

House Research Act Summary

CHAPTER: 292

SESSION: 2012 Regular Session

TOPIC: Forecast Adjustments; Supplemental Appropriations; Newborn screening

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Overview

Chapter 292 makes forecast adjustments for K-12 education and human services programs, updates the K-12 statutes to reflect the actual tax rates and equalizing factors resulting from enactment of the 2011 omnibus education finance bill, makes certain supplemental appropriations, and modifies the newborn screening program.

Article 1: Education Finance Technical Updates

Overview

The 2011 Legislature altered school district tax bases by creating the market value homestead exclusion. On average, the exclusion reduced school district tax bases by about five percent. A separate provision in the omnibus K-12 education bill required the Department of Education to adjust each school district equalizing factor and tax rate set in statute so that, on average, school district levies and equalized state aids would be unaffected by the change in tax base (see Laws 2011, First Special Session chapter 11, article 1, section 34, for details).

The sections in this article, other than section 3, adjust the statutes so that the printed rates and equalizing factors match the actual rates. Section 3 is a forecast adjustment to the fixed standing appropriation for debt service equalization aid.

Article 2: K-12 Education Forecast Adjustments

Overview

Minnesota's schools receive revenue through a series of programs funded with state aid. Many of these programs use formulas based on estimated data that may vary over time (e.g. counts of pupils). Under the budgetary practices agreed to by the executive branch and the legislature, the legislature is required to fully fund each K-12 appropriation, and the semi-annual forecasts reflect K-12 expenditures at the formula-driven amounts. In most years, the legislature then passes a "forecast" bill that adjusts the K-12 appropriations to reflect the updated data. These forecast adjustments do not carry a fiscal cost because the costs (or savings) have already been counted in the forecast.

This article adjusts each K-12 appropriation for the forecast changes.

Article 3: Human Services Forecast Adjustments

Overview

This article adjusts appropriations for the Department of Human Services to reflect the February 2012 forecast estimates for the programs affected by those appropriations.

Article 4: Supplemental Budget Appropriations

Overview

This article contains changes to the newborn screening program, changes to the Minnesota GI Bill, and a series of appropriations and appropriations adjustments.

- 1 **Public health exception.** Amends § 13.386, by adding subd. 4. Provides a one-year exception, which expires July 1, 2013, for certain public health activities from the requirements for treatment of genetic information held by government. Specifies that this exception does not apply to activities related to newborn screening under Minnesota Statutes, sections 144.125 to 144.128.
- 2 **Historical Society admission fees.** Strikes language that currently provides that Minnesota Historical Society admission fees for historic sites are deposited in the state treasury.
- 3 **Information provided to parents.** Amends § 144.125, subd. 3. Removes and replaces existing provisions related to information provided to parents related to newborn screening and their rights related to refusing testing. Requires the commissioner of health to make information and forms available to health care providers who provide prenatal care and to persons with the duty to perform newborn screening.

Requires persons with the duty to perform testing under this section to first provide parents certain information related to newborn screening and, if requested, forms necessary to refuse testing; and to document in the infant's medical record that the parent received such information.

Provides that nothing in this section prohibits parents from having newborn screening performed for their infant through a private entity.
- 4 **Parental options.** Amends § 144.125, by adding subd. 4. (a) Provides that a parent or guardian may elect not to have their infant tested under the newborn screening program.

(b) Provides that if a parent or guardian elects not to have their infant tested, then that election must be recorded on a form and signed by the parent or guardian. Requires the form be made part of the infant's medical record and a copy provided to the Department of Health (MDH). Requires a person with the duty to perform testing to honor a parent or guardian's election not to perform testing and exempts those persons and MDH from the requirements of the newborn screening program.

5 Newborn screening program operations. Amends § 144.125, by adding subd. 5. Defines "newborn screening program operations" and requires that no research, public health studies, or development of new screening test shall be done under this subdivision.

6 Standard retention period for samples and test results. Amends § 144.125, by adding subd. 6. Designates standard retention periods for blood samples and test results collected through the newborn screening program. For blood samples with negative test results, the standard retention is 71 days from receipt of the sample. For blood samples with positive test results, the standard retention is 24 months from receipt of the sample. For all test results, the standard retention is 24 months from last date the results are reported.

Permits MDH to use blood samples and test results for newborn screening program operations during the standard retention periods.

7 Parental options for extended storage and use. Amends § 144.125, by adding subd. 7. (a) Permits parents and guardians to authorize their infants blood samples and test results to be retained and used by MDH beyond the standard retention periods.

(b) Requires MDH to make available a consent form with certain information.

8 Extended storage and use of samples and test results. Amends § 144.125, by adding subd. 8. Permits MDH to store blood samples and test results, with authorization from parents or guardians, for time periods not to exceed 18 years from the infant's date of birth.

9 Written informed consent for other use of samples and test results. Amends § 144.125, by adding subd. 9. Permits MDH to use blood samples and test results, with the written informed consent of a parent or guardian, for studies related to newborn screening and studies and research not related to newborn screening, with approval of the department's institutional review board.

10 Revoking consent for storage and use. Amends § 144.125, by adding subd. 10. Permits parents and guardians to revoke approval for extended storage or use of blood samples and test results. Requires that blood samples are destroyed within one week of a request or within one week of the standard retention period, whichever is later. Requires test results to be destroyed within one month of a request or within one month of the standard retention period, whichever is later.

