

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 774

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**Version:** As introduced

**Authors:** Abeler

**Subject:** Human Services Licensing/Background Study Recodification

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### Overview

This bill recodifies provisions in the Human Services Licensing Act (chapter 245A) related to background studies. Current laws relating to human services background studies are interspersed throughout chapter 245A in an illogical fashion. This new structure reorganizes existing laws in a more logical manner and will help users of the law find relevant provisions more easily. H.F. 774 makes no substantive changes to current law relating to human services background studies.

H. F. 774 also divides, wherever possible, sections of the current law into shorter statutory sections and subdivisions. The benefit of this structural change is that each separate section and subdivision has its own headnote. These headnotes will help users find relevant provisions of the law more easily.

H. F. 774 also contains a number of stylistic changes to make the laws easier to read and use. The bill rewrites provisions of current law, where necessary, to clarify and simplify confusing or ambiguous provisions.

#### Article 1: Background Studies

Although all of the text in Article 1 is "new" language, nearly all of the provisions are derived from current provisions in chapter 245A relating to background studies. The few provisions that are not taken directly from current law do not substantively change current law and simply clarify existing current law. The attached tables show where provisions from current law appear in Article 1 of H.F. 774.

The sections in H.F. 774 are reorganized in a more logical fashion and are categorized as follows:

- ▶ general provisions (title, definitions);
- ▶ background study;
- ▶ disqualification;
- ▶ reconsideration of disqualification and appeal rights; and
- ▶ systems and records requirements.

Again, the purpose of the reorganization and recodification in Article 1 is to make the laws easier to use and understand without changing the substance of current law.

### **Article 2: Conforming Amendments**

Article 2 makes several conforming changes to chapter 245A. The stricken language includes the provisions that are rewritten, reorganized, and recodified in Article 1. Article 2 also includes several cross-references to newly codified sections in Article 1 to preserve the legislative history in chapter 245A. The provisions in Article 2 are technical in nature, and do not substantively change current laws relating to background studies.

<b>H.F. 774 Table A</b>	
<b>Current Statutory Number</b>	<b>Proposed Statutory Number</b>
245A.02, subd. 1	245C.02, subd. 1
245A.02, subd. 2b	245C.02, subd. 3
245A.02, subd. 3	245C.02, subd. 4
245A.02, subd. 4	245C.02, subd. 6
245A.02, subd. 5	245C.02, subd. 7
245A.02, subd. 6	245C.02, subd. 10
245A.02, subd. 8	245C.02, subd. 12
245A.02, subd. 9	245C.02, subd. 13
245A.02, subd. 11	245C.02, subd. 14
245A.04, subd. 3(a)	245C.13, subd. 1 & subd. 2; 245C.17, subd. 1(b)
245A.04, subd. 3(a) (last sentence)	245C.11, subd. 2
245A.04, subd. 3(a)(1)	245C.04, subd. 1(d)
245A.04, subd. 3(a)(2)	245C.04, subd. 2

<b>H.F. 774 Table A</b>	
<b>Current Statutory Number</b>	<b>Proposed Statutory Number</b>
245A.04, subd 3(a)(3)	245C.04, subd. 1(c) & subd. 3(b); 245C.10, subd. 3
245A.04, subd. 3(b)(1)	245C.02, subd. 5
245A.04, subd. 3(b)(2)	245C.02, subd. 8
245A.04, subd. 3(b)(3)	245C.02, subd. 9
245A.04, subd. 3(b)(4)	245C.02, subd. 11
245A.04, subd. 3(b)(5)	245C.02, subd. 15
245A.04, subd. 3(b)(6)	245C.02, subd. 19
245A.04, subd. 3(c)	245C.05, subd. 6
245A.04, subd. 3(c)(1)	245C.03, subd. 1
245A.04, subd. 3(c)(2)	245C.03, subd. 1
245A.04, subd. 3(c)(3)	245C.03, subd. 1
245A.04, subd. 3(c)(4)	245C.03, subd. 1
245A.04, subd. 3(c)(5)	245C.03, subd. 2
245A.04, subd. 3(c)(6)	245C.03, subd. 1
245A.04, subd. 3(c)(7)	245C.03, subd. 1
245A.04, subd. 3(d) (first sentence)	245C.08, subd. 4(a)
245A.04, subd. 3(d) (second sentence)	245C.08, subd. 4(b)
245A.04, subd. 3(d) (third sentence)	245C.08, subd. 4(c)
245A.04, subd. 3(d) (last sentence)	245C.08, subd. 4(e)
245A.04, subd. 3(e)	245C.03, subd. 3; 245C.04, subd. 4(b), 245C.10, subd, 2
245A.04, subd. 3(f)	245C.08, subd. 4(d)

