

Dept. of Children, Youth, and Families Statute Recodification

February 2024

Executive Summary

This document illustrates the proposed new organization of statutes governing the programs, services, and functions of state government that are being transferred to the new Department of Children, Youth, and Families.

Laws 2023, chapter 70, article 12, section 35, instructed the Revisor of Statutes, in consultation with the commissioners of management and budget, human services, education, health, and public safety, to identify any changes to Minnesota Statutes and Minnesota Rules necessary to facilitate the transfer of responsibilities and related operational functions needed to implement the necessary legal changes and responsibilities related to the establishment of the Department of Children, Youth, and Families. The Revisor of Statutes is required to submit to the legislature draft legislation with the necessary statutory changes by February 1, 2024.

Laws 2023, chapter 70, article 12, section 30, lists the powers and duties of the Departments of Human Services, Education, and Public Safety that are being transferred to the new Department of Children, Youth, and Families. Powers and duties transferring to the Department of Children, Youth, and Families include administration of the following programs and services:

- the child care assistance program;
- certain Department of Human Services licensing functions;
- certain Department of Human Services program integrity and fraud prevention activities;
- early learning programs including Head Start, early learning scholarships, voluntary prekindergarten programs, early childhood family education, and school readiness;
- SNAP and other food support programs;
- MFIP;
- juvenile and family court interstate compacts;
- maltreatment of minors reporting;
- juvenile safety and placement;
- child welfare activities;
- child support;
- Northstar care for children;
- adoption; and

- juvenile justice programs.

Given the complexity and volume of the affected statutes, staff decided to accomplish the recodification by moving, or, in some cases, duplicating the affected statutes into seven new chapters of statute organized topically.

Nonpartisan staff have reorganized the affected language for clarity and ease of use and removed obsolete language.

This recodification is not intended to change existing policy or to have a fiscal impact beyond the reorganization of executive branch functions and the establishment of a new state agency.

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Chapter 142A: Department of Children, Youth, and Families

This proposed chapter lays out the specific powers and duties of the Department of Children, Youth, and Families, administrative hearing procedures, fraud prevention activities, children's trust fund administration, administration of various grant programs, administration of juvenile justice programs, and administration of the Northstar Care for Children program. The language in this chapter is primarily transferred or duplicated from the current chapters of statute governing the Department of Human Services (Minn. Stat. chs. 245 and 256), Community Social Services (Minn. Stat. ch. 256E), Northstar Care for Children (Minn. Stat. ch. 256N), and the Department of Public Safety (Minn. Stat. ch. 299A).

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142A.01 Definitions.	Subd. 1. Application.	143.01, subd. 1
—	Subd. 2. Commissioner.	143.01, subd. 2
—	Subd. 3. Department.	143.01, subd. 3
142A.02 Creation of the Department of Children, Youth, and Families.	Subd. 1. Department.	143.02, subd. 1
—	Subd. 2. Transfer and restructuring provisions.	143.02, subd. 2
—	Subd. 3. Successor and employee protection clause.	143.02, subd. 3
142A.03 Commissioner of Human Services-Children, Youth, and Families ; Powers, Duties.	Subd. 1. General.	143.03, subd. 1
—	Subd. 2. Specific powers.	143.03, subd. 2; 256.01, subd. 2, paras. (a), (b), (c), (e), (g), (j), (l), (m), (n), (o), (p), (q), (r), (s), (y), (z); 256.01, subd. 4, relevant portions
—	Subd. 3. Subpoena power.	256.01, subd. 4, relevant portions of paras. (b) to (e)
—	Subd. 4. Advisory task forces.	256.01, subd. 6

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Centralized disbursement system.	256.01, subd. 11
—	Subd. 6. Contracting with financial institutions.	256.01, subd. 11a
—	Subd. 7. Child mortality review panel.	256.01, subd. 12
—	Subd. 8. Department of Human Services Children, Youth, and Families child fatality and near fatality review team.	256.01, subd. 12a
—	Subd. 9. American Indian child welfare projects.	256.01, subd. 14b
—	Subd. 10. Citizen review panels.	256.01, subd. 15
—	Subd. 11. Information for persons with limited English-language proficiency.	256.01, subd. 16
—	Subd. 12. Appropriation transfers to be reported.	256.01, subd. 17
—	Subd. 13. Immigration status verifications.	256.01, subd. 18
—	Subd. 14. Public assistance reporting information system.	256.01, subd. 18a
—	Subd. 15. Drug convictions.	256.01, subd. 18c
—	Subd. 16. Data sharing with Department of Human Services Children, Youth, and Families ; multiple identification cards.	256.01, subd. 18d
—	Subd. 17. Data sharing with Department of Human Services Children, Youth, and Families ; legal presence date.	256.01, subd. 18e
—	Subd. 18. Homeless services.	256.01, subd. 22

