
294.11 plan.
- 294.12 After the plan has been agreed upon by the parties involved or approved or ordered by
294.13 the court, the foster parents shall be fully informed of the provisions of the case plan and
294.14 shall be provided a copy of the plan.
- 294.15 Upon the child's discharge from foster care, the responsible social services agency must
294.16 provide the child's parent, adoptive parent, or permanent legal and physical custodian, as

437.17 Sec. 17. Minnesota Statutes 2020, section 260C.212, subdivision 1a, is amended to read:

437.18 Subd. 1a. **Out-of-home placement plan update.** (a) Within 30 days of placing the child
437.19 in foster care, the agency must file the child's initial out-of-home placement plan with the
437.20 court. After filing the child's initial out-of-home placement plan, the agency shall update
437.21 and file the child's out-of-home placement plan with the court as follows:

437.22 (1) when the agency moves a child to a different foster care setting, the agency shall
437.23 inform the court within 30 days of the child's placement change or court-ordered trial home
437.24 visit. The agency must file the child's updated out-of-home placement plan with the court
437.25 at the next required review hearing;

437.26 (2) when the agency places a child in a qualified residential treatment program as defined
437.27 in section 260C.007, subdivision 26d, or moves a child from one qualified residential
437.28 treatment program to a different qualified residential treatment program, the agency must
437.29 update the child's out-of-home placement plan within 60 days. To meet the requirements
437.30 of section 260C.708, the agency must file the child's out-of-home placement plan ~~with the~~
437.31 ~~court as part of the 60-day hearing and along with the agency's report seeking the court's~~
437.32 approval of the child's placement at a qualified residential treatment program under section
438.1 260C.71. After the court issues an order, the agency must update the child's out-of-home
438.2 placement plan after the court hearing to document the court's approval or disapproval of
438.3 the child's placement in a qualified residential treatment program;

438.4 (3) when the agency places a child with the child's parent in a licensed residential
438.5 family-based substance use disorder treatment program under section 260C.190, the agency
438.6 must identify the treatment program where the child will be placed in the child's out-of-home
438.7 placement plan prior to the child's placement. The agency must file the child's out-of-home
438.8 placement plan with the court at the next required review hearing; and

438.9 (4) under sections 260C.227 and 260C.521, the agency must update the child's
438.10 out-of-home placement plan and file the child's out-of-home placement plan with the court.

438.11 (b) When none of the items in paragraph (a) apply, the agency must update the child's
438.12 out-of-home placement plan no later than 180 days after the child's initial placement and
438.13 every six months thereafter, consistent with section 260C.203, paragraph (a).

438.14 **EFFECTIVE DATE.** This section is effective September 30, 2021.

294.17 ~~appropriate, and the child, if appropriate, must be provided the child is 14 years of age or~~
294.18 ~~older, with a current copy of the child's health and education record. If a child meets the~~
294.19 ~~conditions in subdivision 15, paragraph (b), the agency must also provide the child with the~~
294.20 ~~child's social and medical history. The responsible social services agency may give a copy~~
294.21 ~~of the child's health and education record and social and medical history to a child who is~~
294.22 ~~younger than 14 years of age, if it is appropriate and if subdivision 15, paragraph (b), applies.~~

337.1 Sec. 19. Minnesota Statutes 2020, section 260C.212, subdivision 1a, is amended to read:

337.2 Subd. 1a. **Out-of-home placement plan update.** (a) Within 30 days of placing the child
337.3 in foster care, the agency must file the child's initial out-of-home placement plan with the
337.4 court. After filing the child's initial out-of-home placement plan, the agency shall update
337.5 and file the child's out-of-home placement plan with the court as follows:

337.6 (1) when the agency moves a child to a different foster care setting, the agency shall
337.7 inform the court within 30 days of the child's placement change or court-ordered trial home
337.8 visit. The agency must file the child's updated out-of-home placement plan with the court
337.9 at the next required review hearing;

337.10 (2) when the agency places a child in a qualified residential treatment program as defined
337.11 in section 260C.007, subdivision 26d, or moves a child from one qualified residential
337.12 treatment program to a different qualified residential treatment program, the agency must
337.13 update the child's out-of-home placement plan within 60 days. To meet the requirements
337.14 of section 260C.708, the agency must file the child's out-of-home placement plan ~~with the~~
337.15 ~~court as part of the 60-day hearing and along with the agency's report seeking the court's~~
337.16 approval of the child's placement at a qualified residential treatment program under section
337.17 260C.71. After the court issues an order, the agency must update the child's out-of-home
337.18 placement plan after the court hearing to document the court's approval or disapproval of
337.19 the child's placement in a qualified residential treatment program;

337.20 (3) when the agency places a child with the child's parent in a licensed residential
337.21 family-based substance use disorder treatment program under section 260C.190, the agency
337.22 must identify the treatment program where the child will be placed in the child's out-of-home
337.23 placement plan prior to the child's placement. The agency must file the child's out-of-home
337.24 placement plan with the court at the next required review hearing; and

337.25 (4) under sections 260C.227 and 260C.521, the agency must update the child's
337.26 out-of-home placement plan and file the child's out-of-home placement plan with the court.

337.27 (b) When none of the items in paragraph (a) apply, the agency must update the child's
337.28 out-of-home placement plan no later than 180 days after the child's initial placement and
337.29 every six months thereafter, consistent with section 260C.203, paragraph (a).

337.30 **EFFECTIVE DATE.** This section is effective September 30, 2021.

- 294.23 Sec. 50. Minnesota Statutes 2020, section 260C.212, subdivision 2, is amended to read:
- 294.24 Subd. 2. **Placement decisions based on best interests of the child.** (a) The policy of
- 294.25 the state of Minnesota is to ensure that the child's best interests are met by requiring an
- 294.26 individualized determination of the needs of the child and of how the selected placement
- 294.27 will serve the needs of the child being placed. The authorized child-placing agency shall
- 294.28 place a child, released by court order or by voluntary release by the parent or parents, in a
- 294.29 family foster home selected by considering placement with relatives and important friends
- 294.30 in the following order:
- 294.31 (1) with an individual who is related to the child by blood, marriage, or adoption,
- 294.32 including the legal parent, guardian, or custodian of the child's siblings; or
- 295.1 (2) with an individual who is an important friend with whom the child has resided or
- 295.2 had significant contact.
- 295.3 For an Indian child, the agency shall follow the order of placement preferences in the Indian
- 295.4 Child Welfare Act of 1978, United States Code, title 25, section 1915.
- 295.5 (b) Among the factors the agency shall consider in determining the needs of the child
- 295.6 are the following:
- 295.7 (1) the child's current functioning and behaviors;
- 295.8 (2) the medical needs of the child;
- 295.9 (3) the educational needs of the child;
- 295.10 (4) the developmental needs of the child;
- 295.11 (5) the child's history and past experience;
- 295.12 (6) the child's religious and cultural needs;
- 295.13 (7) the child's connection with a community, school, and faith community;
- 295.14 (8) the child's interests and talents;
- 295.15 (9) the child's relationship to current caretakers, parents, siblings, and relatives;
- 295.16 (10) the reasonable preference of the child, if the court, or the child-placing agency in
- 295.17 the case of a voluntary placement, deems the child to be of sufficient age to express
- 295.18 preferences; and
- 295.19 (11) for an Indian child, the best interests of an Indian child as defined in section 260.755,
- 295.20 subdivision 2a.
- 295.21 (c) Placement of a child cannot be delayed or denied based on race, color, or national
- 295.22 origin of the foster parent or the child.

438.15 Sec. 18. Minnesota Statutes 2020, section 260C.212, subdivision 13, is amended to read:

438.16 Subd. 13. **Protecting missing and runaway children and youth at risk of sex**
438.17 **trafficking or commercial sexual exploitation.** (a) The local social services agency shall
438.18 expeditiously locate any child missing from foster care.

438.19 (b) The local social services agency shall report immediately, but no later than 24 hours,
438.20 after receiving information on a missing or abducted child to the local law enforcement
438.21 agency for entry into the National Crime Information Center (NCIC) database of the Federal
438.22 Bureau of Investigation, and to the National Center for Missing and Exploited Children.

438.23 (c) The local social services agency shall not discharge a child from foster care or close
438.24 the social services case until diligent efforts have been exhausted to locate the child and the
438.25 court terminates the agency's jurisdiction.

438.26 (d) The local social services agency shall determine the primary factors that contributed
438.27 to the child's running away or otherwise being absent from care and, to the extent possible
438.28 and appropriate, respond to those factors in current and subsequent placements.

438.29 (e) The local social services agency shall determine what the child experienced while
438.30 absent from care, including screening the child to determine if the child is a possible sex

295.23 (d) Siblings should be placed together for foster care and adoption at the earliest possible
295.24 time unless it is documented that a joint placement would be contrary to the safety or
295.25 well-being of any of the siblings or unless it is not possible after reasonable efforts by the
295.26 responsible social services agency. In cases where siblings cannot be placed together, the
295.27 agency is required to provide frequent visitation or other ongoing interaction between
295.28 siblings unless the agency documents that the interaction would be contrary to the safety
295.29 or well-being of any of the siblings.

295.30 (e) Except for emergency placement as provided for in section 245A.035, the following
295.31 requirements must be satisfied before the approval of a foster or adoptive placement in a
296.1 related or unrelated home: (1) a completed background study under section 245C.08; and
296.2 (2) a completed review of the written home study required under section 260C.215,
296.3 subdivision 4, clause (5), or 260C.611, to assess the capacity of the prospective foster or
296.4 adoptive parent to ensure the placement will meet the needs of the individual child.

296.5 (f) The agency must determine whether colocation with a parent who is receiving services
296.6 in a licensed residential family-based substance use disorder treatment program is in the
296.7 child's best interests according to paragraph (b) and include that determination in the child's
296.8 case plan under subdivision 1. The agency may consider additional factors not identified
296.9 in paragraph (b). The agency's determination must be documented in the child's case plan
296.10 before the child is colocated with a parent.

296.11 (g) The agency must establish a juvenile treatment screening team under section 260C.157
296.12 to determine whether it is necessary and appropriate to recommend placing a child in a
296.13 qualified residential treatment program, as defined in section 260C.007, subdivision 26d.

338.1 Sec. 20. Minnesota Statutes 2020, section 260C.212, subdivision 13, is amended to read:

338.2 Subd. 13. **Protecting missing and runaway children and youth at risk of sex**
338.3 **trafficking or commercial sexual exploitation.** (a) The local social services agency shall
338.4 expeditiously locate any child missing from foster care.

338.5 (b) The local social services agency shall report immediately, but no later than 24 hours,
338.6 after receiving information on a missing or abducted child to the local law enforcement
338.7 agency for entry into the National Crime Information Center (NCIC) database of the Federal
338.8 Bureau of Investigation, and to the National Center for Missing and Exploited Children.

338.9 (c) The local social services agency shall not discharge a child from foster care or close
338.10 the social services case until diligent efforts have been exhausted to locate the child and the
338.11 court terminates the agency's jurisdiction.

338.12 (d) The local social services agency shall determine the primary factors that contributed
338.13 to the child's running away or otherwise being absent from care and, to the extent possible
338.14 and appropriate, respond to those factors in current and subsequent placements.

338.15 (e) The local social services agency shall determine what the child experienced while
338.16 absent from care, including screening the child to determine if the child is a possible sex

- 438.31 trafficking or commercial sexual exploitation victim as defined in section ~~609.321,~~
 438.32 subdivision 7b 260C.007, subdivision 31.
- 439.1 (f) The local social services agency shall report immediately, but no later than 24 hours,
 439.2 to the local law enforcement agency any reasonable cause to believe a child is, or is at risk
 439.3 of being, a sex trafficking or commercial sexual exploitation victim.
- 439.4 (g) The local social services agency shall determine appropriate services as described
 439.5 in section 145.4717 with respect to any child for whom the local social services agency has
 439.6 responsibility for placement, care, or supervision when the local social services agency has
 439.7 reasonable cause to believe that the child is, or is at risk of being, a sex trafficking or
 439.8 commercial sexual exploitation victim.
- 439.9 **EFFECTIVE DATE.** This section is effective September 30, 2021.

- 338.17 trafficking or commercial sexual exploitation victim as defined in section ~~609.321,~~
 338.18 subdivision 7b 260C.007, subdivision 31.
- 338.19 (f) The local social services agency shall report immediately, but no later than 24 hours,
 338.20 to the local law enforcement agency any reasonable cause to believe a child is, or is at risk
 338.21 of being, a sex trafficking or commercial sexual exploitation victim.
- 338.22 (g) The local social services agency shall determine appropriate services as described
 338.23 in section 145.4717 with respect to any child for whom the local social services agency has
 338.24 responsibility for placement, care, or supervision when the local social services agency has
 338.25 reasonable cause to believe that the child is, or is at risk of being, a sex trafficking or
 338.26 commercial sexual exploitation victim.
- 338.27 **EFFECTIVE DATE.** This section is effective September 30, 2021.
- 296.14 Sec. 51. Minnesota Statutes 2020, section 260C.212, is amended by adding a subdivision
 296.15 to read:
- 296.16 Subd. 15. **Social and medical history.** (a) The responsible social services agency must
 296.17 complete each child's social and medical history using forms developed by the commissioner.
 296.18 The responsible social services agency must work with each child's birth family, foster
 296.19 family, medical and treatment providers, and school to ensure that there is a detailed and
 296.20 up-to-date social and medical history of the child on forms provided by the commissioner.
- 296.21 (b) If the child continues to be in placement out of the home of the parent or guardian
 296.22 from whom the child was removed, reasonable efforts by the responsible social services
 296.23 agency to complete the child's social and medical history must begin no later than the child's
 296.24 permanency progress review hearing required under section 260C.204 or six months after
 296.25 the child's placement in foster care, whichever occurs earlier.
- 296.26 (c) In a child's social and medical history, the responsible social services agency must
 296.27 include background information and health history specific to the child, the child's birth
 296.28 parents, and the child's other birth relatives. Applicable background and health information
 296.29 about the child includes the child's current health condition, behavior, and demeanor;
 296.30 placement history; education history; sibling information; and birth, medical, dental, and
 296.31 immunization information. Redacted copies of pertinent records, assessments, and evaluations
 296.32 must be attached to the child's social and medical history. Applicable background information
 296.33 about the child's birth parents and other birth relatives includes general background
 297.1 information; education and employment history; physical health and mental health history;
 297.2 and reasons for the child's placement.
- 297.3 Sec. 52. Minnesota Statutes 2020, section 260C.219, subdivision 5, is amended to read:
- 297.4 Subd. 5. **Children reaching age of majority; copies of records.** Regardless of whether
 297.5 a child is under state guardianship or not, if a child leaves foster care by reason of having
 297.6 attained the age of majority under state law, the child must be given at no cost a copy of

439.10 Sec. 19. Minnesota Statutes 2020, section 260C.4412, is amended to read:

439.11 **260C.4412 PAYMENT FOR RESIDENTIAL PLACEMENTS.**

439.12 (a) When a child is placed in a foster care group residential setting under Minnesota
439.13 Rules, parts 2960.0020 to 2960.0710, a foster residence licensed under chapter 245A that
439.14 meets the standards of Minnesota Rules, parts 2960.3200 to 2960.3230, or a children's
439.15 residential facility licensed or approved by a tribe, foster care maintenance payments must
439.16 be made on behalf of the child to cover the cost of providing food, clothing, shelter, daily
439.17 supervision, school supplies, child's personal incidentals and supports, reasonable travel for
439.18 visitation, or other transportation needs associated with the items listed. Daily supervision
439.19 in the group residential setting includes routine day-to-day direction and arrangements to
439.20 ensure the well-being and safety of the child. It may also include reasonable costs of
439.21 administration and operation of the facility.

439.22 (b) The commissioner of human services shall specify the title IV-E administrative
439.23 procedures under section 256.82 for each of the following residential program settings:

439.24 (1) residential programs licensed under chapter 245A or licensed by a tribe, including:

439.25 (i) qualified residential treatment programs as defined in section 260C.007, subdivision
439.26 26d;

439.27 (ii) program settings specializing in providing prenatal, postpartum, or parenting supports
439.28 for youth; and

439.29 (iii) program settings providing high-quality residential care and supportive services to
439.30 children and youth who are, or are at risk of becoming, sex trafficking victims;

439.31 (2) licensed residential family-based substance use disorder treatment programs as
439.32 defined in section 260C.007, subdivision 22a; and

440.1 (3) supervised settings in which a foster child age 18 or older may live independently,
440.2 consistent with section 260C.451.

440.3 (c) A lead county contract under section 256.0112, subdivision 6, is not required to
440.4 establish the foster care maintenance payment in paragraph (a) for foster residence settings
440.5 licensed under chapter 245A that meet the standards of Minnesota Rules, parts 2960.3200
440.6 to 2960.3230. The foster care maintenance payment for these settings must be consistent
440.7 with section 256N.26, subdivision 3, and subject to the annual revision as specified in section
440.8 256N.26, subdivision 9.

297.7 the child's social and medical history, as defined described in section 259.43, 260C.212,
297.8 subdivision 15, including the child's health and education report.

338.28 Sec. 21. Minnesota Statutes 2020, section 260C.4412, is amended to read:

338.29 **260C.4412 PAYMENT FOR RESIDENTIAL PLACEMENTS.**

338.30 (a) When a child is placed in a foster care group residential setting under Minnesota
338.31 Rules, parts 2960.0020 to 2960.0710, a foster residence licensed under chapter 245A that
338.32 meets the standards of Minnesota Rules, parts 2960.3200 to 2960.3230, or a children's
339.1 residential facility licensed or approved by a tribe, foster care maintenance payments must
339.2 be made on behalf of the child to cover the cost of providing food, clothing, shelter, daily
339.3 supervision, school supplies, child's personal incidentals and supports, reasonable travel for
339.4 visitation, or other transportation needs associated with the items listed. Daily supervision
339.5 in the group residential setting includes routine day-to-day direction and arrangements to
339.6 ensure the well-being and safety of the child. It may also include reasonable costs of
339.7 administration and operation of the facility.

339.8 (b) The commissioner of human services shall specify the title IV-E administrative
339.9 procedures under section 256.82 for each of the following residential program settings:

339.10 (1) residential programs licensed under chapter 245A or licensed by a tribe, including:

339.11 (i) qualified residential treatment programs as defined in section 260C.007, subdivision
339.12 26d;

339.13 (ii) program settings specializing in providing prenatal, postpartum, or parenting supports
339.14 for youth; and

339.15 (iii) program settings providing high-quality residential care and supportive services to
339.16 children and youth who are, or are at risk of becoming, sex trafficking victims;

339.17 (2) licensed residential family-based substance use disorder treatment programs as
339.18 defined in section 260C.007, subdivision 22a; and

339.19 (3) supervised settings in which a foster child age 18 or older may live independently,
339.20 consistent with section 260C.451.

339.21 (c) A lead contract under section 256.0112, subdivision 6, is not required to establish
339.22 the foster care maintenance payment in paragraph (a) for foster residence settings licensed
339.23 under chapter 245A that meet the standards of Minnesota Rules, parts 2960.3200 to
339.24 2960.3230. The foster care maintenance payment for these settings must be consistent with
339.25 section 256N.26, subdivision 3, and subject to the annual revision as specified in section
339.26 256N.26, subdivision 9.

440.9 Sec. 20. Minnesota Statutes 2020, section 260C.452, is amended to read:

440.10 **260C.452 SUCCESSFUL TRANSITION TO ADULTHOOD.**

440.11 Subdivision 1. **Scope and purpose.** (a) For purposes of this section, "youth" means a
440.12 person who is at least 14 years of age and under 23 years of age.

440.13 (b) This section pertains to a ~~child~~ youth who:

440.14 (1) is in foster care and is 14 years of age or older, including a youth who is under the
440.15 guardianship of the commissioner of human services, ~~or who;~~

440.16 (2) has a permanency disposition of permanent custody to the agency, ~~or who;~~

440.17 (3) will leave foster care at 18 to 21 years of age, when the youth is 18 years of age or
440.18 older and under 21 years of age;

440.19 (4) has left foster care due to adoption when the youth was 16 years of age or older;

440.20 (5) has left foster care due to a transfer of permanent legal and physical custody to a
440.21 relative, or Tribal equivalent, when the youth was 16 years of age or older; or

440.22 (6) was reunified with the youth's primary caretaker when the youth was 14 years of age
440.23 or older and under 18 years of age.

440.24 (c) The purpose of this section is to provide support to each youth who is transitioning
440.25 to adulthood by providing services to the youth in the areas of:

440.26 (1) education;

440.27 (2) employment;

440.28 (3) daily living skills such as financial literacy training and driving instruction; preventive
440.29 health activities including promoting abstinence from substance use and smoking; and
440.30 nutrition education and pregnancy prevention;

441.1 (4) forming meaningful, permanent connections with caring adults;

441.2 (5) engaging in age and developmentally appropriate activities under section 260C.212,
441.3 subdivision 14, and positive youth development;

441.4 (6) financial, housing, counseling, and other services to assist a youth over 18 years of
441.5 age in achieving self-sufficiency and accepting personal responsibility for the transition
441.6 from adolescence to adulthood; and

441.7 (7) making vouchers available for education and training.

441.8 (d) The responsible social services agency may provide support and case management
441.9 services to a youth as defined in paragraph (a) until the youth reaches the age of 23 years.

339.27 Sec. 22. Minnesota Statutes 2020, section 260C.452, is amended to read:

339.28 **260C.452 SUCCESSFUL TRANSITION TO ADULTHOOD.**

339.29 Subdivision 1. **Scope; purpose.** (a) For purposes of this section, "youth" means a person
339.30 who is at least 14 years of age and under 23 years of age.

339.31 (b) This section pertains to a ~~child~~ youth who:

340.1 (1) is in foster care and is 14 years of age or older, including a youth who is under the
340.2 guardianship of the commissioner of human services, ~~or who;~~

340.3 (2) has a permanency disposition of permanent custody to the agency, ~~or who;~~

340.4 (3) will leave foster care at 18 to 21 years of age, when the youth is 18 years of age or
340.5 older and under 21 years of age;

340.6 (4) has left foster care and was placed at a permanent adoptive placement when the youth
340.7 was 16 years of age or older;

340.8 (5) is 16 years of age or older, has left foster care, and was placed with a relative to
340.9 whom permanent legal and physical custody of the youth has been transferred; or

340.10 (6) was reunified with the youth's primary caretaker when the youth was 14 years of age
340.11 or older and under 18 years of age.

340.12 (c) The purpose of this section is to provide support to a youth who is transitioning to
340.13 adulthood by providing services to the youth concerning:

340.14 (1) education;

340.15 (2) employment;

340.16 (3) daily living skills such as financial literacy training and driving instruction; preventive
340.17 health activities including promoting abstinence from substance use and smoking; and
340.18 nutrition education and pregnancy prevention;

340.19 (4) forming meaningful, permanent connections with caring adults;

340.20 (5) engaging in age-appropriate and developmentally appropriate activities under section
340.21 260C.212, subdivision 14, and positive youth development;

340.22 (6) financial, housing, counseling, and other services to assist a youth over 18 years of
340.23 age in achieving self-sufficiency and accepting personal responsibility for the transition
340.24 from adolescence to adulthood; and

340.25 (7) making vouchers available for education and training.

340.26 (d) The responsible social services agency may provide support and case management
340.27 services to a youth as defined in paragraph (a) until the youth reaches 23 years of age.

- 441.10 According to section 260C.451, a youth's placement in a foster care setting will end when
441.11 the youth reaches the age of 21 years.
- 441.12 **Subd. 1a. Case management services.** Case management services include the
441.13 responsibility for planning, coordinating, authorizing, monitoring, and evaluating services
441.14 for a youth and shall be provided to a youth by the responsible social services agency or
441.15 the contracted agency. Case management services include the out-of-home placement plan
441.16 under section 260C.212, subdivision 1, when the youth is in out-of-home placement.
- 441.17 **Subd. 2. Independent living plan.** When the child youth is 14 years of age or older and
441.18 is receiving support from the responsible social services agency under this section, the
441.19 responsible social services agency, in consultation with the child youth, shall complete the
441.20 youth's independent living plan according to section 260C.212, subdivision 1, paragraph
441.21 (c), clause (12), regardless of the youth's current placement status.
- 441.22 **Subd. 3. Notification.** ~~Six months before the child is expected to be discharged from
441.23 foster care, the responsible social services agency shall provide written notice to the child
441.24 regarding the right to continued access to services for certain children in foster care past 18
441.25 years of age and of the right to appeal a denial of social services under section 256.045.~~
- 441.26 **Subd. 4. Administrative or court review of placements.** (a) When the child youth is
441.27 14 years of age or older, the court, in consultation with the child youth, shall review the
441.28 youth's independent living plan according to section 260C.203, paragraph (d).
- 441.29 (b) The responsible social services agency shall file a copy of the notification required
441.30 ~~in subdivision 3~~ of foster care benefits for a youth who is 18 years of age or older according
441.31 to section 260C.451, subdivision 1, with the court. If the responsible social services agency
441.32 does not file the notice by the time the child youth is 17-1/2 years of age, the court shall
441.33 require the responsible social services agency to file the notice.
- 442.1 (c) ~~When a youth is 18 years of age or older, the court shall ensure that the responsible~~
442.2 social services agency assists the child youth in obtaining the following documents before
442.3 the child youth leaves foster care: a Social Security card; an official or certified copy of the
442.4 child's youth's birth certificate; a state identification card or driver's license, tribal enrollment
442.5 identification card, green card, or school visa; health insurance information; the child's
442.6 youth's school, medical, and dental records; a contact list of the child's youth's medical,
442.7 dental, and mental health providers; and contact information for the child's youth's siblings,
442.8 if the siblings are in foster care.
- 442.9 (d) For a child youth who will be discharged from foster care at 18 years of age or older
442.10 because the youth is not eligible for extended foster care benefits or chooses to leave foster
442.11 care, the responsible social services agency must develop a personalized transition plan as
442.12 directed by the child youth during the 90-day period immediately prior to the expected date
442.13 of discharge. The transition plan must be as detailed as the child youth elects and include
442.14 specific options, including but not limited to:
- 442.15 (1) affordable housing with necessary supports that does not include a homeless shelter;

- 340.28 According to section 260C.451, a youth's placement in a foster care setting will end when
340.29 the youth reaches 21 years of age.
- 340.30 **Subd. 1a. Case management services.** Case management services include the
340.31 responsibility for planning, coordinating, authorizing, monitoring, and evaluating services
341.1 for a youth and shall be provided to a youth by the responsible social services agency or
341.2 the contracted agency. Case management services include the out-of-home placement plan
341.3 under section 260C.212, subdivision 1, when the youth is in out-of-home placement.
- 341.4 **Subd. 2. Independent living plan.** When the child youth is 14 years of age or older and
341.5 is receiving support from the responsible social services agency under this section, the
341.6 responsible social services agency, in consultation with the child youth, shall complete the
341.7 youth's independent living plan according to section 260C.212, subdivision 1, paragraph
341.8 (c), clause (12), regardless of the youth's current placement status.
- 341.9 **Subd. 3. Notification.** ~~Six months before the child is expected to be discharged from
341.10 foster care, the responsible social services agency shall provide written notice to the child
341.11 regarding the right to continued access to services for certain children in foster care past 18
341.12 years of age and of the right to appeal a denial of social services under section 256.045.~~
- 341.13 **Subd. 4. Administrative or court review of placements.** (a) When the child youth is
341.14 14 years of age or older, the court, in consultation with the child youth, shall review the
341.15 youth's independent living plan according to section 260C.203, paragraph (d).
- 341.16 (b) The responsible social services agency shall file a copy of the notification required
341.17 ~~in subdivision 3~~ of foster care benefits for a youth who is 18 years of age or older according
341.18 to section 260C.451, subdivision 1, with the court. If the responsible social services agency
341.19 does not file the notice by the time the child youth is 17-1/2 years of age, the court shall
341.20 require the responsible social services agency to file the notice.
- 341.21 (c) ~~When a youth is 18 years of age or older, the court shall ensure that the responsible~~
341.22 social services agency assists the child youth in obtaining the following documents before
341.23 the child youth leaves foster care: a Social Security card; an official or certified copy of the
341.24 child's youth's birth certificate; a state identification card or driver's license, tribal enrollment
341.25 identification card, green card, or school visa; health insurance information; the child's
341.26 youth's school, medical, and dental records; a contact list of the child's youth's medical,
341.27 dental, and mental health providers; and contact information for the child's youth's siblings,
341.28 if the siblings are in foster care.
- 341.29 (d) For a child youth who will be discharged from foster care at 18 years of age or older
341.30 because the youth is not eligible for extended foster care benefits or chooses to leave foster
341.31 care, the responsible social services agency must develop a personalized transition plan as
341.32 directed by the child youth during the ~~90-day~~ 180-day period immediately prior to the
341.33 expected date of discharge. The transition plan must be as detailed as the child youth elects
341.34 and include specific options, including but not limited to:
- 342.1 (1) affordable housing with necessary supports that does not include a homeless shelter;

442.16 (2) health insurance, including eligibility for medical assistance as defined in section
 442.17 256B.055, subdivision 17;

442.18 (3) education, including application to the Education and Training Voucher Program;

442.19 (4) local opportunities for mentors and continuing support services, ~~including the Healthy~~
 442.20 ~~Transitions and Homeless Prevention program, if available;~~

442.21 (5) workforce supports and employment services;

442.22 (6) a copy of the ~~child's~~ youth's consumer credit report as defined in section 13C.001
 442.23 and assistance in interpreting and resolving any inaccuracies in the report, at no cost to the
 442.24 ~~child~~ youth;

442.25 (7) information on executing a health care directive under chapter 145C and on the
 442.26 importance of designating another individual to make health care decisions on behalf of the
 442.27 ~~child~~ youth if the ~~child~~ youth becomes unable to participate in decisions;

442.28 (8) appropriate contact information through 21 years of age if the ~~child~~ youth needs
 442.29 information or help dealing with a crisis situation; and

442.30 (9) official documentation that the youth was previously in foster care.

442.31 Subd. 5. **Notice of termination of foster care social services.** (a) ~~When Before a child~~
 442.32 ~~youth who is 18 years of age or older leaves foster care at 18 years of age or older, the~~
 443.1 responsible social services agency shall give the ~~child~~ youth written notice that foster care
 443.2 shall terminate 30 days from the date that the notice is sent by the agency according to
 443.3 section 260C.451, subdivision 8.

443.4 (b) ~~The child or the child's guardian ad litem may file a motion asking the court to review~~
 443.5 ~~the responsible social services agency's determination within 15 days of receiving the notice.~~
 443.6 ~~The child shall not be discharged from foster care until the motion is heard. The responsible~~
 443.7 ~~social services agency shall work with the child to transition out of foster care.~~

443.8 (c) ~~The written notice of termination of benefits shall be on a form prescribed by the~~
 443.9 ~~commissioner and shall give notice of the right to have the responsible social services~~
 443.10 ~~agency's determination reviewed by the court under this section or sections 260C.203,~~
 443.11 ~~260C.317, and 260C.515, subdivision 5 or 6. A copy of the termination notice shall be sent~~
 443.12 ~~to the child and the child's attorney, if any, the foster care provider, the child's guardian ad~~
 443.13 ~~litem, and the court. The responsible social services agency is not responsible for paying~~
 443.14 ~~foster care benefits for any period of time after the child leaves foster care.~~

443.15 (b) Before case management services will end for a youth who is at least 18 years of
 443.16 age and under 23 years of age, the responsible social services agency shall give the youth:
 443.17 (1) written notice that case management services for the youth shall terminate; and (2)
 443.18 written notice that the youth has the right to appeal the termination of case management
 443.19 services under section 256.045, subdivision 3, by responding in writing within ten days of

342.2 (2) health insurance, including eligibility for medical assistance as defined in section
 342.3 256B.055, subdivision 17;

342.4 (3) education, including application to the Education and Training Voucher Program;

342.5 (4) local opportunities for mentors and continuing support services, ~~including the Healthy~~
 342.6 ~~Transitions and Homeless Prevention program, if available;~~

342.7 (5) workforce supports and employment services;

342.8 (6) a copy of the ~~child's~~ youth's consumer credit report as defined in section 13C.001
 342.9 and assistance in interpreting and resolving any inaccuracies in the report, at no cost to the
 342.10 ~~child~~ youth;

342.11 (7) information on executing a health care directive under chapter 145C and on the
 342.12 importance of designating another individual to make health care decisions on behalf of the
 342.13 ~~child~~ youth if the ~~child~~ youth becomes unable to participate in decisions;

342.14 (8) appropriate contact information through 21 years of age if the ~~child~~ youth needs
 342.15 information or help dealing with a crisis situation; and

342.16 (9) official documentation that the youth was previously in foster care.

