

Subject Department of Human Services Policy Bill

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Overview

This bill contains the Department of Human Services (DHS) policy provisions, including provisions relating to aging and disability services, behavioral health, direct care and treatment, health care administration, human services Office of the Inspector General, and children and families Office of the Inspector General.

Article 1: Aging and Disability Services

This article provides for changes to the commissioner's duties regarding adult day services, clarifications to day training and habilitation (DT&H) services rates, codification of existing disability waiver case management training requirements, and other technical changes.

Section Description - Article 1: Aging and Disability Services

1 Commissioner's duties.

Amends § 252.43. Eliminates the needs determination process for community-based adult day services providers to align with employment first requirements and ensure services are offered in the most integrated setting possible.

Provides a July 1, 2025, effective date.

2 Day training and habilitation rates.

Amends § 252.46, subd. 1a. Clarifies rates for DT&H services for people receiving services in an intermediate care facility for persons with developmental disabilities (ICF/DD) to ensure rates are consistent with the historical rate and current spending authority.

Provides a January 1, 2026, effective date.

Section Description - Article 1: Aging and Disability Services

- 3 Case management services.**
Amends § 256B.092, subd. 1a. Requires developmental disability waiver case managers to have annual informed choice training and competency evaluations (codifies an existing requirement included in Laws 2021, First Special Session chapter 7, article 13, section 75).

Provides an August 1, 2025, effective date.
- 4 Residential support services criteria.**
Amends § 256B.092, subd. 11a. Corrects a cross-reference.

Makes this section effective 90 days following federal approval of residential support services criteria.
- 5 Case management.**
Amends § 256B.49, subd. 13. Requires BI, CAC, and CADI waiver case managers to have annual informed choice training and competency evaluations (codifies an existing requirement included in Laws 2021, First Special Session chapter 7, article 13, section 75).

Provides an August 1, 2025, effective date.
- 6 Residential support services criteria.**
Amends § 256B.49, subd. 29. Corrects cross-references.

Makes this section effective 90 days following federal approval of residential support services criteria.

Article 2: Behavioral Health

This article clarifies Children’s Mental Health Act provisions relating to children’s mental health targeted case management services. The article also codifies the intermediate school district school-linked behavioral health grant program, originally authorized in 2017 session law.

Section Description - Article 2: Behavioral Health

- 1 Case management service provider.**
Amends § 245.4871, subd. 4. Adds language to allow a children’s mental health case manager to be a mental health practitioner under specified conditions.

Makes this section effective the day following final enactment.

Section Description - Article 2: Behavioral Health

- 2 Clinical supervision.**
Amends § 245.4871 by adding subd. 7a. Defines “clinical supervision” for purposes of the Children’s Mental Health Act.
- 3 Duties of case manager.**
Amends § 245.4881, subd. 3. Adds a written functional assessment with child and parent or legal guardian consent to the duties of a children’s mental health case manager.
- 4 Intermediate school district behavioral health grant program.**
Proposes coding for § 245.4904. Codifies the intermediate school district school-linked behavioral health grant program, originally authorized in 2017 session law. Specifies that an eligible applicant is an intermediate school district partnered with an entity or provider that meets listed criteria. Specifies allowable grant activities and related expenses, and that grants must be awarded to qualifying school units proportionately. Requires grantees to provide data to the commissioner to evaluate the grant program, and requires the commissioner to consult with grantees to develop outcome measures.

Article 3: Direct Care and Treatment

This article makes numerous technical and conforming changes related to the creation of Direct Care and Treatment as a separate agency. The article also makes clarifying changes to crisis services provisions and, in section 39, extends the 2023 change in the priority admissions (or “48-hour”) law to allow for the continuation of the provision specifying that individuals who meet the statutory criteria must be admitted to a state-operated treatment program within 48 hours of when a medically appropriate bed is available, rather than 48 hours of a commitment order.

Section Description - Article 3: Direct Care and Treatment

- 1 Investigative data.**
Amends § 13.46, subd. 3. Adds the Direct Care and Treatment executive board and agency to data provisions.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 2 **Licensing data.**
Amends § 13.46, subd. 4. Adds the Direct Care and Treatment executive board to data provisions.

