

Bill Summary Comparison of Health and Human Services

House File 2128-4
Article 11: Child Protection
Policy

Senate File UEH2128-1
Article 12: Child Protection
Policy

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Section	Article 11: Child Protection Policy		Article 12: Child Protection Policy
1	<p>Admission criteria. Amends § 245.4885, subd. 1. Modifies terminology; clarifies that the validated tool used to determine a child’s need for out-of-home care may be the tool approved for the child’s assessment for placement in a qualified residential treatment program, if the juvenile screening team recommended such placement.</p> <p>Makes this section effective September 30, 2021.</p>	<p>Page R1: House only. House Article 12, Section 16 incorporates changes made in this section, and is compared against corresponding language in Senate Article 11, Section 3, in Behavioral Health side-by-side.</p>	
2	<p>At risk of becoming a victim of sex trafficking or commercial sexual exploitation. Amends § 245A.02 by adding subd. 3c. Adds definition of a youth who is “at risk of becoming a victim of sex trafficking or commercial sexual exploitation” to the human services licensing chapter.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R2: Same</p>	<p>Article 11, Section 4 [245A.02, subdivision 3c] adds a definition for the phrase “at risk of becoming a victim of sex trafficking or commercial sexual exploitation”, the criteria for which the commissioner of human services shall establish.</p>
3	<p>Children’s residential facility. Amends § 245A.02 by adding subd. 4a. Adds definition of “children’s residential facility” to human services licensing chapter.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R3: Same. Technical phrasing difference. Staff recommends Senate.</p>	<p>Article 11, Section 5 [245A.02, subdivision 4a] adds a definition for the phrase “children’s residential facility” to mean a residential program licensed under chapter 245A or chapter 241.</p>
4	<p>Foster family setting. Amends § 245A.02 by adding subd. 6d. Adds definition of “foster family setting” to human services licensing chapter.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R3: Same. Technical phrasing difference. Staff recommends Senate.</p>	<p>Article 11, Section 6 [245A.02, subdivision 6e] adds a definition for “foster family setting” to incorporate the existing meaning in Minnesota Rules, as well as settings licensed by the commissioner of human services or the commissioner of corrections.</p>

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5	<p>Foster residence setting. Amends § 245A.02 by adding subd. 6e. Adds definition of “foster residence setting” to human services licensing chapter.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R3: Same. Technical phrasing difference. Staff recommends Senate.</p>	<p>Article 11, Section 7 [245A.02, subdivision 6f] adds a definition for “foster residence setting” to incorporate the existing meaning in Minnesota Rules, as well as settings licensed by the commissioner of human services or the commissioner of corrections.</p>
6	<p>Trauma. Amends § 245A.02 by adding subd. 18a. Adds definition of “trauma” to human services licensing chapter.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R3: Same</p>	<p>Article 11, Section 8 [245A.02, subdivision 18a] adds a definition for “trauma” to mean an event, series of events, or circumstances experienced as physically or emotionally harmful or life-threatening and has lasting adverse effects on the individual’s well-being. It also includes cumulative emotional or psychological harm of group traumatic experiences transmitted across generations often associated with racial and ethnic population groups that have suffered major intergenerational losses. This definition only applies for purposes of Families First program certification under section 245A.25.</p>
7	<p>Victim of sex trafficking or commercial sexual exploitation. Amends § 245A.02 by adding subd. 23. Adds definition of “victim of sex trafficking or commercial sexual exploitation” to human services licensing chapter.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R4: Same</p>	<p>Article 11, Section 9 [245A.02, subdivision 23] adds a definition for “victim of sex trafficking or commercial sexual exploitation” to mean a sex trafficking victim under Minnesota law or a victim of commercial sexual exploitation under federal law. This definition only applies for purposes of Families First program certification under section 245A.25.</p>
8	<p>Youth. Amends § 245A.02 by adding subd. 24. Adds definition of “youth” to human services licensing chapter.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R4: Same</p>	<p>Article 11, Section 10 [245A.02, subdivision 24] adds a definition for “youth” to mean a “child” as defined in section 260C.007, subdivision 4, including individuals under 21 who continue to live in foster care past the age of 18. This definition only applies for purposes of Families First program certification under section 245A.25.</p>