342.17 Subd. 5. **Notice of termination of foster care social services.** (a) ~~When Before a child~~
 342.18 ~~youth who is 18 years of age or older leaves foster care at 18 years of age or older, the~~
 342.19 responsible social services agency shall give the ~~child~~ youth written notice that foster care
 342.20 shall terminate 30 days from the date that the notice is sent by the agency according to
 342.21 section 260C.451, subdivision 8.

342.22 (b) ~~The child or the child's guardian ad litem may file a motion asking the court to review~~
 342.23 ~~the responsible social services agency's determination within 15 days of receiving the notice.~~
 342.24 ~~The child shall not be discharged from foster care until the motion is heard. The responsible~~
 342.25 ~~social services agency shall work with the child to transition out of foster care.~~

342.26 (c) ~~The written notice of termination of benefits shall be on a form prescribed by the~~
 342.27 ~~commissioner and shall give notice of the right to have the responsible social services~~
 342.28 ~~agency's determination reviewed by the court under this section or sections 260C.203,~~
 342.29 ~~260C.317, and 260C.515, subdivision 5 or 6. A copy of the termination notice shall be sent~~
 342.30 ~~to the child and the child's attorney, if any, the foster care provider, the child's guardian ad~~
 342.31 ~~litem, and the court. The responsible social services agency is not responsible for paying~~
 342.32 ~~foster care benefits for any period of time after the child leaves foster care.~~

343.1 (b) Before case management services will end for a youth who is at least 18 years of
 343.2 age and under 23 years of age, the responsible social services agency shall give the youth:
 343.3 (1) written notice that case management services for the youth shall terminate; and (2)
 343.4 written notice that the youth has the right to appeal the termination of case management
 343.5 services under section 256.045, subdivision 3, by responding in writing within ten days of

443.20 the date that the agency mailed the notice. The termination notice must include information
 443.21 about services for which the youth is eligible and how to access the services.

443.22 **EFFECTIVE DATE.** This section is effective July 1, 2021.

343.6 the date that the agency mailed the notice. The termination notice must include information
 343.7 about services for which the youth is eligible and how to access the services.

343.8 **EFFECTIVE DATE.** This section is effective July 1, 2021.

297.9 Sec. 53. Minnesota Statutes 2020, section 260C.503, subdivision 2, is amended to read:

297.10 Subd. 2. **Termination of parental rights.** (a) The responsible social services agency
 297.11 must ask the county attorney to immediately file a termination of parental rights petition
 297.12 when:

297.13 (1) the child has been subjected to egregious harm as defined in section 260C.007,
 297.14 subdivision 14;

297.15 (2) the child is determined to be the sibling of a child who was subjected to egregious
 297.16 harm;

297.17 (3) the child is an abandoned infant as defined in section 260C.301, subdivision 2,
 297.18 paragraph (a), clause (2);

297.19 (4) the child's parent has lost parental rights to another child through an order involuntarily
 297.20 terminating the parent's rights;

297.21 (5) the parent has committed sexual abuse as defined in section 260E.03, against the
 297.22 child or another child of the parent;

297.23 (6) the parent has committed an offense that requires registration as a predatory offender
 297.24 under section 243.166, subdivision 1b, paragraph (a) or (b); or

297.25 (7) another child of the parent is the subject of an order involuntarily transferring
 297.26 permanent legal and physical custody of the child to a relative under this chapter or a similar
 297.27 law of another jurisdiction;

297.28 The county attorney shall file a termination of parental rights petition unless the conditions
 297.29 of paragraph (d) are met.

297.30 (b) When the termination of parental rights petition is filed under this subdivision, the
 297.31 responsible social services agency shall identify, recruit, and approve an adoptive family
 298.1 for the child. If a termination of parental rights petition has been filed by another party, the
 298.2 responsible social services agency shall be joined as a party to the petition.

298.3 (c) If criminal charges have been filed against a parent arising out of the conduct alleged
 298.4 to constitute egregious harm, the county attorney shall determine which matter should
 298.5 proceed to trial first, consistent with the best interests of the child and subject to the
 298.6 defendant's right to a speedy trial.

298.7 (d) The requirement of paragraph (a) does not apply if the responsible social services
 298.8 agency and the county attorney determine and file with the court:

- 298.9 (1) a petition for transfer of permanent legal and physical custody to a relative under
298.10 sections 260C.505 and 260C.515, subdivision 3, 4, including a determination that adoption
298.11 is not in the child's best interests and that transfer of permanent legal and physical custody
298.12 is in the child's best interests; or
- 298.13 (2) a petition under section 260C.141 alleging the child, and where appropriate, the
298.14 child's siblings, to be in need of protection or services accompanied by a case plan prepared
298.15 by the responsible social services agency documenting a compelling reason why filing a
298.16 termination of parental rights petition would not be in the best interests of the child.
- 298.17 Sec. 54. Minnesota Statutes 2020, section 260C.515, subdivision 3, is amended to read:
- 298.18 Subd. 3. **Guardianship; commissioner.** The court may issue an order that the child is
298.19 under the guardianship ~~to~~ of the commissioner of human services under the following
298.20 procedures and conditions:
- 298.21 (1) there is an identified prospective adoptive parent agreed to by the responsible social
298.22 services agency ~~having~~ that has legal custody of the child pursuant to court order under this
298.23 chapter and that prospective adoptive parent has agreed to adopt the child;
- 298.24 (2) the court accepts the parent's voluntary consent to adopt in writing on a form
298.25 prescribed by the commissioner, executed before two competent witnesses and confirmed
298.26 by the consenting parent before the court or executed before the court. The consent shall
298.27 contain notice that consent given under this chapter:
- 298.28 (i) is irrevocable upon acceptance by the court unless fraud is established and an order
298.29 is issued permitting revocation as stated in clause (9) unless the matter is governed by the
298.30 Indian Child Welfare Act, United States Code, title 25, section 1913(c); and
- 298.31 (ii) will result in an order that the child is under the guardianship of the commissioner
298.32 of human services;
- 299.1 (3) a consent executed and acknowledged outside of this state, either in accordance with
299.2 the law of this state or in accordance with the law of the place where executed, is valid;
- 299.3 (4) the court must review the matter at least every 90 days under section 260C.317;
- 299.4 (5) a consent to adopt under this subdivision vests guardianship of the child with the
299.5 commissioner of human services and makes the child a ward of the commissioner of human
299.6 services under section 260C.325;
- 299.7 (6) the court must forward to the commissioner a copy of the consent to adopt, together
299.8 with a certified copy of the order transferring guardianship to the commissioner;
- 299.9 (7) if an adoption is not finalized by the identified prospective adoptive parent within
299.10 six months of the execution of the consent to adopt under this clause, the responsible social
299.11 services agency shall pursue adoptive placement in another home unless the court finds in

- 299.12 a hearing under section 260C.317 that the failure to finalize is not due to either an action
299.13 or a failure to act by the prospective adoptive parent;
- 299.14 (8) notwithstanding clause (7), the responsible social services agency must pursue
299.15 adoptive placement in another home as soon as the agency determines that finalization of
299.16 the adoption with the identified prospective adoptive parent is not possible, that the identified
299.17 prospective adoptive parent is not willing to adopt the child, or that the identified prospective
299.18 adoptive parent is not cooperative in completing the steps necessary to finalize the adoption.
299.19 The court may order a termination of parental rights under subdivision 2; and
- 299.20 (9) unless otherwise required by the Indian Child Welfare Act, United States Code, title
299.21 25, section 1913(c), a consent to adopt executed under this section shall be irrevocable upon
299.22 acceptance by the court except upon order permitting revocation issued by the same court
299.23 after written findings that consent was obtained by fraud.
- 299.24 Sec. 55. Minnesota Statutes 2020, section 260C.605, subdivision 1, is amended to read:
- 299.25 Subdivision 1. **Requirements.** (a) Reasonable efforts to finalize the adoption of a child
299.26 under the guardianship of the commissioner shall be made by the responsible social services
299.27 agency responsible for permanency planning for the child.
- 299.28 (b) Reasonable efforts to make a placement in a home according to the placement
299.29 considerations under section 260C.212, subdivision 2, with a relative or foster parent who
299.30 will commit to being the permanent resource for the child in the event the child cannot be
299.31 reunified with a parent are required under section 260.012 and may be made concurrently
299.32 with reasonable, or if the child is an Indian child, active efforts to reunify the child with the
299.33 parent.
- 300.1 (c) Reasonable efforts under paragraph (b) must begin as soon as possible when the
300.2 child is in foster care under this chapter, but not later than the hearing required under section
300.3 260C.204.
- 300.4 (d) Reasonable efforts to finalize the adoption of the child include:
- 300.5 (1) using age-appropriate engagement strategies to plan for adoption with the child;
- 300.6 (2) identifying an appropriate prospective adoptive parent for the child by updating the
300.7 child's identified needs using the factors in section 260C.212, subdivision 2;
- 300.8 (3) making an adoptive placement that meets the child's needs by:
- 300.9 (i) completing or updating the relative search required under section 260C.221 and giving
300.10 notice of the need for an adoptive home for the child to:
- 300.11 (A) relatives who have kept the agency or the court apprised of their whereabouts and
300.12 who have indicated an interest in adopting the child; or
- 300.13 (B) relatives of the child who are located in an updated search;

- 300.14 (ii) an updated search is required whenever:
- 300.15 (A) there is no identified prospective adoptive placement for the child notwithstanding
- 300.16 a finding by the court that the agency made diligent efforts under section 260C.221, in a
- 300.17 hearing required under section 260C.202;
- 300.18 (B) the child is removed from the home of an adopting parent; or
- 300.19 (C) the court determines a relative search by the agency is in the best interests of the
- 300.20 child;
- 300.21 (iii) engaging the child's foster parent and the child's relatives identified as an adoptive
- 300.22 resource during the search conducted under section 260C.221, to commit to being the
- 300.23 prospective adoptive parent of the child; or
- 300.24 (iv) when there is no identified prospective adoptive parent:
- 300.25 (A) registering the child on the state adoption exchange as required in section 259.75
- 300.26 unless the agency documents to the court an exception to placing the child on the state
- 300.27 adoption exchange reported to the commissioner;
- 300.28 (B) reviewing all families with approved adoption home studies associated with the
- 300.29 responsible social services agency;
- 300.30 (C) presenting the child to adoption agencies and adoption personnel who may assist
- 300.31 with finding an adoptive home for the child;
- 301.1 (D) using newspapers and other media to promote the particular child;
- 301.2 (E) using a private agency under grant contract with the commissioner to provide adoption
- 301.3 services for intensive child-specific recruitment efforts; and
- 301.4 (F) making any other efforts or using any other resources reasonably calculated to identify
- 301.5 a prospective adoption parent for the child;
- 301.6 (4) updating and completing the social and medical history required under sections
- 301.7 ~~259.43~~ 260C.212, subdivision 15, and 260C.609;
- 301.8 (5) making, and keeping updated, appropriate referrals required by section 260.851, the
- 301.9 Interstate Compact on the Placement of Children;
- 301.10 (6) giving notice regarding the responsibilities of an adoptive parent to any prospective
- 301.11 adoptive parent as required under section 259.35;
- 301.12 (7) offering the adopting parent the opportunity to apply for or decline adoption assistance
- 301.13 under chapter ~~259A~~ 256N;
- 301.14 (8) certifying the child for adoption assistance, assessing the amount of adoption
- 301.15 assistance, and ascertaining the status of the commissioner's decision on the level of payment
- 301.16 if the adopting parent has applied for adoption assistance;

301.17 (9) placing the child with siblings. If the child is not placed with siblings, the agency
 301.18 must document reasonable efforts to place the siblings together, as well as the reason for
 301.19 separation. The agency may not cease reasonable efforts to place siblings together for final
 301.20 adoption until the court finds further reasonable efforts would be futile or that placement
 301.21 together for purposes of adoption is not in the best interests of one of the siblings; and

301.22 (10) working with the adopting parent to file a petition to adopt the child and with the
 301.23 court administrator to obtain a timely hearing to finalize the adoption.

301.24 Sec. 56. Minnesota Statutes 2020, section 260C.607, subdivision 6, is amended to read:

301.25 Subd. 6. **Motion and hearing to order adoptive placement.** (a) At any time after the
 301.26 district court orders the child under the guardianship of the commissioner of human services,
 301.27 but not later than 30 days after receiving notice required under section 260C.613, subdivision
 301.28 1, paragraph (c), that the agency has made an adoptive placement, a relative or the child's
 301.29 foster parent may file a motion for an order for adoptive placement of a child who is under
 301.30 the guardianship of the commissioner if the relative or the child's foster parent:

301.31 (1) has an adoption home study under section 259.41 approving the relative or foster
 301.32 parent for adoption and has been a resident of Minnesota for at least six months before filing
 302.1 the motion; the court may waive the residency requirement for the moving party if there is
 302.2 a reasonable basis to do so; or

302.3 (2) is not a resident of Minnesota, but has an approved adoption home study by an agency
 302.4 licensed or approved to complete an adoption home study in the state of the individual's
 302.5 residence and the study is filed with the motion for adoptive placement.

302.6 (b) The motion shall be filed with the court conducting reviews of the child's progress
 302.7 toward adoption under this section. The motion and supporting documents must make a
 302.8 prima facie showing that the agency has been unreasonable in failing to make the requested
 302.9 adoptive placement. The motion must be served according to the requirements for motions
 302.10 under the Minnesota Rules of Juvenile Protection Procedure and shall be made on all
 302.11 individuals and entities listed in subdivision 2.

302.12 (c) If the motion and supporting documents do not make a prima facie showing for the
 302.13 court to determine whether the agency has been unreasonable in failing to make the requested
 302.14 adoptive placement, the court shall dismiss the motion. If the court determines a prima facie
 302.15 basis is made, the court shall set the matter for evidentiary hearing.

302.16 (d) At the evidentiary hearing, the responsible social services agency shall proceed first
 302.17 with evidence about the reason for not making the adoptive placement proposed by the
 302.18 moving party. The moving party then has the burden of proving by a preponderance of the
 302.19 evidence that the agency has been unreasonable in failing to make the adoptive placement.

302.20 (e) At the conclusion of the evidentiary hearing, if the court finds that the agency has
 302.21 been unreasonable in failing to make the adoptive placement and that the relative or the
 302.22 child's foster parent is the most suitable adoptive home to meet the child's needs using the

- 302.23 factors in section 260C.212, subdivision 2, paragraph (b), the court may order the responsible
 302.24 social services agency to make an adoptive placement in the home of the relative or the
 302.25 child's foster parent.
- 302.26 (f) If, in order to ensure that a timely adoption may occur, the court orders the responsible
 302.27 social services agency to make an adoptive placement under this subdivision, the agency
 302.28 shall:
- 302.29 (1) make reasonable efforts to obtain a fully executed adoption placement agreement;
- 302.30 (2) work with the moving party regarding eligibility for adoption assistance as required
 302.31 under chapter ~~259A~~ 256N; and
- 302.32 (3) if the moving party is not a resident of Minnesota, timely refer the matter for approval
 302.33 of the adoptive placement through the Interstate Compact on the Placement of Children.
- 303.1 (g) Denial or granting of a motion for an order for adoptive placement after an evidentiary
 303.2 hearing is an order which may be appealed by the responsible social services agency, the
 303.3 moving party, the child, when age ten or over, the child's guardian ad litem, and any
 303.4 individual who had a fully executed adoption placement agreement regarding the child at
 303.5 the time the motion was filed if the court's order has the effect of terminating the adoption
 303.6 placement agreement. An appeal shall be conducted according to the requirements of the
 303.7 Rules of Juvenile Protection Procedure.
- 303.8 Sec. 57. Minnesota Statutes 2020, section 260C.609, is amended to read:
- 303.9 **260C.609 SOCIAL AND MEDICAL HISTORY.**
- 303.10 (a) ~~The responsible social services agency shall work with the birth family of the child,~~
 303.11 ~~foster family, medical and treatment providers, and the child's school to ensure there is a~~
 303.12 ~~detailed, thorough, and currently up-to-date social and medical history of the child as required~~
 303.13 ~~under section 259.43 on the forms required by the commissioner.~~
- 303.14 (b) ~~When the child continues in foster care, the agency's reasonable efforts to complete~~
 303.15 ~~the history shall begin no later than the permanency progress review hearing required under~~
 303.16 ~~section 260C.204 or six months after the child's placement in foster care.~~
- 303.17 ~~(e)~~ (a) The responsible social services agency shall thoroughly discuss the child's history
 303.18 with the ~~adopting~~ prospective adoptive parent of the child and shall give a redacted copy
 303.19 of the ~~report~~ of the child's social and medical history as described in section 260C.212,
 303.20 subdivision 15, including redacted attachments, to the ~~adopting~~ prospective adoptive parent.
 303.21 If the prospective adoptive parent does not pursue adoption of the child, the prospective
 303.22 adoptive parent must return the child's social and medical history and redacted attachments
 303.23 to the agency. The responsible social services agency may give a redacted copy of the child's
 303.24 social and medical history ~~may also be given~~ to the child, as appropriate according to section
 303.25 260C.212, subdivision 1.

- 303.26 ~~(b)~~ (b) The report shall not include information that identifies birth relatives. Redacted
 303.27 copies of all of the child's relevant evaluations, assessments, and records must be attached
 303.28 to the social and medical history.
- 303.29 (c) The agency must submit the child's social and medical history to the Department of
 303.30 Human Services at the time that the agency submits the child's adoption placement agreement.
 303.31 Pursuant to section 260C.623, subdivision 4, the child's social and medical history must be
 303.32 submitted to the court at the time the adoption petition is filed with the court.
- 304.1 Sec. 58. Minnesota Statutes 2020, section 260C.615, is amended to read:
- 304.2 **260C.615 DUTIES OF COMMISSIONER.**
- 304.3 Subdivision 1. **Duties.** (a) For any child who is under the guardianship of the
 304.4 commissioner, the commissioner has the exclusive rights to consent to:
- 304.5 (1) the medical care plan for the treatment of a child who is at imminent risk of death
 304.6 or who has a chronic disease that, in a physician's judgment, will result in the child's death
 304.7 in the near future including a physician's order not to resuscitate or intubate the child; and
- 304.8 (2) the child donating a part of the child's body to another person while the child is living;
 304.9 the decision to donate a body part under this clause shall take into consideration the child's
 304.10 wishes and the child's culture.
- 304.11 (b) In addition to the exclusive rights under paragraph (a), the commissioner has a duty
 304.12 to:
- 304.13 (1) process any complete and accurate request for home study and placement through
 304.14 the Interstate Compact on the Placement of Children under section 260.851;
- 304.15 (2) process any complete and accurate application for adoption assistance forwarded by
 304.16 the responsible social services agency according to chapter ~~259A~~ 256N;
- 304.17 (3) ~~complete the execution of~~ review and process an adoption placement agreement
 304.18 forwarded to the commissioner by the responsible social services agency and return it to
 304.19 the agency in a timely fashion; and
- 304.20 (4) maintain records as required in chapter 259.
- 304.21 Subd. 2. **Duties not reserved.** All duties, obligations, and consents not specifically
 304.22 reserved to the commissioner in this section are delegated to the responsible social services
 304.23 agency, subject to supervision by the commissioner under section 393.07.

443.23 Sec. 21. Minnesota Statutes 2020, section 260C.704, is amended to read:

443.24 **260C.704 REQUIREMENTS FOR THE QUALIFIED INDIVIDUAL'S**
 443.25 **ASSESSMENT OF THE CHILD FOR PLACEMENT IN A QUALIFIED**
 443.26 **RESIDENTIAL TREATMENT PROGRAM.**

443.27 (a) A qualified individual must complete an assessment of the child prior to ~~or within~~
 443.28 ~~30 days of~~ the child's placement in a qualified residential treatment program in a format
 443.29 approved by the commissioner of human services, ~~and unless, due to a crisis, the child must~~
 443.30 immediately be placed in a qualified residential treatment program. When a child must
 443.31 immediately be placed in a qualified residential treatment program without an assessment,
 443.32 the qualified individual must complete the child's assessment within 30 days of the child's
 443.33 placement. The qualified individual must:

444.1 (1) assess the child's needs and strengths, using an age-appropriate, evidence-based,
 444.2 validated, functional assessment approved by the commissioner of human services;

444.3 (2) determine whether the child's needs can be met by the child's family members or
 444.4 through placement in a family foster home; or, if not, determine which residential setting
 444.5 would provide the child with the most effective and appropriate level of care to the child
 444.6 in the least restrictive environment;

444.7 (3) develop a list of short- and long-term mental and behavioral health goals for the
 444.8 child; and

444.9 (4) work with the child's family and permanency team using culturally competent
 444.10 practices.

444.11 If a level of care determination was conducted under section 245.4885, that information
 444.12 must be shared with the qualified individual and the juvenile treatment screening team.

444.13 (b) The child and the child's parents, when appropriate, may request that a specific
 444.14 culturally competent qualified individual complete the child's assessment. The agency shall
 444.15 make efforts to refer the child to the identified qualified individual to complete the
 444.16 assessment. The assessment must not be delayed for a specific qualified individual to
 444.17 complete the assessment.

444.18 (c) The qualified individual must provide the assessment, when complete, to the
 444.19 responsible social services agency, ~~the child's parents or legal guardians, the guardian ad~~
 444.20 ~~item, and the court.~~ If the assessment recommends placement of the child in a qualified
 444.21 residential treatment facility, the agency must distribute the assessment to the child's parent
 444.22 or legal guardian and file the assessment with the court report as required in section 260C.71,
 444.23 subdivision 2. If the assessment does not recommend placement in a qualified residential
 444.24 treatment facility, the agency must provide a copy of the assessment to the parents or legal
 444.25 guardians and the guardian ad litem and file the assessment determination with the court at
 444.26 the next required hearing as required in section 260C.71, subdivision 5. If court rules and
 444.27 chapter 13 permit disclosure of the results of the child's assessment, the agency may share

343.9 Sec. 23. Minnesota Statutes 2020, section 260C.704, is amended to read:

343.10 **260C.704 REQUIREMENTS FOR THE QUALIFIED INDIVIDUAL'S**
 343.11 **ASSESSMENT OF THE CHILD FOR PLACEMENT IN A QUALIFIED**
 343.12 **RESIDENTIAL TREATMENT PROGRAM.**

343.13 (a) A qualified individual must complete an assessment of the child prior to ~~or within~~
 343.14 ~~30 days of~~ the child's placement in a qualified residential treatment program in a format
 343.15 approved by the commissioner of human services, ~~and unless, due to a crisis, the child must~~
 343.16 immediately be placed in a qualified residential treatment program. When a child must
 343.17 immediately be placed in a qualified residential treatment program without an assessment,
 343.18 the qualified individual must complete the child's assessment within 30 days of the child's
 343.19 placement. The qualified individual must:

343.20 (1) assess the child's needs and strengths, using an age-appropriate, evidence-based,
 343.21 validated, functional assessment approved by the commissioner of human services;

343.22 (2) determine whether the child's needs can be met by the child's family members or
 343.23 through placement in a family foster home; or, if not, determine which residential setting
 343.24 would provide the child with the most effective and appropriate level of care to the child
 343.25 in the least restrictive environment;

343.26 (3) develop a list of short- and long-term mental and behavioral health goals for the
 343.27 child; and

343.28 (4) work with the child's family and permanency team using culturally competent
 343.29 practices.

343.30 If a level of care determination was conducted under section 245.4885, that information
 343.31 must be shared with the qualified individual and the juvenile treatment screening team.

344.1 (b) The child and the child's parents, when appropriate, may request that a specific
 344.2 culturally competent qualified individual complete the child's assessment. The agency shall
 344.3 make efforts to refer the child to the identified qualified individual to complete the
 344.4 assessment. The assessment must not be delayed for a specific qualified individual to
 344.5 complete the assessment.

344.6 (c) The qualified individual must provide the assessment, when complete, to the
 344.7 responsible social services agency, ~~the child's parents or legal guardians, the guardian ad~~
 344.8 ~~item, and the court.~~ If the assessment recommends placement of the child in a qualified
 344.9 residential treatment facility, the agency must distribute the assessment to the child's parent
 344.10 or legal guardian and file the assessment with the court report as required in section 260C.71,
 344.11 subdivision 2. If the assessment does not recommend placement in a qualified residential
 344.12 treatment facility, the agency must provide a copy of the assessment to the parents or legal
 344.13 guardians and the guardian ad litem and file the assessment determination with the court at
 344.14 the next required hearing as required in section 260C.71, subdivision 5. If court rules and
 344.15 chapter 13 permit disclosure of the results of the child's assessment, the agency may share

444.28 the results of the child's assessment with the child's foster care provider, other members of
 444.29 the child's family, and the family and permanency team. The agency must not share the
 444.30 child's private medical data with the family and permanency team unless: (1) chapter 13
 444.31 permits the agency to disclose the child's private medical data to the family and permanency
 444.32 team; or (2) the child's parent has authorized the agency to disclose the child's private medical
 444.33 data to the family and permanency team.

445.1 (d) For an Indian child, the assessment of the child must follow the order of placement
 445.2 preferences in the Indian Child Welfare Act of 1978, United States Code, title 25, section
 445.3 1915.

445.4 (e) In the assessment determination, the qualified individual must specify in writing:

445.5 (1) the reasons why the child's needs cannot be met by the child's family or in a family
 445.6 foster home. A shortage of family foster homes is not an acceptable reason for determining
 445.7 that a family foster home cannot meet a child's needs;

445.8 (2) why the recommended placement in a qualified residential treatment program will
 445.9 provide the child with the most effective and appropriate level of care to meet the child's
 445.10 needs in the least restrictive environment possible and how placing the child at the treatment
 445.11 program is consistent with the short-term and long-term goals of the child's permanency
 445.12 plan; and

445.13 (3) if the qualified individual's placement recommendation is not the placement setting
 445.14 that the parent, family and permanency team, child, or tribe prefer, the qualified individual
 445.15 must identify the reasons why the qualified individual does not recommend the parent's,
 445.16 family and permanency team's, child's, or tribe's placement preferences. The out-of-home
 445.17 placement plan under section 260C.708 must also include reasons why the qualified
 445.18 individual did not recommend the preferences of the parents, family and permanency team,
 445.19 child, or tribe.

445.20 (f) If the qualified individual determines that the child's family or a family foster home
 445.21 or other less restrictive placement may meet the child's needs, the agency must move the
 445.22 child out of the qualified residential treatment program and transition the child to a less
 445.23 restrictive setting within 30 days of the determination. If the responsible social services
 445.24 agency has placement authority of the child, the agency must make a plan for the child's
 445.25 placement according to section 260C.212, subdivision 2. The agency must file the child's
 445.26 assessment determination with the court at the next required hearing.

445.27 (g) If the qualified individual recommends placing the child in a qualified residential
 445.28 treatment program and if the responsible social services agency has placement authority of
 445.29 the child, the agency shall make referrals to appropriate qualified residential treatment
 445.30 programs and upon acceptance by an appropriate program, place the child in an approved
 445.31 or certified qualified residential treatment program.

445.32 **EFFECTIVE DATE.** This section is effective September 30, 2021.

344.16 the results of the child's assessment with the child's foster care provider, other members of
 344.17 the child's family, and the family and permanency team. The agency must not share the
 344.18 child's private medical data with the family and permanency team unless: (1) chapter 13
 344.19 permits the agency to disclose the child's private medical data to the family and permanency
 344.20 team; or (2) the child's parent has authorized the agency to disclose the child's private medical
 344.21 data to the family and permanency team.

344.22 (d) For an Indian child, the assessment of the child must follow the order of placement
 344.23 preferences in the Indian Child Welfare Act of 1978, United States Code, title 25, section
 344.24 1915.

344.25 (e) In the assessment determination, the qualified individual must specify in writing:

344.26 (1) the reasons why the child's needs cannot be met by the child's family or in a family
 344.27 foster home. A shortage of family foster homes is not an acceptable reason for determining
 344.28 that a family foster home cannot meet a child's needs;

344.29 (2) why the recommended placement in a qualified residential treatment program will
 344.30 provide the child with the most effective and appropriate level of care to meet the child's
 344.31 needs in the least restrictive environment possible and how placing the child at the treatment
 344.32 program is consistent with the short-term and long-term goals of the child's permanency
 344.33 plan; and

345.1 (3) if the qualified individual's placement recommendation is not the placement setting
 345.2 that the parent, family and permanency team, child, or tribe prefer, the qualified individual
 345.3 must identify the reasons why the qualified individual does not recommend the parent's,
 345.4 family and permanency team's, child's, or tribe's placement preferences. The out-of-home
 345.5 placement plan under section 260C.708 must also include reasons why the qualified
 345.6 individual did not recommend the preferences of the parents, family and permanency team,
 345.7 child, or tribe.

345.8 (f) If the qualified individual determines that the child's family or a family foster home
 345.9 or other less restrictive placement may meet the child's needs, the agency must move the
 345.10 child out of the qualified residential treatment program and transition the child to a less
 345.11 restrictive setting within 30 days of the determination. If the responsible social services
 345.12 agency has placement authority of the child, the agency must make a plan for the child's
 345.13 placement according to section 260C.212, subdivision 2. The agency must file the child's
 345.14 assessment determination with the court at the next required hearing.

345.15 (g) If the qualified individual recommends placing the child in a qualified residential
 345.16 treatment program and if the responsible social services agency has placement authority of
 345.17 the child, the agency shall make referrals to appropriate qualified residential treatment
 345.18 programs and, upon acceptance by an appropriate program, place the child in an approved
 345.19 or certified qualified residential treatment program.

345.20 **EFFECTIVE DATE.** This section is effective September 30, 2021.

446.1 Sec. 22. Minnesota Statutes 2020, section 260C.706, is amended to read:

446.2 **260C.706 FAMILY AND PERMANENCY TEAM REQUIREMENTS.**

446.3 (a) When the responsible social services agency's juvenile treatment screening team, as
446.4 defined in section 260C.157, recommends placing the child in a qualified residential treatment
446.5 program, the agency must assemble a family and permanency team within ten days.

446.6 (1) The team must include all appropriate biological family members, the child's parents,
446.7 legal guardians or custodians, foster care providers, and relatives as defined in section
446.8 260C.007, subdivisions ~~26e~~ 26b and 27, and professionals, as appropriate, who are a resource
446.9 to the child's family, such as teachers, medical or mental health providers, or clergy.

446.10 (2) When a child is placed in foster care prior to the qualified residential treatment
446.11 program, the agency shall include relatives responding to the relative search notice as
446.12 required under section 260C.221 on this team, unless the juvenile court finds that contacting
446.13 a specific relative would ~~endanger~~ present a safety or health risk to the parent, guardian,
446.14 child, sibling, or any other family member.

446.15 (3) When a qualified residential treatment program is the child's initial placement setting,
446.16 the responsible social services agency must engage with the child and the child's parents to
446.17 determine the appropriate family and permanency team members.

446.18 (4) When the permanency goal is to reunify the child with the child's parent or legal
446.19 guardian, the purpose of the relative search and focus of the family and permanency team
446.20 is to preserve family relationships and identify and develop supports for the child and parents.

446.21 (5) The responsible agency must make a good faith effort to identify and assemble all
446.22 appropriate individuals to be part of the child's family and permanency team and request
446.23 input from the parents regarding relative search efforts consistent with section 260C.221.
446.24 The out-of-home placement plan in section 260C.708 must include all contact information
446.25 for the team members, as well as contact information for family members or relatives who
446.26 are not a part of the family and permanency team.

446.27 (6) If the child is age 14 or older, the team must include members of the family and
446.28 permanency team that the child selects in accordance with section 260C.212, subdivision
446.29 1, paragraph (b).

446.30 (7) Consistent with section 260C.221, a responsible social services agency may disclose
446.31 relevant and appropriate private data about the child to relatives in order for the relatives
446.32 to participate in caring and planning for the child's placement.

447.1 (8) If the child is an Indian child under section 260.751, the responsible social services
447.2 agency must make active efforts to include the child's tribal representative on the family
447.3 and permanency team.

