

1.1 ..... moves to amend H.F. No. 3542, the first engrossment, as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2025 Supplement, section 13.46, subdivision 3, is amended  
1.4 to read:

1.5 Subd. 3. **Investigative data.** (a) Data on persons, including data on vendors of services,  
1.6 licensees, and applicants that is collected, maintained, used, or disseminated by the welfare  
1.7 system in an investigation, authorized by statute, and relating to the enforcement of rules  
1.8 or law are confidential data on individuals pursuant to section 13.02, subdivision 3, or  
1.9 protected nonpublic data not on individuals pursuant to section 13.02, subdivision 13, and  
1.10 shall not be disclosed except:

1.11 (1) pursuant to section 13.05;

1.12 (2) pursuant to statute or valid court order;

1.13 (3) to a party named in a civil or criminal proceeding, administrative or judicial, for  
1.14 preparation of defense;

1.15 (4) to an agent or investigator acting on behalf of a county, state, or federal government,  
1.16 including a law enforcement officer or attorney in the investigation or prosecution of a  
1.17 criminal, civil, or administrative proceeding, unless the commissioner of human services;  
1.18 the commissioner of children, youth, and families; or the Direct Care and Treatment executive  
1.19 board determines that disclosure may compromise a Department of Human Services;  
1.20 Department of Children, Youth, and Families; or Direct Care and Treatment ongoing  
1.21 investigation; or

1.22 (5) to provide notices required or permitted by statute.

2.1 The data referred to in this subdivision shall be classified as public data upon submission  
2.2 to an administrative law judge or court in an administrative or judicial proceeding. Inactive  
2.3 welfare investigative data shall be treated as provided in section 13.39, subdivision 3.

2.4 (b) Notwithstanding any other provision in law, the commissioner of human services or  
2.5 the commissioner of children, youth, and families shall provide all active and inactive  
2.6 investigative data, including the name of the reporter of alleged maltreatment under section  
2.7 626.557 or chapter 260E, to the ombudsman for mental health and developmental disabilities  
2.8 upon the request of the ombudsman.

2.9 (c) Notwithstanding paragraph (a) and section 13.39, the existence of an investigation  
2.10 by the commissioner of human services or the commissioner of children, youth, and families  
2.11 of possible overpayments of public funds to a service provider or recipient or the reduction  
2.12 or withholding of payments:

2.13 (1) must be disclosed within 30 days of a request if the commissioner has reduced,  
2.14 suspended, or withheld payments and notified the subject of the investigation of that action;  
2.15 and

2.16 (2) may be disclosed at any time if the commissioner determines that ~~it~~ disclosure will  
2.17 not compromise the investigation."

2.18 Amend the title accordingly