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9	<p>First date of working in a facility or setting; documentation requirements. Amends § 245A.041 by adding subd. 6. Adds requirements for children’s residential facility and foster residence settings license holder documentation of the first date of work for a background study subject.</p> <p>Makes this section effective August 1, 2021.</p>	<p>Page R4: Same</p>	<p>Article 11, Section 11 [245A.041, subdivision 6] requires children’s residential facilities and foster residence settings to document the first date that a person subject to a background study begins working in that setting.</p>
10	<p>Residential program certifications for compliance with the Family First Prevention Services Act. Proposes coding for § 245A.25. Adds section establishing certification requirements for children’s residential facilities or child foster residence settings to receive federal Title IV-E funding; outlines the types of facilities and program certifications, certification requirements, trauma-informed care requirements, monitoring and inspection processes, decertification processes, and variances.</p> <p>Makes this section effective the day following final enactment.</p>	<p>Page R4: Same. Technical differences only. Staff recommends Senate, except for House line 426.10, amended to read “, according to the needs of the youth being served.”</p>	<p>Article 11, Section 12 [245A.25] establishes the parameters for a program to be certified to receive Title IV-E funding under the Families First Prevention Act.</p> <p>Subdivision 1 defines the scope of Family First certification for a children’s residential facility or child foster residence setting as one of three types of programs: (1) a QRTP, (2) a residential setting specializing in serving youth who have been or at risk of becoming victims of sex trafficking or commercial sexual exploitation, or (3) a residential setting specializing in prenatal, postpartum, or parenting support for youth. Certification is not available to a foster family setting in which the license holder resides in the foster home, or to a children’s residential facility licensed as a detention setting or secure program. Certifications for foster residence settings may only be issued by the commissioner of human services, not a delegated agency.</p> <p>Subdivision 2 repeats the three types of certification available, and requires an applicant to submit a request for certification on a form and in a manner prescribed by the commissioner of human services. The commissioner’s certification decision is final and not</p>

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			<p>subject to appeal.</p> <p>Subdivision 3 requires programs certified as QRTPs or as a setting specializing in serving youth victims of sex trafficking or commercial sexual exploitation to provide services according to a trauma-informed model of care, as defined in paragraph (b).</p> <p>The program must have a process for identifying signs and symptoms of trauma and must address needs related to trauma, as defined in paragraph (c). Paragraph (d) requires the listed principles of trauma-informed care to be incorporated into a program’s services. Paragraph (e) lists additional specific forms of trauma-based treatment for QRTPs to include in its treatment model.</p> <p>Paragraph (f) establishes requirements for the provider’s physical, social, and emotional environment. Paragraph (g) requires the program to have policies and procedures describing the listed aspects of the program.</p> <p>Paragraph (h) requires training for each staff member on trauma-informed care and the impacts of each youth’s culture, race, gender, and sexual orientation on the youth’s behavioral health and traumatic experiences, prior to any direct contact with a youth. The training must be repeated annually.</p> <p>Subdivision 4 establishes specific programming, staffing, accreditation, service standards, and documentation requirements for programs to be certified as QRTPs.</p> <p>Subdivision 5 establishes specific programming, service delivery, documentation, and staff training requirements for programs to be certified as settings specializing in</p>

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			<p>serving youth victims of sex trafficking or commercial sexual exploitation.</p> <p>Subdivision 6 establishes specific programming, service delivery, and documentation requirements for programs to be certified as a setting specializing in prenatal, postpartum, or parenting supports for youth.</p> <p>Subdivision 7 authorizes the commissioner of human services to monitor, inspect, and review a DHS-licensed program’s compliance with the certification requirements to receive federal Title IV-E funding under this section. The commissioner may issue correction orders for noncompliance.</p> <p>The commissioner of human services may also review the compliance of a DOC-licensed program biennially and may issue correction orders for noncompliance. A correction order must state the conditions that constitute a violation, the specific law or rule violated, and the time allowed to correct the violation. A DOC-licensed program may request reconsideration in writing within 20 days of receiving the correction order. The commissioner’s decision on reconsideration is final and not subject to appeal.</p> <p>Subdivision 8 authorizes the commissioner of human services to decertify a program for failure to comply with the certification requirements in this section. The decertification may be reconsidered upon written request from the license holder. The commissioner’s decision regarding a reconsideration of a decertification is final and not subject to appeal.</p> <p>Subdivision 9 permits the commissioner of human services to grant variances to this section’s requirements</p>

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			that do not affect youth health and safety or compliance with federal Title IV-E funding requirements, so long as the variance procedures in section 245A.04, subdivision 9, are satisfied.
11	<p>American Indian child welfare projects. Amends § 256.01, subd. 14b. Adds tribal host contract language. Makes this section effective the day following final enactment.</p>	<p>Page R14: Same. Minor technical differences. Staff recommends Senate.</p>	<p>Article 11, Section 13 (256.01, subdivision 14b) makes a conforming change to incorporate Tribal lead contracts established under Section 14.</p>
12	<p>Contracting within and across county lines; lead county contracts; lead tribal contracts. Amends § 256.0112, subd. 6. Makes clarifying changes; adds language relating to lead tribal contracts for initiative tribes. Makes this section effective the day following final enactment.</p>	<p>Page R16: Same. Minor technical differences. Staff recommends Senate.</p>	<p>Article 11, Section 14 (256.0112, subdivision 6) authorizes tribes to enter into lead contracts within and across reservation boundaries in the same manner as counties enter into lead contracts within and across county lines.</p>
		<p>Page R17: Senate only</p>	<p>Article 12, Section 1 [256.741, subdivision 12a] permits an individual to appeal a determination or redetermination of whether good cause existed to excuse the individual's noncooperation with a child support agency.</p>
		<p>Page R17: Senate only</p>	<p>Article 12, Section 2 [256.741, subdivision 12b] permits notice of an individual's noncooperation with a child support agency to be sent to the relevant public assistance agencies when the time that an individual may appeal a good cause determination has expired.</p>
		<p>Page R18: Senate only</p>	<p>Article 9, Section 36 (249.241, paragraph (c)) clarifies that an individual in extended foster care may consent to their own adoption so long as a court finds the individual is competent to give such consent.</p>