Makes this section effective July 1, 2025.
- 3 **Party.**
Amends § 15.471, subd. 6. Adds Direct Care and Treatment to definition of “party.”

Makes this section effective July 1, 2025.
- 4 **Federal reimbursement for administrative costs.**
Amends § 16A.103, subd. 1j. Adds Direct Care and Treatment to forecast estimate provision.

Makes this section effective July 1, 2025.
- 5 **E-Health Advisory Committee.**
Amends § 62J.495, subd. 2. Adds Direct Care and Treatment representative to the members of the e-Health Advisory Committee.

Makes this section effective July 1, 2025.
- 6 **Angling; residents of state institutions.**
Amends § 97A.441, subd. 3. Clarifies provision governing angling licensure for residents of state institutions.

Makes this section effective July 1, 2025.
- 7 **Fees.**
Amends § 144.53. Replaces commissioner of human services with Direct Care and Treatment executive board in hospital fees section.

Makes this section effective July 1, 2025.
- 8 **Definitions.**
Amends § 144.651, subd. 2. Makes technical changes. Adds paragraph (c) to define “residential program” for purposes of the health care bill of rights.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 9 **Information about rights.**
Amends § 144.651, subd. 4. Makes technical change.

Makes this section effective July 1, 2025.
- 10 **Grievances.**
Amends § 144.651, subd. 20. Makes technical changes.

Makes this section effective July 1, 2025.
- 11 **Isolation and restraints.**
Amends § 144.651, subd. 31. Makes technical change.

Makes this section effective July 1, 2025.
- 12 **Treatment plan.**
Amends § 144.651, subd. 32. Makes technical change.

Makes this section effective July 1, 2025.
- 13 **Fees.**
Amends § 144.07. Replaces commissioner of human services with Direct Care and Treatment executive board in nursing home fees section.

Makes this section effective July 1, 2025.
- 14 **Examination; access to medical data.**
Amends § 146.08, subd. 4. Adds Direct Care and Treatment to unlicensed complementary and alternative health care practitioner medical data provision.

Makes this section effective July 1, 2025.
- 15 **Medical examination; access to medical data.**
Amends § 147.091, subd. 6. Adds Direct Care and Treatment to Board of Medical Practice medical data provision.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 16 **Medical examination; access to medical data.**
Amends § 147A.13, subd. 6. Adds Direct Care and Treatment to Board of Medical Practice (physician assistant) medical data provision.

Makes this section effective July 1, 2025.
- 17 **Grounds.**
Amends § 148.10, subd. 1. Adds Direct Care and Treatment to Board of Chiropractic Examiners health data provision.

Makes this section effective July 1, 2025.
- 18 **Examination; access to medical data.**
Amends § 148.261, subd. 5. Adds Direct Care and Treatment to Board of Nursing medical data provision.

Makes this section effective July 1, 2025.
- 19 **Examination; access to medical data.**
Amends § 148.754. Adds Direct Care and Treatment to Board of Physical Therapy medical data provision.

Makes this section effective July 1, 2025.
- 20 **Mental, physical, or substance use disorder examination or evaluation; access to medical data.**
Amends § 148B.5905. Adds Direct Care and Treatment to Board of Behavioral Health and Therapy medical data provision.

Makes this section effective July 1, 2025.
- 21 **Mental, physical, or chemical health evaluation.**
Amends § 148F.09, subd. 6. Adds Direct Care and Treatment to licensed alcohol and drug counselor medical data provision.

Makes this section effective July 1, 2025.
- 22 **Medical records.**
Amends § 150A.08, subd. 6. Adds Direct Care and Treatment to Board of Dentistry medical data provision.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 23 **Medical examination; access to medical data.**
Amends § 151.071, subd. 10. Adds Direct Care and Treatment to Board of Pharmacy medical data provision.

Makes this section effective July 1, 2025.
- 24 **Access to medical data.**
Amends § 153.21, subd. 2. Adds Direct Care and Treatment to Board of Podiatric Medicine medical data provision.

Makes this section effective July 1, 2025.
- 25 **Grounds for disciplinary action.**
Amends § 153B.70. Adds Direct Care and Treatment to orthotics, prosthetics, and pedorthics medical data provision.