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 19. Nonstate funding for program costs.	256.01, subd. 25
—	Subd. 20. Systems continuity.	256.01, subd. 26
—	Subd. 21. Federal administrative reimbursement dedicated.	256.01, subd. 34
—	Subd. 22. Federal reimbursement for privatized adoption grants.	256.01, subd. 36
—	Subd. 23. DHS DCYF receipt center accounting.	256.01, subd. 37
—	Subd. 24. Nonfederal share transfers.	256.01, subd. 40
—	Subd. 25. Interview expenses.	245.035
—	Subd. 26. Changes to grant programs.	245.096
—	Subd. 27. Federal grants for Minnesota Indians.	245.75
—	Subd. 28. Reimbursement of county for certain Indian welfare costs.	245.765
—	Subd. 29. Rules on physical control of clients for facilities.	245.825; 245.8251; and 245.826
—	Subd. 30. Court awarded funds; disposition.	245.9
—	Subd. 31. Interagency data exchange.	256.0281
—	Subd. 32. Child protection enforcement.	257.175
—	Subd. 33. Services to pregnant women.	257.33, subd. 1
—	Subd. 34. Minor parents and their children.	257.33, subd. 2
	Subd. 35. Donated funds from private postsecondary institutions.	256.01, subd. 30
142A.04 State and County Systems.	Subd. 1. Establishment of systems.	143.04, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. State systems account created.	143.04, subd. 2
142A.05 Rulemaking.	None.	143.05
142A.06 Administration of Federal Grants-in-Aid.	Subd. 1. Administration of grants-in-aid.	256.011, subd. 1
—	Subd. 2. Treatment of grants-in-aid.	256.011, subd. 2
—	Subd. 3. Securing grants-in-aid.	256.011, subd. 3
142A.07 Grants and Purchase of Service Contracts.	Subd. 1. Authority.	256.0112, subd. 1
—	Subd. 2. Duties of local agency.	256.0112, subd. 2
—	Subd. 3. Local agency criteria.	256.0112, subd. 3
—	Subd. 4. Case records and reporting requirements.	256.0112, subd. 4
—	Subd. 5. Files.	256.0112, subd. 5
—	Subd. 6. Contracting within and across county lines; lead agency contracts; lead Tribal contracts.	256.0112, subd. 6
—	Subd. 7. Contracting for performance.	256.0112, subd. 9
—	Subd. 8. Contracts for child foster care services.	256.0112, subd. 10
142A.08 Plain Language in Written Materials.	None.	256.016
142A.09 Background Studies on Licensees and Other Personnel.	Subd. 1. Background studies required.	New - partially copied from 144.057
—	Subd. 2. Responsibilities of commissioner of human services.	See above
—	Subd. 3. Reconsiderations.	See above
—	Subd. 4. Responsibilities of facilities and programs.	See above

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142A.10 Compliance System.	None.	256.017
142A.11 County Public Assistance Incentive Fund.	None.	256.018
142A.12 Limits on Receiving Public Funds.	Subd. 1. Prohibition.	245.095, subd. 1
—	Subd. 2. Definitions.	245.095, subd. 2
—	Subd. 3. Notice.	245.095, subd. 3
—	Subd. 4. Appeal.	245.095, subd. 4
—	Subd. 5. Withholding of payments.	245.095, subd. 5
142A.13 Electronic Benefit Transaction Card.	Subd. 1. Electronic benefit transfer card.	256.987, subd. 1
—	Subd. 2. Prohibited purchases.	256.987, subd. 2
—	Subd. 3. EBT use restricted to certain states.	256.987, subd. 3
—	Subd. 4. Disqualification.	256.987, subd. 4
—	Subd. 5. Receipt of benefits.	256.9863
—	Subd. 6. Obligation to recover.	256.9865, subd. 1
—	Subd. 7. Recoupment.	256.9865, subd. 2
—	Subd. 8. Voluntary repayments.	256.9865, subd. 3
—	Subd. 9. Closed case recoveries.	256.9865, subd. 4
—	Subd. 10. Replacement card.	256.9862, subd. 1
—	Subd. 11. Transaction fee.	256.9862, subd. 2
—	Subd. 12. Requirement for liquor stores, tobacco stores, gambling establishments, and tattoo parlors.	256.9871
—	Subd. 13. EBT transaction costs; Supplemental Nutrition Assistance Program.	256.9872