11 Commissioner's duties. Amends § 144.128. Makes conforming changes and provides that nothing in the newborn screen statutes exempts the commissioner of health from the requirements for treatment of genetic information held by government under section 13.386.

12 Apprenticeship and on-the-job training. Directs the commissioner of veterans affairs, in consultation with the commissioners of DEED and of Labor and Industry, to develop and implement an apprenticeship and on-the-job training program within the Minnesota GI Bill Program, under the same appropriation as provided for the Minnesota GI Bill.

Directs that the apprenticeship and on-the-job training program must use the same eligibility criteria as currently required for the GI Bill Program. Stipulates a cap of \$2,000 per year for a participating veteran and also authorizes a grant of \$1,000 per participant, to be paid to the participant's eligible employer once the individual has been employed full-time with the employer for 12 consecutive months.

- 13 Appropriation.** Directs that the appropriation for the GI Bill Program may be expended for the apprenticeship and on-the-job training program, as well, beginning July 1, 2012. Leaves the annual fixed standing appropriation of \$6 million in place.
- 14 Request for information; evaluation of mandated health benefits.** Requires the commissioner of commerce to issue a request for information related to the cost and feasibility of an evaluation of mandated health benefits. Requires the commissioner to submit a report to the legislature by December 15, 2012. Requires that the evaluation include analysis and information described in Minnesota Statutes, section 62J.26, subdivision 2, paragraph (b), clauses (1) to (6).
- 15 Flood-related appropriations.** Reduces the 2010 appropriation for flood-related projects by \$285,000 and re-appropriates that same amount of money. Directs \$235,000 to the commissioner of public safety to provide a FEMA match for projects necessitated by the 2010 floods, and directs \$50,000 to the commissioner of natural resources for a grant to the Mankato Water Resources Center to prepare a report on potential flood mitigation activities in the Zumbro River watershed as a result of the 2010 floods.
- 16 Fund transfer; Department of Administration.** Transfers \$80,000 in fiscal year 2012 from the plant management fund to the state general fund. States that this amount represents the proceeds from the sale of assets and other revenues related to resource recovery activities. Transfers \$6,512 in fiscal year 2012 from the special revenue fund to the state general fund. States that the amount represents remaining funds for a "completed savings monitoring energy program."
- 17 Benchmarking studies; appropriation.** Appropriates \$450,000 in fiscal year 2012 from the general fund to the commissioner of administration to contract for a study of state back office functions and a student transportation study.
- Directs the commissioner to contract for a benchmark study on back office functions that must be completed by November 1, 2012. Requires the benchmark study to compare the state's performance of these functions to peer groups and world class organizations, quantify performance gaps, uncover hidden costs, identify improvement initiatives, and suggest a prioritized ranking of improvement initiatives.
- Directs the commissioner to contract for a student transportation study that must be completed by November 1, 2012. Requires the study to examine a regional approach to student transportation and to consider the relationship between general transit and student transportation functions.
- 18 Appropriations; veterans affairs.** Appropriates a total of \$400,000 in fiscal year 2013 from the general fund to the commissioner of veterans affairs on a onetime basis. Of this amount, \$200,000 is for a grant to the Minnesota County Veteran Service Officers for community outreach to veterans, \$100,000 is for compensation of honor guards, and \$100,000 is a grant to the Minnesota Assistance Council for Veterans.
- 19 Appropriation; soft body armor.** Appropriates \$472,000 in fiscal year 2012 from the general fund to the commissioner of public safety for soft body armor reimbursements under Minnesota Statutes, section 299A.38. Makes this a onetime appropriation available until June 30, 2012.
- 20 State agency rulemaking; appropriation.** Appropriates \$126,000 in fiscal year 2013 from the general fund to the commissioner of management and budget to implement chapter 218, relating to state agency rulemaking. Allows the commissioner to transfer the funds to other state agencies.
- Appropriates \$14,000 in fiscal year 2013 from the environmental fund to the commissioner of management and budget who may transfer the funds to the Pollution Control Agency to implement chapter 238 relating to state agency rulemaking.

- 21 MnSCU leveraged equipment acquisition; appropriation.** Appropriates \$457,000 in fiscal year 2013 from the general fund to the board of trustees of the Minnesota State Colleges and Universities (MnSCU) for leveraged equipment acquisition. Requires the state appropriation to be matched by cash or an in-kind contribution from a non-state source.
- 22 Notification from commissioner of health.** Requires the commissioner of health to notify the public and the legislature once MDH destroys all test results and blood samples that were retained for more than two years prior to November 16, 2011.
- 23 Reports from the commissioner of health.** Requires the commissioner of health to submit proposed legislation to the legislature by January 15, 2013, to authorize the commissioner of health to collect, store, use, and disseminate genetic information for existing activities at MDH where the commissioner determines express authorization is not already provided in law.
- 24 Effective date.** Provides effective dates for provisions related to the newborn screening program and specifies that nothing in those sections affects or limits pending legal actions with respect to activities that occurred before November 16, 2011.

Article 5: Supportive Housing

- 1 Additional purposes, housing infrastructure bonds.** Allows the Minnesota Housing Finance Agency to use the proceeds of housing infrastructure bonds to finance the construction costs of supportive housing for girls and women to provide them protection from and the means to escape from exploitation and trafficking.