

Subject Child Mortality Review and Supreme Court Council on Child Protection

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Overview

The child mortality review panel, established by the commissioner of human services under section 256.01, subdivision 12, reviews child fatalities and near fatalities attributed to or possibly caused by maltreatment. County agencies are also required to review such incidents through local child mortality review panels. This bill recodifies and makes extensive changes to the child mortality review panel and child fatality and near fatality review processes.

The bill also invites the chief justice of the supreme court to establish a Supreme Court Council on Child Protection, to develop a comprehensive blueprint to improve Minnesota's child protection system.

Summary

Section	Description
1	<p>Department of Human Services systemic critical incident review team.</p> <p>Amends § 256.01, subd. 12b. Adds child fatalities or near fatalities in licensed facilities to critical incidents to be reviewed by the systemic critical incident review team. Makes this section effective July 1, 2025.</p>
2	<p>Child fatality and near fatality review.</p> <p>Proposes coding for § 260E.39. Outlines new process for child fatality and near fatality reviews.</p> <p>Subd. 1. Definitions. Defines “critical incident;” “joint review;” “local review;” “local review team;” and “panel” for purposes of this section.</p> <p>Subd. 2. Local child mortality review teams. Requires each county to establish a multidisciplinary local child mortality review team, participate in local critical</p>

Section	Description
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incident reviews, and conduct critical incident reviews jointly with the child mortality review panel.

Subd. 3. Child mortality review panel; establishment and membership.

Paragraph (a) requires the commissioner to establish a child mortality review panel to review critical incidents attributed to child maltreatment, identify systemic changes to improve child safety, and recommend regulatory and policy changes.

Paragraph (b) lists the members of the panel, and paragraph (c) requires the governor to appoint a chair. Paragraph (d) specifies member terms and removal procedures. Paragraph (e) requires the commissioner to employ an executive director for the panel, to provide administrative support and perform other listed duties.

Subd. 4. Critical incident review process. Outlines the critical incident review process. Paragraph (a) requires the local welfare agency to report the critical incident to the commissioner and the panel executive director within three business days of when the agency makes a maltreatment determination related to the critical incident.

Paragraph (b) requires the panel to conduct a joint review with the local review team for critical incidents that meet listed criteria. Paragraph (c) requires the local review team to review all critical incidents not subject to joint review.

Paragraph (d) requires the panel or local review team to complete the joint review or local review and compile a report within 120 days of initiating the review of a critical incident; specifies what the report must include. Paragraph (e) requires the local review team to provide its local review report to the panel within three business days of completion and allows the panel to conduct a further review after receiving the local review team report.

Paragraph (f) allows the panel to make recommendations to any state or local agency, branch of government, or system partner to improve child safety and well-being.

Paragraph (g) requires the commissioner to conduct additional information gathering at the request of the panel, and compile a summary report for each critical incident for which the team conducts information gathering. Paragraph (h) allows the panel or local review team to conduct its review and compile its report after receiving this summary report and extend the timeline for its review and report accordingly.

Section Description

Paragraph (i) requires critical incident reviews to proceed as specified in this section, regardless of the status of any pending litigation or active investigations.

Subd. 5. Critical incident reviews; data practices and immunity. Outlines access to not public data for entities involved in critical incident review processes. Specifies that data acquired by an entity involved in critical incident review is protected nonpublic or confidential data, and is not subject to subpoena or discovery; allows disclosure as necessary to carry out the purposes of the review team or panel.

Paragraph (c) requires the commissioner to disclose specified data upon request, but with specified limitations. Paragraph (d) outlines data disclosure prohibitions for meeting attendees and team members; specifies data classification for proceedings and records of review teams and the panel. Paragraph (e) prohibits a member of a review team or the panel or a person who presented information as part of a critical incident review from being prevented from testifying about matters within the person's knowledge; prohibits such a person from being questioned about participation in a critical incident review.

Paragraph (f) provides immunity from civil or criminal liability for specified persons, if acting in good faith and assisting in information gathering or a critical incident review.

Subd. 6. Child mortality review panel; annual report. Requires the commissioner to publish an annual report of the child mortality review panel. Specifies contents of the report.

Subd. 7. Local welfare agency critical incident review training. Requires the commissioner to provide training, support, and consultation to the panel and local review teams.

Subd. 8. Culture of learning and improvement. Requires the local review teams and panel to advance and support a culture of learning and improvement within the child welfare system.

Makes this section effective July 1, 2025.

3 Supreme Court Council on Child Protection.

Outlines establishment, membership, administration, duties, and required reports for the Supreme Court Council on Child Protection.

Subd. 1. Establishment. Invites the chief justice of the supreme court to establish a Supreme Court Council on Child Protection, as part of the Children's Justice

Section **Description**

Initiative, to develop a comprehensive blueprint to improve Minnesota’s child protection system.

Subd. 2. Membership. Lists the members of the council and appointing authorities for each member.

Subd. 3. Organization and administration. Specifies that the council is governed by the requirements under section 15.059; requires the state court administrator to provide administrative support to the council; specifies that council members serve at the pleasure of the appointing authority and that the chief justice must select a chairperson.

Subd. 4. Meetings. Outlines requirements for council meetings, which must begin by September 15, 2024.

Subd. 5. Duties. Requires the council to develop a comprehensive blueprint to address all aspects of the child protection system; lists activities the council must undertake when developing the blueprint.

Subd. 6. Reports. Requires the council to submit an initial progress report to the governor, the chief justice, and the legislature by January 15, 2025. Requires the council to submit a final report by January 15, 2026, detailing the council’s comprehensive blueprint.

Subd. 7. Expiration. Specifies that the council expires upon the submission of its final report.

4 Appropriation; Supreme Court Judicial Council on Child Protection.

Appropriates \$800,000 in fiscal year 2025 from the general fund to the supreme court for the establishment and administration of the council. Specifies that the appropriation is onetime, available until June 30, 2026.

5 Repealer.

Repeals section 256.01, subdivisions 12 and 12a (child mortality review panel; Department of Human Services child fatality and near fatality review team), and Minnesota Rules, part 9560.0232, subpart 5 (local child mortality review panel).

Makes this section effective July 1, 2025.



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