

Children and Families (Pinto/Wiklund); Chapter 115

Reference materials:

- [Spreadsheet](#) (Children and Families)
- [Spreadsheet](#) (Education)
- [Summary](#)

Bill Review:

Article 12 – Child Protection and Welfare: This article contains provisions modifying child critical incident and fatality review procedures; establishes notice, disclosure, use, accounting, and reporting requirements when a financially responsible agency applies for and receives benefits on behalf of a child in foster care; clarifies the definition of “child in need of protection or services;” makes technical and clarifying changes; invites the chief justice of the supreme court to establish a Supreme Court Council on Child Protection; requires a review of maltreatment reporting processes and systems; establishes grants for relative caregivers; and makes statutory changes for federal compliance related to labor trafficking and missing children.

- Section 1: Department of Human Services systemic critical incident review team changes, clarifying change.
- Section 2: Treatment of Supplemental Security Income (SSI):
 - **Requires financially responsible agency to apply to be payee for a child who receives benefits through SSI, adds written notice requirements and reporting requirements**
 - **Specifies agency can only use funds to pay for care of child.**
 - Authorizes report to commissioner and then report to Legislature.
- Sections 3, 11: Treatment of retirement survivor’s disability insurance (RSDI), veteran’s benefits, railroad retirement benefits, and black lung benefits.
 - **Requires financially responsible agency to apply to be payee for a child who receives benefits through RSDI, adds written notice and reporting requirements.**
- Section 4: **County and Tribal agency notice and reporting requirements re: SSI and RSDI.**
 - **Requires counties to keep track of all funds received and submit report to commissioner.**
- Section 5: **Requires child-placing agency to notify an Indian child’s Tribe(s) by telephone and email within 24 hours of receiving information of a missing child.**
- Section 6: Modifies definition of “child abuse” involving a minor victim.
- Sections 7-10, 12-26: Modifies statutes to expand protections for labor trafficked youth.
- Section 27: **Child Fatality and Near Fatality Review:**
 - Local child mortality review teams
 - Child mortality review panel; establishment and membership; ED must be hired for administrative support
 - Critical incident review process; steps for local agencies regarding timelines for reporting; requirements for reports
 - Critical incident reviews; data practices and immunity; access to non-public data for reviews
 - Child mortality review panel; annual report requirements

- Local welfare agency critical incident review training
 - Culture of learning and improvement
- Section 28: Child support minimum basic support exemption; technical change.
- Section 29: Modifies compensation for members of the Community Resource Center Advisory Council.
- Section 30: **Supreme Court Council on Child Protection Establishment:**
 - Subd. 2: Membership and appointing authorities
 - Subd. 3: Organization and administration of the council
 - Subd. 4: Meeting requirements, must begin September 2024
 - Subd. 5: Duties, create blueprint for improvement of child protection system
 - Subd. 6: Reports, initial progression report by January 15, 2025
 - Subd. 7: Expiration upon submission of final report
- Section 31: **Directive to Commissioner; Child Maltreatment Reporting Systems Review and Recommendations:**
 - Review systems in other states and recommendation on common entry point system for reporting.
- Section 32: **Directive to DHS regarding design and development of the Comprehensive Child Welfare Information System (CCWIS) to, at a minimum:**
 - Allow counties to track financial information on behalf of children in the child welfare system;
 - Provide ombudspersons case access to nonprivileged information necessary for discharge of duties;
 - Provide statewide data reports; and
 - Track demographic data about children in the system.
- Section 33: Creates relative caregiver grants through the Department of Children, Youth and Families (DCYF) for community-based nonprofits to provide culturally competent supports.
- Section 35: Repeals previous statutes regarding child mortality review panel.

Article 13 – Economic Supports: This article addresses Supplemental Nutrition Assistance Program (SNAP) eligibility for students enrolled in higher education, makes modifications to the family assets for independence in Minnesota (FAIM) program, and modifies the amount available for administration for the diaper distribution grant program.

- Section 1: Campus-Based Employment and Training Program for Students Enrolled in Higher Education:
 - SNAP eligibility for students in higher ed
 - Guidance to lead agencies about eligibility
 - DHS must design application for higher education institutions
- Sections 2-4: Modifications to Family Assets for Independence Initiative.
- Section 5: Moves responsibilities for campus-based SNAP from DHS to DCYF.