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		Page R18: Senate only	Article 9, Section 38 (259.53, subdivision 4) makes technical clarifying changes regarding the timing of granting a petition for adoption.
		Page R18: Senate only	Article 9, Section 40 (259.75, subdivision 5) adds language requiring a child’s adoption exchange registration to be withdrawn when a child is no longer under the guardianship of the commissioner and is no longer seeking an adoptive home.
		Page R18: Senate only	Article 9, Section 41 (259.75, subdivision 6) revises the timing and circumstances under which the commissioner must review the state adoption exchange status of certain children.
		Page R19: Senate only	Article 9, Section 42 (259.75, subdivision 9) permits the commissioner to contract out the administration of the state adoption exchange.
		Page R19: Senate only	Article 9, Section 43 (259.83, subdivision 1a) updates cross-references to incorporate a reference to section 260C.212, subdivision 15.
		Page R19: Senate only	Article 9, Section 44 (259A.75, subdivision 1) makes a conforming change to add tribal agencies to provisions regarding reimbursement of adoption placement services costs.
		Page R20: Senate only	Article 9, Section 45 (259A.75, subdivision 2) updates a cross-reference and eliminates the requirement for a child under guardianship of the commissioner to have a fully executed adoption placement agreement to be eligible for adoption services.
		Page R20: Senate only	Article 9, Sections 46 (259A.75, subdivision 3) makes a conforming change to add tribal agencies to provisions regarding

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			reimbursement of adoption placement services costs.
		Page R20: Senate only	Article 9, Section 47 (259A.75, subdivision 4) makes a conforming change to add tribal agencies to provisions regarding reimbursement of adoption placement services costs.
13	Child in need of protection or services. Amends § 260C.007, subd. 6. Amends definition to include children who commit a juvenile petty offense or delinquent act before becoming 13 years old, increased from 10 years old.	Page R21: House only	
		Page R22: Senate only	Article 9, Section 48 (260C.007, subdivision 22a) makes technical clarifying changes to cross-references and includes tribally licensed or approved programs to those in which a child may be co-located in foster care with a parent in treatment.
14	Qualified individual. Amends § 260C.007, subd. 26c. Clarifies who may be a “qualified individual” for purposes of completing a child’s assessment for placement in a qualified residential treatment program, when the Indian Child Welfare Act applies to a child.	Page R23: Same. Technical differences only. Staff recommends Senate.	Article 11, Section 15 (260C.007, subdivision 26c) adds a requirement for a county to contact a child’s tribe to offer the tribe the option to designate a trained culturally competent professional or licensed clinician, under certain conditions, to act as the “qualified individual” for purposes of child safety and placement procedures.
15	Sexually exploited youth. Amends § 260C.007, subd. 31. Adds federal definition of commercial sexual exploitation to definition of “sexually exploited youth.” Makes this section effective September 30, 2021.	Page R23: Same	Article 11, Section 16 (260C.007, subdivision 31) incorporates victims of sexual exploitation, as defined in federal law, into the definition for “sexually exploited youth” for purposes of child safety and placement.

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16	<p>Juvenile treatment screening team. Amends § 260C.157, subd. 2. Clarifies sexual exploitation language and makes other clarifying changes; requires the responsible social services agency to obtain recommendations from the child’s tribe on which individuals to include on the team, if applicable.</p> <p>Makes this section effective September 30, 2021.</p>	<p>Page R23: Similar. Technical differences and minor language difference at House 436.29 / Sente 334.13.</p> <p>Staff recommends Senate for technical differences.</p>	<p>Article 11, Section 17 (260C.157, subdivision 3) makes technical conforming and clarifying changes.</p>
		<p>Page R26: Senate only. **Duplicated language. Also included along with related direction to commissioner in Article 10 side-by-side, pages R17, R24**</p>	<p>Article 11, Section 18 (260C.163, subdivision 3) requires a court to appoint counsel to represent each parent, guardian, or custodian before their first hearing and during the proceedings in all child protection matters where: (1) a child risks removal from the care of the parent, guardian, or custodian; and (2) the parent, guardian, or custodian desires counsel and is financially eligible. The section also removes specific statutory qualifications for attorneys retained by the county to represent parents, guardians, or custodians. This section is effective July 1, 2022.</p>
		<p>Page R27: Senate only</p>	<p>Article 9, Section 49 (260C.212, subdivision 1, paragraph (d)) clarifies that the responsible agency must provide a child with a copy of their social and medical history under certain circumstances.</p>
17	<p>Out-of-home placement plan update. Amends § 260C.212, subd. 1a. Specifies that the responsible social services agency must file its report seeking the court's approval of the child's placement at a qualified residential treatment program; makes clarifying changes throughout.</p> <p>Makes this section effective September 30, 2021.</p>	<p>Page R32: Same</p>	<p>Article 11, Section 19 (260C.212, subdivision 1a) makes technical clarifying changes and requires the agency placing a child in a QRTP to file with the court its report seeking court approval of the placement in addition to the out-of-home placement plan.</p>