<b>H.F. 774 Table A</b>	
<b>Current Statutory Number</b>	<b>Proposed Statutory Number</b>
245A.04, subd. 3(g)	245C.04, subd. 1(a), (b) & (c), (e), subd. 3(a), subd. 4(a)
245A.04, subd. 3(g) (last 2 sentences)	245C.11, subd. 1
245A.04, subd. 3(h)	245C.03, subd. 4
245A.04, subd. 3(i)	245C.04, subd. 5
245A.04, subd. 3(i) (second sentence)	245C.10, subd. 1
245A.04, subd. 3(i) (1)-(2)	245C.06
245A.04, subd. 3(i) (3)	245C.07
245A.04, subd. 3(j)	245C.05, subd. 7
245A.04, subd. 3(k)	245C.05, subd. 1 to subd. 4
245A.04, subd. 3(l)	245C.08, subd. 1 to subd. 3
245A.04, subd. 3(m)	245C.05, subd. 5
245A.04, subd. 3(n)	245C.09, subd. 1 & subd. 2
245A.04, subd. 3(p)	245C.14, subd. 1(b) & subd. 2(b)
245A.04, subd. 3(q)	245C.19
245A.04, subd. 3(r)	245C.32, subd. 1
245A.04, subd. 3(s)	245C.15, subd. 5
245A.04, subd. 3(u)	245C.12
245A.04, subd. 3(v)	245C.11, subd. 3
245A.04, subd. 3a	245C.13, subd. 1
245A.04, subd. 3a(a)	245C.17, subd. 2(a), subd. 3(a), subd. 3(e), subd. 4; 245C.20
245A.04, subd. 3a(a) (first sentence)	245C.17, subd. 1(a) & (b)

<b>H.F. 774 Table A</b>	
<b>Current Statutory Number</b>	<b>Proposed Statutory Number</b>
245A.04, subd. 3a(b)	245C.16, subd. 1 & subd. 2(a)
245A.04, subd. 3a(b)(1)	245C.17, subd. 2(b) & subd. 3(b)
245A.04, subd. 3a(b)(2)	245C.17, subd. 3(c); 245C.23, subd. 1 (c)
245A.04, subd. 3a(b)(3)	245C.17, subd. 2(c) & subd. 3(d); 245C.23, subd. 2
245A.04, subd. 3a(c)	245C.16, subd. 3
245A.04, subd. 3b(a)	245C.18; 245C.21, subd. 1 & subd. 2
245A.04, subd. 3b(a)(1)	245C.21, subd. 3
245A.04, subd. 3b(a)(2)	245C.21, subd. 3
245A.04, subd. 3b(b)	245C.22, subd. 2 & subd. 4
245A.04, subd. 3b(b) (last sentence)	245C.22, subd. 3
245A.04, subd. 3b(c)(2 <sup>nd</sup> to last paragraph)	245C.26
245A.04, subd. 3b(c) (last paragraph)	245C.24, subd. 1
245A.04, subd. 3b(c)(1)	245C.24, subd. 3
245A.04, subd. 3b(c)(2)	245C.24, subd. 2
245A.04, subd. 3b(c)(3)	245C.24, subd. 4
245A.04, subd. 3b(c)(4)	245C.24, subd. 4
245A.04, subd. 3b(d)	245C.22, subd. 1
245A.04, subd. 3b(d) (last sentence)	245C.23, subd. 1(a)
245A.04, subd. 3b(e)	245C.27, subd. 1
245A.04, subd. 3b(e) (first clause)	245C.27, subd. 2(c)
245A.04, subd. 3b(f)	245C.25; 245C.27, subd. 2(a) & (b)