Article 14 – Housing and Homelessness: This article contains requirements for the commissioner of human services to contract with third-party entities to conduct studies on the needs of: (1) transgender adults experiencing homelessness; and (2) pregnant and parenting youth experiencing homelessness.

- Section 1: Emergency Shelter Needs Analysis for LGBTQIA+ Youth Experiencing Homelessness.
 - Requires DHS commissioner to contract with Propel Nonprofits for analysis and report

- Section 2: Pregnant and Parenting Homeless Youth Study.
 - Requires DHS commissioner to contract with Wilder Foundation for study and report.

Article 15 – Child Care Licensing: This article directs the commissioner of children, youth, and families to develop and implement a weighted risk system to determine when a licensed child care provider may receive technical assistance rather than a correction order for noncompliance with a licensing requirement. The article also modifies the first aid and CPR training schedule for individuals who work in licensed family child care settings.

- Section 1: **Child Care Weighted Risk System**
 - Directs DCYF to create weighted risk system, and enforcement.
- Section 2: Fix-it tickets system repealed upon implementation of the weighted risk system.
- Section 3: Modifies timelines for first aid training for child care license holders.
- Section 4: Modifies timelines for CPR training for child care license holders.

Article 16 – Department of Children, Youth and Families: This article establishes an intergovernmental committee to advise DCYF on providing services to children, youth, and families; directs DCYF to designate a department leader who is responsible for coordinating services and outcomes around children’s mental health and for children at risk of disabilities among related agencies; and transfers specified programs to DCYF. Provides that state hearings related to DCYF programs are handled by human services judges. Directs the ombudsperson for family child care providers to report to and receive assistance from DCYF rather than DHS. Provides that the licensure of child foster residence settings remains at DHS and does not transfer to DCYF.

- Sections 1-16: Provisions related to transfer of duties to DCYF; recodifications:
 - Department of Children, Youth, and Families Intergovernmental Advisory Committee:
 - Tasked with advice to DCYF for providing services; counties referenced.
 - Ombudsperson for family child care providers reporting to DCYF (formerly DHS) changes
 - Required training on sudden infant death (SID) and abuse of head trauma for child foster care providers
 - **Exempts child foster residence settings from state and county license fees**
 - **Provides that child foster residence settings stay at DHS**
 - Ongoing requirement for training for foster residence setting staff and volunteers
 - Direction to DCYF to develop domestic violence informational brochure
 - State agency hearings updates
 - Standard of evidence for maltreatment and disqualification hearings
 - Orders of the commissioner of human services
 - Judicial review
 - Scope
 - Decisions
 - Reconsideration
 - Combined hearing
 - Provides that adult protection grants allocated under Reform 2020 must be allocated annually - consistent with 2023 changes
 - DHS transfer of duties to DCYF
 - Department of Education transfer of duties to DCYF
 - Hearings held by the Department of Human Services

- State agency hearings
- **Eliminates ability of counties to charge child foster care licensing fee for corporate applicant. This provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF (section 36).**
- Appeal of multiple sanctions through the provider hub
- Direction to DCYF to designate a department leader to be responsible for coordination of services and outcomes around children’s mental health and for children with or at risk for disabilities between DHS and DCYF and related agencies.

Article 17 – Minnesota Indian Family Preservation Act: This article makes changes to the Minnesota Indian Family Preservation Act (MIFPA), building on changes made in the 2023 legislative session to codify the federal Indian Child Welfare Act (ICWA) in Minnesota Statutes. The article makes technical and conforming changes, and modifies definitions, requirements for appointment of counsel, and child placement case procedures involving Indian children.

- Sections 1-56: Makes modifications to the Minnesota Indian Family Preservation Act by amending definitions, modifies notice requirements for child placement proceedings, inquiry procedures, the appointment of counsel, and making technical and conforming changes.

Article 18 – Children and Families Policy: This article contains provisions from the DHS policy bill covering children and family services. It modifies provisions related to child care assistance, child welfare, economic assistance, and adoption records. It also provides direction to courts related to parents who have disabilities in family law, adoption, and child protection cases.