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		Page R33: Senate only	Article 9, Section 50 (260C.212, subdivision 2, paragraph (a)) clarifies that a related individual includes the legal parent, guardian, or custodian of a child’s siblings.
18	<p>Protecting missing and runaway children and youth at risk of sex trafficking or commercial sexual exploitation. Amends § 260C.212, subd. 13. Adds commercial sexual exploitation terminology; makes clarifying changes. Makes this section effective September 30, 2021.</p>	Page R34: Same	Article 11, Section 20 (260C.212, subdivision 13) makes technical conforming changes to include the federal definition of “commercial sexual exploitation.”
		Page R35: Senate only	Article 9, Section 51 [260C.212, subdivision 15] establishes the procedures, timing, and content requirements for responsible social services agencies to complete a social and medical history for each child in out-of-home placement.
		Page R35: Senate only	Article 9, Section 52 (260C.219, subdivision 5) makes clarifying changes and updates a cross-reference.
19	<p>Payment for residential placements. Amends § 260C.4412. Specifies that a lead county contract is not required to establish foster care maintenance payments for foster residence settings. Requires foster maintenance payments to be consistent with provisions in chapter 256N.</p>	Page R36: Similar. Senate omits “county” from paragraph (c) to contemplate lead Tribal contracts, which are established in House Sections 11-12 / Senate Article 11, Sections 13-14.	Article 11, Section 21 (260C.4412, paragraph (c)) exempts lead county contracts from establishing variable foster care maintenance payments to cover the listed items for licensed foster care settings. Instead, the maintenance payments must align with the existing, definite basic monthly rates for Northstar Care for Children.
20	<p>Successful transition to adulthood. Amends § 260C.452. Subd. 1. Scope and purpose. Defines “youth” for purposes of this section; makes clarifying changes. Adds clauses (4), (5), and (6) specifying circumstances that would make youth eligible for services under this section.</p>	<p>Page R37: Similar. Similar. Technical differences only. Staff recommends Senate, except for House lines 440.19-440.25.</p>	<p>Article 11, Section 22 (260C.452) revises the Successful Transition to Adulthood provisions. Subdivision 1 adds a definition for “youth” that identifies the potential circumstances under which a youth from age 14 to 23 could qualify for services under this statute. It</p>

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	<p>Adds paragraph (c), specifying the purpose of the section. Adds paragraph (d) specifying that the responsible social services agency may provide case management and support until a youth is 23 years of age.</p> <p>Subd. 1a. Case management services. Outlines what case management services include for successful transition to adulthood under this section.</p> <p>Subd. 2. Independent living plan. Makes clarifying changes.</p> <p>Subd. 3. Notification. Strikes subdivision.</p> <p>Subd. 4. Administrative or court review of placements. Modifies terminology and references, makes clarifying changes.</p> <p>Subd. 5. Notice of termination of social services. Modifies terminology and references; removes paragraphs relating to termination of foster care and court review of terminations. Adds paragraph relating to case management service termination, notice, and appeal rights.</p> <p>Makes this section effective July 1, 2021.</p>	<p>Same.</p> <p>Same.</p> <p>Same.</p> <p>Similar. Senate requires development of personalized transition plan beginning 180 days before discharge from foster care (current statute is 90 days).</p> <p>Same.</p>	<p>also describes the areas in which the available services are meant to address needs.</p> <p>Subdivision 1a identifies which case management services are available to a qualifying youth under the statute.</p> <p>Subdivision 2 requires development of an independent living plan for youth 14 and older who are receiving support under this section of law, regardless of placement status.</p> <p>Subdivision 4 makes conforming and clarifying changes.</p> <p>Subdivision 5 establishes the content and timing of notice requirements for youth 18 or older that leave foster care, to inform the youth of the date upon which services shall end, and any available appeal rights.</p>
		<p>Page R40: Senate only</p>	<p>Article 9, Section 53 (260C.503, subdivision 2, paragraph (d), clause (1)) corrects a cross-reference.</p>
		<p>Page R41: Senate only</p>	<p>Article 9, Section 54 (260C.515, subdivision 3, clause (8)) permits a court to terminate parental rights in the circumstance where a prospective adoptive parent that has</p>