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 14. Gambling establishments.	256.9831, subds. 1-3
142A.14 Tax Rebates.	None.	256.028
142A.15 Public Assistance Lien on Recipient's Cause of Action.	Subd. 1. State agency has lien.	256.015, subd. 1
—	Subd. 2. Perfection; enforcement.	256.015, subd. 2
—	Subd. 3. Prosecutor.	256.015, subd. 3
—	Subd. 4. Notice.	256.015, subd. 4
—	Subd. 5. Costs deducted.	256.015, subd. 5
—	Subd. 6. Cooperation with information requests required.	256.015, subd. 7
142A.20 Administrative and Judicial Review of Human Services Children, Youth, and Families Matters.	Subd. 1. Human services Children, youth, and families judges; appointment.	256.045, subd. 1
—	Subd. 2. State agency hearings.	256.045, subd. 3
—	Subd. 3. Standard of evidence for maltreatment and disqualification hearings.	256.045, subd. 3b
—	Subd. 4. Conduct of hearings.	256.045, subd. 4
—	Subd. 5. Orders of the commissioner of human services of children, youth, and families .	256.045, subd. 5
—	Subd. 6. Additional powers of the commissioner; subpoenas.	256.045, subd. 6
—	Subd. 7. Judicial review.	256.045, subd. 7
—	Subd. 8. Hearing.	256.045, subd. 8
—	Subd. 9. Appeal.	256.045, subd. 9
—	Subd. 10 Payments pending appeal.	256.045, subd. 10
142A.21 Hearing Procedures.	Subd. 1. Scope.	256.0451, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Access to files.	256.0451, subd. 2
—	Subd. 3. Agency appeal summary.	256.0451, subd. 3
—	Subd. 4. Enforcing access to files.	256.0451, subd. 4
—	Subd. 5. Prehearing conferences.	256.0451, subd. 5
—	Subd. 6. Appeal request for emergency assistance or urgent matter.	256.0451, subd. 6
—	Subd. 7. Continuance, rescheduling, or adjourning a hearing.	256.0451, subd. 7
—	Subd. 8. Subpoenas.	256.0451, subd. 8
—	Subd. 9. No ex parte contact.	256.0451, subd. 9
—	Subd. 10. Telephone or face-to-face hearing.	256.0451, subd. 10
—	Subd. 11. Hearing facilities and equipment.	256.0451, subd. 11
—	Subd. 12. Interpreter and translation services.	256.0451, subd. 12
—	Subd. 13. Failure to appear; good cause.	256.0451, subd. 13
—	Subd. 14. Commencement of hearing.	256.0451, subd. 14
—	Subd. 15. Conduct of the hearing.	256.0451, subd. 15
—	Subd. 16. Scope of issues addressed at the hearing.	256.0451, subd. 16
—	Subd. 17. Burden of persuasion.	256.0451, subd. 17
—	Subd. 18. Inviting comment by department.	256.0451, subd. 18
—	Subd. 19. Developing the record.	256.0451, subd. 19
—	Subd. 20. Unrepresented persons.	256.0451, subd. 20

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 21. Closing of the record.	256.0451, subd. 21
—	Subd. 22. Decisions.	256.0451, subd. 22
—	Subd. 23. Refusal to accept recommended orders.	256.0451, subd. 23
—	Subd. 24. Reconsideration.	256.0451, subd. 24
—	Subd. 25. Access to appeal decisions.	256.0451, subd. 25
142A.22 Overpayments Become Judgements by Operation of Law.	Subd. 1. Qualifying overpayment.	256.0471, subd. 1
—	Subd. 2. Overpayments included.	256.0471, subd. 2
—	Subd. 3. Notification requirements.	256.0471, subd. 3
—	Subd. 4. Notice of overpayment.	256.0471, subd. 4
—	Subd. 5. Judgments entered and docketed.	256.0471, subd. 5
—	Subd. 6. Docketing of overpayments.	256.0471, subd. 6
—	Subd. 7. Administrative renewal of overpayment judgments.	256.0471, subd. 6a
—	Subd. 8. Does not impede other methods.	256.0471, subd. 7
142A.25 Wrongfully Obtaining Assistance; Disqualification.	None.	256.98
142A.26 Fraud Prevention Program.	None.	256.981 to 256.9861
142A.27 Administrative Fraud Disqualification Hearings.	Subd. 1. Hearing authority.	256.046, subd. 1
—	Subd. 2. Combined hearing.	256.046, subd. 2
142A.28 Recovery of Money; Apportionment.	Subd. 1. Retention rates.	256.019, subd. 1
—	Subd. 2. Retention rates for AFDC and MFIP.	256.019, subd. 2