Makes this section effective July 1, 2025.
- 26 **Vehicles exempt from tax, fees, or plate display.**
Amends § 168.012, subd. 1. Makes technical updates; adds paragraph (h) outlining requirements for unmarked vehicles used in general investigation, surveillance, supervision, and monitoring by the Direct Care and Treatment Office of Special Investigations' staff and unmarked vehicles used by the Minnesota Sex Offender Program's executive director and the executive director's staff.

Makes this section effective July 1, 2025.
- 27 **Law enforcement agency; disclosure of information to public.**
Amends § 244.052, subd. 4. Makes technical updates to predatory offender public information disclosure provisions.

Makes this section effective July 1, 2025.
- 28 **Purpose and authority.**
Amends § 245.50, subd. 2. Adds Direct Care and Treatment to provision allowing entities to contract with agencies or facilities in bordering states for behavioral health services for Minnesota residents.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 29 **Agency.**
Amends § 245.91, subd. 2. Adds Direct Care and Treatment to definition of “agency” in chapter 245.

Makes this section effective July 1, 2025.
- 30 **Crisis services.**
Amends § 246.585. Updates and clarifies state-operated crisis services technical assistance language.
- 31 **Rulemaking.**
Amends § 246C.06, subd. 11. Provides that the Direct Care and Treatment executive board is exempt from the 18-month time limit on rulemaking.

Makes this section effective retroactively from July 1, 2024.
- 32 **Admission and stay criteria; dissemination.**
Amends § 246C.12, subd. 6. Adds paragraph (a) to require the Direct Care and Treatment executive board to establish standard admission and continued-stay criteria for state-operated services facilities.

Makes this section effective July 1, 2025.
- 33 **Contract with Department of Human Services for administrative services.**
Amends § 246C.20. Makes technical change.
- 34 **Interview expenses.**
Proposes coding for § 246C.21. Allows for reimbursement for travel expenses to and from interviews arranged by the Direct Care and Treatment executive board for certain recruited positions.

Makes this section effective July 1, 2025.
- 35 **Federal grants for Minnesota Indians.**
Proposes coding for § 246C.211. Authorizes the Direct Care and Treatment executive board to contract with specified federal agencies to receive federal grants for the welfare and relief of Minnesota Indians.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 36 **Duties of commissioner of human services.**
Amends § 252.291, subd. 3. Makes technical updates.

Makes this section effective July 1, 2025.
- 37 **Location of programs.**
Amends § 252.50, subd. 5. Clarifies language.
- 38 **Reporting judicial commitments; private treatment program or facility.**
Amends § 253B.23, subd. 9. Makes technical change.
- 39 **Administrative requirements.**
Amends § 253B.10, subd. 1. Removes June 30, 2025, expiration from paragraph (e), to allow for the continuation of the provision specifying that individuals who meet the criteria set out in the priority admissions (or “48-hour”) law must be admitted to a state-operated treatment program within 48 hours of when a medically appropriate bed is available.
- 40 **Specific powers.**
Amends § 256.01, subd. 2. Makes technical changes.

Makes this section effective July 1, 2025.
- 41 **Gifts, contributions, pensions and benefits; acceptance.**
Amends § 256.01, subd. 5. Strikes language from human services statute relating to receipt of gifts and benefits on behalf of residents in state hospitals (now under Direct Care and Treatment).

Makes this section effective July 1, 2025.
- 42 **Retention rates.**
Amends § 256.019, subd. 1. Makes technical update.

Makes this section effective July 1, 2025.
- 43 **Interagency data exchange.**
Amends § 256.0281. Adds Direct Care and Treatment to interagency data exchange agreement provision.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 44 **Scope.**
Amends § 256.0451, subd. 1. Defines “state agency” for purposes of fair hearings section; makes conforming changes.
- 45 **Agency appeal summary.**
Amends § 256.0451, subd. 3. Makes clarifying change.
- 46 **Appeal request for emergency assistance or urgent matter.**
Amends § 256.0451, subd. 6. Makes clarifying changes.
- 47 **Subpoenas.**
Amends § 256.0451, subd. 8. Makes clarifying change.
- 48 **No ex parte contact.**
Amends § 256.0451, subd. 9. Makes clarifying changes.
- 49 **Inviting comment by state agency.**
Amends § 256.0451, subd. 18. Makes clarifying changes.
- 50 **Decisions.**
Amends § 256.0451, subd. 22. Makes clarifying changes.
- 51 **Refusal to accept recommended orders.**
Amends § 256.0451, subd. 23. Makes clarifying changes.
- 52 **Reconsideration.**
Amends § 256.0451, subd. 24. Makes clarifying changes.
- 53 **Report regarding programs and services for people with disabilities.**
Amends § 256.4825. Adds Direct Care and Treatment executive board to required report.