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			consented to adopt a child is not going to adopt the child.
		Page R42: Senate only	Article 9, Section 55 (260C.605, subdivision 1, paragraph (d), clause (4)) corrects a cross-reference.
		Page R44: Senate only	Article 9, Section 56 (260C.607, subdivision 6, paragraph (f), clause (2)) corrects a cross-reference.
		Page R45: Senate only	Article 9, Section 57 (260C.609) makes a conforming change to delete text that has been moved to a new statute regarding social and medical history, and clarifies the circumstances under which a prospective adoptive parent shall receive a copy of a child’s social and medical history, and under which the social and medical history must be submitted to DHS or a court.
		Page R46: Senate only	Article 9, Section 58 (260C.615) corrects a cross-reference and clarifies the commissioner’s duties to review and process adoption placement agreements and to supervise duties delegated to responsible social services agencies regarding children under guardianship of the commissioner.
21	<p>Requirements for the qualified individual’s assessment of the child for placement in a qualified residential treatment program.</p> <p>Amends § 260C.704. Provides exception to requirement for an assessment prior to placement in a qualified residential treatment program for immediate placements in crisis situations; requires an assessment within 30 days of the child’s placement. Requires that a level of care determination be shared with the qualified individual and the juvenile treatment screening team. Modifies requirements for distributing and filing completed qualified residential treatment</p>	Page R47: Same	Article 11, Section 23 (260C.704) clarifies the responsible social service agency’s duties in distributing an assessment completed by a qualified individual, and in planning a placement for a child in a QRTP or a less restrictive setting.

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	<p>facility placement assessments. Modifies placement and referral requirements based on qualified individual recommendations.</p> <p>Makes this section effective September 30, 2021.</p>		
22	<p>Family and permanency team requirements. Amends § 260C.706. Modifies cross-reference and makes clarifying changes.</p> <p>Makes this section effective September 30, 2021.</p>	Page R49: Same	Article 11, Section 24 (260C.706, paragraph (a), clause (1)) corrects a cross-reference.
23	<p>Out-of-home placement plan for qualified residential treatment program placements. Amends § 260C.708. Modifies cross-reference and terminology; adds required content for a child’s out-of-home placement plan when the responsible social services agency places a child in a qualified residential treatment program; adds placement preference requirements.</p> <p>Makes this section effective September 30, 2021.</p>	Page R50: Same	Article 11, Section 25 (260C.708) makes technical clarifying changes, and requires that evidence of a family and permanency team’s involvement in the placement assessment and the family and permanency team’s placement preferences be included in an out-of-home placement plan.
24	<p>Court approval requirements. Amends § 260C.71 by adding subdivisions 1, 2, 3, 4, and 5.</p> <p>Subd. 1. Judicial review. Requires placement in a qualified residential treatment facility in specified circumstances. Requires responsible social services agency to obtain a court order within 60 days of placement, that finds that the placement is appropriate and meets the child’s needs.</p> <p>Subd. 2. Qualified residential treatment program; agency report to court. Requires a written report to be</p>	<p>Page R52: Similar. Technical differences.</p> <p>Staff recommends Senate.</p>	Article 11, Section 26 (260C.71) clarifies and expands court approval requirements regarding a child’s placement in a QRTP.

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	<p>filed with the court within 35 days of the child’s placement; specifies required contents of the written report. Requires the agency to inform a child who is 10 or older, and the child’s parent, of the court review requirements and of their right to submit information to the court.</p> <p>Subd. 3. Court hearing. Outlines when a court must hold a hearing and when the court has discretion to hold a hearing.</p> <p>Subd. 4. Court findings and order. Adds clarifying language; adds requirements for when a court disapproves of a child’s placement in a qualified residential treatment program.</p> <p>Subd. 5. Court review and approval not required. Specifies circumstances under which a court hearing and order are not required. Under these circumstances, requires the responsible social services agency to make a plan for the child’s placement and file the assessment determination with the court at the next required hearing.</p> <p>Makes this section effective September 30, 2021.</p>		
25	<p>Ongoing reviews and permanency hearing requirements. Amends § 260C.712. Adds cross-references to 260D sections; adds requirement for the responsible social services agency to submit compelling reasons for placing a child in a qualified residential treatment program in another state, and reasons the child’s needs cannot be met by an in-state placement.</p>	<p>Page R54: Similar. Technical difference. Staff recommends Senate.</p>	<p>Article 11, Section 27 (260C.712) incorporates additional statutory references in chapter 260D that incorporate review requirements for QRTP placements, and clarifies that the responsible social services agency must submit evidence of the compelling reasons for placing a child in an out-of-state QRTP at each placement review hearing.</p>