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142A.29 Work Reporting System.	Subd. 1. Definitions	256.998, subd. 1
—	Subd. 2. Work reporting system established.	256.998, subd. 2
—	Subd. 3. Duty to report.	256.998, subd. 3
—	Subd. 4. Means to report.	256.998, subd. 4
—	Subd. 5. Report contents.	256.998, subd. 5
—	Subd. 6. Sanctions.	256.998, subd. 6
—	Subd. 7. Access to data.	256.998, subd. 7
—	Subd. 8. Authority to contract.	256.998, subd. 8
—	Subd. 9. Independent contractors.	256.998, subd. 9
—	Subd. 10. Use of work reporting system information in determining eligibility for public assistance programs.	256.998, subd. 10
—	Subd. 11. Action on information.	256.998, subd. 11
—	Subd. 12. Client notification.	256.998, subd. 12
142A.30 Child Support Obligor Community Service Work Experience Program.	Subd. 1. Authorization.	256.997, subd. 1
—	Subd. 2. Limitations.	256.997, subd. 2
—	Subd. 3. Notice to court.	256.997, subd. 3
—	Subd. 4. Injury protection for work experience participants.	256.997, subd. 4
—	Subd. 5. Transportation expenses.	256.997, subd. 5
—	Subd. 6. Payment to county.	256.997, subd. 6
142A.40 Medical Benefit Legal Referral and Assistance Grants.	None.	256B.06, subd. 6

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142A.41 <u>Children's Trust Fund for the Prevention of Child Abuse Act</u> ; Citation.	None.	256E.20
142A.411 Definitions.	Subd. 1. Applicability.	256E.21, subd. 1
—	Subd. 2. Act.	256E.21, subd. 2
—	Subd. 3. Child.	256E.21, subd. 4
—	Subd. 4. Child abuse.	256E.21, subd. 5
—	Subd. 5. Commissioner.	256E.21, subd. 6
—	Subd. 6. Local council.	256E.21, subd. 7
—	Subd. 7. Prevention program.	256E.21, subd. 8
—	Subd. 8. Primary prevention.	256E.21, subd. 9
—	Subd. 9. Secondary prevention.	256E.21, subd. 10
—	Subd. 10. Tertiary prevention.	256E.21, subd. 11
—	Subd. 11. Trust fund.	256E.21, subd. 12
142A.412 Trust Fund.	Subd. 1. Creation of trust fund.	256E.22, subd. 1
—	Subd. 2. Availability of funds for disbursement.	256E.22, subd. 2
—	Subd. 3. Exception.	256E.22, subd. 3
—	Subd. 4. Authority to disburse funds.	256E.22, subd. 4
—	Subd. 5. Plan for disbursement of funds.	256E.22, subd. 5
—	Subd. 6. Operational costs.	256E.22, subd. 6
—	Subd. 7. Responsibilities of commissioner.	256E.22, subd. 7
142A.413 Local Child Abuse Prevention Councils.	None.	256E.24

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142A.414 Procedures and Criteria for Disbursement.	Subd. 1. Establishment.	256E.25, subd. 1
—	Subd. 2. Matching and other requirements.	256E.25, subd. 2
—	Subd. 3. Use of funds.	256E.25, subd. 3
—	Subd. 4. Statewide or regional programs.	256E.25, subd. 4
—	Subd. 5. Local council as recipient of funds.	256E.25, subd. 5
—	Subd. 6. Excluded programs.	256E.25, subd. 5a
—	Subd. 7. Contracts.	256E.25, subd. 6
—	Subd. 8. Rules.	256E.25, subd. 7
142A.415 Acceptance of Federal Funds and Other Donations.	None.	256E.26
142A.416 Trust Fund ; Annual Appropriation.	None.	256E.27
142A.417 Child Protection Grants to Address Child Welfare Disparities.	Subd. 1. Child welfare disparities grant program established.	256E.28, subd. 1
—	Subd. 2. State-community partnerships; plan.	256E.28, subd. 2
—	Subd. 3. Measurable outcomes.	256E.28, subd. 3
—	Subd. 4. Process.	256E.28, subd. 4
—	Subd. 5. Grant program criteria.	256E.28, subd. 5
—	Subd. 6. Evaluation.	256E.28, subd. 6
—	Subd. 7. American Indian child welfare projects.	256E.28, subd. 7
142A.418 Payments by State.	Subd. 1. Foster care maintenance payments.	256.82, subd. 2

