

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1539
Version: Second engrossment

DATE: April 1, 2015

Authors: Scott

Subject: Data practices provisions; DHS

Analyst: Lynn Aves

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Overview

This bill modifies human services data sharing and data privacy provisions.

Section

- 1** **Definitions.** Amends § 13.46, subd. 1. Adds tribal social service and welfare agencies to the definition of “welfare system” in the Data Practices Act. This makes clear that information can be shared between tribal social service agencies and other agencies making up the welfare system.
- 2** **Investigative data.** Amends § 13.46, subd. 3. Allows the DHS Office of the Inspector General to disclose investigative data to an agent of the welfare system, an investigator acting on behalf of a county, state, or federal government, a law enforcement officer, or to a prosecuting attorney involved in an investigation or prosecution.
- 3** **Access to welfare system data; audit trail.** Amends § 13.46, by adding subd. 2a. Paragraph (a) limits access to not public data to individuals with explicit authority from the responsible authority. Requires access to be recorded in a data audit trail.

Paragraph (b) requires revocation of an individual’s authorization to access not public data if the individual has accessed data in violation of this section. Requires the responsible authority to forward the matter to the county attorney for prosecution.
- 4** **Child care assistance program.** Amends § 13.461, subd. 28. Adds language to conform with the amendments to section 6 of the bill (§ 119B.02, subd. 6).
- 5** **Data on medical assistance applicants and current or former recipients.** Amends § 13.4967, by adding subd. 9. Allows information sharing between the commissioners of human services and revenue if an interagency agreement is signed between the two agencies.

Section

(See section 14 of this bill.) Limits the information to data on medical assistance applicants and former or current recipients.

6 **Classifications.** Amends § 13.69, subd. 1. Allows the commissioner of public safety to release to the commissioner of human services Social Security numbers on driver's license and motor vehicle registrations for the purposes of recovering Minnesota health care program benefits.

7 **Data.** Amends § 119B.02, subd. 6. Classifies child care assistance program payment data as public data when a child care center has committed financial misconduct in relation to child care assistance payments. Payment data that may identify a specific child care assistance recipient remains private data.

8 **Privacy notice to background study subject.** Amends § 245C.05, subd. 2c. Provides that for background study subjects who are younger than age 18, a parent or guardian must sign the consent form.

Provides that this section is effective the day following final enactment.

9 **Fingerprints and photograph.** Amends § 245C.05, subd. 5. Requires background study subjects to provide a set of classifiable fingerprints and a photograph to the commissioner within 14 days of the initiation of the background study.

Adds paragraph (e). Requires subjects of a background study related to family child care to submit a set of classifiable fingerprints if the subject has resided in another state within the previous five years. Allows the commissioner to submit the fingerprints to the FBI.

Provides that this section is effective the day following final enactment.

10 **Background studies conducted by the Department of Human Services.** Amends § 245C.08, subd. 1. Requires the commissioner upon receipt of criminal history information from the Minnesota court information system to also request updated information from the BCA to determine whether there has been a change in the subjects multi-state status.

11 **Background studies conducted by county agency.** Amends § 245C.08, subd. 2. Allows the commissioner to submit fingerprints to the FBI for background studies for individuals who have lived in another state within the previous five years and the study is being conducted for family child care services.

Provides an immediate effective date.

12 **Data sharing with the Department of Human Services; multiple identification cards.** Amends § 256.01, subd. 18d. Requires the commissioner of public safety to include Social Security numbers in its monthly data report to the commissioner of human services of the names of individuals whose drivers' licenses or state ID cards have been cancelled. Provides that only cancellations occurring on or after January 1, 2013, must be reported.

13 **Data sharing with the Department of Human Services; legal presence data.** Amends § 256.01, subd. 18e. Requires the commissioner of public safety to include Social Security numbers in its monthly data report to the commissioner of human services of the names of individuals whose temporary legal date has expired and their licenses or ID cards cancelled.

Section

- 14** **Interagency agreement for data sharing from commissioner of revenue.** Amends § 256B.04, by adding subd. 25. Allows the commissioners of human services and revenue to enter into an interagency agreement to share information on medical assistance applicants, recipients, and former recipients. Requires the commissioner of human services, through the MA application process, to notify applicants of the data that may be obtained from the commissioner of revenue for use in verifying income and program eligibility and to inform applicants that completion of the application constitutes consent for the data to be shared.
- 15** **Data management.** Amends § 626.557, subd. 12b. Allows specified agencies investigating maltreatment of a vulnerable adult or providing protective services to a vulnerable adult to share not public data.