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	Makes this section effective September 30, 2021.		
26	<p>Review of extended qualified residential treatment program placements. Amends § 260C.714. Modifies reference.</p> <p>Makes this section effective September 30, 2021.</p>	Page R55: Same	Article 11, Section 28 (260C.714) corrects a cross-reference.
27	<p>Child in voluntary foster care for treatment. Amends § 260D.01. Makes clarifying changes; adds paragraph specifying that chapter 260D includes requirements for child placement in a qualified residential treatment program. Adds paragraphs specifying that ongoing planning for a child includes engaging with the responsible social services agency to ensure that the family and permanency team makeup is appropriate, that the agency must consult with the child if over age 14, and the child’s parent or legal guardian regarding members of the family and permanency team and engaging in a relative search.</p> <p>Makes this section effective September 30, 2021.</p>	<p>Page R55: Similar. Technical and phrasing differences.</p> <p>Staff recommends House.</p>	Article 11, Section 29 (260D.01, paragraph (c), paragraph (f)) incorporates references to the statutory sections governing placement of a child in a QRTP, including the provisions governing the responsible social service agency’s consultation with a child’s parent during assembly of the family and permanency team, into statutes that apply to chapter 260D foster settings.
28	<p>Administrative review of child in voluntary foster care for treatment. Amends § 260D.05. Adds reference to requirements under section 260C.712.</p> <p>Makes this section effective September 30, 2021.</p>	Page R58: Same	Article 11, Section 30 (260D.05) incorporates the requirements for the responsible social services agency to submit evidence to the court for a child placed in a QRTP.
29	<p>Agency report to court; court review. Amends § 260D.06, subd. 2. Adds reference to requirements under section 260C.712.</p>	Page R58: Same	Article 11, Section 31 (260D.06, subdivision 2) incorporates the requirements for the responsible social services agency to submit evidence to the court for a child placed in a QRTP.

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	Makes this section effective September 30, 2021.		
30	<p>Required permanency review hearing. Amends § 260D.07. Adds reference to requirements under section 260C.712. Makes this section effective September 30, 2021.</p>	Page R60: Same	Article 11, Section 32 (260D.07, paragraph (c)) includes in the materials required to be submitted with a petition for permanency review regarding a child in voluntary foster care for treatment, any evidence submitted to a court for a matter regarding a child placed in a QRTP.
31	<p>Annual review. Amends § 260D.08. Adds reference to requirements under section 260C.712. Makes this section effective September 30, 2021.</p>	Page R63: Same	Article 11, Section 33 (260D.08, paragraph (b)) requires a court to annually review evidence submitted to a court for a child placed in a QRTP, as part of an annual permanency review for a child in voluntary foster care for treatment.
32	<p>Successful transition to adulthood for youth in voluntary placement. Amends § 260D.14. Modifies terminology, makes clarifying and conforming changes. Lowers the age for review of transition to adulthood from 17 to 14. Makes this section effective September 30, 2021.</p>	Page R64: Same	Article 11, Section 34 (260D.14) replaces the term “child” with “youth” and clarifies a cross-reference to the section providing foster care benefits to youth 18 years of age or older.
33	<p>Mandatory reporters. Amends § 260E.06, subd. 1. Adds an owner, administrator, or employee who is 18 or older of a youth recreation program or other organization that provides services or activities requiring face-to-face contact with and supervision of children, to the list of persons who are required to report known or suspected maltreatment in the preceding three years.</p>	<p>Page R64: Different.</p> <p>House includes any owner, administrator, or adult employee as mandatory reporters; Senate includes adult employees if employed as an athletic director, coach, or assistant coach.</p> <p>House includes catch-all category of organizations that involve face-to-face contact and supervision of children;</p>	Article 12, Section 3 (260E.06, subdivision 1) adds adults employed by a youth recreation program as an athletic director, coach, or assistant coach to the list of mandatory reporters of child maltreatment.

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		<p>Senate is limited to public or private youth recreation programs.</p> <p>Senate includes exemption for volunteers.</p>	
		<p>Page R65: Senate only</p>	<p>Article 12, Section 4 [260E.06, subdivision 5] requires local welfare agencies to offer training to mandatory reporters, either online or in person, that explains the obligations of a mandatory reporter, the consequences for failure to report, and how to detect and report suspected maltreatment.</p>
<p>34</p>	<p>Face-to-face contact. Amends § 260E.20, subd. 2. Allows for face-to-face contact in response to a report alleging sexual abuse or substantial child endangerment to be postponed for up to five calendar days, if the child is residing in a location that is confirmed to restrict contact with the alleged offender, or the local welfare agency is pursuing a court order for the child’s caregiver to produce the child for an interview.</p>	<p>Page R65: Similar. Technical differences only. Staff recommends House line 464.17, Senate line 366.29.</p>	<p>Article 12, Section 5 (260E.20, subdivision 2) permits face-to-face contact in response to a report alleging sexual abuse or substantial child endangerment to be postponed for up to five calendar days, if: 1) the child is residing in a location that is confirmed to restrict contact with the alleged offender; or 2) the local welfare agency is pursuing a court order for the child’s caregiver to produce the child for an interview under section 260E.22, subdivision 5.</p>
<p>35</p>	<p>Reports required. Amends § 260E.31, subd. 1. Removes the requirement for health care and social services professionals to report a woman’s use of a controlled substance for a nonmedical purpose or excessive consumption of alcohol during pregnancy to the local welfare agency, if the professional is providing or collaborating with other professionals to provide the woman with prenatal care, postpartum care, or other health care services, including care of the woman’s infant. Adds a clause to reinstate the requirement if the woman does not continue to receive regular care.</p>	<p>Page R66: Same</p>	<p>Article 19, Section 3 (260E.31, subd. 1) exempts a health care professional from reporting a pregnant woman’s drug use if the professional is providing or collaborating with other professionals to provide prenatal care, postpartum care, or other health care services. Specifies that if the woman does not continue to receive regular prenatal or postpartum care, the professional is required to report the drug usage after attempting to contact the woman.</p>