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Setting foster care standard rates.	256.82, subd. 3
—	Subd. 3. Rules.	256.991
142A.42 Diaper Distribution Program.	Subd. 1. Establishment; purpose.	256E.38, subd. 1
—	Subd. 2. Eligibility.	256E.38, subd. 2
—	Subd. 3. Application.	256E.38, subd. 3
—	Subd. 4. Eligible uses of money.	256E.38, subd. 4
—	Subd. 5. Enforcement.	256E.38, subd. 5
142A.43 Grants-In-Aid to Youth Intervention Programs.	Subd. 1. Grants.	299A.73, subd. 1
—	Subd. 2. Applications.	299A.73, subd. 2
—	Subd. 3. Grant allocation formula	299A.73, subd. 3
—	Subd. 4. Report.	299A.73, subd. 3a
—	Subd. 5. Administrative costs.	299A.73, subd. 4
142A.44 Great Start Scholarships Program.	Subd. 1. Establishment; purpose.	119B.99, subd. 1
—	Subd. 2. Development.	119B.99, subd. 2
—	Subd. 3. Program requirements.	119B.99, subd. 3
—	Subd. 4. Administration; reporting requirement.	119B.99, subd. 4
142A.45 Family First Prevention Services Act Support and Development Grant Program.	Subd. 1. Authorization.	256.4793, subd. 1
—	Subd. 2. Uses.	256.4793, subd. 2
—	Subd. 3. Special revenue account established.	256.4793, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142A.451 Family First Prevention Services Act Kinship Navigator Program.	Subd. 1. Authorization.	256.4794, subd. 1
—	Subd. 2. Uses.	256.4794, subd. 2
—	Subd. 3. Special revenue account established.	256.4794, subd. 3
142A.46 Early Childhood Learning and Child Protection Facilities.	Subd. 1. Grant authority.	256E.37, subd. 1
—	Subd. 2. Grant priority.	256E.37, subd. 2
142A.47 Quality Parenting Initiative Grant Program.	Subd. 1. Establishment.	245.0962, subd. 1
—	Subd. 2. Eligible applicants.	245.0962, subd. 2
—	Subd. 3. Application.	245.0962, subd. 3
—	Subd. 4. Grant activities.	245.0962, subd. 4
142A.60 <u>Northstar Care for Children Act</u> ; Citation.	None.	256N.001
142A.601 Public Policy.	None.	256N.01
142A.602 Definitions.	Subd. 1. Scope.	256N.02, subd. 1
—	Subd. 2. Adoption assistance.	256N.02, subd. 2
—	Subd. 3. Assessment.	256N.02, subd. 3
—	Subd. 4. At-risk child.	256N.02, subd. 4
—	Subd. 5. Basic rate.	256N.02, subd. 5
—	Subd. 6. Caregiver.	256N.02, subd. 6
—	Subd. 7. Commissioner.	256N.02, subd. 7
—	Subd. 8. County board.	256N.02, subd. 8
—	Subd. 9. Disability.	256N.02, subd. 9

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 10. Financially responsible agency.	256N.02, subd. 10
—	Subd. 11. Human Services Board.	256N.02, subd. 12
—	Subd. 12. Initial assessment.	256N.02, subd. 13
—	Subd. 13. Legally responsible agency.	256N.02, subd. 14
—	Subd. 14. Licensed child foster parent.	256N.02, subd. 14a
—	Subd. 15. Maintenance payments.	256N.02, subd. 15
—	Subd. 16. Northstar kinship assistance.	256N.02, subd. 11
—	Subd. 17. Permanent legal and physical custody.	256N.02, subd. 16
—	Subd. 18. Reassessment.	256N.02, subd. 17
—	Subd. 19. Relative.	256N.02, subd. 18
—	Subd. 20. Relative custodian.	256N.02, subd. 19
—	Subd. 21. Special assessment.	256N.02, subd. 20
—	Subd. 22. Supplemental difficulty of care rate.	256N.02, subd. 21
142A.603 Northstar Care for Children; Generally.	Subd. 1. Eligibility.	256N.20, subd. 1
—	Subd. 2. Assessments.	256N.20, subd. 2
—	Subd. 3. Agreements.	256N.20, subd. 3
—	Subd. 4. Benefits and payments.	256N.20, subd. 4
—	Subd. 5. Federal, state, and local shares.	256N.20, subd. 5
—	Subd. 6. Administration and appeals.	256N.20, subd. 6
—	Subd. 7. Transition.	256N.20, subd. 7