447.4 (b) The family and permanency team shall meet regarding the assessment required under
447.5 section 260C.704 to determine whether it is necessary and appropriate to place the child in

345.21 Sec. 24. Minnesota Statutes 2020, section 260C.706, is amended to read:

345.22 **260C.706 FAMILY AND PERMANENCY TEAM REQUIREMENTS.**

345.23 (a) When the responsible social services agency's juvenile treatment screening team, as
345.24 defined in section 260C.157, recommends placing the child in a qualified residential treatment
345.25 program, the agency must assemble a family and permanency team within ten days.

345.26 (1) The team must include all appropriate biological family members, the child's parents,
345.27 legal guardians or custodians, foster care providers, and relatives as defined in section
345.28 260C.007, subdivisions ~~26e~~ 26b and 27, and professionals, as appropriate, who are a resource
345.29 to the child's family, such as teachers, medical or mental health providers, or clergy.

345.30 (2) When a child is placed in foster care prior to the qualified residential treatment
345.31 program, the agency shall include relatives responding to the relative search notice as
345.32 required under section 260C.221 on this team, unless the juvenile court finds that contacting
346.1 a specific relative would ~~endanger~~ present a safety or health risk to the parent, guardian,
346.2 child, sibling, or any other family member.

346.3 (3) When a qualified residential treatment program is the child's initial placement setting,
346.4 the responsible social services agency must engage with the child and the child's parents to
346.5 determine the appropriate family and permanency team members.

346.6 (4) When the permanency goal is to reunify the child with the child's parent or legal
346.7 guardian, the purpose of the relative search and focus of the family and permanency team
346.8 is to preserve family relationships and identify and develop supports for the child and parents.

346.9 (5) The responsible agency must make a good faith effort to identify and assemble all
346.10 appropriate individuals to be part of the child's family and permanency team and request
346.11 input from the parents regarding relative search efforts consistent with section 260C.221.
346.12 The out-of-home placement plan in section 260C.708 must include all contact information
346.13 for the team members, as well as contact information for family members or relatives who
346.14 are not a part of the family and permanency team.

346.15 (6) If the child is age 14 or older, the team must include members of the family and
346.16 permanency team that the child selects in accordance with section 260C.212, subdivision
346.17 1, paragraph (b).

346.18 (7) Consistent with section 260C.221, a responsible social services agency may disclose
346.19 relevant and appropriate private data about the child to relatives in order for the relatives
346.20 to participate in caring and planning for the child's placement.

346.21 (8) If the child is an Indian child under section 260.751, the responsible social services
346.22 agency must make active efforts to include the child's tribal representative on the family
346.23 and permanency team.

346.24 (b) The family and permanency team shall meet regarding the assessment required under
346.25 section 260C.704 to determine whether it is necessary and appropriate to place the child in

447.6 a qualified residential treatment program and to participate in case planning under section
447.7 260C.708.

447.8 (c) When reunification of the child with the child's parent or legal guardian is the
447.9 permanency plan, the family and permanency team shall support the parent-child relationship
447.10 by recognizing the parent's legal authority, consulting with the parent regarding ongoing
447.11 planning for the child, and assisting the parent with visiting and contacting the child.

447.12 (d) When the agency's permanency plan is to transfer the child's permanent legal and
447.13 physical custody to a relative or for the child's adoption, the team shall:

447.14 (1) coordinate with the proposed guardian to provide the child with educational services,
447.15 medical care, and dental care;

447.16 (2) coordinate with the proposed guardian, the agency, and the foster care facility to
447.17 meet the child's treatment needs after the child is placed in a permanent placement with the
447.18 proposed guardian;

447.19 (3) plan to meet the child's need for safety, stability, and connection with the child's
447.20 family and community after the child is placed in a permanent placement with the proposed
447.21 guardian; and

447.22 (4) in the case of an Indian child, communicate with the child's tribe to identify necessary
447.23 and appropriate services for the child, transition planning for the child, the child's treatment
447.24 needs, and how to maintain the child's connections to the child's community, family, and
447.25 tribe.

447.26 (e) The agency shall invite the family and permanency team to participate in case planning
447.27 and the agency shall give the team notice of court reviews under sections 260C.152 and
447.28 260C.221 until: (1) the child is reunited with the child's parents; or (2) the child's foster care
447.29 placement ends and the child is in a permanent placement.

447.30 **EFFECTIVE DATE.** This section is effective September 30, 2021.

448.1 Sec. 23. Minnesota Statutes 2020, section 260C.708, is amended to read:

448.2 **260C.708 OUT-OF-HOME PLACEMENT PLAN FOR QUALIFIED**
448.3 **RESIDENTIAL TREATMENT PROGRAM PLACEMENTS.**

448.4 (a) When the responsible social services agency places a child in a qualified residential
448.5 treatment program as defined in section 260C.007, subdivision 26d, the out-of-home
448.6 placement plan must include:

448.7 (1) the case plan requirements in section ~~260.212, subdivision 1~~ 260C.212;

448.8 (2) the reasonable and good faith efforts of the responsible social services agency to
448.9 identify and include all of the individuals required to be on the child's family and permanency
448.10 team under section 260C.007;

346.26 a qualified residential treatment program and to participate in case planning under section
346.27 260C.708.

346.28 (c) When reunification of the child with the child's parent or legal guardian is the
346.29 permanency plan, the family and permanency team shall support the parent-child relationship
346.30 by recognizing the parent's legal authority, consulting with the parent regarding ongoing
346.31 planning for the child, and assisting the parent with visiting and contacting the child.

346.32 (d) When the agency's permanency plan is to transfer the child's permanent legal and
346.33 physical custody to a relative or for the child's adoption, the team shall:

347.1 (1) coordinate with the proposed guardian to provide the child with educational services,
347.2 medical care, and dental care;

347.3 (2) coordinate with the proposed guardian, the agency, and the foster care facility to
347.4 meet the child's treatment needs after the child is placed in a permanent placement with the
347.5 proposed guardian;

347.6 (3) plan to meet the child's need for safety, stability, and connection with the child's
347.7 family and community after the child is placed in a permanent placement with the proposed
347.8 guardian; and

347.9 (4) in the case of an Indian child, communicate with the child's tribe to identify necessary
347.10 and appropriate services for the child, transition planning for the child, the child's treatment
347.11 needs, and how to maintain the child's connections to the child's community, family, and
347.12 tribe.

347.13 (e) The agency shall invite the family and permanency team to participate in case planning
347.14 and the agency shall give the team notice of court reviews under sections 260C.152 and
347.15 260C.221 until: (1) the child is reunited with the child's parents; or (2) the child's foster care
347.16 placement ends and the child is in a permanent placement.

347.17 **EFFECTIVE DATE.** This section is effective September 30, 2021.

347.18 Sec. 25. Minnesota Statutes 2020, section 260C.708, is amended to read:

347.19 **260C.708 OUT-OF-HOME PLACEMENT PLAN FOR QUALIFIED**
347.20 **RESIDENTIAL TREATMENT PROGRAM PLACEMENTS.**

347.21 (a) When the responsible social services agency places a child in a qualified residential
347.22 treatment program as defined in section 260C.007, subdivision 26d, the out-of-home
347.23 placement plan must include:

347.24 (1) the case plan requirements in section ~~260.212, subdivision 1~~ 260C.212;

347.25 (2) the reasonable and good faith efforts of the responsible social services agency to
347.26 identify and include all of the individuals required to be on the child's family and permanency
347.27 team under section 260C.007;

448.11 (3) all contact information for members of the child's family and permanency team and
448.12 for other relatives who are not part of the family and permanency team;

448.13 (4) evidence that the agency scheduled meetings of the family and permanency team,
448.14 including meetings relating to the assessment required under section 260C.704, at a time
448.15 and place convenient for the family;

448.16 (5) evidence that the family and permanency team is involved in the assessment required
448.17 under section 260C.704 to determine the appropriateness of the child's placement in a
448.18 qualified residential treatment program;

448.19 (6) the family and permanency team's placement preferences for the child in the
448.20 assessment required under section 260C.704. When making a decision about the child's
448.21 placement preferences, the family and permanency team must recognize:

448.22 (i) that the agency should place a child with the child's siblings unless a court finds that
448.23 placing a child with the child's siblings is not possible due to a child's specialized placement
448.24 needs or is otherwise contrary to the child's best interests; and

448.25 (ii) that the agency should place an Indian child according to the requirements of the
448.26 Indian Child Welfare Act, the Minnesota Family Preservation Act under sections 260.751
448.27 to 260.835, and section 260C.193, subdivision 3, paragraph (g);

448.28 ~~(5)~~ (7) when reunification of the child with the child's parent or legal guardian is the
448.29 agency's goal, evidence demonstrating that the parent or legal guardian provided input about
448.30 the members of the family and permanency team under section 260C.706;

448.31 ~~(6)~~ (8) when the agency's permanency goal is to reunify the child with the child's parent
448.32 or legal guardian, the out-of-home placement plan must identify services and supports that
449.1 maintain the parent-child relationship and the parent's legal authority, decision-making, and
449.2 responsibility for ongoing planning for the child. In addition, the agency must assist the
449.3 parent with visiting and contacting the child;

449.4 ~~(7)~~ (9) when the agency's permanency goal is to transfer permanent legal and physical
449.5 custody of the child to a proposed guardian or to finalize the child's adoption, the case plan
449.6 must document the agency's steps to transfer permanent legal and physical custody of the
449.7 child or finalize adoption, as required in section 260C.212, subdivision 1, paragraph (c),
449.8 clauses (6) and (7); and

449.9 ~~(8)~~ (10) the qualified individual's recommendation regarding the child's placement in a
449.10 qualified residential treatment program and the court approval or disapproval of the placement
449.11 as required in section 260C.71.

449.12 (b) If the placement preferences of the family and permanency team, child, and tribe, if
449.13 applicable, are not consistent with the placement setting that the qualified individual
449.14 recommends, the case plan must include the reasons why the qualified individual did not
449.15 recommend following the preferences of the family and permanency team, child, and the
449.16 tribe.

347.28 (3) all contact information for members of the child's family and permanency team and
347.29 for other relatives who are not part of the family and permanency team;

347.30 (4) evidence that the agency scheduled meetings of the family and permanency team,
347.31 including meetings relating to the assessment required under section 260C.704, at a time
347.32 and place convenient for the family;

348.1 (5) evidence that the family and permanency team is involved in the assessment required
348.2 under section 260C.704 to determine the appropriateness of the child's placement in a
348.3 qualified residential treatment program;

348.4 (6) the family and permanency team's placement preferences for the child in the
348.5 assessment required under section 260C.704. When making a decision about the child's
348.6 placement preferences, the family and permanency team must recognize:

348.7 (i) that the agency should place a child with the child's siblings unless a court finds that
348.8 placing a child with the child's siblings is not possible due to a child's specialized placement
348.9 needs or is otherwise contrary to the child's best interests; and

348.10 (ii) that the agency should place an Indian child according to the requirements of the
348.11 Indian Child Welfare Act, the Minnesota Family Preservation Act under sections 260.751
348.12 to 260.835, and section 260C.193, subdivision 3, paragraph (g);

348.13 ~~(5)~~ (7) when reunification of the child with the child's parent or legal guardian is the
348.14 agency's goal, evidence demonstrating that the parent or legal guardian provided input about
348.15 the members of the family and permanency team under section 260C.706;

348.16 ~~(6)~~ (8) when the agency's permanency goal is to reunify the child with the child's parent
348.17 or legal guardian, the out-of-home placement plan must identify services and supports that
348.18 maintain the parent-child relationship and the parent's legal authority, decision-making, and
348.19 responsibility for ongoing planning for the child. In addition, the agency must assist the
348.20 parent with visiting and contacting the child;

348.21 ~~(7)~~ (9) when the agency's permanency goal is to transfer permanent legal and physical
348.22 custody of the child to a proposed guardian or to finalize the child's adoption, the case plan
348.23 must document the agency's steps to transfer permanent legal and physical custody of the
348.24 child or finalize adoption, as required in section 260C.212, subdivision 1, paragraph (c),
348.25 clauses (6) and (7); and

348.26 ~~(8)~~ (10) the qualified individual's recommendation regarding the child's placement in a
348.27 qualified residential treatment program and the court approval or disapproval of the placement
348.28 as required in section 260C.71.

348.29 (b) If the placement preferences of the family and permanency team, child, and tribe, if
348.30 applicable, are not consistent with the placement setting that the qualified individual
348.31 recommends, the case plan must include the reasons why the qualified individual did not
348.32 recommend following the preferences of the family and permanency team, child, and the
348.33 tribe.

449.17 (c) The agency must file the out-of-home placement plan with the court as part of the
 449.18 60-day hearing court order under section 260C.71.

449.19 **EFFECTIVE DATE.** This section is effective September 30, 2021.

449.20 Sec. 24. Minnesota Statutes 2020, section 260C.71, is amended to read:

449.21 **260C.71 COURT APPROVAL REQUIREMENTS.**

449.22 Subdivision 1. **Judicial review.** When the responsible social services agency has legal
 449.23 authority to place a child at a qualified residential treatment facility under section 260C.007,
 449.24 subdivision 21a, and the child's assessment under section 260C.704 recommends placing
 449.25 the child in a qualified residential treatment facility, the agency shall place the child at a
 449.26 qualified residential facility. Within 60 days of placing the child at a qualified residential
 449.27 treatment facility, the agency must obtain a court order finding that the child's placement
 449.28 is appropriate and meets the child's individualized needs.

449.29 Subd. 2. **Qualified residential treatment program; agency report to court.** (a) The
 449.30 responsible social services agency shall file a written report with the court after receiving
 449.31 the qualified individual's assessment as specified in section 260C.704 prior to the child's
 449.32 placement or within 35 days of the date of the child's placement in a qualified residential
 449.33 treatment facility. The written report shall contain or have attached:

450.1 (1) the child's name, date of birth, race, gender, and current address;

450.2 (2) the names, races, dates of birth, residence, and post office address of the child's
 450.3 parents or legal custodian, or guardian;

450.4 (3) the name and address of the qualified residential treatment program, including a
 450.5 chief administrator of the facility;

450.6 (4) a statement of the facts that necessitated the child's foster care placement;

450.7 (5) the child's out-of-home placement plan under section 260C.212, subdivision 1,
 450.8 including the requirements in section 260C.708;

450.9 (6) if the child is placed in an out-of-state qualified residential treatment program, the
 450.10 compelling reasons why the child's needs cannot be met by an in-state placement;

450.11 (7) the qualified individual's assessment of the child under section 260C.704, paragraph
 450.12 (c), in a format approved by the commissioner;

450.13 (8) if, at the time required for the report under this subdivision, the child's parent or legal
 450.14 guardian, a child who is ten years of age or older, the family and permanency team, or a
 450.15 tribe disagrees with the recommended qualified residential treatment program placement,
 450.16 the agency shall include information regarding the disagreement, and to the extent possible,
 450.17 the basis for the disagreement in the report;

349.1 (c) The agency must file the out-of-home placement plan with the court as part of the
 349.2 60-day hearing court order under section 260C.71.

349.3 **EFFECTIVE DATE.** This section is effective September 30, 2021.

349.4 Sec. 26. Minnesota Statutes 2020, section 260C.71, is amended to read:

349.5 **260C.71 COURT APPROVAL REQUIREMENTS.**

349.6 Subdivision 1. **Judicial review.** When the responsible social services agency has legal
 349.7 authority to place a child at a qualified residential treatment facility under section 260C.007,
 349.8 subdivision 21a, and the child's assessment under section 260C.704 recommends placing
 349.9 the child in a qualified residential treatment facility, the agency shall place the child at a
 349.10 qualified residential facility. Within 60 days of placing the child at a qualified residential
 349.11 treatment facility, the agency must obtain a court order finding that the child's placement
 349.12 is appropriate and meets the child's individualized needs.

349.13 Subd. 2. **Qualified residential treatment program; agency report to court.** (a) The
 349.14 responsible social services agency shall file a written report with the court after receiving
 349.15 the qualified individual's assessment as specified in section 260C.704 prior to the child's
 349.16 placement or within 35 days of the date of the child's placement in a qualified residential
 349.17 treatment facility. The written report shall contain or have attached:

349.18 (1) the child's name, date of birth, race, gender, and current address;

349.19 (2) the names, races, dates of birth, residence, and post office address of the child's
 349.20 parents or legal custodian, or guardian;

349.21 (3) the name and address of the qualified residential treatment program, including a
 349.22 chief administrator of the facility;

349.23 (4) a statement of the facts that necessitated the child's foster care placement;

349.24 (5) the child's out-of-home placement plan under section 260C.212, subdivision 1,
 349.25 including the requirements in section 260C.708;

349.26 (6) if the child is placed in an out-of-state qualified residential treatment program, the
 349.27 compelling reasons why the child's needs cannot be met by an in-state placement;

349.28 (7) the qualified individual's assessment of the child under section 260C.704, paragraph
 349.29 (c), in a format approved by the commissioner;

349.30 (8) if, at the time required for the report under this subdivision, the child's parent or legal
 349.31 guardian, a child who is ten years of age or older, the family and permanency team, or a
 350.1 tribe disagrees with the recommended qualified residential treatment program placement,
 350.2 information regarding the disagreement and to the extent possible, the basis for the
 350.3 disagreement in the report; and

450.18 (9) any other information that the responsible social services agency, child's parent, legal
450.19 custodian or guardian, child, or in the case of an Indian child, tribe would like the court to
450.20 consider; and

450.21 (10) the agency shall file the written report with the court and serve on the parties a
450.22 request for a hearing or a court order without a hearing.

450.23 (b) The agency must inform the child's parent or legal guardian and a child who is ten
450.24 years of age or older of the court review requirements of this section and the child's and
450.25 child's parent's or legal guardian's right to submit information to the court:

450.26 (1) the agency must inform the child's parent or legal guardian and a child who is ten
450.27 years of age or older of the reporting date and the date by which the agency must receive
450.28 information from the child and child's parent so that the agency is able to submit the report
450.29 required by this subdivision to the court;

450.30 (2) the agency must inform the child's parent or legal guardian and a child who is ten
450.31 years of age or older that the court will hold a hearing upon the request of the child or the
450.32 child's parent; and

451.1 (3) the agency must inform the child's parent or legal guardian and a child who is ten
451.2 years of age or older that they have the right to request a hearing and the right to present
451.3 information to the court for the court's review under this subdivision.

451.4 Subd. 3. Court hearing. (a) The court shall hold a hearing when a party or a child who
451.5 is ten years of age or older requests a hearing.

451.6 (b) In all other circumstances, the court has the discretion to hold a hearing or issue an
451.7 order without a hearing.

451.8 Subd. 4. Court findings and order. (a) Within 60 days from the beginning of each
451.9 placement in a qualified residential treatment program when the qualified individual's
451.10 assessment of the child recommends placing the child in a qualified residential treatment
451.11 program, the court must consider the qualified individual's assessment of the child under
451.12 section 260C.704 and issue an order to:

451.13 ~~(1) consider the qualified individual's assessment of whether it is necessary and~~
451.14 ~~appropriate to place the child in a qualified residential treatment program under section~~
451.15 ~~260C.704;~~

451.16 ~~(2) (1) determine whether a family foster home can meet the child's needs, whether it is~~
451.17 ~~necessary and appropriate to place a child in a qualified residential treatment program that~~
451.18 ~~is the least restrictive environment possible, and whether the child's placement is consistent~~
451.19 ~~with the child's short and long term goals as specified in the permanency plan; and~~

451.20 ~~(2) (2) approve or disapprove of the child's placement.~~

350.4 (9) any other information that the responsible social services agency, child's parent, legal
350.5 custodian or guardian, child, or, in the case of an Indian child, tribe would like the court to
350.6 consider;

350.7 (b) The agency shall file the written report under paragraph (a) with the court and serve
350.8 on the parties a request for a hearing or a court order without a hearing.

350.9 (c) The agency must inform the child's parent or legal guardian and a child who is ten
350.10 years of age or older of the court review requirements of this section and the child and child's
350.11 parent's or legal guardian's right to submit information to the court:

350.12 (1) the agency must inform the child's parent or legal guardian and a child who is ten
350.13 years of age or older of the reporting date and the date by which the agency must receive
350.14 information from the child and child's parent so that the agency is able to submit the report
350.15 required by this subdivision to the court;

350.16 (2) the agency must inform the child's parent or legal guardian, and a child who is ten
350.17 years of age or older that the court will hold a hearing upon the request of the child or the
350.18 child's parent; and

350.19 (3) the agency must inform the child's parent or legal guardian, and a child who is ten
350.20 years of age or older that they have the right to request a hearing and the right to present
350.21 information to the court for the court's review under this subdivision.

350.22 Subd. 3. Court hearing. (a) The court shall hold a hearing when a party or a child who
350.23 is ten years of age or older requests a hearing.

350.24 (b) In all other circumstances, the court has the discretion to hold a hearing or issue an
350.25 order without a hearing.

350.26 Subd. 4. Court findings and order. (a) Within 60 days from the beginning of each
350.27 placement in a qualified residential treatment program when the qualified individual's
350.28 assessment of the child recommends placing the child in a qualified residential treatment
350.29 program, the court must consider the qualified individual's assessment of the child under
350.30 section 260C.704 and issue an order to:

350.31 ~~(1) consider the qualified individual's assessment of whether it is necessary and~~
350.32 ~~appropriate to place the child in a qualified residential treatment program under section~~
350.33 ~~260C.704;~~

351.1 ~~(2) (1) determine whether a family foster home can meet the child's needs, whether it is~~
351.2 ~~necessary and appropriate to place a child in a qualified residential treatment program that~~
351.3 ~~is the least restrictive environment possible, and whether the child's placement is consistent~~
351.4 ~~with the child's short and long term goals as specified in the permanency plan; and~~

351.5 ~~(2) (2) approve or disapprove of the child's placement.~~

451.21 (b) ~~In the out-of-home placement plan, the agency must document the court's approval~~
 451.22 ~~or disapproval of the placement, as specified in section 260C.708. If the court disapproves~~
 451.23 ~~of the child's placement in a qualified residential treatment program, the responsible social~~
 451.24 ~~services agency shall: (1) remove the child from the qualified residential treatment program~~
 451.25 ~~within 30 days of the court's order; and (2) make a plan for the child's placement that is~~
 451.26 ~~consistent with the child's best interests under section 260C.212, subdivision 2.~~

451.27 Subd. 5. Court review and approval not required. When the responsible social services
 451.28 agency has legal authority to place a child under section 260C.007, subdivision 21a, and
 451.29 the qualified individual's assessment of the child does not recommend placing the child in
 451.30 a qualified residential treatment program, the court is not required to hold a hearing and the
 451.31 court is not required to issue an order. Pursuant to section 260C.704, paragraph (f), the
 451.32 responsible social services agency shall make a plan for the child's placement consistent
 451.33 with the child's best interests under section 260C.212, subdivision 2. The agency must file
 452.1 the agency's assessment determination for the child with the court at the next required
 452.2 hearing.

452.3 **EFFECTIVE DATE.** This section is effective September 30, 2021.

452.4 Sec. 25. Minnesota Statutes 2020, section 260C.712, is amended to read:

452.5 **260C.712 ONGOING REVIEWS AND PERMANENCY HEARING**
 452.6 **REQUIREMENTS.**

452.7 As long as a child remains placed in a qualified residential treatment program, the
 452.8 responsible social services agency shall submit evidence at each administrative review under
 452.9 section 260C.203; each court review under sections 260C.202, 260C.203, ~~and~~ 260C.204,
 452.10 260D.06, 260D.07, and 260D.08; and each permanency hearing under section 260C.515,
 452.11 260C.519, ~~or~~ 260C.521, or 260D.07 that:

452.12 (1) demonstrates that an ongoing assessment of the strengths and needs of the child
 452.13 continues to support the determination that the child's needs cannot be met through placement
 452.14 in a family foster home;

452.15 (2) demonstrates that the placement of the child in a qualified residential treatment
 452.16 program provides the most effective and appropriate level of care for the child in the least
 452.17 restrictive environment;

452.18 (3) demonstrates how the placement is consistent with the short-term and long-term
 452.19 goals for the child, as specified in the child's permanency plan;

452.20 (4) documents how the child's specific treatment or service needs will be met in the
 452.21 placement;

452.22 (5) documents the length of time that the agency expects the child to need treatment or
 452.23 services; ~~and~~

351.6 (b) ~~In the out-of-home placement plan, the agency must document the court's approval~~
 351.7 ~~or disapproval of the placement, as specified in section 260C.708. If the court disapproves~~
 351.8 ~~of the child's placement in a qualified residential treatment program, the responsible social~~
 351.9 ~~services agency shall: (1) remove the child from the qualified residential treatment program~~
 351.10 ~~within 30 days of the court's order; and (2) make a plan for the child's placement that is~~
 351.11 ~~consistent with the child's best interests under section 260C.212, subdivision 2.~~

351.12 Subd. 5. Court review and approval not required. When the responsible social services
 351.13 agency has legal authority to place a child under section 260C.007, subdivision 21a, and
 351.14 the qualified individual's assessment of the child does not recommend placing the child in
 351.15 a qualified residential treatment program, the court is not required to hold a hearing and the
 351.16 court is not required to issue an order. Pursuant to section 260C.704, paragraph (f), the
 351.17 responsible social services agency shall make a plan for the child's placement consistent
 351.18 with the child's best interests under section 260C.212, subdivision 2. The agency must file
 351.19 the agency's assessment determination for the child with the court at the next required
 351.20 hearing.

351.21 **EFFECTIVE DATE.** This section is effective September 30, 2021.

351.22 Sec. 27. Minnesota Statutes 2020, section 260C.712, is amended to read:

351.23 **260C.712 ONGOING REVIEWS AND PERMANENCY HEARING**
 351.24 **REQUIREMENTS.**

351.25 As long as a child remains placed in a qualified residential treatment program, the
 351.26 responsible social services agency shall submit evidence at each administrative review under
 351.27 section 260C.203; each court review under sections 260C.202, 260C.203, ~~and~~ 260C.204,
 351.28 260D.06, 260D.07, and 260D.08; and each permanency hearing under section 260C.515,
 351.29 260C.519, ~~or~~ 260C.521, or 260D.07 that:

351.30 (1) demonstrates that an ongoing assessment of the strengths and needs of the child
 351.31 continues to support the determination that the child's needs cannot be met through placement
 351.32 in a family foster home;

352.1 (2) demonstrates that the placement of the child in a qualified residential treatment
 352.2 program provides the most effective and appropriate level of care for the child in the least
 352.3 restrictive environment;

352.4 (3) demonstrates how the placement is consistent with the short-term and long-term
 352.5 goals for the child, as specified in the child's permanency plan;

352.6 (4) documents how the child's specific treatment or service needs will be met in the
 352.7 placement;

352.8 (5) documents the length of time that the agency expects the child to need treatment or
 352.9 services; ~~and~~

452.24 (6) documents the responsible social services agency's efforts to prepare the child to
 452.25 return home or to be placed with a fit and willing relative, legal guardian, adoptive parent,
 452.26 or foster family-; and

452.27 (7) if the child is placed in a qualified residential treatment program out-of-state, the
 452.28 compelling reasons for placing the child out-of-state and the reasons that the child's needs
 452.29 cannot be met by an in-state placement.

452.30 **EFFECTIVE DATE.** This section is effective September 30, 2021.

453.1 Sec. 26. Minnesota Statutes 2020, section 260C.714, is amended to read:

453.2 **260C.714 REVIEW OF EXTENDED QUALIFIED RESIDENTIAL TREATMENT**
 453.3 **PROGRAM PLACEMENTS.**

453.4 (a) When a responsible social services agency places a child in a qualified residential
 453.5 treatment program for more than 12 consecutive months or 18 nonconsecutive months or,
 453.6 in the case of a child who is under 13 years of age, for more than six consecutive or
 453.7 nonconsecutive months, the agency must submit: (1) the signed approval by the county
 453.8 social services director of the responsible social services agency; and (2) the evidence
 453.9 supporting the child's placement at the most recent court review or permanency hearing
 453.10 under section 260C.712, ~~paragraph (b).~~

453.11 (b) The commissioner shall specify the procedures and requirements for the agency's
 453.12 review and approval of a child's extended qualified residential treatment program placement.
 453.13 The commissioner may consult with counties, tribes, child-placing agencies, mental health
 453.14 providers, licensed facilities, the child, the child's parents, and the family and permanency
 453.15 team members to develop case plan requirements and engage in periodic reviews of the
 453.16 case plan.

453.17 **EFFECTIVE DATE.** This section is effective September 30, 2021.

453.18 Sec. 27. Minnesota Statutes 2020, section 260D.01, is amended to read:

453.19 **260D.01 CHILD IN VOLUNTARY FOSTER CARE FOR TREATMENT.**

453.20 (a) Sections 260D.01 to 260D.10, may be cited as the "child in voluntary foster care for
 453.21 treatment" provisions of the Juvenile Court Act.

453.22 (b) The juvenile court has original and exclusive jurisdiction over a child in voluntary
 453.23 foster care for treatment upon the filing of a report or petition required under this chapter.
 453.24 All obligations of the responsible social services agency to a child and family in foster care
 453.25 contained in chapter 260C not inconsistent with this chapter are also obligations of the
 453.26 agency with regard to a child in foster care for treatment under this chapter.

453.27 (c) This chapter shall be construed consistently with the mission of the children's mental
 453.28 health service system as set out in section 245.487, subdivision 3, and the duties of an agency
 453.29 under sections 256B.092 and 260C.157 and Minnesota Rules, parts 9525.0004 to 9525.0016,

352.10 (6) documents the responsible social services agency's efforts to prepare the child to
 352.11 return home or to be placed with a fit and willing relative, legal guardian, adoptive parent,
 352.12 or foster family-; and

352.13 (7) if the child is placed in a qualified residential treatment program out-of-state,
 352.14 documents the compelling reasons for placing the child out-of-state, and the reasons that
 352.15 the child's needs cannot be met by an in-state placement.

352.16 **EFFECTIVE DATE.** This section is effective September 30, 2021.

352.17 Sec. 28. Minnesota Statutes 2020, section 260C.714, is amended to read:

352.18 **260C.714 REVIEW OF EXTENDED QUALIFIED RESIDENTIAL TREATMENT**
 352.19 **PROGRAM PLACEMENTS.**

352.20 (a) When a responsible social services agency places a child in a qualified residential
 352.21 treatment program for more than 12 consecutive months or 18 nonconsecutive months or,
 352.22 in the case of a child who is under 13 years of age, for more than six consecutive or
 352.23 nonconsecutive months, the agency must submit: (1) the signed approval by the county
 352.24 social services director of the responsible social services agency; and (2) the evidence
 352.25 supporting the child's placement at the most recent court review or permanency hearing
 352.26 under section 260C.712, ~~paragraph (b).~~

352.27 (b) The commissioner shall specify the procedures and requirements for the agency's
 352.28 review and approval of a child's extended qualified residential treatment program placement.
 352.29 The commissioner may consult with counties, tribes, child-placing agencies, mental health
 352.30 providers, licensed facilities, the child, the child's parents, and the family and permanency
 352.31 team members to develop case plan requirements and engage in periodic reviews of the
 352.32 case plan.

353.1 **EFFECTIVE DATE.** This section is effective September 30, 2021.

353.2 Sec. 29. Minnesota Statutes 2020, section 260D.01, is amended to read:

353.3 **260D.01 CHILD IN VOLUNTARY FOSTER CARE FOR TREATMENT.**

353.4 (a) Sections 260D.01 to 260D.10, may be cited as the "child in voluntary foster care for
 353.5 treatment" provisions of the Juvenile Court Act.

353.6 (b) The juvenile court has original and exclusive jurisdiction over a child in voluntary
 353.7 foster care for treatment upon the filing of a report or petition required under this chapter.
 353.8 All obligations of the responsible social services agency to a child and family in foster care
 353.9 contained in chapter 260C not inconsistent with this chapter are also obligations of the
 353.10 agency with regard to a child in foster care for treatment under this chapter.