<b>H.F. 774 Table A</b>	
<b>Current Statutory Number</b>	<b>Proposed Statutory Number</b>
245A.04, subd. 3b(g)	245C.23, subd. 1(a) & (b)
245A.04, subd. 3c(a)	245C.28, subd. 3
245A.04, subd. 3c(b)	245C.28, subd. 1
245A.04, subd. 3c(c)	245C.28, subd. 2
245A.04, subd. 3c(d)	245C.28, subd. 4
245A.04, subd. 3d(a)	245C.02, subd. 2, subd. 16, subd. 18; 245C.14, subd. 2(a)
245A.04, subd. 3d(a) (first sentence)	245C.14, subd. 1(a)
245A.04, subd. 3d(a)(1)	245C.15, subd. 1
245A.04, subd. 3d(a)(2)	245C.15, subd. 2
245A.04, subd. 3d(a)(3)	245C.15, subd. 3
245A.04, subd. 3d(a)(4)	245C.15, subd. 4
245A.04, subd. 3d(b)	245C.31, subd. 1
245A.04, subd. 3d(b)(1)	245C.31, subd. 2(a)
245A.04, subd. 3d(b)(2)	245C.31, subd. 2(b) & (c)
245A.04, subd. 3d(b)(3)	245C.31, subd. 3(a)
245A.04, subd. 3d(b)(4)	245C.31, subd. 3(b)
245A.04, subd. 3d(b)(5)	245C.31, subd. 4(a)
245A.04, subd. 3d(b)(6)	245C.31, subd. 4(b)
245A.04, subd. 3d(b)(7)	245C.31, subd. 4(c)
245A.04, subd. 3e(a)	245C.30, subd. 1
245A.04, subd. 3e(b)	245C.30, subd. 2

<b>H.F. 774 Table A</b>	
<b>Current Statutory Number</b>	<b>Proposed Statutory Number</b>
245A.04, subd. 3e(c)	245C.30, subd. 3
245A.04, subd. 3e(d)	245C.30, subd. 4
245A.04, subd. 3e(e)	245C.30, subd. 5
245A.04, subd. 3f	245C.29, subd. 1 & subd. 2
245A.041, subd. 1	245C.32, subd. 2
245A.041, subd. 2(a)	245C.32, subd. 3(a) & (b)
245A.041, subd. 2(b)	245C.32, subd. 3(c) & (d)
<b>H.F. 774 Table B</b>	
<b>Proposed Statutory Number</b>	<b>Current Statutory Number</b>
245C.01	New
245C.02, subd. 1	245A.02, subd. 1
245C.02, subd. 2	245A.04, subd. 3d(a)
245C.02, subd. 3	245A.02, subd. 2b
245C.02, subd. 4	245A.02, subd. 3
245C.02, subd. 5	245A.04, subd. 3(b)(1)
245C.02, subd. 6	245A.02, subd. 4
245C.02, subd. 7	245A.02, subd. 5
245C.02, subd. 8	245A.04, subd. 3(b)(2)
245C.02, subd. 9	245A.04, subd. 3(b)(3)
245C.02, subd. 10	245A.02, subd. 6
245C.02, subd. 11	245A.04, subd. 3(b)(4)

<b>H.F. 774 Table B</b>	
<b>Proposed Statutory Number</b>	<b>Current Statutory Number</b>
245C.02, subd. 12	245A.02, subd. 8
245C.02, subd. 13	245A.02, subd. 9
245C.02, subd. 14	245A.02, subd. 11
245C.02, subd. 15	245A.04, subd. 3(b)(5)
245C.02, subd. 16	245A.04, subd. 3d(a)
245C.02, subd. 17	New
245C.02, subd. 18	245A.04, subd. 3d(a)
245C.02, subd. 19	245A.04, subd. 3(b)(6)
245C.03, subd. 1	245A.04, subd. 3(c)(1) to (4), (6) & (7)
245C.03, subd. 2	245A.04, subd. 3(c)(5)
245C.03, subd. 3	245A.04, subd. 3(e)
245C.03, subd. 4	245A.04, subd. 3(h)
245C.04, subd. 1(a)	245A.04, subd. 3(g)
245C.04, subd. 1(b)	245A.04, subd. 3(g)
245C.04, subd. 1(c)	245A.04, subd 3(a)(3) & (g)
245C.04, subd. 1(d)	245A.04, subd. 3(a)(1)
245C.04, subd. 1(e)	245A.04, subd. 3(g)
245C.04, subd. 2	245A.04, subd. 3(a)(2)
245C.04, subd. 3(a)	245A.04, subd. 3(g)
245C.04, subd. 3(b)	245A.04, subd. 3(a)(3)
245C.04, subd. 4(a)	245A.04, subd. 3(g)
245C.04, subd. 4(b)	245A.04, subd. 3(e)
245C.04, subd. 5	245A.04, subd. 3(i)