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142A.604 Eligibility for Foster Care Benefits.	Subd. 1. General eligibility requirements.	256N.21, subd. 1
—	Subd. 2. Placement in foster care.	256N.21, subd. 2
—	Subd. 3. Minor parent.	256N.21, subd. 3
—	Subd. 4. Foster children ages 18 up to 21 placed in an unlicensed supervised independent living setting.	256N.21, subd. 4
—	Subd. 5. Excluded activities.	256N.21, subd. 5
—	Subd. 6. Transition from pre-Northstar Care for Children program.	256N.21, subd. 6
—	Subd. 7. Background study.	256N.21, subd. 7
142A.605 Northstar Kinship Assistance Eligibility.	Subd. 1. General eligibility requirements.	256N.22, subd. 1
—	Subd. 2. Agency determinations regarding permanency.	256N.22, subd. 2
—	Subd. 3. Citizenship and immigration status.	256N.22, subd. 3
—	Subd. 4. Background study.	256N.22, subd. 4
—	Subd. 5. Responsibility for determining Northstar kinship assistance eligibility.	256N.22, subd. 5
—	Subd. 6. Exclusions.	256N.22, subd. 6
—	Subd. 7. Northstar kinship assistance eligibility determination.	256N.22, subd. 7
—	Subd. 8. Termination of agreement.	256N.22, subd. 8
—	Subd. 9. Death or incapacity of relative custodian or modification of custody.	256N.22, subd. 9
—	Subd. 10. Assigning a successor relative custodian for a child's Northstar kinship assistance.	256N.22, subd. 10

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 11. Extension of Northstar kinship assistance after age 18.	256N.22, subd. 11
—	Subd. 12. Beginning Northstar kinship assistance component for Northstar Care for Children.	256N.22, subd. 12
—	Subd. 13. Transition to Northstar kinship assistance under Northstar Care for Children.	256N.22, subd. 13
142A.606 Northstar Adoption Assistance Eligibility.	Subd. 1. General eligibility requirements.	256N.23, subd. 1
—	Subd. 2. Special needs determination.	256N.23, subd. 2
—	Subd. 3. Citizenship and immigration status.	256N.23, subd. 3
—	Subd. 4. Background study.	256N.23, subd. 4
—	Subd. 5. Responsibility for determining adoption assistance eligibility.	256N.23, subd. 5
—	Subd. 6. Exclusions.	256N.23, subd. 6
—	Subd. 7. Adoption assistance eligibility determination.	256N.23, subd. 7
—	Subd. 8. Termination of agreement.	256N.23, subd. 8
—	Subd. 9. Death of adoptive parent or adoption dissolution.	256N.23, subd. 9
—	Subd. 10. Continuing a child's title IV-E adoption assistance in a subsequent adoption.	256N.23, subd. 10
—	Subd. 11. Assigning a child's adoption assistance to a court-appointed guardian or custodian.	256N.23, subd. 11
—	Subd. 12. Extension of adoption assistance agreement.	256N.23, subd. 12

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 13. Beginning adoption assistance under Northstar Care for Children.	256N.23, subd. 13
—	Subd. 14. Transition to adoption assistance under Northstar Care for Children.	256N.23, subd. 14
142A.607 Assessments.	Subd. 1. Assessment.	256N.24, subd. 1
—	Subd. 2. Establishment of assessment tool, process, and requirements.	256N.24, subd. 2
—	Subd. 3. Minnesota assessment of parenting for children and youth revision.	256N.24, subd. 2a
—	Subd. 4. Child care allowance portion of assessment.	256N.24, subd. 3
—	Subd. 5. Extraordinary levels.	256N.24, subd. 4
—	Subd. 6. Timing of initial assessment.	256N.24, subd. 5
—	Subd. 7. Completion of initial assessment.	256N.24, subd. 6
—	Subd. 8. Timing of special assessment.	256N.24, subd. 7
—	Subd. 9. Completing the special assessment.	256N.24, subd. 8
—	Subd. 10. Timing and requests for reassessments.	256N.24, subd. 9
—	Subd. 11. Caregiver requests for reassessments.	256N.24, subd. 10
—	Subd. 12. Completion of reassessment.	256N.24, subd. 11
—	Subd. 13. Approval of initial assessments, special assessments, and reassessments.	256N.24, subd. 12
—	Subd. 14. Notice for caregiver.	256N.24, subd. 13