353.11 (c) This chapter shall be construed consistently with the mission of the children's mental
 353.12 health service system as set out in section 245.487, subdivision 3, and the duties of an agency
 353.13 under sections 256B.092 and 260C.157 and Minnesota Rules, parts 9525.0004 to 9525.0016,

453.30 to meet the needs of a child with a developmental disability or related condition. This
453.31 chapter:

454.1 (1) establishes voluntary foster care through a voluntary foster care agreement as the
454.2 means for an agency and a parent to provide needed treatment when the child must be in
454.3 foster care to receive necessary treatment for an emotional disturbance or developmental
454.4 disability or related condition;

454.5 (2) establishes court review requirements for a child in voluntary foster care for treatment
454.6 due to emotional disturbance or developmental disability or a related condition;

454.7 (3) establishes the ongoing responsibility of the parent as legal custodian to visit the
454.8 child, to plan together with the agency for the child's treatment needs, to be available and
454.9 accessible to the agency to make treatment decisions, and to obtain necessary medical,
454.10 dental, and other care for the child; ~~and~~

454.11 (4) applies to voluntary foster care when the child's parent and the agency agree that the
454.12 child's treatment needs require foster care either:

454.13 (i) due to a level of care determination by the agency's screening team informed by the
454.14 child's diagnostic and functional assessment under section 245.4885; or

454.15 (ii) due to a determination regarding the level of services needed by the child by the
454.16 responsible social services agency's screening team under section 256B.092, and
454.17 Minnesota Rules, parts 9525.0004 to 9525.0016; and

454.18 (5) includes the requirements for a child's placement in sections 260C.70 to 260C.714,
454.19 when the juvenile treatment screening team recommends placing a child in a qualified
454.20 residential treatment program, except as modified by this chapter.

454.21 (d) This chapter does not apply when there is a current determination under chapter
454.22 260E that the child requires child protective services or when the child is in foster care for
454.23 any reason other than treatment for the child's emotional disturbance or developmental
454.24 disability or related condition. When there is a determination under chapter 260E that the
454.25 child requires child protective services based on an assessment that there are safety and risk
454.26 issues for the child that have not been mitigated through the parent's engagement in services
454.27 or otherwise, or when the child is in foster care for any reason other than the child's emotional
454.28 disturbance or developmental disability or related condition, the provisions of chapter 260C
454.29 apply.

454.30 (e) The paramount consideration in all proceedings concerning a child in voluntary foster
454.31 care for treatment is the safety, health, and the best interests of the child. The purpose of
454.32 this chapter is:

455.1 (1) to ensure that a child with a disability is provided the services necessary to treat or
455.2 ameliorate the symptoms of the child's disability;

353.14 to meet the needs of a child with a developmental disability or related condition. This
353.15 chapter:

353.16 (1) establishes voluntary foster care through a voluntary foster care agreement as the
353.17 means for an agency and a parent to provide needed treatment when the child must be in
353.18 foster care to receive necessary treatment for an emotional disturbance or developmental
353.19 disability or related condition;

353.20 (2) establishes court review requirements for a child in voluntary foster care for treatment
353.21 due to emotional disturbance or developmental disability or a related condition;

353.22 (3) establishes the ongoing responsibility of the parent as legal custodian to visit the
353.23 child, to plan together with the agency for the child's treatment needs, to be available and
353.24 accessible to the agency to make treatment decisions, and to obtain necessary medical,
353.25 dental, and other care for the child; ~~and~~

353.26 (4) applies to voluntary foster care when the child's parent and the agency agree that the
353.27 child's treatment needs require foster care either:

353.28 (i) due to a level of care determination by the agency's screening team informed by the
353.29 child's diagnostic and functional assessment under section 245.4885; or

353.30 (ii) due to a determination regarding the level of services needed by the child by the
353.31 responsible social services agency's screening team under section 256B.092, and
353.32 Minnesota Rules, parts 9525.0004 to 9525.0016; and

354.1 (5) includes the requirements for a child's placement in sections 260C.70 to 260C.714,
354.2 when the juvenile treatment screening team recommends placing a child in a qualified
354.3 residential treatment program except as modified by this chapter.

354.4 (d) This chapter does not apply when there is a current determination under chapter
354.5 260E that the child requires child protective services or when the child is in foster care for
354.6 any reason other than treatment for the child's emotional disturbance or developmental
354.7 disability or related condition. When there is a determination under chapter 260E that the
354.8 child requires child protective services based on an assessment that there are safety and risk
354.9 issues for the child that have not been mitigated through the parent's engagement in services
354.10 or otherwise, or when the child is in foster care for any reason other than the child's emotional
354.11 disturbance or developmental disability or related condition, the provisions of chapter 260C
354.12 apply.

354.13 (e) The paramount consideration in all proceedings concerning a child in voluntary foster
354.14 care for treatment is the safety, health, and the best interests of the child. The purpose of
354.15 this chapter is:

354.16 (1) to ensure that a child with a disability is provided the services necessary to treat or
354.17 ameliorate the symptoms of the child's disability;

455.3 (2) to preserve and strengthen the child's family ties whenever possible and in the child's
 455.4 best interests, approving the child's placement away from the child's parents only when the
 455.5 child's need for care or treatment requires ~~it~~ out-of-home placement and the child cannot
 455.6 be maintained in the home of the parent; and

455.7 (3) to ensure that the child's parent retains legal custody of the child and associated
 455.8 decision-making authority unless the child's parent willfully fails or is unable to make
 455.9 decisions that meet the child's safety, health, and best interests. The court may not find that
 455.10 the parent willfully fails or is unable to make decisions that meet the child's needs solely
 455.11 because the parent disagrees with the agency's choice of foster care facility, unless the
 455.12 agency files a petition under chapter 260C, and establishes by clear and convincing evidence
 455.13 that the child is in need of protection or services.

455.14 (f) The legal parent-child relationship shall be supported under this chapter by maintaining
 455.15 the parent's legal authority and responsibility for ongoing planning for the child and by the
 455.16 agency's assisting the parent, ~~where~~ when necessary, to exercise the parent's ongoing right
 455.17 and obligation to visit or to have reasonable contact with the child. Ongoing planning means:

455.18 (1) actively participating in the planning and provision of educational services, medical,
 455.19 and dental care for the child;

455.20 (2) actively planning and participating with the agency and the foster care facility for
 455.21 the child's treatment needs; ~~and~~

455.22 (3) planning to meet the child's need for safety, stability, and permanency, and the child's
 455.23 need to stay connected to the child's family and community; ~~and~~

455.24 (4) engaging with the responsible social services agency to ensure that the family and
 455.25 permanency team under section 260C.706 consists of appropriate family members. For
 455.26 purposes of voluntary placement of a child in foster care for treatment under chapter 260D,
 455.27 prior to forming the child's family and permanency team, the responsible social services
 455.28 agency must consult with the child's parent or legal guardian, the child if the child is 14
 455.29 years of age or older, and, if applicable, the child's tribe to obtain recommendations regarding
 455.30 which individuals to include on the team and to ensure that the team is family-centered and
 455.31 will act in the child's best interests. If the child, child's parents, or legal guardians raise
 455.32 concerns about specific relatives or professionals, the team should not include those
 455.33 individuals unless the individual is a treating professional or an important connection to the
 455.34 youth as outlined in the case or crisis plan; and

354.18 (2) to preserve and strengthen the child's family ties whenever possible and in the child's
 354.19 best interests, approving the child's placement away from the child's parents only when the
 354.20 child's need for care or treatment requires ~~it~~ out-of-home placement and the child cannot
 354.21 be maintained in the home of the parent; and

354.22 (3) to ensure that the child's parent retains legal custody of the child and associated
 354.23 decision-making authority unless the child's parent willfully fails or is unable to make
 354.24 decisions that meet the child's safety, health, and best interests. The court may not find that
 354.25 the parent willfully fails or is unable to make decisions that meet the child's needs solely
 354.26 because the parent disagrees with the agency's choice of foster care facility, unless the
 354.27 agency files a petition under chapter 260C, and establishes by clear and convincing evidence
 354.28 that the child is in need of protection or services.

354.29 (f) The legal parent-child relationship shall be supported under this chapter by maintaining
 354.30 the parent's legal authority and responsibility for ongoing planning for the child and by the
 354.31 agency's assisting the parent, ~~where~~ when necessary, to exercise the parent's ongoing right
 354.32 and obligation to visit or to have reasonable contact with the child. Ongoing planning means:

354.33 (1) actively participating in the planning and provision of educational services, medical,
 354.34 and dental care for the child;

355.1 (2) actively planning and participating with the agency and the foster care facility for
 355.2 the child's treatment needs; ~~and~~

355.3 (3) planning to meet the child's need for safety, stability, and permanency, and the child's
 355.4 need to stay connected to the child's family and community; and

355.5 (4) engaging with the responsible social services agency to ensure that the family and
 355.6 permanency team under section 260C.706 consists of appropriate family members. For
 355.7 purposes of voluntary placement of a child in foster care for treatment under chapter 260D,
 355.8 prior to forming the child's family and permanency team, the responsible social services
 355.9 agency must consult with the child's parents and the child if the child is 14 years of age or
 355.10 older, and if applicable, the child's tribe to obtain recommendations regarding which
 355.11 individuals to include on the team and to ensure that the team is family-centered and will
 355.12 act in the child's best interests. If the child or the child's parent or legal guardian raises
 355.13 concerns about specific relatives or professionals, the team should not include those
 355.14 individuals on the team unless the individual is a treating professional or an important
 355.15 connection to the youth as outlined in the case or crisis plan. For voluntary placements under
 355.16 this chapter in a qualified residential treatment program, as defined in section 260C.007,
 355.17 subdivision 26d, for purposes of engaging in a relative search as provided in section
 355.18 260C.221, the county agency must consult with the child's parent or legal guardian, the
 355.19 child if the child is 14 years of age or older, and, if applicable, the tribe, to obtain
 355.20 recommendations regarding which adult relatives should be notified. If the child, parent,
 355.21 or legal guardian raises concerns about specific relatives, the county agency must not notify
 355.22 them.

456.1 (5) For a voluntary placement under this chapter in a qualified residential treatment
 456.2 program, as defined in section 260C.007, subdivision 26d, for purposes of engaging in a
 456.3 relative search as provided in section 260C.221, the county agency must consult with the
 456.4 child's parent or legal guardian, the child if the child is 14 years of age or older, and, if
 456.5 applicable, the child's tribe to obtain recommendations regarding which adult relatives the
 456.6 county agency should notify. If the child, child's parents, or legal guardians raise concerns
 456.7 about specific relatives, the county agency should not notify those relatives.

456.8 (g) The provisions of section 260.012 to ensure placement prevention, family
 456.9 reunification, and all active and reasonable effort requirements of that section apply. This
 456.10 chapter shall be construed consistently with the requirements of the Indian Child Welfare
 456.11 Act of 1978, United States Code, title 25, section 1901, et al., and the provisions of the
 456.12 Minnesota Indian Family Preservation Act, sections 260.751 to 260.835.

456.13 **EFFECTIVE DATE.** This section is effective September 30, 2021.

456.14 Sec. 28. Minnesota Statutes 2020, section 260D.05, is amended to read:

456.15 **260D.05 ADMINISTRATIVE REVIEW OF CHILD IN VOLUNTARY FOSTER**
 456.16 **CARE FOR TREATMENT.**

456.17 The administrative reviews required under section 260C.203 must be conducted for a
 456.18 child in voluntary foster care for treatment, except that the initial administrative review
 456.19 must take place prior to the submission of the report to the court required under section
 456.20 260D.06, subdivision 2. When a child is placed in a qualified residential treatment program
 456.21 as defined in section 260C.007, subdivision 26d, the responsible social services agency
 456.22 must submit evidence to the court as specified in section 260C.712.

456.23 **EFFECTIVE DATE.** This section is effective September 30, 2021.

456.24 Sec. 29. Minnesota Statutes 2020, section 260D.06, subdivision 2, is amended to read:

456.25 Subd. 2. **Agency report to court; court review.** The agency shall obtain judicial review
 456.26 by reporting to the court according to the following procedures:

456.27 (a) A written report shall be forwarded to the court within 165 days of the date of the
 456.28 voluntary placement agreement. The written report shall contain or have attached:

456.29 (1) a statement of facts that necessitate the child's foster care placement;

456.30 (2) the child's name, date of birth, race, gender, and current address;

457.1 (3) the names, race, date of birth, residence, and post office addresses of the child's
 457.2 parents or legal custodian;

457.3 (4) a statement regarding the child's eligibility for membership or enrollment in an Indian
 457.4 tribe and the agency's compliance with applicable provisions of sections 260.751 to 260.835;

355.23 (g) The provisions of section 260.012 to ensure placement prevention, family
 355.24 reunification, and all active and reasonable effort requirements of that section apply. This
 355.25 chapter shall be construed consistently with the requirements of the Indian Child Welfare
 355.26 Act of 1978, United States Code, title 25, section 1901, et al., and the provisions of the
 355.27 Minnesota Indian Family Preservation Act, sections 260.751 to 260.835.

355.28 **EFFECTIVE DATE.** This section is effective September 30, 2021.

355.29 Sec. 30. Minnesota Statutes 2020, section 260D.05, is amended to read:

355.30 **260D.05 ADMINISTRATIVE REVIEW OF CHILD IN VOLUNTARY FOSTER**
 355.31 **CARE FOR TREATMENT.**

355.32 The administrative reviews required under section 260C.203 must be conducted for a
 355.33 child in voluntary foster care for treatment, except that the initial administrative review
 356.1 must take place prior to the submission of the report to the court required under section
 356.2 260D.06, subdivision 2. When a child is placed in a qualified residential treatment program
 356.3 as defined in section 260C.007, subdivision 26d, the responsible social services agency
 356.4 must submit evidence to the court as specified in section 260C.712.

356.5 **EFFECTIVE DATE.** This section is effective September 30, 2021.

356.6 Sec. 31. Minnesota Statutes 2020, section 260D.06, subdivision 2, is amended to read:

356.7 Subd. 2. **Agency report to court; court review.** The agency shall obtain judicial review
 356.8 by reporting to the court according to the following procedures:

356.9 (a) A written report shall be forwarded to the court within 165 days of the date of the
 356.10 voluntary placement agreement. The written report shall contain or have attached:

356.11 (1) a statement of facts that necessitate the child's foster care placement;

356.12 (2) the child's name, date of birth, race, gender, and current address;

356.13 (3) the names, race, date of birth, residence, and post office addresses of the child's
 356.14 parents or legal custodian;

356.15 (4) a statement regarding the child's eligibility for membership or enrollment in an Indian
 356.16 tribe and the agency's compliance with applicable provisions of sections 260.751 to 260.835;

457.5 (5) the names and addresses of the foster parents or chief administrator of the facility in
457.6 which the child is placed, if the child is not in a family foster home or group home;

457.7 (6) a copy of the out-of-home placement plan required under section 260C.212,
457.8 subdivision 1;

457.9 (7) a written summary of the proceedings of any administrative review required under
457.10 section 260C.203; ~~and~~

457.11 (8) evidence as specified in section 260C.712 when a child is placed in a qualified
457.12 residential treatment program as defined in section 260C.007, subdivision 26d; and

457.13 (9) any other information the agency, parent or legal custodian, the child or the foster
457.14 parent, or other residential facility wants the court to consider.

457.15 (b) In the case of a child in placement due to emotional disturbance, the written report
457.16 shall include as an attachment, the child's individual treatment plan developed by the child's
457.17 treatment professional, as provided in section 245.4871, subdivision 21, or the child's
457.18 standard written plan, as provided in section 125A.023, subdivision 3, paragraph (e).

457.19 (c) In the case of a child in placement due to developmental disability or a related
457.20 condition, the written report shall include as an attachment, the child's individual service
457.21 plan, as provided in section 256B.092, subdivision 1b; the child's individual program plan,
457.22 as provided in Minnesota Rules, part 9525.0004, subpart 11; the child's waiver care plan;
457.23 or the child's standard written plan, as provided in section 125A.023, subdivision 3, paragraph
457.24 (e).

457.25 (d) The agency must inform the child, age 12 or older, the child's parent, and the foster
457.26 parent or foster care facility of the reporting and court review requirements of this section
457.27 and of their right to submit information to the court:

457.28 (1) if the child or the child's parent or the foster care provider wants to send information
457.29 to the court, the agency shall advise those persons of the reporting date and the date by
457.30 which the agency must receive the information they want forwarded to the court so the
457.31 agency is timely able submit it with the agency's report required under this subdivision;

458.1 (2) the agency must also inform the child, age 12 or older, the child's parent, and the
458.2 foster care facility that they have the right to be heard in person by the court and how to
458.3 exercise that right;

458.4 (3) the agency must also inform the child, age 12 or older, the child's parent, and the
458.5 foster care provider that an in-court hearing will be held if requested by the child, the parent,
458.6 or the foster care provider; and

458.7 (4) if, at the time required for the report under this section, a child, age 12 or older,
458.8 disagrees about the foster care facility or services provided under the out-of-home placement
458.9 plan required under section 260C.212, subdivision 1, the agency shall include information

356.17 (5) the names and addresses of the foster parents or chief administrator of the facility in
356.18 which the child is placed, if the child is not in a family foster home or group home;

356.19 (6) a copy of the out-of-home placement plan required under section 260C.212,
356.20 subdivision 1;

356.21 (7) a written summary of the proceedings of any administrative review required under
356.22 section 260C.203; ~~and~~

356.23 (8) evidence as specified in section 260C.712 when a child is placed in a qualified
356.24 residential treatment program as defined in section 260C.007, subdivision 26d; and

356.25 (9) any other information the agency, parent or legal custodian, the child or the foster
356.26 parent, or other residential facility wants the court to consider.

356.27 (b) In the case of a child in placement due to emotional disturbance, the written report
356.28 shall include as an attachment, the child's individual treatment plan developed by the child's
356.29 treatment professional, as provided in section 245.4871, subdivision 21, or the child's
356.30 standard written plan, as provided in section 125A.023, subdivision 3, paragraph (e).

357.1 (c) In the case of a child in placement due to developmental disability or a related
357.2 condition, the written report shall include as an attachment, the child's individual service
357.3 plan, as provided in section 256B.092, subdivision 1b; the child's individual program plan,
357.4 as provided in Minnesota Rules, part 9525.0004, subpart 11; the child's waiver care plan;
357.5 or the child's standard written plan, as provided in section 125A.023, subdivision 3, paragraph
357.6 (e).

357.7 (d) The agency must inform the child, age 12 or older, the child's parent, and the foster
357.8 parent or foster care facility of the reporting and court review requirements of this section
357.9 and of their right to submit information to the court:

357.10 (1) if the child or the child's parent or the foster care provider wants to send information
357.11 to the court, the agency shall advise those persons of the reporting date and the date by
357.12 which the agency must receive the information they want forwarded to the court so the
357.13 agency is timely able submit it with the agency's report required under this subdivision;

357.14 (2) the agency must also inform the child, age 12 or older, the child's parent, and the
357.15 foster care facility that they have the right to be heard in person by the court and how to
357.16 exercise that right;

357.17 (3) the agency must also inform the child, age 12 or older, the child's parent, and the
357.18 foster care provider that an in-court hearing will be held if requested by the child, the parent,
357.19 or the foster care provider; and

357.20 (4) if, at the time required for the report under this section, a child, age 12 or older,
357.21 disagrees about the foster care facility or services provided under the out-of-home placement
357.22 plan required under section 260C.212, subdivision 1, the agency shall include information

458.10 regarding the child's disagreement, and to the extent possible, the basis for the child's
 458.11 disagreement in the report required under this section.

458.12 (e) After receiving the required report, the court has jurisdiction to make the following
 458.13 determinations and must do so within ten days of receiving the forwarded report, whether
 458.14 a hearing is requested:

458.15 (1) whether the voluntary foster care arrangement is in the child's best interests;
 458.16 (2) whether the parent and agency are appropriately planning for the child; and
 458.17 (3) in the case of a child age 12 or older, who disagrees with the foster care facility or
 458.18 services provided under the out-of-home placement plan, whether it is appropriate to appoint
 458.19 counsel and a guardian ad litem for the child using standards and procedures under section
 458.20 260C.163.

458.21 (f) Unless requested by a parent, representative of the foster care facility, or the child,
 458.22 no in-court hearing is required in order for the court to make findings and issue an order as
 458.23 required in paragraph (e).

458.24 (g) If the court finds the voluntary foster care arrangement is in the child's best interests
 458.25 and that the agency and parent are appropriately planning for the child, the court shall issue
 458.26 an order containing explicit, individualized findings to support its determination. The
 458.27 individualized findings shall be based on the agency's written report and other materials
 458.28 submitted to the court. The court may make this determination notwithstanding the child's
 458.29 disagreement, if any, reported under paragraph (d).

458.30 (h) The court shall send a copy of the order to the county attorney, the agency, parent,
 458.31 child, age 12 or older, and the foster parent or foster care facility.

459.1 (i) The court shall also send the parent, the child, age 12 or older, the foster parent, or
 459.2 representative of the foster care facility notice of the permanency review hearing required
 459.3 under section 260D.07, paragraph (e).

459.4 (j) If the court finds continuing the voluntary foster care arrangement is not in the child's
 459.5 best interests or that the agency or the parent are not appropriately planning for the child,
 459.6 the court shall notify the agency, the parent, the foster parent or foster care facility, the child,
 459.7 age 12 or older, and the county attorney of the court's determinations and the basis for the
 459.8 court's determinations. In this case, the court shall set the matter for hearing and appoint a
 459.9 guardian ad litem for the child under section 260C.163, subdivision 5.

459.10 **EFFECTIVE DATE.** This section is effective September 30, 2021.

459.11 Sec. 30. Minnesota Statutes 2020, section 260D.07, is amended to read:

459.12 **260D.07 REQUIRED PERMANENCY REVIEW HEARING.**

459.13 (a) When the court has found that the voluntary arrangement is in the child's best interests
 459.14 and that the agency and parent are appropriately planning for the child pursuant to the report

357.23 regarding the child's disagreement, and to the extent possible, the basis for the child's
 357.24 disagreement in the report required under this section.

357.25 (e) After receiving the required report, the court has jurisdiction to make the following
 357.26 determinations and must do so within ten days of receiving the forwarded report, whether
 357.27 a hearing is requested:

357.28 (1) whether the voluntary foster care arrangement is in the child's best interests;
 357.29 (2) whether the parent and agency are appropriately planning for the child; and
 357.30 (3) in the case of a child age 12 or older, who disagrees with the foster care facility or
 357.31 services provided under the out-of-home placement plan, whether it is appropriate to appoint
 357.32 counsel and a guardian ad litem for the child using standards and procedures under section
 357.33 260C.163.

358.1 (f) Unless requested by a parent, representative of the foster care facility, or the child,
 358.2 no in-court hearing is required in order for the court to make findings and issue an order as
 358.3 required in paragraph (e).

358.4 (g) If the court finds the voluntary foster care arrangement is in the child's best interests
 358.5 and that the agency and parent are appropriately planning for the child, the court shall issue
 358.6 an order containing explicit, individualized findings to support its determination. The
 358.7 individualized findings shall be based on the agency's written report and other materials
 358.8 submitted to the court. The court may make this determination notwithstanding the child's
 358.9 disagreement, if any, reported under paragraph (d).

358.10 (h) The court shall send a copy of the order to the county attorney, the agency, parent,
 358.11 child, age 12 or older, and the foster parent or foster care facility.

358.12 (i) The court shall also send the parent, the child, age 12 or older, the foster parent, or
 358.13 representative of the foster care facility notice of the permanency review hearing required
 358.14 under section 260D.07, paragraph (e).

358.15 (j) If the court finds continuing the voluntary foster care arrangement is not in the child's
 358.16 best interests or that the agency or the parent are not appropriately planning for the child,
 358.17 the court shall notify the agency, the parent, the foster parent or foster care facility, the child,
 358.18 age 12 or older, and the county attorney of the court's determinations and the basis for the
 358.19 court's determinations. In this case, the court shall set the matter for hearing and appoint a
 358.20 guardian ad litem for the child under section 260C.163, subdivision 5.

358.21 **EFFECTIVE DATE.** This section is effective September 30, 2021.

358.22 Sec. 32. Minnesota Statutes 2020, section 260D.07, is amended to read:

358.23 **260D.07 REQUIRED PERMANENCY REVIEW HEARING.**

358.24 (a) When the court has found that the voluntary arrangement is in the child's best interests
 358.25 and that the agency and parent are appropriately planning for the child pursuant to the report

459.15 submitted under section 260D.06, and the child continues in voluntary foster care as defined
459.16 in section 260D.02, subdivision 10, for 13 months from the date of the voluntary foster care
459.17 agreement, or has been in placement for 15 of the last 22 months, the agency must:

459.18 (1) terminate the voluntary foster care agreement and return the child home; or
459.19 (2) determine whether there are compelling reasons to continue the voluntary foster care
459.20 arrangement and, if the agency determines there are compelling reasons, seek judicial
459.21 approval of its determination; or
459.22 (3) file a petition for the termination of parental rights.

459.23 (b) When the agency is asking for the court's approval of its determination that there are
459.24 compelling reasons to continue the child in the voluntary foster care arrangement, the agency
459.25 shall file a "Petition for Permanency Review Regarding a Child in Voluntary Foster Care
459.26 for Treatment" and ask the court to proceed under this section.

459.27 (c) The "Petition for Permanency Review Regarding a Child in Voluntary Foster Care
459.28 for Treatment" shall be drafted or approved by the county attorney and be under oath. The
459.29 petition shall include:

459.30 (1) the date of the voluntary placement agreement;
459.31 (2) whether the petition is due to the child's developmental disability or emotional
459.32 disturbance;
460.1 (3) the plan for the ongoing care of the child and the parent's participation in the plan;
460.2 (4) a description of the parent's visitation and contact with the child;
460.3 (5) the date of the court finding that the foster care placement was in the best interests
460.4 of the child, if required under section 260D.06, or the date the agency filed the motion under
460.5 section 260D.09, paragraph (b);
460.6 (6) the agency's reasonable efforts to finalize the permanent plan for the child, including
460.7 returning the child to the care of the child's family; ~~and~~
460.8 (7) a citation to this chapter as the basis for the petition; and
460.9 (8) evidence as specified in section 260C.712 when a child is placed in a qualified
460.10 residential treatment program as defined in section 260C.007, subdivision 26d.

460.11 (d) An updated copy of the out-of-home placement plan required under section 260C.212,
460.12 subdivision 1, shall be filed with the petition.

460.13 (e) The court shall set the date for the permanency review hearing no later than 14 months
460.14 after the child has been in placement or within 30 days of the petition filing date when the
460.15 child has been in placement 15 of the last 22 months. The court shall serve the petition
460.16 together with a notice of hearing by United States mail on the parent, the child age 12 or

358.26 submitted under section 260D.06, and the child continues in voluntary foster care as defined
358.27 in section 260D.02, subdivision 10, for 13 months from the date of the voluntary foster care
358.28 agreement, or has been in placement for 15 of the last 22 months, the agency must:

358.29 (1) terminate the voluntary foster care agreement and return the child home; or
358.30 (2) determine whether there are compelling reasons to continue the voluntary foster care
358.31 arrangement and, if the agency determines there are compelling reasons, seek judicial
358.32 approval of its determination; or
359.1 (3) file a petition for the termination of parental rights.

359.2 (b) When the agency is asking for the court's approval of its determination that there are
359.3 compelling reasons to continue the child in the voluntary foster care arrangement, the agency
359.4 shall file a "Petition for Permanency Review Regarding a Child in Voluntary Foster Care
359.5 for Treatment" and ask the court to proceed under this section.

359.6 (c) The "Petition for Permanency Review Regarding a Child in Voluntary Foster Care
359.7 for Treatment" shall be drafted or approved by the county attorney and be under oath. The
359.8 petition shall include:

359.9 (1) the date of the voluntary placement agreement;
359.10 (2) whether the petition is due to the child's developmental disability or emotional
359.11 disturbance;
359.12 (3) the plan for the ongoing care of the child and the parent's participation in the plan;
359.13 (4) a description of the parent's visitation and contact with the child;
359.14 (5) the date of the court finding that the foster care placement was in the best interests
359.15 of the child, if required under section 260D.06, or the date the agency filed the motion under
359.16 section 260D.09, paragraph (b);
359.17 (6) the agency's reasonable efforts to finalize the permanent plan for the child, including
359.18 returning the child to the care of the child's family; ~~and~~
359.19 (7) a citation to this chapter as the basis for the petition; and
359.20 (8) evidence as specified in section 260C.712 when a child is placed in a qualified
359.21 residential treatment program as defined in section 260C.007, subdivision 26d.

359.22 (d) An updated copy of the out-of-home placement plan required under section 260C.212,
359.23 subdivision 1, shall be filed with the petition.

359.24 (e) The court shall set the date for the permanency review hearing no later than 14 months
359.25 after the child has been in placement or within 30 days of the petition filing date when the
359.26 child has been in placement 15 of the last 22 months. The court shall serve the petition
359.27 together with a notice of hearing by United States mail on the parent, the child age 12 or

460.17 older, the child's guardian ad litem, if one has been appointed, the agency, the county
460.18 attorney, and counsel for any party.

460.19 (f) The court shall conduct the permanency review hearing on the petition no later than
460.20 14 months after the date of the voluntary placement agreement, within 30 days of the filing
460.21 of the petition when the child has been in placement 15 of the last 22 months, or within 15
460.22 days of a motion to terminate jurisdiction and to dismiss an order for foster care under
460.23 chapter 260C, as provided in section 260D.09, paragraph (b).

460.24 (g) At the permanency review hearing, the court shall:

460.25 (1) inquire of the parent if the parent has reviewed the "Petition for Permanency Review
460.26 Regarding a Child in Voluntary Foster Care for Treatment," whether the petition is accurate,
460.27 and whether the parent agrees to the continued voluntary foster care arrangement as being
460.28 in the child's best interests;

460.29 (2) inquire of the parent if the parent is satisfied with the agency's reasonable efforts to
460.30 finalize the permanent plan for the child, including whether there are services available and
460.31 accessible to the parent that might allow the child to safely be with the child's family;

460.32 (3) inquire of the parent if the parent consents to the court entering an order that:

461.1 (i) approves the responsible agency's reasonable efforts to finalize the permanent plan
461.2 for the child, which includes ongoing future planning for the safety, health, and best interests
461.3 of the child; and

461.4 (ii) approves the responsible agency's determination that there are compelling reasons
461.5 why the continued voluntary foster care arrangement is in the child's best interests; and

461.6 (4) inquire of the child's guardian ad litem and any other party whether the guardian or
461.7 the party agrees that:

461.8 (i) the court should approve the responsible agency's reasonable efforts to finalize the
461.9 permanent plan for the child, which includes ongoing and future planning for the safety,
461.10 health, and best interests of the child; and

461.11 (ii) the court should approve of the responsible agency's determination that there are
461.12 compelling reasons why the continued voluntary foster care arrangement is in the child's
461.13 best interests.

461.14 (h) At a permanency review hearing under this section, the court may take the following
461.15 actions based on the contents of the sworn petition and the consent of the parent:

461.16 (1) approve the agency's compelling reasons that the voluntary foster care arrangement
461.17 is in the best interests of the child; and

461.18 (2) find that the agency has made reasonable efforts to finalize the permanent plan for
461.19 the child.

359.28 older, the child's guardian ad litem, if one has been appointed, the agency, the county
359.29 attorney, and counsel for any party.

359.30 (f) The court shall conduct the permanency review hearing on the petition no later than
359.31 14 months after the date of the voluntary placement agreement, within 30 days of the filing
359.32 of the petition when the child has been in placement 15 of the last 22 months, or within 15
360.1 days of a motion to terminate jurisdiction and to dismiss an order for foster care under
360.2 chapter 260C, as provided in section 260D.09, paragraph (b).

360.3 (g) At the permanency review hearing, the court shall:

360.4 (1) inquire of the parent if the parent has reviewed the "Petition for Permanency Review
360.5 Regarding a Child in Voluntary Foster Care for Treatment," whether the petition is accurate,
360.6 and whether the parent agrees to the continued voluntary foster care arrangement as being
360.7 in the child's best interests;

360.8 (2) inquire of the parent if the parent is satisfied with the agency's reasonable efforts to
360.9 finalize the permanent plan for the child, including whether there are services available and
360.10 accessible to the parent that might allow the child to safely be with the child's family;

360.11 (3) inquire of the parent if the parent consents to the court entering an order that:

360.12 (i) approves the responsible agency's reasonable efforts to finalize the permanent plan
360.13 for the child, which includes ongoing future planning for the safety, health, and best interests
360.14 of the child; and

360.15 (ii) approves the responsible agency's determination that there are compelling reasons
360.16 why the continued voluntary foster care arrangement is in the child's best interests; and

360.17 (4) inquire of the child's guardian ad litem and any other party whether the guardian or
360.18 the party agrees that:

360.19 (i) the court should approve the responsible agency's reasonable efforts to finalize the
360.20 permanent plan for the child, which includes ongoing and future planning for the safety,
360.21 health, and best interests of the child; and

360.22 (ii) the court should approve of the responsible agency's determination that there are
360.23 compelling reasons why the continued voluntary foster care arrangement is in the child's
360.24 best interests.