Makes this section effective July 1, 2025.
- 54 **Limitations.**
Amends § 256.93, subd. 1. Makes technical changes.
- 55 **Division of recovered amounts.**
Amends § 256.98, subd. 7. Makes technical updates.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 56 **Admission of persons to and discharge of persons from regional treatment centers.**
Amends § 256B.092, subd. 10. Adds Direct Care and Treatment executive board to discharge provision.

Makes this section effective July 1, 2025.
- 57 **Appeals.**
Amends § 256G.09, subd. 4. Makes technical updates.

Makes this section effective July 1, 2025.
- 58 **Payment pending appeal.**
Amends § 256G.09, subd. 5. Makes technical updates.

Makes this section effective July 1, 2025.
- 59 **Background check.**
Amends § 299F.77, subd. 2. Replaces commissioner of human services with Direct Care and Treatment executive board in fire marshal explosives provision.

Makes this section effective July 1, 2025.
- 60 **Studies; reports.**
Amends § 342.04. Adds Direct Care and Treatment to cannabis data provision.

Makes this section effective July 1, 2025.
- 61 **Additional Direct Care and Treatment personnel.**
Amends § 352.91, subd. 3f. Makes technical change.

Makes this section effective July 1, 2025.
- 62 **Establishment; members.**
Amends § 401.17, subd. 1. Replaces commissioner of human services with Direct Care and Treatment executive board for the Community Supervision Advisory Committee.

Makes this section effective July 1, 2025.

Section Description - Article 3: Direct Care and Treatment

- 63 **Definitions.**
Amends § 507.071, subd. 1. Adds Direct Care and Treatment to state agency definition.

Makes this section effective July 1, 2025.
- 64 **Membership.**
Amends § 611.57, subd. 2. Makes technical change.

Makes this section effective July 1, 2025.
- 65 **Duties.**
Amends § 611.57, subd. 4. Adds Direct Care and Treatment to the Certification Advisory Committee.

Makes this section effective July 1, 2025.
- 66 **Information.**
Amends § 624.7131, subd. 1. Replaces commissioner of human services with Direct Care and Treatment executive board for commitment information provision.
- 67 **Investigation.**
Amends § 624.7131, subd. 2. Replaces commissioner of human services with Direct Care and Treatment executive board for commitment information provision.
- 68 **Required information.**
Amends § 624.7132, subd. 1. Replaces commissioner of human services with Direct Care and Treatment executive board for commitment information provision.
- 69 **Investigation.**
Amends § 624.7132, subd. 2. Replaces commissioner of human services with Direct Care and Treatment executive board for commitment information provision.
- 70 **Form and contents of application.**
Amends § 624.714, subd. 3. Replaces commissioner of human services with Direct Care and Treatment executive board for commitment information provision.
- 71 **Investigation.**
Amends § 624.714, subd. 4. Replaces commissioner of human services with Direct Care and Treatment executive board for commitment information provision.

Section Description - Article 3: Direct Care and Treatment

- 72 **Departments of Human Services; Children, Youth, and Families; and Health licensees.**
Amends § 631.40, subd. 3. Makes technical change.

Makes this section effective July 1, 2025.
- 73 **Revisor instruction.**
Instructs revisor to renumber statutes and make necessary cross-reference changes.

Makes this section effective July 1, 2025.
- 74 **Repealer.**
Repeals Minnesota Statutes 2024, sections 245.4862 (direct care and treatment mental health urgent care and psychiatric consultation services); 246.015, subdivision 3 (authorization for consultative services); 246.50, subdivision 2 (commissioner definition; care of clients at state facilities); and 246B.04, subdivision 1a (executive board program evaluation); and Laws 2024, chapter 79, article 1, sections 15, 16, and 17 (Direct Care and Treatment recodification sections).