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 15. Assessment tool determines rate of benefits.	256N.24, subd. 14
142A.608 Agreements.	Subd. 1. Agreement; Northstar kinship assistance; adoption assistance.	256N.25, subd. 1
—	Subd. 2. Reimbursement of nonrecurring expenses.	256N.25, subd. 1a
—	Subd. 3. Negotiation of agreement.	256N.25, subd. 2
—	Subd. 4. Renegotiation of agreement.	256N.25, subd. 3
142A.609 Benefits and Payments.	Subd. 1. Benefits.	256N.26, subd. 1
—	Subd. 2. Medical assistance.	256N.26, subd. 2
—	Subd. 3. Basic monthly rate.	256N.26, subd. 3
—	Subd. 4. Difficulty of care supplemental monthly rate.	256N.26, subd. 4
—	Subd. 5. Alternate rates for preschool entry and certain transitioned children.	256N.26, subd. 5
—	Subd. 6. Emergency foster care rate for initial placement.	256N.26, subd. 6
—	Subd. 7. Daily rates.	256N.26, subd. 8
—	Subd. 8. Revision.	256N.26, subd. 9
—	Subd. 9. Home and vehicle modifications.	256N.26, subd. 10
—	Subd. 10. Child income or income attributable to the child.	256N.26, subd. 11
—	Subd. 11. Treatment of Supplemental Security Income.	256N.26, subd. 12
—	Subd. 12. Treatment of retirement survivor's disability insurance, veteran's benefits, railroad retirement benefits, and black lung benefits.	256N.26, subd. 13

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 13. Treatment of child support and Minnesota family investment program.	256N.26, subd. 14
—	Subd. 14. Payments.	256N.26, subd. 15
—	Subd. 15. Effect of benefit on other aid.	256N.26, subd. 16
—	Subd. 16. Home and community-based services waiver for persons with disabilities.	256N.26, subd. 17
—	Subd. 17. Overpayments.	256N.26, subd. 18
—	Subd. 18. Payee.	256N.26, subd. 19
—	Subd. 19. Notification of change.	256N.26, subd. 20
—	Subd. 20. Correct and true information.	256N.26, subd. 21
—	Subd. 21. Termination notice for caregiver.	256N.26, subd. 22
142A.61 Support for Adoptive, Foster, and Kinship Families.	Subd. 1. Program established.	256N.261, subd. 1
—	Subd. 2. Definitions.	256N.261, subd. 2
142A.611 Federal, State, and Local Shares.	Subd. 1. Federal share.	256N.27, subd. 1
—	Subd. 2. State share.	256N.27, subd. 2
—	Subd. 3. Local share.	256N.27, subd. 3
—	Subd. 4. Nonfederal share.	256N.27, subd. 4
—	Subd. 5. Adjustments for proportionate shares among financially responsible agencies.	256N.27, subd. 5
142A.612 Administration and Appeals.	Subd. 1. Responsibilities.	256N.28, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Procedures, requirements, and deadlines.	256N.28, subd. 2
—	Subd. 3. Administration of title IV-E programs.	256N.28, subd. 3
—	Subd. 4. Reporting.	256N.28, subd. 4
—	Subd. 5. Promotion of programs.	256N.28, subd. 5
—	Subd. 6. Appeals and fair hearings.	256N.28, subd. 6
—	Subd. 7. Transitions from pre-Northstar Care for Children programs.	256N.28, subd. 7
—	Subd. 8. Purchase of child-specific adoption services.	256N.28, subd. 8
142A.75 Juvenile Justice Program.	None.	299A.72
142A.76 Office of Restorative Practices.	None.	299A.95

Chapter 142B: Department of Children, Youth, and Families Licensing

This proposed chapter governs licensure of family child care and child care centers, child foster care settings, and private child placing agencies. The language in this chapter is primarily transferred or duplicated from the current Human Services Licensing chapter of statutes (Minn. Stat. ch. 245A).