360.25 (h) At a permanency review hearing under this section, the court may take the following
360.26 actions based on the contents of the sworn petition and the consent of the parent:

360.27 (1) approve the agency's compelling reasons that the voluntary foster care arrangement
360.28 is in the best interests of the child; and

360.29 (2) find that the agency has made reasonable efforts to finalize the permanent plan for
360.30 the child.

461.20 (i) A child, age 12 or older, may object to the agency's request that the court approve its
 461.21 compelling reasons for the continued voluntary arrangement and may be heard on the reasons
 461.22 for the objection. Notwithstanding the child's objection, the court may approve the agency's
 461.23 compelling reasons and the voluntary arrangement.

461.24 (j) If the court does not approve the voluntary arrangement after hearing from the child
 461.25 or the child's guardian ad litem, the court shall dismiss the petition. In this case, either:

461.26 (1) the child must be returned to the care of the parent; or

461.27 (2) the agency must file a petition under section 260C.141, asking for appropriate relief
 461.28 under sections 260C.301 or 260C.503 to 260C.521.

461.29 (k) When the court approves the agency's compelling reasons for the child to continue
 461.30 in voluntary foster care for treatment, and finds that the agency has made reasonable efforts
 461.31 to finalize a permanent plan for the child, the court shall approve the continued voluntary
 462.1 foster care arrangement, and continue the matter under the court's jurisdiction for the purposes
 462.2 of reviewing the child's placement every 12 months while the child is in foster care.

462.3 (l) A finding that the court approves the continued voluntary placement means the agency
 462.4 has continued legal authority to place the child while a voluntary placement agreement
 462.5 remains in effect. The parent or the agency may terminate a voluntary agreement as provided
 462.6 in section 260D.10. Termination of a voluntary foster care placement of an Indian child is
 462.7 governed by section 260.765, subdivision 4.

462.8 **EFFECTIVE DATE.** This section is effective September 30, 2021.

462.9 Sec. 31. Minnesota Statutes 2020, section 260D.08, is amended to read:

462.10 **260D.08 ANNUAL REVIEW.**

462.11 (a) After the court conducts a permanency review hearing under section 260D.07, the
 462.12 matter must be returned to the court for further review of the responsible social services
 462.13 reasonable efforts to finalize the permanent plan for the child and the child's foster care
 462.14 placement at least every 12 months while the child is in foster care. The court shall give
 462.15 notice to the parent and child, age 12 or older, and the foster parents of the continued review
 462.16 requirements under this section at the permanency review hearing.

462.17 (b) Every 12 months, the court shall determine whether the agency made reasonable
 462.18 efforts to finalize the permanency plan for the child, which means the exercise of due
 462.19 diligence by the agency to:

462.20 (1) ensure that the agreement for voluntary foster care is the most appropriate legal
 462.21 arrangement to meet the child's safety, health, and best interests and to conduct a genuine
 462.22 examination of whether there is another permanency disposition order under chapter 260C,
 462.23 including returning the child home, that would better serve the child's need for a stable and
 462.24 permanent home;

360.31 (i) A child, age 12 or older, may object to the agency's request that the court approve its
 360.32 compelling reasons for the continued voluntary arrangement and may be heard on the reasons
 361.1 for the objection. Notwithstanding the child's objection, the court may approve the agency's
 361.2 compelling reasons and the voluntary arrangement.

361.3 (j) If the court does not approve the voluntary arrangement after hearing from the child
 361.4 or the child's guardian ad litem, the court shall dismiss the petition. In this case, either:

361.5 (1) the child must be returned to the care of the parent; or

361.6 (2) the agency must file a petition under section 260C.141, asking for appropriate relief
 361.7 under sections 260C.301 or 260C.503 to 260C.521.

361.8 (k) When the court approves the agency's compelling reasons for the child to continue
 361.9 in voluntary foster care for treatment, and finds that the agency has made reasonable efforts
 361.10 to finalize a permanent plan for the child, the court shall approve the continued voluntary
 361.11 foster care arrangement, and continue the matter under the court's jurisdiction for the purposes
 361.12 of reviewing the child's placement every 12 months while the child is in foster care.

361.13 (l) A finding that the court approves the continued voluntary placement means the agency
 361.14 has continued legal authority to place the child while a voluntary placement agreement
 361.15 remains in effect. The parent or the agency may terminate a voluntary agreement as provided
 361.16 in section 260D.10. Termination of a voluntary foster care placement of an Indian child is
 361.17 governed by section 260.765, subdivision 4.

361.18 **EFFECTIVE DATE.** This section is effective September 30, 2021.

361.19 Sec. 33. Minnesota Statutes 2020, section 260D.08, is amended to read:

361.20 **260D.08 ANNUAL REVIEW.**

361.21 (a) After the court conducts a permanency review hearing under section 260D.07, the
 361.22 matter must be returned to the court for further review of the responsible social services
 361.23 reasonable efforts to finalize the permanent plan for the child and the child's foster care
 361.24 placement at least every 12 months while the child is in foster care. The court shall give
 361.25 notice to the parent and child, age 12 or older, and the foster parents of the continued review
 361.26 requirements under this section at the permanency review hearing.

361.27 (b) Every 12 months, the court shall determine whether the agency made reasonable
 361.28 efforts to finalize the permanency plan for the child, which means the exercise of due
 361.29 diligence by the agency to:

361.30 (1) ensure that the agreement for voluntary foster care is the most appropriate legal
 361.31 arrangement to meet the child's safety, health, and best interests and to conduct a genuine
 361.32 examination of whether there is another permanency disposition order under chapter 260C,
 362.1 including returning the child home, that would better serve the child's need for a stable and
 362.2 permanent home;

462.25 (2) engage and support the parent in continued involvement in planning and decision
 462.26 making for the needs of the child;

462.27 (3) strengthen the child's ties to the parent, relatives, and community;

462.28 (4) implement the out-of-home placement plan required under section 260C.212,
 462.29 subdivision 1, and ensure that the plan requires the provision of appropriate services to
 462.30 address the physical health, mental health, and educational needs of the child; ~~and~~

463.1 (5) submit evidence to the court as specified in section 260C.712 when a child is placed
 463.2 in a qualified residential treatment program setting as defined in section 260C.007,
 463.3 subdivision 26d; and

463.4 ~~(5)~~ (6) ensure appropriate planning for the child's safe, permanent, and independent
 463.5 living arrangement after the child's 18th birthday.

463.6 **EFFECTIVE DATE.** This section is effective September 30, 2021.

463.7 Sec. 32. Minnesota Statutes 2020, section 260D.14, is amended to read:

463.8 **260D.14 SUCCESSFUL TRANSITION TO ADULTHOOD FOR CHILDREN,**
 463.9 **YOUTH IN VOLUNTARY PLACEMENT.**

463.10 Subdivision 1. **Case planning.** When ~~the child~~ a youth is 14 years of age or older, the
 463.11 responsible social services agency shall ensure that a ~~child~~ youth in foster care under this
 463.12 chapter is provided with the case plan requirements in section 260C.212, subdivisions 1
 463.13 and 14.

463.14 Subd. 2. **Notification.** The responsible social services agency shall provide a youth with
 463.15 written notice of ~~the right to continued access to services for certain children in foster care~~
 463.16 ~~past 18 years of age under section 260C.452, subdivision 3~~ foster care benefits that a youth
 463.17 who is 18 years of age or older may continue to receive according to section 260C.451,
 463.18 subdivision 1, and of the right to appeal a denial of social services under section 256.045.
 463.19 The notice must be provided to the ~~child~~ youth six months before the ~~child's~~ youth's 18th
 463.20 birthday.

463.21 Subd. 3. **Administrative or court reviews.** When ~~the child~~ a youth is ~~17~~ 14 years of
 463.22 age or older, the administrative review or court hearing must include a review of the
 463.23 responsible social services agency's support for the ~~child's~~ youth's successful transition to
 463.24 adulthood as required in section 260C.452, subdivision 4.

463.25 **EFFECTIVE DATE.** This section is effective July 1, 2021.

463.26 Sec. 33. Minnesota Statutes 2020, section 260E.06, subdivision 1, is amended to read:

463.27 Subdivision 1. **Mandatory reporters.** (a) A person who knows or has reason to believe
 463.28 a child is being maltreated, as defined in section 260E.03, or has been maltreated within
 463.29 the preceding three years shall immediately report the information to the local welfare

362.3 (2) engage and support the parent in continued involvement in planning and decision
 362.4 making for the needs of the child;

362.5 (3) strengthen the child's ties to the parent, relatives, and community;

362.6 (4) implement the out-of-home placement plan required under section 260C.212,
 362.7 subdivision 1, and ensure that the plan requires the provision of appropriate services to
 362.8 address the physical health, mental health, and educational needs of the child; ~~and~~

362.9 (5) submit evidence to the court as specified in section 260C.712 when a child is placed
 362.10 in a qualified residential treatment program setting as defined in section 260C.007,
 362.11 subdivision 26d; and

362.12 ~~(5)~~ (6) ensure appropriate planning for the child's safe, permanent, and independent
 362.13 living arrangement after the child's 18th birthday.

362.14 **EFFECTIVE DATE.** This section is effective September 30, 2021.

362.15 Sec. 34. Minnesota Statutes 2020, section 260D.14, is amended to read:

362.16 **260D.14 SUCCESSFUL TRANSITION TO ADULTHOOD FOR CHILDREN,**
 362.17 **YOUTH IN VOLUNTARY PLACEMENT.**

362.18 Subdivision 1. **Case planning.** When ~~the child~~ a youth is 14 years of age or older, the
 362.19 responsible social services agency shall ensure that a ~~child~~ youth in foster care under this
 362.20 chapter is provided with the case plan requirements in section 260C.212, subdivisions 1
 362.21 and 14.

362.22 Subd. 2. **Notification.** The responsible social services agency shall provide a youth with
 362.23 written notice of ~~the right to continued access to services for certain children in foster care~~
 362.24 ~~past 18 years of age under section 260C.452, subdivision 3~~ foster care benefits that a youth
 362.25 who is 18 years of age or older may continue to receive according to section 260C.451,
 362.26 subdivision 1, and of the right to appeal a denial of social services under section 256.045.
 362.27 The notice must be provided to the ~~child~~ youth six months before the ~~child's~~ youth's 18th
 362.28 birthday.

362.29 Subd. 3. **Administrative or court reviews.** When ~~the child~~ a youth is ~~17~~ 14 years of
 362.30 age or older, the administrative review or court hearing must include a review of the
 362.31 responsible social services agency's support for the ~~child's~~ youth's successful transition to
 362.32 adulthood as required in section 260C.452, subdivision 4.

363.1 **EFFECTIVE DATE.** This section is effective July 1, 2021.

365.28 Sec. 3. Minnesota Statutes 2020, section 260E.06, subdivision 1, is amended to read:

365.29 Subdivision 1. **Mandatory reporters.** (a) A person who knows or has reason to believe
 365.30 a child is being maltreated, as defined in section 260E.03, or has been maltreated within
 366.1 the preceding three years shall immediately report the information to the local welfare

463.30 agency, agency responsible for assessing or investigating the report, police department,
463.31 county sheriff, tribal social services agency, or tribal police department if the person is:

464.1 (1) a professional or professional's delegate who is engaged in the practice of the healing
464.2 arts, social services, hospital administration, psychological or psychiatric treatment, child
464.3 care, education, correctional supervision, probation and correctional services, or law
464.4 enforcement; ~~or~~

464.5 (2) employed as a member of the clergy and received the information while engaged in
464.6 ministerial duties, provided that a member of the clergy is not required by this subdivision
464.7 to report information that is otherwise privileged under section 595.02, subdivision 1,
464.8 paragraph (c); or

464.9 (3) an owner, administrator, or employee who is 18 years of age or older of a public or
464.10 private youth recreation program or other organization that provides services or activities
464.11 requiring face-to-face contact with and supervision of children.

464.12 (b) "Practice of social services" for the purposes of this subdivision includes but is not
464.13 limited to employee assistance counseling and the provision of guardian ad litem and
464.14 parenting time expeditor services.

464.15 Sec. 34. Minnesota Statutes 2020, section 260E.20, subdivision 2, is amended to read:

464.16 Subd. 2. **Face-to-face contact.** (a) Upon receipt of a screened in report, the local welfare
464.17 agency shall conduct a face-to-face contact with the child reported to be maltreated and
464.18 with the child's primary caregiver sufficient to complete a safety assessment and ensure the
464.19 immediate safety of the child.

464.20 (b) ~~The Face-~~to-face contact with the child and primary caregiver shall occur immediately
464.21 if sexual abuse or substantial child endangerment is alleged and within five calendar days
464.22 for all other reports. If the alleged offender was not already interviewed as the primary
464.23 caregiver, the local welfare agency shall also conduct a face-to-face interview with the
464.24 alleged offender in the early stages of the assessment or investigation. Face-to-face contact
464.25 with the child and primary caregiver in response to a report alleging sexual abuse or
464.26 substantial child endangerment may be postponed for no more than five calendar days if
464.27 the child is residing in a location that is confirmed to restrict contact with the alleged offender
464.28 as established in guidelines issued by the commissioner, or if the local welfare agency is

366.2 agency, agency responsible for assessing or investigating the report, police department,
366.3 county sheriff, tribal social services agency, or tribal police department if the person is:

366.4 (1) a professional or professional's delegate who is engaged in the practice of the healing
366.5 arts, social services, hospital administration, psychological or psychiatric treatment, child
366.6 care, education, correctional supervision, probation and correctional services, or law
366.7 enforcement; ~~or~~

366.8 (2) employed as a member of the clergy and received the information while engaged in
366.9 ministerial duties, provided that a member of the clergy is not required by this subdivision
366.10 to report information that is otherwise privileged under section 595.02, subdivision 1,
366.11 paragraph (c); or

366.12 (3) 18 years of age or older and employed as an athletic director, coach, or assistant
366.13 coach for a public or private youth recreation program. This clause does not apply to
366.14 volunteers.

366.15 (b) "Practice of social services" for the purposes of this subdivision includes but is not
366.16 limited to employee assistance counseling and the provision of guardian ad litem and
366.17 parenting time expeditor services.

366.18 Sec. 4. Minnesota Statutes 2020, section 260E.06, is amended by adding a subdivision to
366.19 read:

366.20 Subd. 5. **Training.** The local welfare agency must offer training to a person required to
366.21 make a report under this section. The training may be offered online or in person and must
366.22 provide an explanation of the legal obligations of a mandatory reporter, consequences for
366.23 failure to report, and instruction on how to detect and report suspected maltreatment.

366.24 Sec. 5. Minnesota Statutes 2020, section 260E.20, subdivision 2, is amended to read:

366.25 Subd. 2. **Face-to-face contact.** (a) Upon receipt of a screened in report, the local welfare
366.26 agency shall ~~conduct a~~ have face-to-face contact with the child reported to be maltreated
366.27 and with the child's primary caregiver sufficient to complete a safety assessment and ensure
366.28 the immediate safety of the child.

366.29 (b) ~~The face-~~to-face contact with the child and primary caregiver shall occur immediately
366.30 if sexual abuse or substantial child endangerment is alleged and within five calendar days
366.31 for all other reports. If the alleged offender was not already interviewed as the primary
366.32 caregiver, the local welfare agency shall also conduct a face-to-face interview with the
367.1 alleged offender in the early stages of the assessment or investigation. Face-to-face contact
367.2 with the child and primary caregiver in response to a report alleging sexual abuse or
367.3 substantial child endangerment may be postponed for no more than five calendar days if
367.4 the child is residing in a location that is confirmed to restrict contact with the alleged offender
367.5 as established in guidelines issued by the commissioner, or if the local welfare agency is

464.29 pursuing a court order for the child's caregiver to produce the child for questioning under
 464.30 section 260E.22, subdivision 5.

464.31 (c) At the initial contact with the alleged offender, the local welfare agency or the agency
 464.32 responsible for assessing or investigating the report must inform the alleged offender of the
 464.33 complaints or allegations made against the individual in a manner consistent with laws
 465.1 protecting the rights of the person who made the report. The interview with the alleged
 465.2 offender may be postponed if it would jeopardize an active law enforcement investigation.

465.3 (d) The local welfare agency or the agency responsible for assessing or investigating
 465.4 the report must provide the alleged offender with an opportunity to make a statement. The
 465.5 alleged offender may submit supporting documentation relevant to the assessment or
 465.6 investigation.

465.7 Sec. 35. Minnesota Statutes 2020, section 260E.31, subdivision 1, is amended to read:

465.8 Subdivision 1. **Reports required.** (a) Except as provided in paragraph (b), a person
 465.9 mandated to report under this chapter shall immediately report to the local welfare agency
 465.10 if the person knows or has reason to believe that a woman is pregnant and has used a
 465.11 controlled substance for a nonmedical purpose during the pregnancy, including but not
 465.12 limited to tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy
 465.13 in any way that is habitual or excessive.

465.14 (b) A health care professional or a social service professional who is mandated to report
 465.15 under this chapter is exempt from reporting under paragraph (a) ~~a woman's use or~~
 465.16 ~~consumption of tetrahydrocannabinol or alcoholic beverages during pregnancy~~ if the
 465.17 professional is providing or collaborating with other professionals to provide the woman
 465.18 with prenatal care, postpartum care, or other health care services, including care of the
 465.19 woman's infant. If the woman does not continue to receive regular prenatal or postpartum
 465.20 care, after the woman's health care professional has made attempts to contact the woman,
 465.21 then the professional is required to report under paragraph (a).

465.22 (c) Any person may make a voluntary report if the person knows or has reason to believe
 465.23 that a woman is pregnant and has used a controlled substance for a nonmedical purpose
 465.24 during the pregnancy, including but not limited to tetrahydrocannabinol, or has consumed
 465.25 alcoholic beverages during the pregnancy in any way that is habitual or excessive.

465.26 (d) An oral report shall be made immediately by telephone or otherwise. An oral report
 465.27 made by a person required to report shall be followed within 72 hours, exclusive of weekends
 465.28 and holidays, by a report in writing to the local welfare agency. Any report shall be of
 465.29 sufficient content to identify the pregnant woman, the nature and extent of the use, if known,
 465.30 and the name and address of the reporter. The local welfare agency shall accept a report
 465.31 made under paragraph (c) notwithstanding refusal by a voluntary reporter to provide the
 465.32 reporter's name or address as long as the report is otherwise sufficient.

466.1 (e) For purposes of this section, "prenatal care" means the comprehensive package of
 466.2 medical and psychological support provided throughout the pregnancy.

367.6 pursuing a court order for the child's caregiver to produce the child for questioning under
 367.7 section 260E.22, subdivision 5.

367.8 (c) At the initial contact with the alleged offender, the local welfare agency or the agency
 367.9 responsible for assessing or investigating the report must inform the alleged offender of the
 367.10 complaints or allegations made against the individual in a manner consistent with laws
 367.11 protecting the rights of the person who made the report. The interview with the alleged
 367.12 offender may be postponed if it would jeopardize an active law enforcement investigation.

367.13 (d) The local welfare agency or the agency responsible for assessing or investigating
 367.14 the report must provide the alleged offender with an opportunity to make a statement. The
 367.15 alleged offender may submit supporting documentation relevant to the assessment or
 367.16 investigation.

795.16 Sec. 3. Minnesota Statutes 2020, section 260E.31, subdivision 1, is amended to read:

795.17 Subdivision 1. **Reports required.** (a) Except as provided in paragraph (b), a person
 795.18 mandated to report under this chapter shall immediately report to the local welfare agency
 795.19 if the person knows or has reason to believe that a woman is pregnant and has used a
 795.20 controlled substance for a nonmedical purpose during the pregnancy, including but not
 795.21 limited to tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy
 795.22 in any way that is habitual or excessive.

795.23 (b) A health care professional or a social service professional who is mandated to report
 795.24 under this chapter is exempt from reporting under paragraph (a) ~~a woman's use or~~
 795.25 ~~consumption of tetrahydrocannabinol or alcoholic beverages during pregnancy~~ if the
 795.26 professional is providing or collaborating with other professionals to provide the woman
 795.27 with prenatal care, postpartum care, or other health care services, including care of the
 795.28 woman's infant. If the woman does not continue to receive regular prenatal or postpartum
 795.29 care, after the woman's health care professional has made attempts to contact the woman,
 795.30 then the professional is required to report under paragraph (a).

795.31 (c) Any person may make a voluntary report if the person knows or has reason to believe
 795.32 that a woman is pregnant and has used a controlled substance for a nonmedical purpose
 796.1 during the pregnancy, including but not limited to tetrahydrocannabinol, or has consumed
 796.2 alcoholic beverages during the pregnancy in any way that is habitual or excessive.

796.3 (d) An oral report shall be made immediately by telephone or otherwise. An oral report
 796.4 made by a person required to report shall be followed within 72 hours, exclusive of weekends
 796.5 and holidays, by a report in writing to the local welfare agency. Any report shall be of
 796.6 sufficient content to identify the pregnant woman, the nature and extent of the use, if known,
 796.7 and the name and address of the reporter. The local welfare agency shall accept a report
 796.8 made under paragraph (c) notwithstanding refusal by a voluntary reporter to provide the
 796.9 reporter's name or address as long as the report is otherwise sufficient.

796.10 (e) For purposes of this section, "prenatal care" means the comprehensive package of
 796.11 medical and psychological support provided throughout the pregnancy.

466.3 Sec. 36. Minnesota Statutes 2020, section 260E.33, is amended by adding a subdivision
466.4 to read:

466.5 Subd. 6a. **Notification of contested case hearing.** When an appeal of a lead investigative
466.6 agency determination results in a contested case hearing under chapter 245A or 245C, the
466.7 administrative law judge shall notify the parent, legal custodian, or guardian of the child
466.8 who is the subject of the maltreatment determination. The notice must be sent by certified
466.9 mail and inform the parent, legal custodian, or guardian of the child of the right to file a
466.10 signed written statement in the proceedings and the right to attend and participate in the
466.11 hearing. The parent, legal custodian, or guardian of the child may file a written statement
466.12 with the administrative law judge hearing the case no later than five business days before
466.13 commencement of the hearing. The administrative law judge shall include the written
466.14 statement in the hearing record and consider the statement in deciding the appeal. The lead
466.15 investigative agency shall provide to the administrative law judge the address of the parent,
466.16 legal custodian, or guardian of the child. If the lead investigative agency is not reasonably
466.17 able to determine the address of the parent, legal custodian, or guardian of the child, the
466.18 administrative law judge is not required to send a hearing notice under this subdivision.

466.19 Sec. 37. Minnesota Statutes 2020, section 260E.36, is amended by adding a subdivision
466.20 to read:

466.21 Subd. 1b. **Sex trafficking and sexual exploitation training requirement.** As required
466.22 by the Child Abuse Prevention and Treatment Act amendments through Public Law 114-22
466.23 and to implement Public Law 115-123, all child protection social workers and social services
466.24 staff who have responsibility for child protective duties under this chapter or chapter 260C
466.25 shall complete training implemented by the commissioner of human services regarding sex
466.26 trafficking and sexual exploitation of children and youth.

466.27 **EFFECTIVE DATE.** This section is effective July 1, 2021.

363.2 Sec. 35. Minnesota Statutes 2020, section 260E.36, is amended by adding a subdivision
363.3 to read:

363.4 Subd. 1a. **Sex trafficking and sexual exploitation training requirement.** As required
363.5 by the Child Abuse Prevention and Treatment Act amendments through Public Law 114-22
363.6 and to implement Public Law 115-123, all child protection social workers and social services
363.7 staff who have responsibility for child protective duties under this chapter or chapter 260C
363.8 shall complete training implemented by the commissioner of human services regarding sex
363.9 trafficking and sexual exploitation of children and youth.

363.10 **EFFECTIVE DATE.** This section is effective July 1, 2021.

367.17 Sec. 6. Minnesota Statutes 2020, section 518.157, subdivision 1, is amended to read:

367.18 Subdivision 1. **Implementation; administration.** (a) By January 1, 1998, the chief
367.19 judge of each judicial district or a designee shall implement one or more parent education
367.20 programs within the judicial district for the purpose of educating parents about the impact
367.21 that divorce, the restructuring of families, and judicial proceedings have upon children and
367.22 families; methods for preventing parenting time conflicts; and dispute resolution options.
367.23 The chief judge of each judicial district or a designee may require that children attend a
367.24 separate education program designed to deal with the impact of divorce upon children as
367.25 part of the parent education program. Each parent education program must enable persons
367.26 to have timely and reasonable access to education sessions.

367.27 (b) The chief judge of each judicial district shall ensure that the judicial district's website
367.28 includes information on the parent education program or programs required under this
367.29 section.

- 367.30 Sec. 7. Minnesota Statutes 2020, section 518.157, subdivision 3, is amended to read:
- 367.31 Subd. 3. **Attendance.** (a) In a proceeding under this chapter where the parties have not
- 367.32 agreed to custody or a parenting time is contested schedule, the court shall order the parents
- 367.33 of a minor child shall attend to attend or take online a minimum of eight hours in an
- 368.1 orientation and education program that meets the minimum standards promulgated by the
- 368.2 Minnesota Supreme Court.
- 368.3 (b) In all other proceedings involving custody, support, or parenting time the court may
- 368.4 order the parents of a minor child to attend a parent education program.
- 368.5 (c) The program shall provide the court with names of persons who fail to attend the
- 368.6 parent education program as ordered by the court. Persons who are separated or contemplating
- 368.7 involvement in a dissolution, paternity, custody, or parenting time proceeding may attend
- 368.8 a parent education program without a court order.
- 368.9 (d) Unless otherwise ordered by the court, participation in a parent education program
- 368.10 must begin before an initial case management conference and within 30 days after the first
- 368.11 filing with the court or as soon as practicable after that time based on the reasonable
- 368.12 availability of classes for the program for the parent. Parent education programs must offer
- 368.13 an opportunity to participate at all phases of a pending or postdecree proceeding.
- 368.14 (e) Upon request of a party and a showing of good cause, the court may excuse the party
- 368.15 from attending the program. If past or present domestic abuse, as defined in chapter 518B,
- 368.16 is alleged, the court shall not require the parties to attend the same parent education sessions
- 368.17 and shall enter an order setting forth the manner in which the parties may safely participate
- 368.18 in the program.
- 368.19 (f) Before an initial case management conference for a proceeding under this chapter
- 368.20 where the parties have not agreed to custody or parenting time, the court shall notify the
- 368.21 parties of their option to resolve disagreements, including the development of a parenting
- 368.22 plan, through the use of private mediation.
- 368.23 Sec. 8. Minnesota Statutes 2020, section 518.68, subdivision 2, is amended to read:
- 368.24 Subd. 2. **Contents.** The required notices must be substantially as follows:
- 368.25 **IMPORTANT NOTICE**
- 368.26 **1. PAYMENTS TO PUBLIC AGENCY**
- 368.27 According to Minnesota Statutes, section 518A.50, payments ordered for maintenance
- 368.28 and support must be paid to the public agency responsible for child support enforcement
- 368.29 as long as the person entitled to receive the payments is receiving or has applied for
- 368.30 public assistance or has applied for support and maintenance collection services. **MAIL**
- 368.31 **PAYMENTS TO:**
- 368.32 **2. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS -- A FELONY**

- 369.1 A person may be charged with a felony who conceals a minor child or takes, obtains,
 369.2 retains, or fails to return a minor child from or to the child's parent (or person with
 369.3 custodial or visitation rights), according to Minnesota Statutes, section 609.26. A copy
 369.4 of that section is available from any district court clerk.
- 369.5 **3. NONSUPPORT OF A SPOUSE OR CHILD -- CRIMINAL PENALTIES**
- 369.6 A person who fails to pay court-ordered child support or maintenance may be charged
 369.7 with a crime, which may include misdemeanor, gross misdemeanor, or felony charges,
 369.8 according to Minnesota Statutes, section 609.375. A copy of that section is available
 369.9 from any district court clerk.
- 369.10 **4. RULES OF SUPPORT, MAINTENANCE, PARENTING TIME**
- 369.11 (a) Payment of support or spousal maintenance is to be as ordered, and the giving of
 369.12 gifts or making purchases of food, clothing, and the like will not fulfill the obligation.
- 369.13 (b) Payment of support must be made as it becomes due, and failure to secure or denial
 369.14 of parenting time is NOT an excuse for nonpayment, but the aggrieved party must seek
 369.15 relief through a proper motion filed with the court.
- 369.16 (c) Nonpayment of support is not grounds to deny parenting time. The party entitled to
 369.17 receive support may apply for support and collection services, file a contempt motion,
 369.18 or obtain a judgment as provided in Minnesota Statutes, section 548.091.
- 369.19 (d) The payment of support or spousal maintenance takes priority over payment of debts
 369.20 and other obligations.
- 369.21 (e) A party who accepts additional obligations of support does so with the full knowledge
 369.22 of the party's prior obligation under this proceeding.
- 369.23 (f) Child support or maintenance is based on annual income, and it is the responsibility
 369.24 of a person with seasonal employment to budget income so that payments are made
 369.25 throughout the year as ordered.
- 369.26 (g) Reasonable parenting time guidelines are contained in Appendix B, which is available
 369.27 from the court administrator.
- 369.28 (h) The nonpayment of support may be enforced through the denial of student grants;
 369.29 interception of state and federal tax refunds; suspension of driver's, recreational, and
 369.30 occupational licenses; referral to the department of revenue or private collection agencies;
 369.31 seizure of assets, including bank accounts and other assets held by financial institutions;
 370.1 reporting to credit bureaus; ~~interest charging~~, income withholding; and contempt
 370.2 proceedings; and other enforcement methods allowed by law.
- 370.3 (i) The public authority may suspend or resume collection of the amount allocated for
 370.4 child care expenses if the conditions of Minnesota Statutes, section 518A.40, subdivision
 370.5 4, are met.

- 370.6 (j) The public authority may remove or resume a medical support offset if the conditions
370.7 of Minnesota Statutes, section 518A.41, subdivision 16, are met.
- 370.8 ~~(k) The public authority may suspend or resume interest charging on child support~~
370.9 ~~judgments if the conditions of Minnesota Statutes, section 548.091, subdivision 1a, are met.~~
- 370.10 5. MODIFYING CHILD SUPPORT
- 370.11 If either the obligor or obligee is laid off from employment or receives a pay reduction,
370.12 child support may be modified, increased, or decreased. Any modification will only take
370.13 effect when it is ordered by the court, and will only relate back to the time that a motion
370.14 is filed. Either the obligor or obligee may file a motion to modify child support, and may
370.15 request the public agency for help. UNTIL A MOTION IS FILED, THE CHILD
370.16 SUPPORT OBLIGATION WILL CONTINUE AT THE CURRENT LEVEL. THE
370.17 COURT IS NOT PERMITTED TO REDUCE SUPPORT RETROACTIVELY.
- 370.18 6. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17,
370.19 SUBDIVISION 3
- 370.20 Unless otherwise provided by the Court:
- 370.21 (a) Each party has the right of access to, and to receive copies of, school, medical, dental,
370.22 religious training, and other important records and information about the minor children.
370.23 Each party has the right of access to information regarding health or dental insurance
370.24 available to the minor children. Presentation of a copy of this order to the custodian of
370.25 a record or other information about the minor children constitutes sufficient authorization
370.26 for the release of the record or information to the requesting party.
- 370.27 (b) Each party shall keep the other informed as to the name and address of the school
370.28 of attendance of the minor children. Each party has the right to be informed by school
370.29 officials about the children's welfare, educational progress and status, and to attend
370.30 school and parent teacher conferences. The school is not required to hold a separate
370.31 conference for each party.
- 371.1 (c) In case of an accident or serious illness of a minor child, each party shall notify the
371.2 other party of the accident or illness, and the name of the health care provider and the
371.3 place of treatment.
- 371.4 (d) Each party has the right of reasonable access and telephone contact with the minor
371.5 children.
- 371.6 7. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE
- 371.7 Child support and/or spousal maintenance may be withheld from income, with or without
371.8 notice to the person obligated to pay, when the conditions of Minnesota Statutes, section
371.9 518A.53 have been met. A copy of those sections is available from any district court
371.10 clerk.

371.11 8. CHANGE OF ADDRESS OR RESIDENCE

371.12 Unless otherwise ordered, each party shall notify the other party, the court, and the public
 371.13 authority responsible for collection, if applicable, of the following information within
 371.14 ten days of any change: the residential and mailing address, telephone number, driver's
 371.15 license number, Social Security number, and name, address, and telephone number of
 371.16 the employer.