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36	<p>Notification of contested case hearing. Amends § 260E.33 by adding subd. 6a. Specifies that, in a contested case hearing appealing a licensing sanction or disqualification related to a maltreatment determination, the administrative law judge must inform the maltreated child’s parent, legal custodian, or guardian of the right to file a written statement and the right to attend and participate in the hearing. Specifies notice requirements, requirements for the written statement, and procedures for providing the address of a parent, legal custodian, or guardian.</p>	Page R67: House only	
37	<p>Sex trafficking and sexual exploitation training requirement. Amends § 260E.36 by adding subd. 1b. Adds requirement for all child protection workers to complete training on sex trafficking and sexual exploitation of children and youth. Makes this section effective July 1, 2021.</p>	Page R67: Same	Article 11, Section 35 [260E.36, subdivision 1b] requires training regarding sex trafficking and sexual exploitation of children and youth, for all child protection social workers and social services staff with child protection duties.
		Page R67: Senate only	Article 12, Section 6 (518.157, subdivision 1) requires the district court to ensure that their website includes information on the parent education program.
		Page R68: Senate only	Article 12, Section 7 (518.157, subdivision 3) authorizes parties who have not agreed to custody or parenting time to take online classes to meet the minimum eight hours required for the parenting education program. Parties must complete the class before the initial case management conference, unless otherwise ordered by the court. The court must provide notice to the parties regarding their option to resolve disagreements through the use of private mediation.
		Page R68: Senate only	Article 12, Section 8 (518.68, subdivision 2) removes interest charging language; removes paragraph (k), stating that the public

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			<p>authority may suspend or resume interest charging on child support judgments under certain conditions, from child support judgment notice requirements. Removes statement that interest begins to accrue on child support payments when the amount due is greater than the support due, from judgments for unpaid support notice requirement. Requires notice in judgments for unpaid maintenance, stating that the public authority is not responsible for calculating interest on a judgment for unpaid spousal maintenance; provides exception for collecting interest on unpaid spousal maintenance in IV-D cases. Effective August 1, 2022.</p>
		<p>Page R72: Senate only</p>	<p>Article 12, Section 9 (518A.29, paragraph (g)) removes deduction of court-ordered child support payments from other periodic payments received by a party for purposes of determining gross income, effective January 1, 2023.</p>
		<p>Page R73: Senate only</p>	<p>Article 12, Section 10 (518A.33) specifies that court-ordered child support payments for a nonjoint child are to be deducted from the payor's gross income. Requires a deduction to be calculated when a parent is legally responsible for a nonjoint child and that parent is not obligated to pay court-ordered basic child support for the nonjoint child to the other parent or legal guardian. Specifies that this deduction is calculated using the basic support guideline table and the gross income of the parent for whom the deduction is being calculated, minus other deductions and up to six eligible nonjoint children. Modifies the deduction for nonjoint children from 50 percent to 75 percent of the guideline amount. Effective January 1, 2023.</p>
		<p>Page R74: Senate only</p>	<p>Article 12, Section 11 (518A.35, subdivision 1) specifies the support obligation determination for when a support order is sought in an action involving only one parent. Increases</p>

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			maximum combined parental income for the presumed basic child support obligations from \$15,000 to \$20,000 per month. Effective January 1, 2023.
		Page R75: Senate only	Article 12, Section 12 (518A.35, subdivision 2) updates the basic support guideline table amounts and makes low-income adjustments. Effective January 1, 2023.
		Page R87: Senate only	Article 12, Section 13 (518A.39, subdivision 7) specifies that a decrease in child care support is effective the date the child care expenses terminate.
		Page R87: Senate only	Article 12, Section 14 [518A.40, subdivision 3a] requires the obligee to give the child care provider the name and address of the obligor, and to give the obligor the contact information of the child care provider. Requires the obligee to provide the obligor with verification from the child care provider indicating child care expenses for the previous year, by February 1 of each year. Requires the obligee to inform the obligor of changes to child care, and allows the obligor to request the verification from the provider if the obligee fails to provide it. Requires the obligee to notify the obligor and the public authority when the obligee is no longer incurring child care expenses.
		Page R87: Senate only	Article 12, Section 15 (518A.40, subdivision 4) specifies that, in cases where child care expenses have ended, parties may modify the order. Allows parties to contact the public authority about filing a stipulation to modify or terminate the child care support amount, when the public authority is providing child support services.
		Page R88: Senate only	Article 12, Section 16 (518A.42) Subd. 1. Ability to pay. Modifies the calculation of the obligor's income available for

