

**Subject** Office of the Ombudsperson for American Indian Families

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## Overview

Currently, there are four community ombudspersons within the Office of Ombudsperson for Families, including an Ombudsperson for American Indian Families. This bill removes that ombudsperson and establishes a new, separate Office of the Ombudsperson for American Indian Families, and makes corresponding statutory and appropriation changes. The bill also creates an American Indian community-specific board to appoint the Ombudsperson for American Indian Families and assist the new office with its work.

## Summary

Section	Description
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1	<b>Ombudsperson for American Indian Families.</b>
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Proposes coding for § 3.9215.

**Subd. 1. Scope.** Creates the Office of the Ombudsperson for American Indian Families.

**Subd. 2. Creation.** Specifies that the ombudsperson will operate independently from the Indian Affairs Council.

**Subd. 3. Selection; qualifications.** Requires the ombudsperson to be selected by the American Indian community-specific board. Outlines selection and removal parameters and processes.

**Subd. 4. Appropriation.** Specifies that money appropriated to the ombudsperson from the general fund or other special fund is under the control of the ombudsperson, and that the amount necessary to carry out statutory duties is annually appropriated from the general fund.

**Subd. 5. Definitions.** Defines the terms “agency,” “American Indian,” “facility,” and “Indian custodian” for purposes of this section.

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**Subd. 6. Organization.** Outlines staffing and administrative classifications and requirements.

**Subd. 7. Duties and powers.** Paragraph (a) lists the ombudsperson's duties. Paragraph (b) lists the ombudsperson's authority to investigate and powers to carry out that authority. Paragraph (c) allows the ombudsperson to apply for grants and accept gifts, donations, and appropriations for training relating to the duties of the ombudsperson; specifies how funds and gifts may be used.

**Subd. 8. Matters appropriate for review.** Specifies factors the ombudsperson should consider when selecting matters for review; requires the ombudsperson to inform other interested agencies when selecting matters for review.

**Subd. 9. Complaints.** Outlines complaint receipt and review procedures.

**Subd. 10. Recommendations to agency.** Specifies recommendations the ombudsperson may make to an agency, facility, or program, if the ombudsperson determines that a complaint has merit or that an investigation reveals a problem. Allows the ombudsperson to require an agency, facility, or program to inform the ombudsperson of actions taken.

**Subd. 11. Recommendations and public reports.** Allows the ombudsperson to send conclusions and suggestions concerning any matter the ombudsperson reviews to the governor; requires copies of all reports to be provided to the advisory board and other specified groups. Outlines additional report requirements; requires an annual report on the functions of the office.

**Subd. 12. Civil actions.** Specifies civil liability for the ombudsperson and designees.

**Subd. 13. Use of funds.** Allows any funds received by the ombudsperson to be used to compensate members of the American Indian community-specific board for reasonable and necessary expenses incurred in assisting the ombudsperson.

2 **American Indian community-specific board.**

Proposes coding for § 3.9216. Establishes the American Indian community-specific board, consisting of five members who are members of the American Indian community. Outlines board compensation, meeting, and removal and vacancy requirements. Lists duties of the board, including appointing the Ombudsperson for American Indian Families and assisting the ombudsperson. Specifies grant and gift requirements and terms and expiration of board membership.

<b>Section</b>	<b>Description</b>
3	<p><b>Creation.</b></p> <p>Amends § 257.0755, subd. 1. Removes reference to the Indian Affairs Council in section relating to the ombudspersons within the Office of Ombudsperson for Families.</p>
4	<p><b>Communities of color.</b></p> <p>Amends § 257.076, subd. 3. Modifies definition of “communities of color” for purposes of the ombudspersons within the Office of Ombudsperson for Families, removing “American Indian.”</p>
5	<p><b>Family of color.</b></p> <p>Amends § 257.076, subd. 5. Modifies definition of “family of color” for purposes of the ombudspersons within the Office of Ombudsperson for Families, removing “American Indian.”</p>
6	<p><b>Membership.</b></p> <p>Amends § 257.0768, subd. 1. Modifies subdivision relating to community-specific boards by removing one board and removing the Indian Affairs Council’s board appointment powers.</p>
7	<p><b>Joint meetings.</b></p> <p>Amends § 257.0768, subd. 6. Removes one community-specific board for advising the ombudspersons within the Office of Ombudsperson for Families.</p>
8	<p><b>Funding for the ombudsperson program.</b></p> <p>Amends § 257.0769. Amends subdivision 1 by appropriating 25% of special fund money to the Office of the Ombudsperson for American Indian Families established in this bill, appropriating 75% to the Office of Ombudsperson for Families, and removing specific appropriations to the Council for Minnesotans of African Heritage and the Council on Asian-Pacific Minnesotans.</p> <p>Amends subdivision 2 by adding references to the new Office of the Ombudsperson for American Indian Families.</p>
9	<p><b>Transfer of money.</b></p> <p>Requires the Office of Ombudsperson for Families to transfer any remaining money designated for use by the Ombudsperson for American Indian Families to the Office of the Ombudsperson for American Indian Families by the end of fiscal year 2021.</p>



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