371.17 9. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE

371.18 Basic support and/or spousal maintenance may be adjusted every two years based upon
 371.19 a change in the cost of living (using Department of Labor Consumer Price Index,
 371.20 unless otherwise specified in this order) when the conditions of Minnesota Statutes,
 371.21 section 518A.75, are met. Cost of living increases are compounded. A copy of Minnesota
 371.22 Statutes, section 518A.75, and forms necessary to request or contest a cost of living
 371.23 increase are available from any district court clerk.

371.24 10. JUDGMENTS FOR UNPAID SUPPORT

371.25 If a person fails to make a child support payment, the payment owed becomes a judgment
 371.26 against the person responsible to make the payment by operation of law on or after the
 371.27 date the payment is due, and the person entitled to receive the payment or the public
 371.28 agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the
 371.29 person responsible to make the payment under Minnesota Statutes, section 548.091.
 371.30 Interest begins to accrue on a payment or installment of child support whenever the
 371.31 unpaid amount due is greater than the current support due, according to Minnesota
 371.32 Statutes, section 548.091, subdivision 1a.

371.33 11. JUDGMENTS FOR UNPAID MAINTENANCE

372.1 (a) A judgment for unpaid spousal maintenance may be entered when the conditions of
 372.2 Minnesota Statutes, section 548.091, are met. A copy of that section is available from
 372.3 any district court clerk.

372.4 (b) The public authority is not responsible for calculating interest on any judgment for
 372.5 unpaid spousal maintenance. When providing services in IV-D cases, as defined in
 372.6 Minnesota Statutes, section 518A.26, subdivision 10, the public authority will only
 372.7 collect interest on spousal maintenance if spousal maintenance is reduced to a sum
 372.8 certain judgment.

372.9 12. ATTORNEY FEES AND COLLECTION COSTS FOR ENFORCEMENT OF CHILD
372.10 SUPPORT

372.11 A judgment for attorney fees and other collection costs incurred in enforcing a child
 372.12 support order will be entered against the person responsible to pay support when the
 372.13 conditions of Minnesota Statutes, section 518A.735, are met. A copy of Minnesota
 372.14 Statutes, sections 518.14 and 518A.735 and forms necessary to request or contest these
 372.15 attorney fees and collection costs are available from any district court clerk.

372.16 **13. PARENTING TIME EXPEDITOR PROCESS**

372.17 On request of either party or on its own motion, the court may appoint a parenting time
 372.18 expeditor to resolve parenting time disputes under Minnesota Statutes, section 518.1751.
 372.19 A copy of that section and a description of the expeditor process is available from any
 372.20 district court clerk.

372.21 **14. PARENTING TIME REMEDIES AND PENALTIES**

372.22 Remedies and penalties for the wrongful denial of parenting time are available under
 372.23 Minnesota Statutes, section 518.175, subdivision 6. These include compensatory parenting
 372.24 time; civil penalties; bond requirements; contempt; and reversal of custody. A copy of
 372.25 that subdivision and forms for requesting relief are available from any district court
 372.26 clerk.

372.27 **EFFECTIVE DATE.** This section is effective August 1, 2022.

372.28 Sec. 9. Minnesota Statutes 2020, section 518A.29, is amended to read:

372.29 **518A.29 CALCULATION OF GROSS INCOME.**

372.30 (a) Subject to the exclusions and deductions in this section, gross income includes any
 372.31 form of periodic payment to an individual, including, but not limited to, salaries, wages,
 372.32 commissions, self-employment income under section 518A.30, workers' compensation,
 373.1 unemployment benefits, annuity payments, military and naval retirement, pension and
 373.2 disability payments, spousal maintenance received under a previous order or the current
 373.3 proceeding, Social Security or veterans benefits provided for a joint child under section
 373.4 518A.31, and potential income under section 518A.32. Salaries, wages, commissions, or
 373.5 other compensation paid by third parties shall be based upon gross income before
 373.6 participation in an employer-sponsored benefit plan that allows an employee to pay for a
 373.7 benefit or expense using pretax dollars, such as flexible spending plans and health savings
 373.8 accounts. No deductions shall be allowed for contributions to pensions, 401-K, IRA, or
 373.9 other retirement benefits.

373.10 (b) Gross income does not include compensation received by a party for employment
 373.11 in excess of a 40-hour work week, provided that:

373.12 (1) child support is ordered in an amount at least equal to the guideline amount based
 373.13 on gross income not excluded under this clause; and

373.14 (2) the party demonstrates, and the court finds, that:

373.15 (i) the excess employment began after the filing of the petition for dissolution or legal
 373.16 separation or a petition related to custody, parenting time, or support;

373.17 (ii) the excess employment reflects an increase in the work schedule or hours worked
 373.18 over that of the two years immediately preceding the filing of the petition;

373.19 (iii) the excess employment is voluntary and not a condition of employment;

- 373.20 (iv) the excess employment is in the nature of additional, part-time or overtime
373.21 employment compensable by the hour or fraction of an hour; and
- 373.22 (v) the party's compensation structure has not been changed for the purpose of affecting
373.23 a support or maintenance obligation.
- 373.24 (c) Expense reimbursements or in-kind payments received by a parent in the course of
373.25 employment, self-employment, or operation of a business shall be counted as income if
373.26 they reduce personal living expenses.
- 373.27 (d) Gross income may be calculated on either an annual or monthly basis. Weekly income
373.28 shall be translated to monthly income by multiplying the weekly income by 4.33.
- 373.29 (e) Gross income does not include a child support payment received by a party. It is a
373.30 rebuttable presumption that adoption assistance payments, Northstar kinship assistance
373.31 payments, and foster care subsidies are not gross income.
- 374.1 (f) Gross income does not include the income of the obligor's spouse and the obligee's
374.2 spouse.
- 374.3 (g) ~~Child support or~~ Spousal maintenance payments ordered by a court for a nonjoint
374.4 child or former spouse or ordered payable to the other party as part of the current proceeding
374.5 are deducted from other periodic payments received by a party for purposes of determining
374.6 gross income.
- 374.7 (h) Gross income does not include public assistance benefits received under section
374.8 256.741 or other forms of public assistance based on need.
- 374.9 **EFFECTIVE DATE.** This section is effective January 1, 2023.
- 374.10 Sec. 10. Minnesota Statutes 2020, section 518A.33, is amended to read:
- 374.11 **518A.33 DEDUCTION FROM INCOME FOR NONJOINT CHILDREN.**
- 374.12 (a) When either or both parents are legally responsible for a nonjoint child, a deduction
374.13 for this obligation shall be calculated under this section ~~if:~~
- 374.14 ~~(1) the nonjoint child primarily resides in the parent's household; and~~
- 374.15 ~~(2) the parent is not obligated to pay basic child support for the nonjoint child to the~~
374.16 ~~other parent or a legal custodian of the child under an existing child support order.~~
- 374.17 (b) The court shall use the guidelines under section 518A.35 to determine the basic child
374.18 support obligation for the nonjoint child or children by using the gross income of the parent
374.19 for whom the deduction is being calculated and the number of nonjoint children primarily
374.20 residing in the parent's household. If the number of nonjoint children to be used for the
374.21 determination is greater than two, the determination must be made using the number two

374.22 ~~instead of the greater number.~~ Court-ordered child support for a nonjoint child shall be
 374.23 ~~deducted from the payor's gross income.~~

374.24 (c) ~~The deduction for nonjoint children is 50 percent of the guideline amount determined~~
 374.25 ~~under paragraph (b).~~ When a parent is legally responsible for a nonjoint child and the parent
 374.26 is not obligated to pay basic child support for the nonjoint child to the other parent or a legal
 374.27 custodian under an existing child support order, a deduction shall be calculated. The court
 374.28 shall use the basic support guideline table under section 518A.35 to determine this deduction
 374.29 by using the gross income of the parent for whom the deduction is being calculated, minus
 374.30 any deduction under paragraph (b) and the number of eligible nonjoint children, up to six
 374.31 children. The deduction for nonjoint children is 75 percent of the guideline amount
 374.32 determined under this paragraph.

375.1 **EFFECTIVE DATE.** This section is effective January 1, 2023.

375.2 Sec. 11. Minnesota Statutes 2020, section 518A.35, subdivision 1, is amended to read:

375.3 Subdivision 1. **Determination of support obligation.** (a) The guideline in this section
 375.4 is a rebuttable presumption and shall be used in any judicial or administrative proceeding
 375.5 to establish or modify a support obligation under this chapter.

375.6 (b) The basic child support obligation shall be determined by referencing the guideline
 375.7 for the appropriate number of joint children and the combined parental income for
 375.8 determining child support of the parents.

375.9 (c) If a child is not in the custody of either parent and a support order is sought against
 375.10 one or both parents, the basic child support obligation shall be determined by referencing
 375.11 the guideline for the appropriate number of joint children, and the parent's individual parental
 375.12 income for determining child support, not the combined parental incomes for determining
 375.13 child support of the parents. Unless a parent has court-ordered parenting time, the parenting
 375.14 expense adjustment formula under section 518A.34 must not be applied.

375.15 (d) If a child is ~~in custody of either parent~~ not residing with the parent that has
 375.16 ~~court-ordered or statutory custody~~ and a support order is sought ~~by the public authority~~
 375.17 ~~under section 256.87 against one or both parents, unless the parent against whom the support~~
 375.18 ~~order is sought has court-ordered parenting time,~~ the basic support obligation must be
 375.19 determined by referencing the guideline for the appropriate number of joint children and
 375.20 the parent's individual income without application of the parenting expense adjustment
 375.21 formula under section 518A.34.

375.22 (e) For combined parental incomes for determining child support exceeding ~~\$15,000~~
 375.23 ~~\$20,000~~ per month, the presumed basic child support obligations shall be as for parents
 375.24 ~~with combined parental income for determining child support of \$15,000~~ \$20,000 per month.
 375.25 A basic child support obligation in excess of this level may be demonstrated for those reasons
 375.26 set forth in section 518A.43.

375.27 **EFFECTIVE DATE.** This section is effective January 1, 2023.

375.28 Sec. 12. Minnesota Statutes 2020, section 518A.35, subdivision 2, is amended to read:

375.29 Subd. 2. **Basic support; guideline.** Unless otherwise agreed to by the parents and
 375.30 approved by the court, when establishing basic support, the court must order that basic
 375.31 support be divided between the parents based on their proportionate share of the parents'
 376.1 combined monthly parental income for determining child support (PICS). Basic support
 376.2 must be computed using the following guideline:

376.3	Combined Parental	Number of Children					
376.4	Income for	One	Two	Three	Four	Five	Six
376.5	Determining Child						
376.6	Support						
376.7	\$0- \$799		\$50	\$75	\$75	\$100	
376.8	\$1,399	\$50	\$60	\$70	\$80	\$90	\$100
376.9	800-899	80	129	149	173	201	233
376.10	900-999	90	145	167	194	226	262
376.11	1,000-1,099	116	161	186	216	251	291
376.12	1,100-1,199	145	205	237	275	320	370
376.13	1,200-1,299	177	254	294	341	396	459
376.14	1,300-1,399	212	309	356	414	480	557
376.15		251	368	425	493	573	664
376.16	1,400- 1,499	<u>60</u>	<u>75</u>	<u>85</u>	<u>100</u>	<u>110</u>	<u>120</u>
376.17		292	433	500	580	673	780
376.18	1,500- 1,599	<u>75</u>	<u>90</u>	<u>105</u>	<u>125</u>	<u>135</u>	<u>145</u>
376.19		337	502	580	673	781	905
376.20	1,600- 1,699	<u>90</u>	<u>110</u>	<u>130</u>	<u>150</u>	<u>160</u>	<u>170</u>
376.21		385	577	666	773	897	1,040
376.22	1,700- 1,799	<u>110</u>	<u>130</u>	<u>155</u>	<u>175</u>	<u>185</u>	<u>195</u>
376.23		436	657	758	880	1,021	1,183
376.24	1,800- 1,899	<u>130</u>	<u>150</u>	<u>180</u>	<u>200</u>	<u>210</u>	<u>220</u>

376.25		<u>490</u>	<u>742</u>	<u>856</u>	<u>994</u>	<u>1,152</u>	<u>1,336</u>
376.26	1,900- 1,999	<u>150</u>	<u>175</u>	<u>205</u>	<u>235</u>	<u>245</u>	<u>255</u>
376.27		<u>516</u>	<u>832</u>	<u>960</u>	<u>1,114</u>	<u>1,292</u>	<u>1,498</u>
376.28	2,000- 2,099	<u>170</u>	<u>200</u>	<u>235</u>	<u>270</u>	<u>285</u>	<u>295</u>
376.29		<u>528</u>	<u>851</u>	<u>981</u>	<u>1,139</u>	<u>1,320</u>	<u>1,531</u>
376.30	2,100- 2,199	<u>190</u>	<u>225</u>	<u>265</u>	<u>305</u>	<u>325</u>	<u>335</u>
376.31		<u>538</u>	<u>867</u>	<u>1,000</u>	<u>1,160</u>	<u>1,346</u>	<u>1,561</u>
376.32	2,200- 2,299	<u>215</u>	<u>255</u>	<u>300</u>	<u>345</u>	<u>367</u>	<u>379</u>
376.33		<u>546</u>	<u>881</u>	<u>1,016</u>	<u>1,179</u>	<u>1,367</u>	<u>1,586</u>
376.34	2,300- 2,399	<u>240</u>	<u>285</u>	<u>335</u>	<u>385</u>	<u>409</u>	<u>423</u>
376.35		<u>554</u>	<u>893</u>	<u>1,029</u>	<u>1,195</u>	<u>1,385</u>	<u>1,608</u>
376.36	2,400- 2,499	<u>265</u>	<u>315</u>	<u>370</u>	<u>425</u>	<u>451</u>	<u>467</u>
376.37		<u>560</u>	<u>903</u>	<u>1,040</u>	<u>1,208</u>	<u>1,400</u>	<u>1,625</u>
376.38	2,500- 2,599	<u>290</u>	<u>350</u>	<u>408</u>	<u>465</u>	<u>493</u>	<u>511</u>
376.39		<u>570</u>	<u>920</u>	<u>1,060</u>	<u>1,230</u>	<u>1,426</u>	<u>1,655</u>
376.40	2,600- 2,699	<u>315</u>	<u>385</u>	<u>446</u>	<u>505</u>	<u>535</u>	<u>555</u>
376.41		<u>580</u>	<u>936</u>	<u>1,078</u>	<u>1,251</u>	<u>1,450</u>	<u>1,683</u>
376.42	2,700- 2,799	<u>340</u>	<u>420</u>	<u>484</u>	<u>545</u>	<u>577</u>	<u>599</u>
376.43		<u>589</u>	<u>950</u>	<u>1,094</u>	<u>1,270</u>	<u>1,472</u>	<u>1,707</u>
376.44	2,800- 2,899	<u>365</u>	<u>455</u>	<u>522</u>	<u>585</u>	<u>619</u>	<u>643</u>
377.1		<u>596</u>	<u>963</u>	<u>1,109</u>	<u>1,287</u>	<u>1,492</u>	<u>1,730</u>
377.2	2,900- 2,999	<u>390</u>	<u>490</u>	<u>560</u>	<u>625</u>	<u>661</u>	<u>687</u>
377.3		<u>603</u>	<u>975</u>	<u>1,122</u>	<u>1,302</u>	<u>1,509</u>	<u>1,749</u>
377.4	3,000- 3,099	<u>415</u>	<u>525</u>	<u>598</u>	<u>665</u>	<u>703</u>	<u>731</u>
377.5		<u>613</u>	<u>991</u>	<u>1,141</u>	<u>1,324</u>	<u>1,535</u>	<u>1,779</u>
377.6	3,100- 3,199	<u>440</u>	<u>560</u>	<u>636</u>	<u>705</u>	<u>745</u>	<u>775</u>
377.7		<u>623</u>	<u>1,007</u>	<u>1,158</u>	<u>1,344</u>	<u>1,558</u>	<u>1,807</u>
377.8	3,200- 3,299	<u>465</u>	<u>595</u>	<u>674</u>	<u>745</u>	<u>787</u>	<u>819</u>
377.9		<u>636</u>	<u>1,021</u>	<u>1,175</u>	<u>1,363</u>	<u>1,581</u>	<u>1,833</u>
377.10	3,300- 3,399	<u>485</u>	<u>630</u>	<u>712</u>	<u>785</u>	<u>829</u>	<u>863</u>

377.11		<u>650</u>	<u>1,034</u>	<u>1,190</u>	<u>1,380</u>	<u>1,601</u>	<u>1,857</u>
377.12	3,400- 3,499	<u>505</u>	<u>665</u>	<u>750</u>	<u>825</u>	<u>871</u>	<u>907</u>
377.13		<u>664</u>	<u>1,047</u>	<u>1,204</u>	<u>1,397</u>	<u>1,621</u>	<u>1,880</u>
377.14	3,500- 3,599	<u>525</u>	<u>695</u>	<u>784</u>	<u>861</u>	<u>910</u>	<u>948</u>
377.15		<u>677</u>	<u>1,062</u>	<u>1,223</u>	<u>1,418</u>	<u>1,646</u>	<u>1,909</u>
377.16	3,600- 3,699	<u>545</u>	<u>725</u>	<u>818</u>	<u>897</u>	<u>949</u>	<u>989</u>
377.17		<u>691</u>	<u>1,077</u>	<u>1,240</u>	<u>1,439</u>	<u>1,670</u>	<u>1,937</u>
377.18	3,700- 3,799	<u>565</u>	<u>755</u>	<u>852</u>	<u>933</u>	<u>988</u>	<u>1,030</u>
377.19		<u>705</u>	<u>1,081</u>	<u>1,257</u>	<u>1,459</u>	<u>1,693</u>	<u>1,963</u>
377.20	3,800- 3,899	<u>585</u>	<u>785</u>	<u>886</u>	<u>969</u>	<u>1,027</u>	<u>1,071</u>
377.21		<u>719</u>	<u>1,104</u>	<u>1,273</u>	<u>1,478</u>	<u>1,715</u>	<u>1,988</u>
377.22	3,900- 3,999	<u>605</u>	<u>815</u>	<u>920</u>	<u>1,005</u>	<u>1,065</u>	<u>1,111</u>
377.23		<u>732</u>	<u>1,116</u>	<u>1,288</u>	<u>1,496</u>	<u>1,736</u>	<u>2,012</u>
377.24	4,000- 4,099	<u>625</u>	<u>845</u>	<u>954</u>	<u>1,041</u>	<u>1,103</u>	<u>1,151</u>
377.25		<u>746</u>	<u>1,132</u>	<u>1,305</u>	<u>1,516</u>	<u>1,759</u>	<u>2,039</u>
377.26	4,100- 4,199	<u>645</u>	<u>875</u>	<u>988</u>	<u>1,077</u>	<u>1,142</u>	<u>1,191</u>
377.27		<u>760</u>	<u>1,147</u>	<u>1,322</u>	<u>1,536</u>	<u>1,781</u>	<u>2,064</u>
377.28	4,200- 4,299	<u>665</u>	<u>905</u>	<u>1,022</u>	<u>1,113</u>	<u>1,180</u>	<u>1,230</u>
377.29		<u>774</u>	<u>1,161</u>	<u>1,338</u>	<u>1,554</u>	<u>1,802</u>	<u>2,088</u>
377.30	4,300- 4,399	<u>685</u>	<u>935</u>	<u>1,056</u>	<u>1,149</u>	<u>1,218</u>	<u>1,269</u>
377.31		<u>787</u>	<u>1,175</u>	<u>1,353</u>	<u>1,572</u>	<u>1,822</u>	<u>2,111</u>
377.32	4,400- 4,499	<u>705</u>	<u>965</u>	<u>1,090</u>	<u>1,185</u>	<u>1,256</u>	<u>1,308</u>
377.33		<u>801</u>	<u>1,184</u>	<u>1,368</u>	<u>1,589</u>	<u>1,841</u>	<u>2,133</u>
377.34	4,500- 4,599	<u>724</u>	<u>993</u>	<u>1,122</u>	<u>1,219</u>	<u>1,292</u>	<u>1,345</u>
377.35		<u>808</u>	<u>1,200</u>	<u>1,386</u>	<u>1,608</u>	<u>1,864</u>	<u>2,160</u>
377.36	4,600- 4,699	<u>743</u>	<u>1,021</u>	<u>1,154</u>	<u>1,253</u>	<u>1,328</u>	<u>1,382</u>
377.37		<u>814</u>	<u>1,215</u>	<u>1,402</u>	<u>1,627</u>	<u>1,887</u>	<u>2,186</u>
377.38	4,700- 4,799	<u>762</u>	<u>1,049</u>	<u>1,186</u>	<u>1,287</u>	<u>1,364</u>	<u>1,419</u>
377.39		<u>820</u>	<u>1,231</u>	<u>1,419</u>	<u>1,645</u>	<u>1,908</u>	<u>2,212</u>
377.40	4,800- 4,899	<u>781</u>	<u>1,077</u>	<u>1,218</u>	<u>1,321</u>	<u>1,400</u>	<u>1,456</u>

377.41		825	1,246	1,435	1,663	1,930	2,236
377.42	4,900- 4,999	<u>800</u>	<u>1,105</u>	<u>1,250</u>	<u>1,354</u>	<u>1,435</u>	<u>1,493</u>
377.43		831	1,260	1,450	1,680	1,950	2,260
377.44	5,000- 5,099	<u>818</u>	<u>1,132</u>	<u>1,281</u>	<u>1,387</u>	<u>1,470</u>	<u>1,529</u>
377.45		837	1,275	1,468	1,701	1,975	2,289
377.46	5,100- 5,199	<u>835</u>	<u>1,159</u>	<u>1,312</u>	<u>1,420</u>	<u>1,505</u>	<u>1,565</u>
378.1		843	1,290	1,485	1,722	1,999	2,317
378.2	5,200- 5,299	<u>852</u>	<u>1,186</u>	<u>1,343</u>	<u>1,453</u>	<u>1,540</u>	<u>1,601</u>
378.3		849	1,304	1,502	1,743	2,022	2,345
378.4	5,300- 5,399	<u>869</u>	<u>1,213</u>	<u>1,374</u>	<u>1,486</u>	<u>1,575</u>	<u>1,638</u>
378.5		854	1,318	1,518	1,763	2,046	2,372
378.6	5,400- 5,499	<u>886</u>	<u>1,240</u>	<u>1,405</u>	<u>1,519</u>	<u>1,610</u>	<u>1,674</u>
378.7		860	1,331	1,535	1,782	2,068	2,398
378.8	5,500- 5,599	<u>903</u>	<u>1,264</u>	<u>1,434</u>	<u>1,550</u>	<u>1,643</u>	<u>1,708</u>
378.9		866	1,346	1,551	1,801	2,090	2,424
378.10	5,600- 5,699	<u>920</u>	<u>1,288</u>	<u>1,463</u>	<u>1,581</u>	<u>1,676</u>	<u>1,743</u>
378.11		873	1,357	1,568	1,819	2,111	2,449
378.12	5,700- 5,799	<u>937</u>	<u>1,312</u>	<u>1,492</u>	<u>1,612</u>	<u>1,709</u>	<u>1,777</u>
378.13		881	1,376	1,583	1,837	2,132	2,473
378.14	5,800- 5,899	<u>954</u>	<u>1,336</u>	<u>1,521</u>	<u>1,643</u>	<u>1,742</u>	<u>1,811</u>
378.15		888	1,390	1,599	1,855	2,152	2,497
378.16	5,900- 5,999	<u>971</u>	<u>1,360</u>	<u>1,550</u>	<u>1,674</u>	<u>1,775</u>	<u>1,846</u>
378.17		895	1,404	1,604	1,872	2,172	2,520
378.18	6,000- 6,099	<u>988</u>	<u>1,383</u>	<u>1,577</u>	<u>1,703</u>	<u>1,805</u>	<u>1,877</u>
378.19		902	1,419	1,631	1,892	2,195	2,546
378.20	6,100- 6,199	<u>993</u>	<u>1,391</u>	<u>1,586</u>	<u>1,713</u>	<u>1,815</u>	<u>1,887</u>
378.21		909	1,433	1,645	1,912	2,217	2,572
378.22	6,200- 6,299	<u>999</u>	<u>1,399</u>	<u>1,594</u>	<u>1,722</u>	<u>1,825</u>	<u>1,898</u>
378.23		916	1,448	1,664	1,932	2,239	2,597
378.24	6,300- 6,399	<u>1,005</u>	<u>1,406</u>	<u>1,603</u>	<u>1,732</u>	<u>1,836</u>	<u>1,909</u>

378.25		<u>923</u>	<u>1,462</u>	<u>1,682</u>	<u>1,951</u>	<u>2,260</u>	<u>2,621</u>
378.26	6,400- 6,499	<u>1,010</u>	<u>1,414</u>	<u>1,612</u>	<u>1,741</u>	<u>1,846</u>	<u>1,920</u>
378.27		<u>930</u>	<u>1,476</u>	<u>1,697</u>	<u>1,970</u>	<u>2,282</u>	<u>2,646</u>
378.28	6,500- 6,599	<u>1,016</u>	<u>1,422</u>	<u>1,621</u>	<u>1,751</u>	<u>1,856</u>	<u>1,931</u>
378.29		<u>936</u>	<u>1,490</u>	<u>1,713</u>	<u>1,989</u>	<u>2,305</u>	<u>2,673</u>
378.30	6,600- 6,699	<u>1,021</u>	<u>1,430</u>	<u>1,630</u>	<u>1,761</u>	<u>1,866</u>	<u>1,941</u>
378.31		<u>943</u>	<u>1,505</u>	<u>1,730</u>	<u>2,009</u>	<u>2,328</u>	<u>2,700</u>
378.32	6,700- 6,799	<u>1,027</u>	<u>1,438</u>	<u>1,639</u>	<u>1,770</u>	<u>1,876</u>	<u>1,951</u>
378.33		<u>950</u>	<u>1,519</u>	<u>1,746</u>	<u>2,028</u>	<u>2,350</u>	<u>2,727</u>
378.34	6,800- 6,899	<u>1,032</u>	<u>1,445</u>	<u>1,648</u>	<u>1,780</u>	<u>1,887</u>	<u>1,962</u>
378.35		<u>957</u>	<u>1,533</u>	<u>1,762</u>	<u>2,047</u>	<u>2,379</u>	<u>2,747</u>
378.36	6,900- 6,999	<u>1,038</u>	<u>1,453</u>	<u>1,657</u>	<u>1,790</u>	<u>1,897</u>	<u>1,973</u>
378.37		<u>963</u>	<u>1,547</u>	<u>1,778</u>	<u>2,065</u>	<u>2,394</u>	<u>2,753</u>
378.38	7,000- 7,099	<u>1,044</u>	<u>1,462</u>	<u>1,666</u>	<u>1,800</u>	<u>1,908</u>	<u>1,984</u>
378.39		<u>970</u>	<u>1,561</u>	<u>1,795</u>	<u>2,085</u>	<u>2,417</u>	<u>2,758</u>
378.40	7,100- 7,199	<u>1,050</u>	<u>1,470</u>	<u>1,676</u>	<u>1,810</u>	<u>1,918</u>	<u>1,995</u>
378.41		<u>974</u>	<u>1,574</u>	<u>1,812</u>	<u>2,104</u>	<u>2,439</u>	<u>2,764</u>
378.42	7,200- 7,299	<u>1,056</u>	<u>1,479</u>	<u>1,686</u>	<u>1,821</u>	<u>1,930</u>	<u>2,007</u>
378.43		<u>980</u>	<u>1,587</u>	<u>1,828</u>	<u>2,123</u>	<u>2,462</u>	<u>2,769</u>
378.44	7,300- 7,399	<u>1,063</u>	<u>1,488</u>	<u>1,696</u>	<u>1,832</u>	<u>1,942</u>	<u>2,019</u>
378.45		<u>989</u>	<u>1,600</u>	<u>1,844</u>	<u>2,142</u>	<u>2,483</u>	<u>2,775</u>
378.46	7,400- 7,499	<u>1,069</u>	<u>1,496</u>	<u>1,706</u>	<u>1,843</u>	<u>1,953</u>	<u>2,032</u>
379.1		<u>998</u>	<u>1,613</u>	<u>1,860</u>	<u>2,160</u>	<u>2,505</u>	<u>2,781</u>
379.2	7,500- 7,599	<u>1,075</u>	<u>1,505</u>	<u>1,716</u>	<u>1,854</u>	<u>1,965</u>	<u>2,043</u>
379.3		<u>1,006</u>	<u>1,628</u>	<u>1,877</u>	<u>2,180</u>	<u>2,528</u>	<u>2,803</u>
379.4	7,600- 7,699	<u>1,081</u>	<u>1,514</u>	<u>1,725</u>	<u>1,863</u>	<u>1,975</u>	<u>2,054</u>
379.5		<u>1,015</u>	<u>1,643</u>	<u>1,894</u>	<u>2,199</u>	<u>2,550</u>	<u>2,833</u>
379.6	7,700- 7,799	<u>1,087</u>	<u>1,522</u>	<u>1,735</u>	<u>1,874</u>	<u>1,986</u>	<u>2,066</u>
379.7		<u>1,023</u>	<u>1,658</u>	<u>1,911</u>	<u>2,218</u>	<u>2,572</u>	<u>2,864</u>
379.8	7,800- 7,899	<u>1,093</u>	<u>1,531</u>	<u>1,745</u>	<u>1,885</u>	<u>1,998</u>	<u>2,078</u>

379.9		<u>1,032</u>	<u>1,673</u>	<u>1,928</u>	<u>2,237</u>	<u>2,594</u>	<u>2,894</u>
379.10	7,900- 7,999	<u>1,099</u>	<u>1,540</u>	<u>1,755</u>	<u>1,896</u>	<u>2,009</u>	<u>2,090</u>
379.11		<u>1,040</u>	<u>1,688</u>	<u>1,944</u>	<u>2,256</u>	<u>2,616</u>	<u>2,925</u>
379.12	8,000- 8,099	<u>1,106</u>	<u>1,548</u>	<u>1,765</u>	<u>1,907</u>	<u>2,021</u>	<u>2,102</u>
379.13		<u>1,048</u>	<u>1,703</u>	<u>1,960</u>	<u>2,274</u>	<u>2,637</u>	<u>2,955</u>
379.14	8,100- 8,199	<u>1,112</u>	<u>1,557</u>	<u>1,775</u>	<u>1,917</u>	<u>2,032</u>	<u>2,114</u>
379.15		<u>1,056</u>	<u>1,717</u>	<u>1,976</u>	<u>2,293</u>	<u>2,658</u>	<u>2,985</u>
379.16	8,200- 8,299	<u>1,118</u>	<u>1,566</u>	<u>1,785</u>	<u>1,928</u>	<u>2,044</u>	<u>2,126</u>
379.17		<u>1,064</u>	<u>1,731</u>	<u>1,992</u>	<u>2,311</u>	<u>2,679</u>	<u>3,016</u>
379.18	8,300 -8,399	<u>1,124</u>	<u>1,574</u>	<u>1,795</u>	<u>1,939</u>	<u>2,055</u>	<u>2,137</u>
379.19		<u>1,072</u>	<u>1,746</u>	<u>2,008</u>	<u>2,328</u>	<u>2,700</u>	<u>3,046</u>
379.20	8,400- 8,499	<u>1,131</u>	<u>1,583</u>	<u>1,804</u>	<u>1,949</u>	<u>2,066</u>	<u>2,149</u>
379.21		<u>1,080</u>	<u>1,760</u>	<u>2,023</u>	<u>2,346</u>	<u>2,720</u>	<u>3,077</u>
379.22	8,500- 8,599	<u>1,137</u>	<u>1,592</u>	<u>1,814</u>	<u>1,960</u>	<u>2,078</u>	<u>2,161</u>
379.23		<u>1,092</u>	<u>1,780</u>	<u>2,047</u>	<u>2,374</u>	<u>2,752</u>	<u>3,107</u>
379.24	8,600- 8,699	<u>1,143</u>	<u>1,600</u>	<u>1,824</u>	<u>1,970</u>	<u>2,089</u>	<u>2,173</u>
379.25		<u>1,105</u>	<u>1,801</u>	<u>2,071</u>	<u>2,401</u>	<u>2,784</u>	<u>3,138</u>
379.26	8,700- 8,799	<u>1,149</u>	<u>1,609</u>	<u>1,834</u>	<u>1,981</u>	<u>2,100</u>	<u>2,185</u>
379.27		<u>1,118</u>	<u>1,822</u>	<u>2,094</u>	<u>2,429</u>	<u>2,816</u>	<u>3,168</u>
379.28	8,800- 8,899	<u>1,155</u>	<u>1,618</u>	<u>1,844</u>	<u>1,992</u>	<u>2,112</u>	<u>2,197</u>
379.29		<u>1,130</u>	<u>1,842</u>	<u>2,118</u>	<u>2,456</u>	<u>2,848</u>	<u>3,199</u>
379.30	8,900- 8,999	<u>1,162</u>	<u>1,626</u>	<u>1,854</u>	<u>2,003</u>	<u>2,124</u>	<u>2,209</u>
379.31		<u>1,143</u>	<u>1,863</u>	<u>2,142</u>	<u>2,484</u>	<u>2,880</u>	<u>3,223</u>
379.32	9,000- 9,099	<u>1,168</u>	<u>1,635</u>	<u>1,864</u>	<u>2,014</u>	<u>2,135</u>	<u>2,221</u>
379.33		<u>1,156</u>	<u>1,884</u>	<u>2,166</u>	<u>2,512</u>	<u>2,912</u>	<u>3,243</u>
379.34	9,100- 9,199	<u>1,174</u>	<u>1,644</u>	<u>1,874</u>	<u>2,024</u>	<u>2,146</u>	<u>2,232</u>
379.35		<u>1,168</u>	<u>1,904</u>	<u>2,190</u>	<u>2,539</u>	<u>2,944</u>	<u>3,263</u>
379.36	9,200- 9,299	<u>1,180</u>	<u>1,652</u>	<u>1,884</u>	<u>2,035</u>	<u>2,158</u>	<u>2,244</u>
379.37		<u>1,181</u>	<u>1,925</u>	<u>2,213</u>	<u>2,567</u>	<u>2,976</u>	<u>3,284</u>
379.38	9,300- 9,399	<u>1,186</u>	<u>1,661</u>	<u>1,893</u>	<u>2,045</u>	<u>2,168</u>	<u>2,255</u>