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			<p>support by subtracting the self-support reserve from parental income for determining support (PICS) instead of gross income. Subd. 2. Minimum basic support amount. Modifies provisions related to minimum basic support amounts for certain numbers of children; increases maximum to six or more children. Removes provision specifying that the minimum amounts do not apply if an obligor receives no income and completely lacks the ability to earn an income. Subd. 3. Exception. Specifies that the minimum basic support amount does not apply if the obligor's basic support amount is reduced below the minimum due to the parenting expense adjustment. This section is effective January 1, 2023.</p>
		<p>Page R89: Senate only</p>	<p>Article 12, Section 17 [518A.43, subdivision 1b] allows the court to deviate from the presumptive child support obligation in a modification when the only change in circumstances is an increase in the custodial parent's income and: 1) the basic support increases; 2) the parties' combined gross income is \$6,000 or less; or 3) the obligor's income is \$2,000 or less. Effective January 1, 2023.</p>
		<p>Page R90: Senate only</p>	<p>Article 12, Section 18 (518A.685) makes public authority reporting of child support arrears to a consumer reporting agency optional, not required. Adds option for obligor to enter into a written and approved payment agreement for child support arrears to prevent reporting of arrears to a consumer reporting agency. Effective January 1, 2023.</p>
		<p>Page R91: Senate only</p>	<p>Article 12, Section 19 [518A.80] establishes procedures, standards, and criteria for transferring a postjudgment child support, custody, or parenting time action to a tribal court.</p>

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		Page R93: Senate only	Article 12, Section 20 (548.091, subdivision 1a) removes language regarding interest accrual on child support judgments. Specifies that interest does not accrue on judgments for child support, confinement and pregnancy expenses, or genetic testing fees. Effective August 1, 2022.
		Page R95: Senate only	Article 12, Section 21 (548.091, subdivision 2a) specifies that a child support judgment entered and docketed is not subject to interest charging or accrual. Effective August 1, 2022.
		Page R96: Senate only	Article 12, Section 22 (548.091, subdivision 3b) specifies that a child support judgment renewal only includes unpaid interest accrued prior to August 1, 2022, the effective date of this section.
		Page R96: Senate only	Article 12, Section 23 (548.091, subdivision 9) specifies that the child support or maintenance payoff statement from the public authority must state that the public authority does not calculate accrued interest and that an interest balance may be owed. Effective August 1, 2022.
		Page R96: Senate only	Article 12, Section 24 (548.091, subdivision 10) adds language specifying that the lien release requirement applies to child support amounts due. Specifies that the public authority is not responsible for satisfaction of judgments for unpaid maintenance. Effective August 1, 2022.
		Page R97: Senate only	Article 12, Section 25 (549.09, subdivision 1) exempts child support judgments from family court action interest accrual provisions. Specifies that interest does not accrue on child support judgments. Effective August 1, 2022.

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38	<p>Direction to the commissioner; qualified residential treatment transition supports. Directs the commissioner to consult with stakeholders to develop policies related to aftercare supports for transitions from qualified residential treatment programs to reunification with a child’s parent or guardian, by December 31, 2022.</p>	<p>Page R99: Similar. Technical differences only.</p>	<p>Article 11, Section 37 (Direction to Commissioner of Human Services; Aftercare Supports) directs the commissioner to consult with stakeholders and develop policy guidance by December 31, 2022, for providing aftercare supports to children transitioning from a QRTP to reunification with family or a less restrictive setting, as part of Family First implementation.</p>
		<p>Page R99: Senate only</p>	<p>Article 11, Section 38 (Direction to the Commissioner of Human Services; Costs to State, Counties, and Providers for Implementation of the Family First Preservation Services Act) directs the commissioner to contract with a vendor to study the fiscal impacts on the state, on counties, and on providers, of implementing the Family First proposals, and to submit a legislative report on the findings by June 30, 2023.</p>
		<p>Page R100: Senate only. Compare with House Article 16 sections establishing separate provisions for Ombudsperson for American Indian Families.</p>	<p>Article 11, Section 39 (Direction to the Commissioner of Human Services; Ombudsperson for Families Reorganization Study) directs the commissioner to evaluate options for reorganizing the Office of Ombudsperson for Families into at least two separate options, and to develop a legislative proposal for introduction in the 2022 legislative session that would implement the reorganization.</p>
39	<p>Revisor instruction. Instructs the revisor to add a headnote in chapter 260C.</p>	<p>Page R100: House only</p>	
		<p>Page R100: Senate only. House includes identical repealer in Article 12, Section 41.</p>	<p>Article 11, Section 40 (Repealer) repeals statutes made unnecessary by Family First implementation.</p>