Article 4: Health Care Administration

This article makes changes to how prior authorization requirements apply to Medical Assistance (MA) and MinnesotaCare.

Section Description - Article 4: Health Care Administration

- 1 **Effect of change in prior authorization clinical criteria.**
Amends § 62M.17, subd. 2. Modifies prior authorization language to provide that changes may take place during a calendar year for fee-for-service providers under MA and MinnesotaCare.
- 2 **Applicability of utilization review provisions.**
Amends § 256B.0625, subd. 25c. Provides that the commissioner, in applying prior authorization requirements to MA and MinnesotaCare, does not have to comply with the requirement to publicly post information about prior authorization activity.

Article 5: Human Services Office of the Inspector General

This article establishes anti-kickback policies and criminal violations for human services programs, including medical assistance and the child care assistance program (CCAP). The article also expands the health care bill of rights to include additional service types, modifies substance use disorder treatment and opioid treatment program licensing and service requirements, modifies license reissuing timelines for certain provider types and makes other changes related to the provider licensing and reporting hub, expands personal data protections for human services judges, and modifies human services background study requirements by allowing electronic signatures, clarifying arrest and investigative information, and expanding limited set-asides.

Section Description - Article 5: Human Services Office of the Inspector General

- 1 Administrative disqualification of child care providers caring for children receiving child care assistance.**

Amends § 142E.51, subd. 5. Adds receiving or providing a kickback to intentional program violations for purposes of CCAP administrative disqualification.
- 2 Prohibited hiring practices.**

Amends § 142E.51, subd. 6. Adds paragraph (b), prohibiting CCAP program participants from receiving or providing a kickback or payment in exchange for obtaining or attempting to obtain CCAP benefits for their own financial gain. Specifies conduct that is not prohibited.

Adds paragraph (c), clarifying that an attempt to buy or sell access to a family's child care subsidy benefits to an unauthorized person by an applicant, a participant, or a provider constitutes a kickback, an intentional program violation, and wrongfully obtaining assistance.
- 3 Definitions.**

Amends § 144.651, subd. 2. Expands patient rights under the health care bill of rights to include patients in children's residential substance use disorder (SUD) treatment, nonresidential SUD treatment, intensive residential treatment services or residential crisis stabilization programs, and withdrawal management programs.
- 4 Application for licensure.**

Amends § 245A.04, subd. 1. Requires license holders to train employees, subcontractors, or volunteers about the program's drug and alcohol policy before the individuals have direct contact with persons served by the program.

Section Description - Article 5: Human Services Office of the Inspector General

- 5 **Grant of license; license extension.**
Amends § 245A.04, subd. 7. Modifies license reissue requirements. Requires adult foster care, family adult day services, child foster residence setting, and community residential services license holders to apply for and be granted a new license to operate the program. Specifies that licenses may be issued each calendar year upon implementation of the provider licensing and reporting hub.
- 6 **Delegation of authority to agencies.**
Amends § 245A.16, subd. 1. Specifies that until the implementation of the provider licensing and reporting hub, adult foster care, family adult day services, child foster residence setting, and community residential services licenses may be issued for up to two years. Specifies that licenses may be issued each calendar year upon implementation of the provider licensing and reporting hub.
- 7 **Emergency overdose treatment.**
Amends § 245A.242, subd. 2. Requires a license holder to require staff to undergo training on the use of opiate antagonists before having direct contact with a person served by the program.
- 8 **Electronic signature.**
Amends § 245C.05 by adding subd. 9. Allows for electronic signatures for purposes of human services background studies.
- 9 **Arrest and investigative information.**
Amends § 245C.08, subd. 3. Updates language in list of entities from which the commissioner may review arrest and investigative information for background study purposes.
- 10 **Scope of set-aside.**
Amends § 245C.22, subd. 5. Adds financial management services organizations, community first services and supports organizations, unlicensed home and community-based organizations, and consumer-directed community supports organizations to entities for which a disqualification set-aside may be limited to a specific individual who is receiving services.
- 11 **Community residential setting.**
Amends § 245D.02, subd. 4a. In definition of “community residential setting,” specifies that services are provided to adults.

Makes this section effective August 1, 2025.