379.39		<u>1,194</u>	<u>1,946</u>	<u>2,237</u>	<u>2,594</u>	<u>3,008</u>	<u>3,304</u>
379.40	9,400- 9,499	<u>1,193</u>	<u>1,670</u>	<u>1,903</u>	<u>2,056</u>	<u>2,179</u>	<u>2,267</u>
379.41		<u>1,207</u>	<u>1,967</u>	<u>2,261</u>	<u>2,622</u>	<u>3,031</u>	<u>3,324</u>
379.42	9,500- 9,599	<u>1,199</u>	<u>1,678</u>	<u>1,913</u>	<u>2,066</u>	<u>2,190</u>	<u>2,278</u>
379.43		<u>1,219</u>	<u>1,987</u>	<u>2,285</u>	<u>2,650</u>	<u>3,050</u>	<u>3,345</u>
379.44	9,600- 9,699	<u>1,205</u>	<u>1,687</u>	<u>1,923</u>	<u>2,077</u>	<u>2,202</u>	<u>2,290</u>
379.45		<u>1,232</u>	<u>2,008</u>	<u>2,309</u>	<u>2,677</u>	<u>3,069</u>	<u>3,365</u>
379.46	9,700- 9,799	<u>1,211</u>	<u>1,696</u>	<u>1,933</u>	<u>2,088</u>	<u>2,214</u>	<u>2,302</u>
380.1		<u>1,245</u>	<u>2,029</u>	<u>2,332</u>	<u>2,705</u>	<u>3,087</u>	<u>3,385</u>
380.2	9,800- 9,899	<u>1,217</u>	<u>1,704</u>	<u>1,943</u>	<u>2,099</u>	<u>2,225</u>	<u>2,314</u>
380.3		<u>1,257</u>	<u>2,049</u>	<u>2,356</u>	<u>2,732</u>	<u>3,106</u>	<u>3,406</u>
380.4	9,900- 9,999	<u>1,224</u>	<u>1,713</u>	<u>1,953</u>	<u>2,110</u>	<u>2,237</u>	<u>2,326</u>
380.5		<u>1,270</u>	<u>2,070</u>	<u>2,380</u>	<u>2,760</u>	<u>3,125</u>	<u>3,426</u>
380.6	10,000-10,099	<u>1,230</u>	<u>1,722</u>	<u>1,963</u>	<u>2,121</u>	<u>2,248</u>	<u>2,338</u>
380.7		<u>1,283</u>	<u>2,091</u>	<u>2,404</u>	<u>2,788</u>	<u>3,144</u>	<u>3,446</u>
380.8	10,100-10,199	<u>1,236</u>	<u>1,730</u>	<u>1,973</u>	<u>2,131</u>	<u>2,259</u>	<u>2,350</u>
380.9		<u>1,295</u>	<u>2,111</u>	<u>2,428</u>	<u>2,815</u>	<u>3,162</u>	<u>3,467</u>
380.10	10,200-10,299	<u>1,242</u>	<u>1,739</u>	<u>1,983</u>	<u>2,142</u>	<u>2,270</u>	<u>2,361</u>
380.11		<u>1,308</u>	<u>2,132</u>	<u>2,451</u>	<u>2,843</u>	<u>3,181</u>	<u>3,487</u>
380.12	10,300-10,399	<u>1,248</u>	<u>1,748</u>	<u>1,992</u>	<u>2,152</u>	<u>2,281</u>	<u>2,373</u>
380.13		<u>1,321</u>	<u>2,153</u>	<u>2,475</u>	<u>2,870</u>	<u>3,200</u>	<u>3,507</u>
380.14	10,400-10,499	<u>1,254</u>	<u>1,756</u>	<u>2,002</u>	<u>2,163</u>	<u>2,292</u>	<u>2,384</u>
380.15		<u>1,334</u>	<u>2,174</u>	<u>2,499</u>	<u>2,898</u>	<u>3,218</u>	<u>3,528</u>
380.16	10,500-10,599	<u>1,261</u>	<u>1,765</u>	<u>2,012</u>	<u>2,173</u>	<u>2,304</u>	<u>2,396</u>
380.17		<u>1,346</u>	<u>2,194</u>	<u>2,523</u>	<u>2,921</u>	<u>3,237</u>	<u>3,548</u>
380.18	10,600-10,699	<u>1,267</u>	<u>1,774</u>	<u>2,022</u>	<u>2,184</u>	<u>2,316</u>	<u>2,409</u>
380.19		<u>1,359</u>	<u>2,215</u>	<u>2,547</u>	<u>2,938</u>	<u>3,256</u>	<u>3,568</u>
380.20	10,700-10,799	<u>1,273</u>	<u>1,782</u>	<u>2,032</u>	<u>2,195</u>	<u>2,327</u>	<u>2,420</u>
380.21		<u>1,372</u>	<u>2,236</u>	<u>2,570</u>	<u>2,955</u>	<u>3,274</u>	<u>3,589</u>
380.22	10,800-10,899	<u>1,279</u>	<u>1,791</u>	<u>2,042</u>	<u>2,206</u>	<u>2,338</u>	<u>2,432</u>

380.23		1,384	2,256	2,594	2,972	3,293	3,609
380.24	10,900-10,999	<u>1,285</u>	<u>1,800</u>	<u>2,052</u>	<u>2,217</u>	<u>2,349</u>	<u>2,444</u>
380.25		1,397	2,277	2,618	2,989	3,312	3,629
380.26	11,000-11,099	<u>1,292</u>	<u>1,808</u>	<u>2,061</u>	<u>2,226</u>	<u>2,360</u>	<u>2,455</u>
380.27		1,410	2,294	2,642	3,006	3,331	3,649
380.28	11,100-11,199	<u>1,298</u>	<u>1,817</u>	<u>2,071</u>	<u>2,237</u>	<u>2,372</u>	<u>2,467</u>
380.29		1,422	2,306	2,666	3,023	3,349	3,667
380.30	11,200-11,299	<u>1,304</u>	<u>1,826</u>	<u>2,081</u>	<u>2,248</u>	<u>2,384</u>	<u>2,479</u>
380.31		1,435	2,319	2,689	3,040	3,366	3,686
380.32	11,300-11,399	<u>1,310</u>	<u>1,834</u>	<u>2,091</u>	<u>2,259</u>	<u>2,395</u>	<u>2,491</u>
380.33		1,448	2,331	2,713	3,055	3,383	3,705
380.34	11,400-11,499	<u>1,316</u>	<u>1,843</u>	<u>2,101</u>	<u>2,270</u>	<u>2,406</u>	<u>2,503</u>
380.35		1,461	2,344	2,735	3,071	3,400	3,723
380.36	11,500-11,599	<u>1,323</u>	<u>1,852</u>	<u>2,111</u>	<u>2,280</u>	<u>2,417</u>	<u>2,514</u>
380.37		1,473	2,356	2,748	3,087	3,417	3,742
380.38	11,600-11,699	<u>1,329</u>	<u>1,860</u>	<u>2,121</u>	<u>2,291</u>	<u>2,428</u>	<u>2,526</u>
380.39		1,486	2,367	2,762	3,102	3,435	3,761
380.40	11,700-11,799	<u>1,335</u>	<u>1,869</u>	<u>2,131</u>	<u>2,302</u>	<u>2,439</u>	<u>2,537</u>
380.41		1,499	2,378	2,775	3,116	3,452	3,780
380.42	11,800-11,899	<u>1,341</u>	<u>1,878</u>	<u>2,141</u>	<u>2,313</u>	<u>2,451</u>	<u>2,549</u>
380.43		1,511	2,389	2,788	3,131	3,469	3,798
380.44	11,900-11,999	<u>1,347</u>	<u>1,886</u>	<u>2,150</u>	<u>2,323</u>	<u>2,463</u>	<u>2,561</u>
380.45		1,524	2,401	2,801	3,146	3,485	3,817
380.46	12,000-12,099	<u>1,354</u>	<u>1,895</u>	<u>2,160</u>	<u>2,333</u>	<u>2,474</u>	<u>2,573</u>
381.1		1,537	2,412	2,814	3,160	3,501	3,836
381.2	12,100-12,199	<u>1,360</u>	<u>1,904</u>	<u>2,170</u>	<u>2,344</u>	<u>2,485</u>	<u>2,585</u>
381.3		1,549	2,423	2,828	3,175	3,517	3,854
381.4	12,200-12,299	<u>1,366</u>	<u>1,912</u>	<u>2,180</u>	<u>2,355</u>	<u>2,497</u>	<u>2,597</u>
381.5		1,562	2,434	2,841	3,190	3,534	3,871
381.6	12,300-12,399	<u>1,372</u>	<u>1,921</u>	<u>2,190</u>	<u>2,366</u>	<u>2,509</u>	<u>2,609</u>

381.7		1,575	2,445	2,854	3,205	3,550	3,889
381.8	<u>12,400-12,499</u>	<u>1,378</u>	<u>1,930</u>	<u>2,200</u>	<u>2,377</u>	<u>2,520</u>	<u>2,621</u>
381.9		1,588	2,456	2,867	3,219	3,566	3,907
381.10	<u>12,500-12,599</u>	<u>1,385</u>	<u>1,938</u>	<u>2,210</u>	<u>2,387</u>	<u>2,531</u>	<u>2,633</u>
381.11		1,600	2,467	2,880	3,234	3,582	3,924
381.12	<u>12,600-12,699</u>	<u>1,391</u>	<u>1,947</u>	<u>2,220</u>	<u>2,397</u>	<u>2,542</u>	<u>2,644</u>
381.13		1,613	2,478	2,894	3,249	3,598	3,942
381.14	<u>12,700-12,799</u>	<u>1,397</u>	<u>1,956</u>	<u>2,230</u>	<u>2,408</u>	<u>2,553</u>	<u>2,656</u>
381.15		1,626	2,489	2,907	3,264	3,615	3,960
381.16	<u>12,800-12,899</u>	<u>1,403</u>	<u>1,964</u>	<u>2,240</u>	<u>2,419</u>	<u>2,565</u>	<u>2,668</u>
381.17		1,638	2,500	2,920	3,278	3,631	3,977
381.18	<u>12,900-12,999</u>	<u>1,409</u>	<u>1,973</u>	<u>2,250</u>	<u>2,430</u>	<u>2,576</u>	<u>2,680</u>
381.19		1,651	2,512	2,933	3,293	3,647	3,995
381.20	<u>13,000-13,099</u>	<u>1,416</u>	<u>1,982</u>	<u>2,259</u>	<u>2,440</u>	<u>2,587</u>	<u>2,691</u>
381.21		1,664	2,523	2,946	3,308	3,663	4,012
381.22	<u>13,100-13,199</u>	<u>1,422</u>	<u>1,990</u>	<u>2,269</u>	<u>2,451</u>	<u>2,599</u>	<u>2,703</u>
381.23		1,676	2,534	2,960	3,322	3,679	4,030
381.24	<u>13,200-13,299</u>	<u>1,428</u>	<u>1,999</u>	<u>2,279</u>	<u>2,462</u>	<u>2,610</u>	<u>2,715</u>
381.25		1,689	2,545	2,973	3,337	3,696	4,048
381.26	<u>13,300-13,399</u>	<u>1,434</u>	<u>2,008</u>	<u>2,289</u>	<u>2,473</u>	<u>2,622</u>	<u>2,727</u>
381.27		1,702	2,556	2,986	3,352	3,712	4,065
381.28	<u>13,400-13,499</u>	<u>1,440</u>	<u>2,016</u>	<u>2,299</u>	<u>2,484</u>	<u>2,633</u>	<u>2,739</u>
381.29		1,715	2,567	2,999	3,367	3,728	4,083
381.30	<u>13,500-13,599</u>	<u>1,446</u>	<u>2,025</u>	<u>2,309</u>	<u>2,494</u>	<u>2,644</u>	<u>2,751</u>
381.31		1,727	2,578	3,012	3,381	3,744	4,100
381.32	<u>13,600-13,699</u>	<u>1,453</u>	<u>2,034</u>	<u>2,318</u>	<u>2,504</u>	<u>2,655</u>	<u>2,762</u>
381.33		1,740	2,589	3,026	3,396	3,760	4,118
381.34	<u>13,700-13,799</u>	<u>1,459</u>	<u>2,042</u>	<u>2,328</u>	<u>2,515</u>	<u>2,666</u>	<u>2,773</u>
381.35		1,753	2,600	3,039	3,411	3,777	4,136
381.36	<u>13,800-13,899</u>	<u>1,465</u>	<u>2,051</u>	<u>2,338</u>	<u>2,526</u>	<u>2,677</u>	<u>2,784</u>

381.37		<u>1,765</u>	<u>2,611</u>	<u>3,052</u>	<u>3,425</u>	<u>3,793</u>	<u>4,153</u>
381.38	<u>13,900-13,999</u>	<u>1,471</u>	<u>2,060</u>	<u>2,348</u>	<u>2,537</u>	<u>2,688</u>	<u>2,795</u>
381.39		<u>1,778</u>	<u>2,623</u>	<u>3,065</u>	<u>3,440</u>	<u>3,809</u>	<u>4,171</u>
381.40	<u>14,000-14,099</u>	<u>1,477</u>	<u>2,068</u>	<u>2,358</u>	<u>2,547</u>	<u>2,699</u>	<u>2,807</u>
381.41		<u>1,791</u>	<u>2,634</u>	<u>3,078</u>	<u>3,455</u>	<u>3,825</u>	<u>4,189</u>
381.42	<u>14,100-14,199</u>	<u>1,484</u>	<u>2,077</u>	<u>2,368</u>	<u>2,558</u>	<u>2,711</u>	<u>2,819</u>
381.43		<u>1,803</u>	<u>2,645</u>	<u>3,092</u>	<u>3,470</u>	<u>3,841</u>	<u>4,206</u>
381.44	<u>14,200-14,299</u>	<u>1,490</u>	<u>2,086</u>	<u>2,378</u>	<u>2,569</u>	<u>2,722</u>	<u>2,831</u>
381.45		<u>1,816</u>	<u>2,656</u>	<u>3,105</u>	<u>3,484</u>	<u>3,858</u>	<u>4,224</u>
381.46	<u>14,300-14,399</u>	<u>1,496</u>	<u>2,094</u>	<u>2,388</u>	<u>2,580</u>	<u>2,734</u>	<u>2,843</u>
382.1		<u>1,829</u>	<u>2,667</u>	<u>3,118</u>	<u>3,499</u>	<u>3,874</u>	<u>4,239</u>
382.2	<u>14,400-14,499</u>	<u>1,502</u>	<u>2,103</u>	<u>2,398</u>	<u>2,590</u>	<u>2,746</u>	<u>2,855</u>
382.3		<u>1,842</u>	<u>2,678</u>	<u>3,131</u>	<u>3,514</u>	<u>3,889</u>	<u>4,253</u>
382.4	<u>14,500-14,599</u>	<u>1,508</u>	<u>2,111</u>	<u>2,407</u>	<u>2,600</u>	<u>2,757</u>	<u>2,867</u>
382.5		<u>1,854</u>	<u>2,689</u>	<u>3,144</u>	<u>3,529</u>	<u>3,902</u>	<u>4,268</u>
382.6	<u>14,600-14,699</u>	<u>1,515</u>	<u>2,120</u>	<u>2,417</u>	<u>2,611</u>	<u>2,768</u>	<u>2,879</u>
382.7		<u>1,864</u>	<u>2,700</u>	<u>3,158</u>	<u>3,541</u>	<u>3,916</u>	<u>4,282</u>
382.8	<u>14,700-14,799</u>	<u>1,521</u>	<u>2,129</u>	<u>2,427</u>	<u>2,622</u>	<u>2,780</u>	<u>2,891</u>
382.9		<u>1,872</u>	<u>2,711</u>	<u>3,170</u>	<u>3,553</u>	<u>3,929</u>	<u>4,297</u>
382.10	<u>14,800-14,899</u>	<u>1,527</u>	<u>2,138</u>	<u>2,437</u>	<u>2,633</u>	<u>2,792</u>	<u>2,903</u>
382.11		<u>1,879</u>	<u>2,722</u>	<u>3,181</u>	<u>3,565</u>	<u>3,942</u>	<u>4,311</u>
382.12	<u>14,900-14,999</u>	<u>1,533</u>	<u>2,146</u>	<u>2,447</u>	<u>2,643</u>	<u>2,802</u>	<u>2,914</u>
382.13	<u>15,000, or the</u>	<u>1,883</u>	<u>2,727</u>	<u>3,186</u>	<u>3,571</u>	<u>3,949</u>	<u>4,319</u>
382.14	<u>amount in effect</u>	<u>1,539</u>	<u>2,155</u>	<u>2,457</u>	<u>2,654</u>	<u>2,813</u>	<u>2,926</u>
382.15	<u>under subd. 4</u>						
382.16	<u>-15,099</u>						
382.17	<u>15,100-15,199</u>	<u>1,545</u>	<u>2,163</u>	<u>2,466</u>	<u>2,664</u>	<u>2,825</u>	<u>2,937</u>
382.18	<u>15,200-15,299</u>	<u>1,551</u>	<u>2,171</u>	<u>2,476</u>	<u>2,675</u>	<u>2,836</u>	<u>2,949</u>
382.19	<u>15,300-15,399</u>	<u>1,557</u>	<u>2,180</u>	<u>2,486</u>	<u>2,685</u>	<u>2,847</u>	<u>2,961</u>
382.20	<u>15,400-15,499</u>	<u>1,563</u>	<u>2,188</u>	<u>2,495</u>	<u>2,695</u>	<u>2,858</u>	<u>2,973</u>

382.21	<u>15,500-15,599</u>	<u>1,569</u>	<u>2,197</u>	<u>2,505</u>	<u>2,706</u>	<u>2,869</u>	<u>2,985</u>
382.22	<u>15,600-15,699</u>	<u>1,575</u>	<u>2,205</u>	<u>2,514</u>	<u>2,716</u>	<u>2,880</u>	<u>2,996</u>
382.23	<u>15,700-15,799</u>	<u>1,581</u>	<u>2,214</u>	<u>2,524</u>	<u>2,727</u>	<u>2,891</u>	<u>3,008</u>
382.24	<u>15,800-15,899</u>	<u>1,587</u>	<u>2,222</u>	<u>2,534</u>	<u>2,737</u>	<u>2,902</u>	<u>3,019</u>
382.25	<u>15,900-15,999</u>	<u>1,593</u>	<u>2,230</u>	<u>2,543</u>	<u>2,747</u>	<u>2,913</u>	<u>3,030</u>
382.26	<u>16,000-16,099</u>	<u>1,599</u>	<u>2,239</u>	<u>2,553</u>	<u>2,758</u>	<u>2,924</u>	<u>3,042</u>
382.27	<u>16,100-16,199</u>	<u>1,605</u>	<u>2,247</u>	<u>2,562</u>	<u>2,768</u>	<u>2,935</u>	<u>3,053</u>
382.28	<u>16,200-16,299</u>	<u>1,611</u>	<u>2,256</u>	<u>2,572</u>	<u>2,779</u>	<u>2,946</u>	<u>3,065</u>
382.29	<u>16,300-16,399</u>	<u>1,617</u>	<u>2,264</u>	<u>2,582</u>	<u>2,789</u>	<u>2,957</u>	<u>3,076</u>
382.30	<u>16,400-16,499</u>	<u>1,623</u>	<u>2,272</u>	<u>2,591</u>	<u>2,799</u>	<u>2,968</u>	<u>3,088</u>
382.31	<u>16,500-16,599</u>	<u>1,629</u>	<u>2,281</u>	<u>2,601</u>	<u>2,810</u>	<u>2,979</u>	<u>3,099</u>
382.32	<u>16,600-16,699</u>	<u>1,635</u>	<u>2,289</u>	<u>2,610</u>	<u>2,820</u>	<u>2,990</u>	<u>3,110</u>
382.33	<u>16,700-16,799</u>	<u>1,641</u>	<u>2,298</u>	<u>2,620</u>	<u>2,830</u>	<u>3,001</u>	<u>3,121</u>
382.34	<u>16,800-16,899</u>	<u>1,647</u>	<u>2,306</u>	<u>2,629</u>	<u>2,840</u>	<u>3,011</u>	<u>3,132</u>
382.35	<u>16,900-16,999</u>	<u>1,653</u>	<u>2,315</u>	<u>2,639</u>	<u>2,851</u>	<u>3,022</u>	<u>3,143</u>
382.36	<u>17,000-17,099</u>	<u>1,659</u>	<u>2,323</u>	<u>2,649</u>	<u>2,861</u>	<u>3,033</u>	<u>3,155</u>
382.37	<u>17,100-17,199</u>	<u>1,665</u>	<u>2,331</u>	<u>2,658</u>	<u>2,871</u>	<u>3,044</u>	<u>3,167</u>
382.38	<u>17,200-17,299</u>	<u>1,671</u>	<u>2,340</u>	<u>2,668</u>	<u>2,882</u>	<u>3,055</u>	<u>3,178</u>
382.39	<u>17,300-17,399</u>	<u>1,677</u>	<u>2,348</u>	<u>2,677</u>	<u>2,892</u>	<u>3,066</u>	<u>3,189</u>
382.40	<u>17,400-17,499</u>	<u>1,683</u>	<u>2,357</u>	<u>2,687</u>	<u>2,902</u>	<u>3,077</u>	<u>3,201</u>
382.41	<u>17,500-17,599</u>	<u>1,689</u>	<u>2,365</u>	<u>2,696</u>	<u>2,912</u>	<u>3,088</u>	<u>3,212</u>
383.1	<u>17,600-17,699</u>	<u>1,695</u>	<u>2,373</u>	<u>2,705</u>	<u>2,922</u>	<u>3,098</u>	<u>3,223</u>
383.2	<u>17,700-17,799</u>	<u>1,701</u>	<u>2,382</u>	<u>2,715</u>	<u>2,932</u>	<u>3,109</u>	<u>3,234</u>
383.3	<u>17,800-17,899</u>	<u>1,707</u>	<u>2,390</u>	<u>2,724</u>	<u>2,942</u>	<u>3,119</u>	<u>3,245</u>

383.4	<u>17,900-17,999</u>	<u>1,713</u>	<u>2,399</u>	<u>2,734</u>	<u>2,953</u>	<u>3,130</u>	<u>3,256</u>
383.5	<u>18,000-18,099</u>	<u>1,719</u>	<u>2,407</u>	<u>2,744</u>	<u>2,963</u>	<u>3,141</u>	<u>3,268</u>
383.6	<u>18,100-18,199</u>	<u>1,725</u>	<u>2,415</u>	<u>2,753</u>	<u>2,973</u>	<u>3,152</u>	<u>3,279</u>
383.7	<u>18,200-18,299</u>	<u>1,731</u>	<u>2,424</u>	<u>2,763</u>	<u>2,984</u>	<u>3,163</u>	<u>3,290</u>
383.8	<u>18,300-18,399</u>	<u>1,737</u>	<u>2,432</u>	<u>2,772</u>	<u>2,994</u>	<u>3,174</u>	<u>3,301</u>
383.9	<u>18,400-18,499</u>	<u>1,743</u>	<u>2,441</u>	<u>2,782</u>	<u>3,004</u>	<u>3,185</u>	<u>3,313</u>
383.10	<u>18,500-18,599</u>	<u>1,749</u>	<u>2,449</u>	<u>2,791</u>	<u>3,014</u>	<u>3,196</u>	<u>3,324</u>
383.11	<u>18,600-18,699</u>	<u>1,755</u>	<u>2,457</u>	<u>2,801</u>	<u>3,024</u>	<u>3,206</u>	<u>3,335</u>
383.12	<u>18,700-18,799</u>	<u>1,761</u>	<u>2,466</u>	<u>2,811</u>	<u>3,035</u>	<u>3,217</u>	<u>3,346</u>
383.13	<u>18,800-18,899</u>	<u>1,767</u>	<u>2,474</u>	<u>2,820</u>	<u>3,045</u>	<u>3,227</u>	<u>3,357</u>
383.14	<u>18,900-18,999</u>	<u>1,773</u>	<u>2,483</u>	<u>2,830</u>	<u>3,056</u>	<u>3,238</u>	<u>3,368</u>
383.15	<u>19,000-19,099</u>	<u>1,779</u>	<u>2,491</u>	<u>2,840</u>	<u>3,066</u>	<u>3,249</u>	<u>3,380</u>
383.16	<u>19,100-19,199</u>	<u>1,785</u>	<u>2,499</u>	<u>2,849</u>	<u>3,076</u>	<u>3,260</u>	<u>3,392</u>
383.17	<u>19,200-19,299</u>	<u>1,791</u>	<u>2,508</u>	<u>2,859</u>	<u>3,087</u>	<u>3,271</u>	<u>3,403</u>
383.18	<u>19,300-19,399</u>	<u>1,797</u>	<u>2,516</u>	<u>2,868</u>	<u>3,097</u>	<u>3,282</u>	<u>3,414</u>
383.19	<u>19,400-19,499</u>	<u>1,803</u>	<u>2,525</u>	<u>2,878</u>	<u>3,107</u>	<u>3,293</u>	<u>3,426</u>
383.20	<u>19,500-19,599</u>	<u>1,809</u>	<u>2,533</u>	<u>2,887</u>	<u>3,117</u>	<u>3,304</u>	<u>3,437</u>
383.21	<u>19,600-19,699</u>	<u>1,815</u>	<u>2,541</u>	<u>2,896</u>	<u>3,127</u>	<u>3,315</u>	<u>3,448</u>
383.22	<u>19,700-19,799</u>	<u>1,821</u>	<u>2,550</u>	<u>2,906</u>	<u>3,138</u>	<u>3,326</u>	<u>3,459</u>
383.23	<u>19,800-19,899</u>	<u>1,827</u>	<u>2,558</u>	<u>2,915</u>	<u>3,148</u>	<u>3,337</u>	<u>3,470</u>
383.24	<u>19,900-19,999</u>	<u>1,833</u>	<u>2,567</u>	<u>2,925</u>	<u>3,159</u>	<u>3,348</u>	<u>3,481</u>
383.25	<u>20,000 and over or</u>	<u>1,839</u>	<u>2,575</u>	<u>2,935</u>	<u>3,170</u>	<u>3,359</u>	<u>3,492</u>
383.26	<u>the amount in</u>						
383.27	<u>effect under</u>						
383.28	<u>subdivision 4</u>						

- 383.29 **EFFECTIVE DATE.** This section is effective January 1, 2023.
- 383.30 Sec. 13. Minnesota Statutes 2020, section 518A.39, subdivision 7, is amended to read:
- 383.31 Subd. 7. **Child care exception.** Child care support must be based on the actual child
 383.32 care expenses. The court may provide that a decrease in the amount of the child care based
 383.33 on a decrease in the actual child care expenses is effective as of the date the expense is
 383.34 decreased. Under section 518A.40, subdivision 4, paragraph (d), a decrease in the amount
 383.35 of child care support shall be effective as of the date the expenses terminated unless otherwise
 383.36 found by the court.
- 384.1 Sec. 14. Minnesota Statutes 2020, section 518A.40, is amended by adding a subdivision
 384.2 to read:
- 384.3 Subd. 3a. **Child care cost information.** (a) Upon the request of the obligor when child
 384.4 care support is ordered to be paid, unless there is a protective or restraining order issued by
 384.5 the court regarding one of the parties or on behalf of a joint child, or the obligee is a
 384.6 participant in the Safe at Home program:
- 384.7 (1) the obligee must give the child care provider the name and address of the obligor
 384.8 and must give the obligor the name, address, and telephone number of the child care provider;
- 384.9 (2) by February 1 of each year, the obligee must provide the obligor with verification
 384.10 from the child care provider that indicates the total child care expenses paid for the previous
 384.11 year; and
- 384.12 (3) when there is a change in the child care provider, the type of child care provider, or
 384.13 the age group of the child, the obligee must provide updated information to the obligor
 384.14 within 30 calendar days. If the obligee fails to provide the annual verification from the
 384.15 provider or updated information, the obligor may request the verification from the provider.
- 384.16 (b) When the obligee is no longer incurring child care expenses, the obligee must notify
 384.17 the obligor, and the public authority if it provides child support services, that the child care
 384.18 expenses ended and on which date. If the public authority is providing services, the public
 384.19 authority must follow the procedure outlined in subdivision 4.
- 384.20 Sec. 15. Minnesota Statutes 2020, section 518A.40, subdivision 4, is amended to read:
- 384.21 Subd. 4. **Change in child care.** (a) When a court order provides for child care expenses,
 384.22 and child care support is not assigned under section 256.741, the public authority, if the
 384.23 public authority provides child support enforcement services, may suspend collecting the
 384.24 amount allocated for child care expenses when either party informs the public authority that
 384.25 no child care ~~costs~~ expenses are being incurred and:
- 384.26 (1) the public authority verifies the accuracy of the information with the obligee; or
- 384.27 (2) the obligee fails to respond within 30 days of the date of a written request from the
 384.28 public authority for information regarding child care costs. A written or oral response from

- 384.29 the obligee that child care costs are being incurred is sufficient for the public authority to
384.30 continue collecting child care expenses.
- 384.31 The suspension is effective as of the first day of the month following the date that the public
384.32 authority either verified the information with the obligee or the obligee failed to respond.
- 385.1 The public authority will resume collecting child care expenses when either party provides
385.2 information that child care costs are incurred, or when a child care support assignment takes
385.3 effect under section 256.741, subdivision 4. The resumption is effective as of the first day
385.4 of the month after the date that the public authority received the information.
- 385.5 (b) If the parties provide conflicting information to the public authority regarding whether
385.6 child care expenses are being incurred, the public authority will continue or resume collecting
385.7 child care expenses. Either party, by motion to the court, may challenge the suspension,
385.8 continuation, or resumption of the collection of child care expenses under this subdivision.
385.9 If the public authority suspends collection activities for the amount allocated for child care
385.10 expenses, all other provisions of the court order remain in effect.
- 385.11 (c) In cases where there is a substantial increase or decrease in child care expenses, the
385.12 parties may modify the order under section 518A.39.
- 385.13 (d) In cases where child care expenses have terminated, the parties may modify the order
385.14 under section 518A.39.
- 385.15 (e) When the public authority is providing child support services, the parties may contact
385.16 the public authority about the option of a stipulation to modify or terminate the child care
385.17 support amount.
- 385.18 Sec. 16. Minnesota Statutes 2020, section 518A.42, is amended to read:
- 385.19 **518A.42 ABILITY TO PAY; SELF-SUPPORT ADJUSTMENT.**
- 385.20 Subdivision 1. **Ability to pay.** (a) It is a rebuttable presumption that a child support
385.21 order should not exceed the obligor's ability to pay. To determine the amount of child support
385.22 the obligor has the ability to pay, the court shall follow the procedure set out in this section.
- 385.23 (b) The court shall calculate the obligor's income available for support by subtracting a
385.24 monthly self-support reserve equal to 120 percent of the federal poverty guidelines for one
385.25 person from the obligor's ~~gross income~~ parental income for determining child support (PICS).
385.26 If the obligor's income available for support calculated under this paragraph is equal to or
385.27 greater than the obligor's support obligation calculated under section 518A.34, the court
385.28 shall order child support under section 518A.34.
- 385.29 (c) If the obligor's income available for support calculated under paragraph (b) is more
385.30 than the minimum support amount under subdivision 2, but less than the guideline amount
385.31 under section 518A.34, then the court shall apply a reduction to the child support obligation
385.32 in the following order, until the support order is equal to the obligor's income available for
385.33 support:

- 386.1 (1) medical support obligation;
- 386.2 (2) child care support obligation; and
- 386.3 (3) basic support obligation.
- 386.4 (d) If the obligor's income available for support calculated under paragraph (b) is equal
- 386.5 to or less than the minimum support amount under subdivision 2 or if the obligor's gross
- 386.6 income is less than 120 percent of the federal poverty guidelines for one person, the minimum
- 386.7 support amount under subdivision 2 applies.
- 386.8 Subd. 2. **Minimum basic support amount.** (a) If the basic support amount applies, the
- 386.9 court must order the following amount as the minimum basic support obligation:
- 386.10 (1) for one ~~or two children~~ child, the obligor's basic support obligation is \$50 per month;
- 386.11 (2) for two children, the obligor's basic support obligation is \$60 per month;
- 386.12 (3) for three ~~or four~~ children, the obligor's basic support obligation is ~~\$75~~ \$70 per month;
- 386.13 ~~and~~
- 386.14 (4) for four children, the obligor's basic support obligation is \$80 per month;
- 386.15 ~~(5)~~ (5) for five ~~or more~~ children, the obligor's basic support obligation is ~~\$100~~ \$90 per
- 386.16 month; and
- 386.17 (6) for six or more children, the obligor's basic support obligation is \$100 per month.
- 386.18 (b) If the court orders the obligor to pay the minimum basic support amount under this
- 386.19 subdivision, the obligor is presumed unable to pay child care support and medical support.
- 386.20 ~~If the court finds the obligor receives no income and completely lacks the ability to earn~~
- 386.21 ~~income, the minimum basic support amount under this subdivision does not apply.~~
- 386.22 Subd. 3. **Exception.** (a) This section does not apply to an obligor who is incarcerated.
- 386.23 (b) If the court finds the obligor receives no income and completely lacks the ability to
- 386.24 earn income, the minimum basic support amount under this subdivision does not apply.
- 386.25 (c) If the obligor's basic support amount is reduced below the minimum basic support
- 386.26 amount due to the application of the parenting expense adjustment, the minimum basic
- 386.27 support amount under this subdivision does not apply and the lesser amount is the guideline
- 386.28 basic support.
- 386.29 **EFFECTIVE DATE.** This section is effective January 1, 2023.
- 387.1 Sec. 17. Minnesota Statutes 2020, section 518A.43, is amended by adding a subdivision
- 387.2 to read:
- 387.3 Subd. 1b. **Increase in income of custodial parent.** In a modification of support under
- 387.4 section 518A.39, the court may deviate from the presumptive child support obligation under

- 387.5 section 518A.34 when the only change in circumstances is an increase to the custodial
 387.6 parent's income and:
- 387.7 (1) the basic support increases;
 387.8 (2) the parties' combined gross income is \$6,000 or less; or
 387.9 (3) the obligor's income is \$2,000 or less.
- 387.10 **EFFECTIVE DATE.** This section is effective January 1, 2023.
- 387.11 Sec. 18. Minnesota Statutes 2020, section 518A.685, is amended to read:
- 387.12 **518A.685 CONSUMER REPORTING AGENCY; REPORTING ARREARS.**
- 387.13 (a) If a public authority determines that an obligor has not paid the current monthly
 387.14 support obligation plus any required arrearage payment for three months, the public authority
 387.15 ~~must~~ may report this information to a consumer reporting agency.
- 387.16 (b) Before reporting that an obligor is in arrears for court-ordered child support, the
 387.17 public authority must:
- 387.18 (1) provide written notice to the obligor that the public authority intends to report the
 387.19 arrears to a consumer reporting agency; and
- 387.20 (2) mail the written notice to the obligor's last known mailing address at least 30 days
 387.21 before the public authority reports the arrears to a consumer reporting agency.
- 387.22 (c) The obligor may, within 21 days of receipt of the notice, do the following to prevent
 387.23 the public authority from reporting the arrears to a consumer reporting agency:
- 387.24 (1) pay the arrears in full; ~~or~~
 387.25 (2) request an administrative review. An administrative review is limited to issues of
 387.26 mistaken identity, a pending legal action involving the arrears, or an incorrect arrears
 387.27 balance; or
- 387.28 (3) enter into a written payment agreement pursuant to section 518A.69 that is approved
 387.29 by a court, a child support magistrate, or the public authority responsible for child support
 387.30 enforcement.
- 388.1 (d) A public authority that reports arrearage information under this section must make
 388.2 monthly reports to a consumer reporting agency. The monthly report must be consistent
 388.3 with credit reporting industry standards for child support.
- 388.4 (e) For purposes of this section, "consumer reporting agency" has the meaning given in
 388.5 section 13C.001, subdivision 4, and United States Code, title 15, section 1681a(f).
- 388.6 **EFFECTIVE DATE.** This section is effective January 1, 2023.

- 388.7 Sec. 19. **[518A.80] MOTION TO TRANSFER TO TRIBAL COURT.**
- 388.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
388.9 subdivision have the meanings given.
- 388.10 (b) "Case participant" means a person who is a party to the case.
- 388.11 (c) "District court" means a district court of the state of Minnesota.
- 388.12 (d) "Party" means a person or entity named or admitted as a party or seeking to be
388.13 admitted as a party in the district court action, including the county IV-D agency, regardless
388.14 of whether the person or entity is named in the caption.
- 388.15 (e) "Tribal court" means a tribal court of a federally recognized Indian tribe located in
388.16 Minnesota that is receiving funding from the federal government to operate a child support
388.17 program under United States Code, title 42, chapter 7, subchapter IV, part D, sections 654
388.18 to 669b.
- 388.19 (f) "Tribal IV-D agency" has the meaning given in Code of Federal Regulations, title
388.20 45, part 309.05.
- 388.21 (g) "Title IV-D child support case" has the meaning given in section 518A.26, subdivision
388.22 10.
- 388.23 Subd. 2. **Actions eligible for transfer.** Under this section, a postjudgment child support,
388.24 custody, or parenting time action is eligible for transfer to a Tribal court. This section does
388.25 not apply to a child protection action or a dissolution action involving a child.
- 388.26 Subd. 3. **Motion to transfer.** (a) A party's or Tribal IV-D agency's motion to transfer a
388.27 child support, custody, or parenting time action to a Tribal court shall include:
- 388.28 (1) the address of each case participant;
- 388.29 (2) the Tribal affiliation of each case participant, if applicable;
- 388.30 (3) the name, Tribal affiliation if applicable, and date of birth of each living minor or
388.31 dependent child of a case participant who is subject to the action; and
- 389.1 (4) the legal and factual basis for the court to find that the district court and a Tribal
389.2 court have concurrent jurisdiction in the case.
- 389.3 (b) A party or Tribal IV-D agency bringing a motion to transfer a child support, custody,
389.4 or parenting time action to a Tribal court must file the motion with the district court and
389.5 serve the required documents on each party and the Tribal IV-D agency, regardless of
389.6 whether the Tribal IV-D agency is a party to the action.
- 389.7 (c) A party's or Tribal IV-D agency's motion to transfer a child support, custody, or
389.8 parenting time action to a Tribal court must be accompanied by an affidavit setting forth
389.9 facts in support of the motion.

389.10 (d) When a party other than the Tribal IV-D agency has filed a motion to transfer a child
 389.11 support, custody, or parenting time action to a Tribal court, an affidavit of the Tribal IV-D
 389.12 agency stating whether the Tribal IV-D agency provides services to a party must be filed
 389.13 and served on each party within 15 days from the date of service of the motion to transfer
 389.14 the action.

389.15 Subd. 4. **Order to transfer to Tribal court.** (a) Unless a district court holds a hearing
 389.16 under subdivision 6, upon motion of a party or a Tribal IV-D agency, a district court must
 389.17 transfer a postjudgment child support, custody, or parenting time action to a Tribal court
 389.18 when the district court finds that:

389.19 (1) the district court and Tribal court have concurrent jurisdiction of the action;

389.20 (2) a case participant in the action is receiving services from the Tribal IV-D agency;
 389.21 and

389.22 (3) no party or Tribal IV-D agency files and serves a timely objection to transferring the
 389.23 action to a Tribal court.

389.24 (b) When the district court finds that each requirement of this subdivision is satisfied,
 389.25 the district court is not required to hold a hearing on the motion to transfer the action to a
 389.26 Tribal court. The district court's order transferring the action to a Tribal court must include
 389.27 written findings that describe how each requirement of this subdivision is met.

389.28 Subd. 5. **Objection to motion to transfer.** (a) To object to a motion to transfer a child
 389.29 support, custody, or parenting time action to a Tribal court, a party or Tribal IV-D agency
 389.30 must file with the court and serve on each party and the Tribal IV-D agency a responsive
 389.31 motion objecting to the motion to transfer within 30 days of the motion to transfer's date of
 389.32 service.

390.1 (b) If a party or Tribal IV-D agency files with the district court and properly serves a
 390.2 timely objection to the motion to transfer a child support, custody, or parenting time action
 390.3 to a Tribal court, the district court must hold a hearing on the motion.

390.4 Subd. 6. **Hearing.** If a district court holds a hearing under this section, the district court
 390.5 must evaluate and make written findings about all relevant factors, including:

390.6 (1) whether an issue requires interpretation of Tribal law, including the Tribal constitution,
 390.7 statutes, bylaws, ordinances, resolutions, treaties, or case law;

390.8 (2) whether the action involves Tribal traditional or cultural matters;

390.9 (3) whether the tribe is a party to the action;

390.10 (4) whether Tribal sovereignty, jurisdiction, or territory is an issue in the action;

390.11 (5) the Tribal membership status of each case participant in the action;

- 390.12 (6) where the claim arises that forms the basis of the action;
- 390.13 (7) the location of the residence of each case participant in the action and each child
390.14 who is a subject of the action;
- 390.15 (8) whether the parties have by contract chosen a forum or the law to be applied in the
390.16 event of a dispute;
- 390.17 (9) the timing of any motion to transfer the action to a Tribal court, each party's
390.18 expenditure of time and resources, the court's expenditure of time and resources, and the
390.19 district court's scheduling order;
- 390.20 (10) which court will hear and decide the action more expeditiously;
- 390.21 (11) the burden on each party if the court transfers the action to a Tribal court, including
390.22 costs, access to and admissibility of evidence, and matters of procedure; and
- 390.23 (12) any other factor that the court determines to be relevant.
- 390.24 Subd. 7. **Future exercise of jurisdiction.** Nothing in this section shall be construed to
390.25 limit the district court's exercise of jurisdiction when the Tribal court waives jurisdiction,
390.26 transfers the action back to district court, or otherwise declines to exercise jurisdiction over
390.27 the action.
- 390.28 Subd. 8. **Transfer to Red Lake Nation Tribal Court.** When a party or Tribal IV-D
390.29 agency brings a motion to transfer a child support, custody, or parenting time action to the
390.30 Red Lake Nation Tribal Court, the court must transfer the action to the Red Lake Nation
390.31 Tribal Court if the case participants and child resided within the boundaries of the Red Lake
391.1 Reservation for six months preceding the motion to transfer the action to the Red Lake
391.2 Nation Tribal Court.
- 391.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 391.4 Sec. 20. Minnesota Statutes 2020, section 548.091, subdivision 1a, is amended to read:
- 391.5 Subd. 1a. **Child support judgment by operation of law.** (a) Any payment or installment
391.6 of support required by a judgment or decree of dissolution or legal separation, determination
391.7 of parentage, an order under chapter 518C, an order under section 256.87, or an order under
391.8 section 260B.331 or 260C.331, that is not paid or withheld from the obligor's income as
391.9 required under section 518A.53, or which is ordered as child support by judgment, decree,
391.10 or order by a court in any other state, is a judgment by operation of law on and after the
391.11 date it is due, is entitled to full faith and credit in this state and any other state, and shall be
391.12 entered and docketed by the court administrator on the filing of affidavits as provided in
391.13 subdivision 2a. ~~Except as otherwise provided by paragraphs (b) and (c), interest accrues~~
391.14 ~~from the date the unpaid amount due is greater than the current support due at the annual~~
391.15 ~~rate provided in section 549.09, subdivision 1, not to exceed an annual rate of 18 percent.~~
391.16 A payment or installment of support that becomes a judgment by operation of law between
391.17 the date on which a party served notice of a motion for modification under section 518A.39,

391.18 subdivision 2, and the date of the court's order on modification may be modified under that
 391.19 subdivision. Interest does not accrue on a judgment for child support, confinement and
 391.20 pregnancy expenses, or genetic testing fees.

391.21 (b) Notwithstanding the provisions of section 549.09, upon motion to the court and upon
 391.22 proof by the obligor of 12 consecutive months of complete and timely payments of both
 391.23 current support and court-ordered paybacks of a child support debt or arrearage, the court
 391.24 may order interest on the remaining debt or arrearage to stop accruing. Timely payments
 391.25 are those made in the month in which they are due. If, after that time, the obligor fails to
 391.26 make complete and timely payments of both current support and court-ordered paybacks
 391.27 of child support debt or arrearage, the public authority or the obligee may move the court
 391.28 for the reinstatement of interest as of the month in which the obligor ceased making complete
 391.29 and timely payments.

391.30 The court shall provide copies of all orders issued under this section to the public
 391.31 authority. The state court administrator shall prepare and make available to the court and
 391.32 the parties forms to be submitted by the parties in support of a motion under this paragraph.

392.1 (c) Notwithstanding the provisions of section 549.09, upon motion to the court, the court
 392.2 may order interest on a child support debt or arrearage to stop accruing where the court
 392.3 finds that the obligor is:

392.4 (1) unable to pay support because of a significant physical or mental disability;

392.5 (2) a recipient of Supplemental Security Income (SSI), Title II Older Americans Survivor's
 392.6 Disability Insurance (OASDI), other disability benefits, or public assistance based upon
 392.7 need; or

392.8 (3) institutionalized or incarcerated for at least 30 days for an offense other than
 392.9 nonsupport of the child or children involved, and is otherwise financially unable to pay
 392.10 support.

392.11 (d) If the conditions in paragraph (c) no longer exist, upon motion to the court, the court
 392.12 may order interest accrual to resume retroactively from the date of service of the motion to
 392.13 resume the accrual of interest.

392.14 (e) Notwithstanding section 549.09, the public authority must suspend the charging of
 392.15 interest when:

392.16 (1) the obligor makes a request to the public authority that the public authority suspend
 392.17 the charging of interest;

392.18 (2) the public authority provides full IV-D child support services; and

392.19 (3) the obligor has made, through the public authority, 12 consecutive months of complete
 392.20 and timely payments of both current support and court-ordered paybacks of a child support
 392.21 debt or arrearage.

- 392.22 ~~Timely payments are those made in the month in which they are due.~~
- 392.23 ~~Interest charging must be suspended on the first of the month following the date of the~~
 392.24 ~~written notice of the public authority's action to suspend the charging of interest. If, after~~
 392.25 ~~interest charging has been suspended, the obligor fails to make complete and timely payments~~
 392.26 ~~of both current support and court-ordered paybacks of child support debt or arrearage, the~~
 392.27 ~~public authority may resume the charging of interest as of the first day of the month in which~~
 392.28 ~~the obligor ceased making complete and timely payments.~~
- 392.29 ~~The public authority must provide written notice to the parties of the public authority's~~
 392.30 ~~action to suspend or resume the charging of interest. The notice must inform the parties of~~
 392.31 ~~the right to request a hearing to contest the public authority's action. The notice must be~~
 392.32 ~~sent by first class mail to the parties' last known addresses.~~
- 393.1 ~~A party may contest the public authority's action to suspend or resume the charging of~~
 393.2 ~~interest if the party makes a written request for a hearing within 30 days of the date of written~~
 393.3 ~~notice. If a party makes a timely request for a hearing, the public authority must schedule~~
 393.4 ~~a hearing and send written notice of the hearing to the parties by mail to the parties' last~~
 393.5 ~~known addresses at least 14 days before the hearing. The hearing must be conducted in~~
 393.6 ~~district court or in the expedited child support process if section 484.702 applies. The district~~
 393.7 ~~court or child support magistrate must determine whether suspending or resuming the interest~~
 393.8 ~~charging is appropriate and, if appropriate, the effective date.~~
- 393.9 **EFFECTIVE DATE.** ~~This section is effective August 1, 2022.~~
- 393.10 ~~Sec. 21. Minnesota Statutes 2020, section 548.091, subdivision 2a, is amended to read:~~
- 393.11 ~~Subd. 2a. **Entry and docketing of child support judgment.** (a) On or after the date an~~
 393.12 ~~unpaid amount becomes a judgment by operation of law under subdivision 1a, the obligee~~
 393.13 ~~or the public authority may file with the court administrator:~~
- 393.14 ~~(1) a statement identifying, or a copy of, the judgment or decree of dissolution or legal~~
 393.15 ~~separation, determination of parentage, order under chapter 518B or 518C, an order under~~
 393.16 ~~section 256.87, an order under section 260B.331 or 260C.331, or judgment, decree, or order~~
 393.17 ~~for child support by a court in any other state, which provides for periodic installments of~~
 393.18 ~~child support, or a judgment or notice of attorney fees and collection costs under section~~
 393.19 ~~518A.735;~~
- 393.20 ~~(2) an affidavit of default. The affidavit of default must state the full name, occupation,~~
 393.21 ~~place of residence, and last known post office address of the obligor, the name of the obligee,~~
 393.22 ~~the date or dates payment was due and not received and judgment was obtained by operation~~
 393.23 ~~of law, the total amount of the judgments to be entered and docketed; and~~
- 393.24 ~~(3) an affidavit of service of a notice of intent to enter and docket judgment and to recover~~
 393.25 ~~attorney fees and collection costs on the obligor, in person or by first class mail at the~~
 393.26 ~~obligor's last known post office address. Service is completed upon mailing in the manner~~
 393.27 ~~designated. Where applicable, a notice of interstate lien in the form promulgated under~~

393.28 United States Code, title 42, section 652(a), is sufficient to satisfy the requirements of clauses
 393.29 (1) and (2).

393.30 (b) A judgment entered and docketed under this subdivision has the same effect and is
 393.31 subject to the same procedures, defenses, and proceedings as any other judgment in district
 393.32 court, and may be enforced or satisfied in the same manner as judgments under section
 393.33 548.09, except as otherwise provided.

394.1 (c) A judgment entered and docketed under this subdivision is not subject to interest
 394.2 charging or accrual.

394.3 **EFFECTIVE DATE.** This section is effective August 1, 2022.

394.4 Sec. 22. Minnesota Statutes 2020, section 548.091, subdivision 3b, is amended to read:

394.5 Subd. 3b. **Child support judgment administrative renewals.** Child support judgments
 394.6 may be renewed by service of notice upon the debtor. Service must be by first class mail at
 394.7 the last known address of the debtor, with service deemed complete upon mailing in the
 394.8 manner designated, or in the manner provided for the service of civil process. Upon the
 394.9 filing of the notice and proof of service, the court administrator shall administratively renew
 394.10 the judgment for child support without any additional filing fee in the same court file as the
 394.11 original child support judgment. The judgment must be renewed in an amount equal to the
 394.12 unpaid principal plus the ~~accrued~~ unpaid interest accrued prior to August 1, 2022. Child
 394.13 support judgments may be renewed multiple times until paid.

394.14 **EFFECTIVE DATE.** This section is effective August 1, 2022.

394.15 Sec. 23. Minnesota Statutes 2020, section 548.091, subdivision 9, is amended to read:

394.16 Subd. 9. **Payoff statement.** The public authority shall issue to the obligor, attorneys,
 394.17 lenders, and closers, or their agents, a payoff statement setting forth conclusively the amount
 394.18 necessary to satisfy the lien. Payoff statements must be issued within three business days
 394.19 after receipt of a request by mail, personal delivery, telefacsimile, or electronic mail
 394.20 transmission, and must be delivered to the requester by telefacsimile or electronic mail
 394.21 transmission if requested and if appropriate technology is available to the public authority.
 394.22 If the payoff statement includes amounts for unpaid maintenance, the statement shall specify
 394.23 that the public authority does not calculate accrued interest and that an interest balance in
 394.24 addition to the payoff statement may be owed.

394.25 **EFFECTIVE DATE.** This section is effective August 1, 2022.

394.26 Sec. 24. Minnesota Statutes 2020, section 548.091, subdivision 10, is amended to read:

394.27 Subd. 10. **Release of lien.** Upon payment of the child support amount due, the public
 394.28 authority shall execute and deliver a satisfaction of the judgment lien within five business
 394.29 days. The public authority is not responsible for satisfaction of judgments for unpaid
 394.30 maintenance.

- 394.31 **EFFECTIVE DATE.** This section is effective August 1, 2022.
- 395.1 Sec. 25. Minnesota Statutes 2020, section 549.09, subdivision 1, is amended to read:
- 395.2 Subdivision 1. **When owed; rate.** (a) When a judgment or award is for the recovery of
 395.3 money, including a judgment for the recovery of taxes, interest from the time of the verdict,
 395.4 award, or report until judgment is finally entered shall be computed by the court administrator
 395.5 or arbitrator as provided in paragraph (c) and added to the judgment or award.
- 395.6 (b) Except as otherwise provided by contract or allowed by law, preverdict, preaward,
 395.7 or prereport interest on pecuniary damages shall be computed as provided in paragraph (c)
 395.8 from the time of the commencement of the action or a demand for arbitration, or the time
 395.9 of a written notice of claim, whichever occurs first, except as provided herein. The action
 395.10 must be commenced within two years of a written notice of claim for interest to begin to
 395.11 accrue from the time of the notice of claim. If either party serves a written offer of settlement,
 395.12 the other party may serve a written acceptance or a written counteroffer within 30 days.
 395.13 After that time, interest on the judgment or award shall be calculated by the judge or arbitrator
 395.14 in the following manner. The prevailing party shall receive interest on any judgment or
 395.15 award from the time of commencement of the action or a demand for arbitration, or the time
 395.16 of a written notice of claim, or as to special damages from the time when special damages
 395.17 were incurred, if later, until the time of verdict, award, or report only if the amount of its
 395.18 offer is closer to the judgment or award than the amount of the opposing party's offer. If
 395.19 the amount of the losing party's offer was closer to the judgment or award than the prevailing
 395.20 party's offer, the prevailing party shall receive interest only on the amount of the settlement
 395.21 offer or the judgment or award, whichever is less, and only from the time of commencement
 395.22 of the action or a demand for arbitration, or the time of a written notice of claim, or as to
 395.23 special damages from when the special damages were incurred, if later, until the time the
 395.24 settlement offer was made. Subsequent offers and counteroffers supersede the legal effect
 395.25 of earlier offers and counteroffers. For the purposes of clause (2), the amount of settlement
 395.26 offer must be allocated between past and future damages in the same proportion as determined
 395.27 by the trier of fact. Except as otherwise provided by contract or allowed by law, preverdict,
 395.28 preaward, or prereport interest shall not be awarded on the following:
- 395.29 (1) judgments, awards, or benefits in workers' compensation cases, but not including
 395.30 third-party actions;
- 395.31 (2) judgments or awards for future damages;
- 395.32 (3) punitive damages, fines, or other damages that are noncompensatory in nature;
- 395.33 (4) judgments or awards not in excess of the amount specified in section 491A.01; and
- 396.1 (5) that portion of any verdict, award, or report which is founded upon interest, or costs,
 396.2 disbursements, attorney fees, or other similar items added by the court or arbitrator.
- 396.3 (c)(1)(i) For a judgment or award of \$50,000 or less or a judgment or award for or against
 396.4 the state or a political subdivision of the state, regardless of the amount, or a judgment or

396.5 award in a family court action, except for a child support judgment, regardless of the amount,
 396.6 the interest shall be computed as simple interest per annum. The rate of interest shall be
 396.7 based on the secondary market yield of one year United States Treasury bills, calculated on
 396.8 a bank discount basis as provided in this section.

396.9 On or before the 20th day of December of each year the state court administrator shall
 396.10 determine the rate from the one-year constant maturity treasury yield for the most recent
 396.11 calendar month, reported on a monthly basis in the latest statistical release of the board of
 396.12 governors of the Federal Reserve System. This yield, rounded to the nearest one percent,
 396.13 or four percent, whichever is greater, shall be the annual interest rate during the succeeding
 396.14 calendar year. The state court administrator shall communicate the interest rates to the court
 396.15 administrators and sheriffs for use in computing the interest on verdicts and shall make the
 396.16 interest rates available to arbitrators.

396.17 This item applies to any section that references section 549.09 by citation for the purposes
 396.18 of computing an interest rate on any amount owed to or by the state or a political subdivision
 396.19 of the state, regardless of the amount.

396.20 (ii) The court, in a family court action, may order a lower interest rate or no interest rate
 396.21 if the parties agree or if the court makes findings explaining why application of a lower
 396.22 interest rate or no interest rate is necessary to avoid causing an unfair hardship to the debtor.
 396.23 This item does not apply to child support or spousal maintenance judgments subject to
 396.24 section 548.091.

396.25 (2) For a judgment or award over \$50,000, other than a judgment or award for or against
 396.26 the state or a political subdivision of the state or a judgment or award in a family court
 396.27 action, the interest rate shall be ten percent per year until paid.

396.28 (3) When a judgment creditor, or the judgment creditor's attorney or agent, has received
 396.29 a payment after entry of judgment, whether the payment is made voluntarily by or on behalf
 396.30 of the judgment debtor, or is collected by legal process other than execution levy where a
 396.31 proper return has been filed with the court administrator, the judgment creditor, or the
 396.32 judgment creditor's attorney, before applying to the court administrator for an execution
 396.33 shall file with the court administrator an affidavit of partial satisfaction. The affidavit must
 396.34 state the dates and amounts of payments made upon the judgment after the most recent
 397.1 affidavit of partial satisfaction filed, if any; the part of each payment that is applied to taxable
 397.2 disbursements and to accrued interest and to the unpaid principal balance of the judgment;
 397.3 and the accrued, but the unpaid interest owing, if any, after application of each payment.

397.4 (4) Interest shall not accrue on child support judgments.

397.5 (d) This section does not apply to arbitrations between employers and employees under
 397.6 chapter 179 or 179A. An arbitrator is neither required to nor prohibited from awarding
 397.7 interest under chapter 179 or under section 179A.16 for essential employees.

397.8 (e) For purposes of this subdivision:

466.28 Sec. 38. **DIRECTION TO THE COMMISSIONER; QUALIFIED RESIDENTIAL**
466.29 **TREATMENT TRANSITION SUPPORTS.**

466.30 The commissioner of human services shall consult with stakeholders to develop policies
466.31 regarding aftercare supports for the transition of a child from a qualified residential treatment
466.32 program as defined in Minnesota Statutes, section 260C.007, subdivision 26d, to
467.1 reunification with the child's parent or legal guardian, including potential placement in a
467.2 less restrictive setting prior to reunification that aligns with the child's permanency plan and
467.3 person-centered support plan, when applicable. The policies must be consistent with
467.4 Minnesota Rules, part 2960.0190, and Minnesota Statutes, section 245A.25, subdivision 4,
467.5 paragraph (i), and address the coordination of the qualified residential treatment program
467.6 discharge planning and aftercare supports where needed, the county social services case
467.7 plan, and services from community-based providers, to maintain the child's progress with
467.8 behavioral health goals in the child's treatment plan. The commissioner must complete
467.9 development of the policy guidance by December 31, 2022.

397.9 (1) "state" includes a department, board, agency, commission, court, or other entity in
397.10 the executive, legislative, or judicial branch of the state; and

397.11 (2) "political subdivision" includes a town, statutory or home rule charter city, county,
397.12 school district, or any other political subdivision of the state.

397.13 **EFFECTIVE DATE.** This section is effective August 1, 2022.

363.26 Sec. 37. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES;**
363.27 **AFTERCARE SUPPORTS.**

363.28 The commissioner of human services shall consult with stakeholders to develop policies
363.29 regarding aftercare supports for the transition of a child from a qualified residential treatment
363.30 program as defined in Minnesota Statutes, section 260C.007, subdivision 26d, to reunification
363.31 with the child's parent or legal guardian, including potential placement in a less restrictive
364.1 setting prior to reunification that aligns with the child's permanency plan and person-centered
364.2 support plan, when applicable. The policies must be consistent with Minnesota Rules, part
364.3 2960.0190, and Minnesota Statutes, section 245A.25, subdivision 4, paragraph (i), and
364.4 address the coordination of the qualified residential treatment program discharge planning
364.5 and aftercare supports where needed, the county social services case plan, and services from
364.6 community-based providers, to maintain the child's progress with behavioral health goals
364.7 as defined in the child's treatment plan. The commissioner must complete development of
364.8 the policy guidance by December 31, 2022.

364.9 Sec. 38. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES; COSTS**
364.10 **TO STATE, COUNTIES, AND PROVIDERS FOR IMPLEMENTATION OF THE**
364.11 **FAMILY FIRST PRESERVATION SERVICES ACT.**

364.12 The commissioner of human services shall contract with an appropriate vendor to study
364.13 the increased costs incurred by the state, counties, and providers to implement the
364.14 requirements of the federal Family First Preservation Services Act in Minnesota. Identified
364.15 costs should include, but are not limited to, reductions in Title IV-E payments to lead
364.16 agencies; additional staff needs for the state, lead agencies, and providers; implementation
364.17 of the federal Qualified Residential Treatment Program placement requirements and new
364.18 prevention services by the state, lead agencies, and providers; costs incurred by residential
364.19 facility providers to become certified as a qualified residential treatment program and to
364.20 maintain certification standards; and other costs that are directly or indirectly related to
364.21 implementation of the federal Family First Prevention Services Act. The study should also
364.22 include known or estimates of increased federal funding that the state or lead agencies could
364.23 receive through expanded Title IV-E reimbursements. The commissioner shall provide a
364.24 report on these costs to the chairs and ranking minority members of the legislative committees
364.25 with jurisdiction over human services by January 15, 2024.

467.10 Sec. 39. **REVISOR INSTRUCTION.**

467.11 The revisor of statutes shall place the following first grade headnote in Minnesota
 467.12 Statutes, chapter 260C, preceding Minnesota Statutes, sections 260C.70 to 260C.714:

467.13 **PLACEMENT OF CHILDREN IN QUALIFIED RESIDENTIAL TREATMENT.**

HOUSE INCLUDES AN IDENTICAL REPEALER IN ARTICLE 12.

364.26 Sec. 39. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES;**
 364.27 **OMBUDSPERSON FOR FAMILIES REORGANIZATION STUDY.**

364.28 The commissioner of human services shall evaluate different options to reorganize the
 364.29 Office of Ombudsperson for Families under Minnesota Statutes, section 257.0755, into at
 364.30 least two separate offices, and develop and recommend a corresponding legislative proposal
 364.31 for introduction in the 2022 regular legislative session. The proposal shall also include any
 364.32 recommended reorganization of the community-specific boards under Minnesota Statutes,
 364.33 section 257.0768. The commissioner shall submit a copy of the legislative proposal and a
 364.34 letter describing the reasons for recommending the proposal, the analysis that led to the
 365.1 recommended proposal, other reorganization options that were considered, and any fiscal
 365.2 impacts or considerations, to the chairs and ranking minority members of the legislative
 365.3 committees with jurisdiction over the Office of Ombudsperson for Families.

365.4 Sec. 40. **REPEALER.**

365.5 Minnesota Statutes 2020, section 245.4871, subdivision 32a, is repealed.

365.6 **EFFECTIVE DATE.** This section is effective September 30, 2021.