<b>H.F. 774 Table B</b>	
<b>Proposed Statutory Number</b>	<b>Current Statutory Number</b>
245C.05, subd. 1	245A.04, subd. 3(k)
245C.05, subd. 2	245A.04, subd. 3(k)
245C.05, subd. 3	245A.04, subd. 3(k)
245C.05, subd. 4	245A.04, subd. 3(k)
245C.05, subd. 5	245A.04, subd. 3(m)
245C.05, subd. 6	245A.04, subd. 3(c)
245C.05, subd. 7	245A.04, subd. 3(j)
245C.06	245A.04, subd. 3(i) (1)-(2)
245C.07	245A.04, subd. 3(i) (3)
245C.08, subd. 1	245A.04, subd. 3(l)
245C.08, subd. 2	245A.04, subd. 3(l)
245C.08, subd. 3	245A.04, subd. 3(l)
245C.08, subd. 4(a)	245A.04, subd. 3(d) (first sentence)
245C.08, subd. 4(b)	245A.04, subd. 3(d) (second sentence)
245C.08, subd. 4(c)	245A.04, subd. 3(d) (third sentence)
245C.08, subd. 4(d)	245A.04, subd. 3(f)
245C.08, subd. 4(e)	245A.04, subd. 3(d) (last sentence)
245C.09, subd. 1	245A.04, subd. 3(n)
245C.09, subd. 2	245A.04, subd. 3(n)
245C.10, subd. 1	245A.04, subd. 3(i) (second sentence)
245C.10, subd. 2	245A.04, subd. 3(e)
245C.10, subd. 3	245A.04, subd. 3(a)(3)
245C.11, subd. 1	245A.04, subd. 3(g) (last 2 sentences)

<b>H.F. 774 Table B</b>	
<b>Proposed Statutory Number</b>	<b>Current Statutory Number</b>
245C.11, subd. 2	245A.04, subd. 3(a) (last sentence)
245C.11, subd. 3	245A.04, subd. 3(v)
245C.12	245A.04, subd. 3(u)
245C.13, subd. 1	245A.04, subd. 3(a) and subd. 3a
245C.13, subd. 2	245A.04, subd. 3(a)
245C.14, subd. 1(a) 245C.14, subd. 1(b)	245A.04, subd. 3d(a) (first sentence) 245A.04, subd. 3(p)
245C.14, subd. 2(a) 245C.14, subd. 2(b)	245A.04, subd. 3d(a) 245A.04, subd. 3(p)
245C.15, subd. 1	245A.04, subd. 3d(a)(1)
245C.15, subd. 2	245A.04, subd. 3d(a)(2)
245C.15, subd. 3	245A.04, subd. 3d(a)(3)
245C.15, subd. 4	245A.04, subd. 3d(a)(4)
245C.15, subd. 5	245A.04, subd. 3(s)
245C.16, subd. 1	245A.04, subd. 3a(b)
245C.16, subd. 2(a) 245C.16, subd. 2(b)	245A.04, subd. 3a(b) New
245C.16, subd. 3	245A.04, subd. 3a(c)
245C.17, subd. 1(a) 245C.17, subd. 1(b)	245A.04, subd. 3a(a) (first sentence) 245A.04, subd. 3(a); subd. 3a(a) (first sentence)
245C.17, subd. 2(a) 245C.17, subd. 2(b) 245C.17, subd. 2(c)	245A.04, subd. 3a(a) & New 245A.04, subd. 3a(b)(1) 245A.04, subd. 3a(b)(3)

