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Overview

This bill modifies the state agency hearing process for the Department of Human Services. It changes the title of "human services referee" to "human services judge." It creates a Disparities Reduction Advisory Council.

Article 1: Agency Hearings and Appeals

- 1 State agency hearings.** Amends § 256.045, subdivision 3. Makes technical changes. Adds two new paragraphs.

Paragraph (c) provides that for individuals and facilities determined to have committed maltreatment of a child or vulnerable adult based on a conviction, admission, or Alford plea to any of the specified crimes, or for an individual who is disqualified based on a judicial determination related to specified offenses, the reconsideration decision is the final agency action for purposes of appeal and is not subject to a hearing under this section.

Paragraph (i) states that unless federal or state law provides otherwise, an appeal under this section must be filed in writing within 30 days after receiving written notice of the agency action, or within 90 days if the party shows good cause why the request was not submitted within 30 days.
- 2 Conduct of hearings.** Amends § 256.045, subdivision 4. Provides that human services judges have sole discretion to grant a request for a hearing in person by holding the hearing by interactive video technology.
- 3 Prehearing conferences.** Amends § 256.0451, subdivision 5. Strikes "appeals referee" and substitutes "human services judge." Allows a human services judge to make rulings and enter interim orders to further the appeal process.
- 4 Revisor's instruction.** Requires the revisor to substitute the term "human services judge" for other specified terms that refer to human services referees appointed by the commissioner wherever they appear in Minnesota statutes.

Article 2: Disparities Reduction Advisory Council

1 Disparities reduction advisory council. Creates § 256.4831.

Subdivision 1. Establishment; members. Paragraph (a) establishes the council and requires the commissioner to appoint no fewer than 15 and no more than 30 members, in consultation with county, tribal, community, and parent representative. States that the purpose of the council is to reduce racial and ethnic disparities in access and outcomes for DHS funded programs. Lists the groups that must be represented on the council.

Paragraph (b) provides that each member must be appointed to either a one or two year term. Requires the commissioner to appoint one member as the chair. States that the council does not expire unless directed by the commissioner.

Subd. 2. Definitions. Defines, for purposes of this section, "racial, ethnic, cultural, or linguistic disparities," and "culturally appropriate" and "culturally sensitive."

Subd. 3. Duties of the commissioner. Requires the commissioner, among other things, to maintain the council, contract with qualified agencies or hire staff to carry out the council's recommendations, review department policies that maintain disparities and make adjustments to ensure the disparities are not perpetuated.

Subd. 4. Duties of the council. Requires the council, among other things, to make recommendations to the commissioner, provide technical assistance and consultation, provide training and outreach, and promote information sharing in the human services community and statewide.

Subd. 5. Duties of the council members. Requires the members to attend and participate in scheduled meetings, maintain communication channels, identify and communicate issues and risks, collaborate, provide updates on the council's work progress on the DHS website; and participate in activities deemed appropriate by the chair.