- Sections 1-4; 7-24; 26-30; 33-35; 37-45: DHS children and family services policy modifications.
- Sections 5-6: **Allows child care centers and family child care providers to develop a policy regarding immunizations for children over two months of age.**
- Section 25: Indicates that a court or agency shall not deny a prospective parent the ability to proceed with an adoption due to the prospective parent’s disability.
- Section 31: Outlines that a child is not considered to be without proper parental care based solely on a parent’s disability.
- Section 32: Prohibits a person or agency from filing a petition for protective services on the basis of a parent’s disability.
- Section 36: **Requires a responsible social services agency to provide a parent or guardian with a summary of the out-of-home placement plan; effective March 1, 2025.**
- Section 46: **Eliminates requirement that county SNAP benefits offices screen on the day of application and need to post availability of SNAP.**
- Section 47: Prohibits court from denying or restricting parenting time or custody due to a parent’s disability.

Article 19 – Department of Human Services Policy: This article contains provisions from the Department of Human Services (DHS) Office of Inspector General child policy bill that establish a continuous license process for family child foster care; make changes to requirements governing certified, license-exempt child care centers; and make other policy and technical changes to licensing processes. This article also includes a provision that allows licensed child care centers to give children water in reuseable cups or water bottles.

- Sections 1-30: DHS Office of inspector General children’s licensing policy bill – [SF4618/HF4537](#) (Boldon/Pinto)

Article 20 - Miscellaneous (two technical changes):

- **Federal reimbursement for administrative costs:** Adds a subdivision to section 16A.103; directs the commissioner of management and budget to include estimated federal reimbursement amounts for administrative costs for DCT in the forecast as an expenditure reduction; makes the section effective immediately.
- **Expiration:** Amends Laws 2023, chapter 70, article 11, section 13, subdivision 8. Makes a technical correction to the expiration date of the homeless youth cash stipend pilot project, which was established by the 2023 Legislature.

Article 21 – Human Services Forecast Adjustments: This forecast adjustment increases total DHS appropriations by \$137.6 million (FY24) and \$329.4 million (FY25), mainly driven by the November forecast’s projection of increased spending on disability waiver services.

Article 22 – Children and Families Appropriations: This article appropriates money from the specified funds in fiscal years 2024 and 2025 to the Commissioner of Human Services; Commissioner of Education; Commissioner of Children, Youth, and Families; ombudsperson for family child care providers; and the Minnesota Supreme Court, for the specified purposes.

DHS Appropriations:

- **SSIS/policy directive to DHS to consult with counties; \$10 million (FY25)**
- SSI/RSDI reporting tool and report; *\$136,000 (FY25); \$68,000 (FY26-27)*
- Child maltreatment reporting system study; *\$136,000 (FY25)*
- Summer EBT programming; *\$10.2 million (FY25); \$10.3 million (FY26-27)*
- Food security grants – divided between food shelf program, American Indian food sovereignty and Minnesota food bank; *\$5.4 million (FY25)*
- **Weighted Risk System for Licensed Child Care Providers; \$228,000 (FY25); \$244,000 (FY26-27)**
- Additional transition dollars to DCYF; *\$824,000 (FY25); \$3.3 million (FY26-27)*
- Grant to coordinate professional development for child care associate credentialing; *\$500,000 (FY25)*
- Supportive relative caregiver grants; *\$550,000 (FY25)*
- SNAP eligibility expanded for college students; *\$95,000 (FY25); \$222,000 (FY26-27)*
- **Child Mortality Review Panel modifications; \$275,000 (FY25); \$638,000 (FY26-27)**
- **Pregnant and parenting homeless youth study; \$102,000 (FY25)**
- Needs analysis of emergency shelter needs for transgender adults experiencing homelessness; *\$102,000 (FY25)*
- **Child care improvement grants; \$1.125 million (FY25)**
- Additional emergency services program grants; *\$3.391 million (FY25)*
- DHS Central Office Administration; *savings (-\$2.774 million) (FY25)*

Other Agencies

Supreme Court Council on Child Protection; \$1 million (FY25)

Department of Education:

- Summer EBT program; *\$3.424 million (FY24-25); \$1.144 million (FY26-27)*
- Transition to new DCT; *\$173,000 (FY25); \$690,000 (FY26-27)*

Department of Children, Youth and Families:

- Additional transition to new DCYF; *\$3.270 million (FY25); \$14 million (FY26-27)*
- Admin FFP at 32%; *savings (-\$865,000 (FY25); (-\$3.62 million) (FY26-27)*
- Admin FFP at 32% for base appropriation; *savings (-\$1.39 million) (FY25); (-\$2.254 million) (FY26-27)*

Family Child Care Ombudsperson: *\$350,000/year; ongoing*

Item NOT included in the final agreement

- Child welfare fiscal analysis