<b>H.F. 774 Table B</b>	
<b>Proposed Statutory Number</b>	<b>Current Statutory Number</b>
245C.17, subd. 3(a)	245A.04, subd. 3a(a) & New
245C.17, subd. 3(b)	245A.04, subd. 3a(b)(1)
245C.17, subd. 3(c)	245A.04, subd. 3a(b)(2)
245C.17, subd. 3(d)	245A.04, subd. 3a(b)(3)
245C.17, subd. 3(e)	245A.04, subd. 3a(a)
245C.17, subd. 4	245A.04, subd. 3a(a)
245C.18	245A.04, subd. 3b(a)
245C.19	245A.04, subd. 3(q)
245C.20	245A.04, subd. 3a(a)
245C.21, subd. 1	245A.04, subd. 3b(a)
245C.21, subd. 2	245A.04, subd. 3b(a)
245C.21, subd. 3	245A.04, subd. 3b(a)(1) & (2)
245C.22, subd. 1	245A.04, subd. 3b(d)
245C.22, subd. 2	245A.04, subd. 3b(b)
245C.22, subd. 3	245A.04, subd. 3b(b) (last sentence)
245C.22, subd. 4	245A.04, subd. 3b(b)
245C.23, subd. 1(a)	245A.04, subd. 3b, last sentence in (d) & full para. (g)
245C.23, subd. 1(b)	245A.04, subd. 3b(g)
245C.23, subd. 1(c)	245A.04, subd. 3a(b)(2)
245C.23, subd. 2	245A.04, subd. 3a(b)(3)
245C.24, subd. 1	245A.04, subd. 3b(c) (last paragraph)
245C.24, subd. 2	245A.04, subd. 3b(c)(2)
245C.24, subd. 3	245A.04, subd. 3b(c)(1)

<b>H.F. 774 Table B</b>	
<b>Proposed Statutory Number</b>	<b>Current Statutory Number</b>
245C.24, subd. 4	245A.04, subd. 3b(c)(3) & (4)
245C.25	245A.04, subd. 3b(f)
245C.26	245A.04, subd. 3b(c)(2 <sup>nd</sup> to last paragraph)
245C.27, subd. 1	245A.04, subd. 3b(e)
245C.27, subd. 2(a)	245A.04, subd. 3b(f)
245C.27, subd. 2(b)	245A.04, subd. 3b(f)
245C.27, subd. 2(c)	245A.04, subd. 3b(e) (first clause)
245C.28, subd. 1	245A.04, subd. 3c(b)
245C.28, subd. 2	245A.04, subd. 3c(c)
245C.28, subd. 3	245A.04, subd. 3c(a)
245C.28, subd. 4	245A.04, subd. 3c(d)
245C.29, subd. 1	245A.04, subd. 3f
245C.29, subd. 2	245A.04, subd. 3f
245C.30, subd. 1	245A.04, subd. 3e(a)
245C.30, subd. 2	245A.04, subd. 3e(b)
245C.30, subd. 3	245A.04, subd. 3e(c)
245C.30, subd. 4	245A.04, subd. 3e(d)
245C.30, subd. 5	245A.04, subd. 3e(e)
245C.31, subd. 1	245A.04, subd. 3d(b)
245C.31, subd. 2(a)	245A.04, subd. 3d(b)(1)
245C.31, subd. 2(b)	245A.04, subd. 3d(b)(2)
245C.31, subd. 2(c)	245A.04, subd. 3d(b)(2)
245C.31, subd. 3(a)	245A.04, subd. 3d(b)(3)

<b>H.F. 774 Table B</b>	
<b>Proposed Statutory Number</b>	<b>Current Statutory Number</b>
245C.31, subd. 3(b)	245A.04, subd. 3d(b)(4)
245C.31, subd. 4(a)	245A.04, subd. 3d(b)(5)
245C.31, subd. 4(b)	245A.04, subd. 3d(b)(6)
245C.31, subd. 4(c)	245A.04, subd. 3d(b)(7)
245C.32, subd. 1	245A.04, subd. 3(r)
245C.32, subd. 2	245A.041, subd. 1
245C.32, subd. 3(a)	245A.041, subd. 2(a)
245C.32, subd. 3(b)	245A.041, subd. 2(a)
245C.32, subd. 3(c)	245A.041, subd. 2(b)
245C.32, subd. 3(d)	245A.041, subd. 2(b)