Section Description - Article 5: Human Services Office of the Inspector General

- 12 **Comprehensive assessment.**
Amends § 245G.05, subd. 1. Clarifies comprehensive SUD assessment requirement.
- 13 **General.**
Amends § 245G.06, subd. 1. Reduces amount of time for an opioid treatment program to complete an individual treatment plan from 21 to 14 days from the day of service initiation.
- 14 **Documentation of treatment services.**
Amends § 245G.06, subd. 2. Requires an alcohol and drug counselor who provides a treatment service during which a guest speaker presents information to document the name of the guest speaker, date of service, time the presentation began, time the presentation ended, and a summary of the topic presentation.
- 15 **Frequency of treatment plan reviews.**
Amends § 245G.06, subd. 3a. Specifies that the ten-week timeframe for nonresidential opioid treatment program services treatment plan review may include a client's previous time in another opioid treatment program, under specified circumstances.
- 16 **Additional treatment service.**
Amends § 245G.07, subd. 2. Specifies that peer recovery support services must be provided one-on-one and face-to-face, including via the Internet.
- 17 **Control of drugs.**
Amends § 245G.08, subd. 6. Clarifies that an SUD treatment program license holder must have policies and procedures that contain a documentation system that accounts for all schedule II to V drugs.
- 18 **Contents.**
Amends § 245G.09, subd. 3. Modifies client record requirements to specify timing for when a client is given listed information, educational materials, and orientation. Adds paragraph (b), stating that the license holder is not required to complete new documents or orientation for a client that transfers to another of the license holder's locations, except for specified topic areas for the new location.
- 19 **Individuals with temporary permit.**
Amends § 245G.11, subd. 11. Specifies services an individual with a temporary permit from the Board of Behavioral Health and Therapy may provide, to include comprehensive assessments, individual treatment plans, and service discharge summaries.

Section Description - Article 5: Human Services Office of the Inspector General

- 20 **Alcohol and drug counselor qualifications.**
Amends § 245G.18, subd. 2. Modifies training requirements for licensed alcohol and drug counselors providing treatment services to adolescents. Requires training or classroom instruction to be completed within six months after the counselor begins treating adolescents and requires training to be interactive. Exempts mental health professionals from the training requirement; removes requirement to have at least 150 hours of supervised experience as an adolescent counselor.
- 21 **Additional licensing requirements.**
Amends § 245G.19, subd. 4. Provides exception to additional licensing requirements for substance use disorder treatment license holders to provide child care for short time periods.
- 22 **Child care license exemption.**
Amends § 245G.19 by adding subd. 5. Exempts substance use disorder treatment license holders that supervise children for less than three hours a day while the parent is in the same building or contiguous building from child care license requirements. Requires a staff member trained in CPR and first aid to be present when the license holder is responsible for supervising a child; requires the staff member to be able to immediately contact the parent.
- 23 **Additional requirements.**
Amends § 245G.22, subd. 1. Requires an opioid treatment program to meet statutory and regulatory requirements for dispensing by a practitioner, if not licensed by the Board of Pharmacy. Adds paragraph (b), requiring a license holder operating under the dispensing by practitioner requirements to maintain compliance documentation.
- 24 **Central registry.**
Amends § 245G.22, subd. 14. For opioid treatment programs, removes requirement to submit a client's government-issued photo identification and driver's license number to the state central registry.
- 25 **Nonmedication treatment services; documentation.**
Amends § 245G.22, subd. 15. Specifies that the ten-week timeframe for opioid treatment program therapy services may include a client's previous time in another opioid treatment program, under specified circumstances.
- 26 **Wrongfully obtaining assistance.**
Amends § 256.98, subd. 1. For child care assistance, adds language prohibiting kickbacks and other prohibited payments, and aiding or abetting the submission of a willfully false claim, to acts that constitute wrongfully obtaining assistance.

Section Description - Article 5: Human Services Office of the Inspector General

27 Legal representation.

Amends § 256B.12. Makes technical changes; adds cross-reference to new human services program crimes statute.

28 Definitions.

Amends § 480.40, subd. 1. Adds Department of Human Services Appeals Division judges and current employees to definition of “judicial official.”

Makes this section effective the day following final enactment.

29 Human services program crimes.

Proposes coding for § 609.542. Adds section establishing human services program crimes.

Subd. 1. Definition. Defines “federal health care program” for purposes of the section.

