

Subject Children and Families DHS policy bill

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Overview

This bill modifies provisions related to safe place for newborns reporting, records, and duties, adoption, Northstar kinship and adoption assistance, and child out-of-home placements.

Summary

Section	Description
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| 1 | Reporting safe place newborn births.
Amends § 144.216 by adding subd. 3. Requires a hospital that receives a safe place newborn to report the newborn's birth to the Office of Vital Records within five days; requires the state registrar to register the information reported. Makes the section effective August 1, 2020. |
| 2 | Status of safe place birth registrations.
Amends § 144.216 by adding subd. 4. Specifies that information reported under subdivision 3 constitutes a birth record. Specifies that the information is confidential data on individuals, and specifies procedure for when a safe place newborn was born in a hospital and a birth record was registered. Makes the section effective August 1, 2020. |
| 3 | Safe place newborns.
Amends § 144.218 by adding subd. 6. Requires replacement of a birth record for a safe place newborn when a record of birth had already been registered. Specifies that the replacement record cannot be disclosed, except by court order. Makes the section effective August 1, 2020. |
| 4 | Which services are for fee.
Amends § 144.226, subd. 1. Specifies that there is no fee for registering a safe place newborn replacement birth record. Makes the section effective August 1, 2020. |

Section	Description
5	<p>Give life a chance; safe place for newborns duties; immunity.</p> <p>Amends § 145.902. Specifies that “safe place” includes the hospital where the newborn was born, and that a safe place may ask the mother about Indian tribal lineage.</p> <p>Adds requirement for the hospital to report receiving a safe place newborn within five days; specifies birth record requirements. Clarifies that a hospital is immune from criminal or civil liability or administrative penalty under this section. Makes the section effective August 1, 2020.</p>
6	<p>Permanent legal and physical custody.</p> <p>Amends § 256N.02, subd. 16. Specifies that “permanent legal and physical custody” requires a full transfer, ordered by a district court, to a relative who is not a parent. Specifies that for purposes of Northstar kinship assistance eligibility, permanent legal and physical custody shall not include any joint custody arrangements.</p>
7	<p>Reassessment.</p> <p>Amends § 256N.02, subd. 17. Removes “guardianship,” so that the “at risk child” designation on reassessment only applies to adoption assistance.</p>
8	<p>General eligibility requirements.</p> <p>Amends § 256N.22, subd. 1. Specifies that for Northstar kinship assistance eligibility, custody must be transferred to a relative who is not a parent, with no shared custody arrangements.</p>
9	<p>Special needs determination.</p> <p>Amends § 256N.23, subd. 2. Specifies that parent consent to adoption to a relative custodian may constitute evidence for a determination that the child must not or should not be returned to the home of the child's parents, for Northstar adoption assistance eligibility. Removes erroneous cross-reference.</p>
10	<p>Exclusions.</p> <p>Amends § 256N.23, subd. 6. Allows a relative custodian currently receiving Northstar kinship assistance benefits to possibly receive Northstar adoption assistance benefits if the custodian adopts the child.</p>
11	<p>Assessment.</p> <p>Amends § 256N.24, subd. 1. Removes reference to kinship assistance, clarifying that the at-risk child designation only applies for adoption assistance.</p>

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12	Completing the special assessment. Amends § 256N.24, subd. 8. Removes reference to at-risk child designation from kinship assistance provision, since designation only applies for adoption assistance.
13	Completion of reassessment. Amends § 256N.24, subd. 11. Removes reference to kinship assistance, clarifying that the at-risk child designation only applies for adoption assistance.
14	Approval of initial assessments, special assessments, and reassessments. Amends § 256N.24, subd. 12. Updates terminology.
15	Assessment tool determines rate of benefits. Amends § 256N.24, subd. 14. Updates terminology.
16	Adult adoption. Amends § 259.241. Allows an individual in extended foster care to consent to their own adoption, if the court finds the individual competent to give consent. Removes termination of sibling relationships upon adult adoption.
17	Parental responsibilities. Amends § 259.35, subd. 1. Corrects cross-reference.
18	Preadoption assistance. Amends § 259.53, subd. 4. Makes clarifying change.
19	Withdrawal of registration. Amends § 259.75, subd. 5. Specifies that a child may be removed from the state adoption exchange when a child is not seeking an adoptive home or is no longer under the guardianship of the commissioner.
20	Periodic review of status. Amends § 259.75, subd. 6. Modifies requirements for the adoption exchange, requiring the commissioner to review the status of a child who was removed from the exchange, and allowing the commissioner to determine that a child must be registered. Requires periodic review to determine progress toward adoption.
21	Rules; staff. Amends § 259.75, subd. 9. Allows the commissioner to contract for part of the state adoption exchange service, in line with current practice.

Section	Description
22	Social and medical history. Amends § 259.83, subd. 1a. Adds cross-reference to clarify that two versions of the form exist.
23	General information. Amends § 259A.75, subd. 1. Includes tribal agencies for receipt of reimbursement for contracted adoption placement services.
24	Purchase of service contract child eligibility criteria. Amends § 259A.75, subd. 2. Removes outdated cross-reference; removes requirement that a child have a fully executed adoption placement agreement to receive adoption services.
25	Agency eligibility criteria. Amends § 259A.75, subd. 3. Includes tribal agencies for access to adoption services.
26	Application and eligibility determination. Amends § 259A.75, subd. 4. Includes tribal agencies for reimbursement of costs for adoption placement services.
27	Licensed residential family-based substance use disorder treatment program. Amends § 260C.007, subd. 22a. Modifies cross-reference, includes programs licensed or approved by tribes in definition.
28	Out-of-home placement; plan. Amends § 260C.212, subd. 1. Modifies provision relating to copies of a child's health and education records, and social and medical history, upon discharge from foster care.
29	Placement decisions based on best interests of the child. Amends § 260C.212, subd. 2. Adds clarifying language for relative placement preference order.
30	Social and medical history. Amends § 260C.212 by adding subd. 15. Requires the responsible social services agency to complete a child's social and medical history using forms developed by the commissioner, and working with the child's birth family, foster family, medical and other providers, and school. Specifies timeline and information that must be included in the social and medical history.

Section	Description
31	Agency responsibilities for parents and children in placement. Amends § 260C.219. Modifies reference, clarifies that the health and education report must be provided to a child leaving foster care by reaching the age of majority.
32	Termination of parental rights. Amends § 260C.503, subd. 2. Corrects cross-reference.
33	Guardianship; commissioner. Amends § 260C.515, subd. 3. Allows a court to terminate parental rights when the responsible social services agency determines that the identified prospective adoptive parent is not going to adopt the child.
34	Requirements. Amends § 260C.605, subd. 1. Corrects cross-references.
35	Motion and hearing to order adoptive placement. Amends § 260C.607, subd. 6. Corrects cross-reference.
36	Social and medical history. Amends § 260C.609. Removes language moved to section 260C.212, subd. 15. Specifies circumstances under which the responsible social services agency must provide a child's social and medical history to a prospective adoptive parent, and specifies what must be redacted. Requires the prospective adoptive parent to return the records to the agency if they do not pursue adoption of the child. Requires the responsible social services agency to submit the child's social and medical history to the Department of Human Services when the adoption placement agreement is submitted, and to the court when the adoption petition is filed.
37	Duties of commissioner. Amends § 260C.615. Corrects cross-reference; makes clarifying changes to commissioner's roles in reviewing adoption agreements and supervising delegated agency responsibilities for children under guardianship of the commissioner.



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