

H.F. 2037

As amended by H2037DE1

Subject Department of Direct Care and Treatment

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Summary

In 2023, the legislature established Direct Care and Treatment as a separate state agency, moving these functions from a division within the Department of Human Services (DHS). Direct Care and Treatment is currently a division of DHS that delivers publicly funded, state-operated residential and nonresidential treatment services to persons with complex needs related to mental illness, substance use, and developmental disabilities, and includes the Minnesota Sex Offender Program. In 2024, the legislature made necessary changes to Minnesota Statutes to establish the Direct Care and Treatment executive board, define the powers and duties of the executive board and chief executive officer, and transfer to the Direct Care and Treatment executive board all the duties and authorities currently vested in the commissioner of human services with respect to the activities of the Division of Direct Care and Treatment. The transfer is scheduled to occur July 1, 2025.

This bill modifies the structure of Direct Care and Treatment in Article 1, effective the day following final enactment.

Sections 1 to 3 and 5 to 8 reclassify Direct Care and Treatment as a department of the state (Department of Direct Care and Treatment), to be headed by a commissioner. The article then removes the Direct Care and Treatment executive board duties and authorities and transfers those duties and authorities to the commissioner.

Section 20 removes the requirement for the initial appointment of the Direct Care and Treatment chief executive officer to be confirmed by the Senate. **Section 21** requires the governor to make an initial appointment of a commissioner or name a temporary commissioner by July 1, 2025. **Section 22** requires the commissioner's salary to equal that of the chief executive officer, if the commissioner is appointed prior to the commissioner's salary being determined by the Compensation Council. **Section 23** dissolves the executive board the day following final enactment and transfers duties and authorities accordingly.

Sections 24 to 26 are revisor instructions to modify statutory terms and make other technical changes to implement the structural changes contained in article 1. **Section 27** repeals subdivisions in chapter 246C that no longer apply under the commissioner-led department structure, and session laws related to Direct Care and Treatment that have been rendered obsolete by this bill.

Article 2, effective the day following final enactment, contains conforming changes to sections throughout Minnesota Statutes resulting from the changes in article 1, from agency to department of the state, and executive board to commissioner.



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