Subd. 2. Prohibited payments made relating to human services programs.

Creates crime if a person intentionally offers or pays any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind, to another person:

- 1) to induce the other person to apply for, receive, or induce another person to apply for or receive an item or service for which payment may be made in whole or in part under a federal health care program, state behavioral health program, or child care assistance program; or
- 2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing, leasing, or ordering of any good, facility, service, or item for which payment may be made in whole or in part, or which is administered in whole or in part under a federal health care program, state behavioral health program, or child care assistance program.

Subd. 3. Receipt of prohibited payments relating to human services programs.

Creates crime if a person intentionally solicits or receives any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind:

- 1) in return for applying for or receiving a human services benefit, service, or grant for which payment may be made in whole or in part under a federal health care program, state behavioral health program, or child care assistance program; or
- 2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing, leasing, or ordering of any good, facility, service, or item for

Section Description - Article 5: Human Services Office of the Inspector General

which payment may be made in whole or in part under a federal health care program, state behavioral health program, or child care assistance program.

Subd. 4. Exemptions. Provides exemptions from the new section for payments exempted under the federal anti-kickback statute or other federal health care program exemption. Provides additional exceptions under paragraph (b).

Subd. 5. Sentence. Provides that persons convicted under subdivisions 2 and 3 may be sentenced according to the sentencing guidelines for theft crimes. Defines “value” for sentencing purposes. Specifies that any claims made or rendered in violation of this section are noncompensable and unenforceable.

Subd. 6. Aggregation. Allows the value of money, property, or benefit received by a defendant within a six-month period to be aggregated for charging purposes.

Subd. 7. False claims. Specifies that a violation of this section is also subject to the False Claims Act.

Makes this section effective August 1, 2025.

30 **Modification of definitions.**

Allows the commissioner of human services to change definitions in specified statutes and rules for purposes of implementing the provider licensing and reporting hub until August 31, 2028.

31 **Repealer.**

Repeals § 245A.11, subd. 8 (community residential setting license provider standards).

Makes this section effective August 1, 2025.

Article 6: Children and Families Office of the Inspector General

This article makes changes to licensing requirements for programs licensed by the Department of Children, Youth, and Families.

Section Description - Article 6: Children and Families Office of the Inspector General

1 Grant of license; license exemption.

Amends § 142B.10, subd. 14. Requires a license holder to pay applicable fees for a license to be reissued after the license expires, and removes the requirement that the license holder apply for a new license. Requires that child foster care license holders apply for a new license after the license expires. Provides that licenses may be issued each calendar year once the provider licensing and reporting hub is operational.

2 Delegation of authority to agencies.

Amends § 142B.30, subd. 1. Specifies that a child foster care license issued by a county or private agency may be issued for up to two years, until such time when the provider licensing and reporting hub is implemented, when licenses may be issued each calendar year.

3 Child passenger restraint systems; training requirement.

Amends § 142B.51, subd. 2. Provides that specified licensed programs that serve children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.

4 Child passenger restraint systems; training requirement.

Amends § 142B.65, subd. 8. Provides that specified licensed programs that serve children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.

5 Emergency preparedness.

Amends § 142B.66, subd. 3. Makes technical changes to requirements regarding when a licensed child care center must review and update the center's emergency plan.

6 Child passenger restraint systems; training requirement.

Amends § 142B.70, subd. 7. Provides that specified licensed programs that serve children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.

Section Description - Article 6: Children and Families Office of the Inspector General

7 Requirement to post conditional certification.

Adds a subdivision to § 142C.06. Requires that a certified, license-exempt child care center publicly post an order of conditional certification issued by the commissioner and any maltreatment investigation memoranda that accompany the order.

8 Required policies.

Amends § 142C.11, subd. 8. Adds that a certified, license-exempt child care center must have written policies for behavior guidance and supervision.

9 First aid and cardiopulmonary resuscitation.

Amends § 142C.12, subd. 1. Specifies requirements for first aid and CPR training required for individuals who have direct contact with a child in a certified, license-exempt child care center.

Makes the section effective January 1, 2026.

10 Seat belt and child passenger restraint system use.

Amends § 245A.18, subd. 1. Provides that specified licensed programs that transport children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.



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