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142B.01 Definitions.	Subd. 1. Scope.	245A.02, subd. 1
—	Subd. 2. Annual or annually.	245A.02, subd. 2b
—	Subd. 3. Annual or annually; family child care training requirements.	245A.02, subd. 2c
—	Subd. 4. Applicant.	245A.02, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Authorized agent.	245A.02, subd. 3b
—	Subd. 6. Child.	245A.02, subd. 4
—	Subd. 7. Commissioner.	245A.02, subd. 5
—	Subd. 8. Controlling individual.	245A.02, subd. 5a
—	Subd. 9. County agency.	245A.02, subd. 6
—	Subd. 10. Cradleboard.	245A.02, subd. 5b
—	Subd. 11. Drop-in child care program.	245A.02, subd. 6a
—	Subd. 12. Experience.	245A.02, subd. 6b
—	Subd. 13. Family day care and group family day care child age classifications.	245A.02, subd. 19
—	Subd. 14. Foster family setting.	245A.02, subd. 6d
—	Subd. 15. Foster residence setting.	245A.02, subd. 6e
—	Subd. 16. Individual who is related.	245A.02, subd. 13
—	Subd. 17. License.	245A.02, subd. 8
—	Subd. 18. License holder.	245A.02, subd. 9
—	Subd. 19. Nonresidential program.	245A.02, subd. 10
—	Subd. 20. Organization.	245A.02, subd. 10c
—	Subd. 21. Owner.	245A.02, subd. 10b
—	Subd. 22. Parent cooperative.	245A.02, subd. 10a
—	Subd. 23. Private agency.	245A.02, subd. 12
—	Subd. 24. Residential program.	245A.02, subd. 14
—	Subd. 25. Respite care services.	245A.02, subd. 15
—	Subd. 26. School-age child.	245A.02, subd. 16

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 27. School-age child care program.	245A.02, subd. 17
—	Subd. 28. Supervision.	245A.02, subd. 18
—	Subd. 29. Youth.	245A.02, subd. 24
142B.02 Rules.	Subd. 1. Commissioner's authority.	245A.09, subd. 1
—	Subd. 2. Standards and regulatory methods.	245A.09, subd. 2
—	Subd. 3. Reduction of fees.	245A.09, subd. 3
—	Subd. 4. Evaluation of rules.	245A.09, subd. 4
—	Subd. 5. Other duties of commissioner.	245A.09, subd. 5
—	Subd. 6. Consultation with affected parties.	245A.09, subd. 6
—	Subd. 7. Regulatory methods.	245A.09, subd. 7
—	Subd. 8. Interpretive guidelines; authority.	245A.09, subd. 8
—	Subd. 9. Effect of interpretive guidelines.	245A.09, subd. 9
—	Subd. 10. Issuance; discretion of commissioner.	245A.09, subd. 11
142B.03 Systems and Records.	Subd. 1. Record retention; license holder requirements.	245A.041, subd. 3
—	Subd. 2. Electronic records; license holder use.	245A.041, subd. 4
—	Subd. 3. First date of working in a facility or setting; documentation requirements.	245A.041, subd. 5
—	Subd. 4. First date of direct contact; documentation requirements.	245A.041, subd. 6
142B.05 Who Must Be Licensed.	Subd. 1. License required.	245A.03, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Exclusion from licensure.	245A.03, subd. 2
—	Subd. 3. Foster care by an individual who is related to a child; license required.	245A.03, subd. 2a
—	Subd. 4. Exception.	245A.03, subd. 2b
—	Subd. 5. Unlicensed programs.	245A.03, subd. 3
—	Subd. 6. Excluded child care programs; right to seek licensure.	245A.03, subd. 4
—	Subd. 7. Excluded school-age programs; right to seek or continue licensure.	245A.03, subd. 4a
—	Subd. 8. Licensing moratorium.	245A.03, subd. 7
—	Subd. 9. Excluded providers seeking licensure.	245A.03, subd. 8
142B.06 Unlicensed Emergency Relative Placement.	Subd. 1. Emergency placement.	245A.035, subd. 1
—	Subd. 2. Cooperation with emergency placement process.	245A.035, subd. 2
—	Subd. 3. Requirements for emergency placement.	245A.035, subd. 3
—	Subd. 4. Applicant study.	245A.035, subd. 4
—	Subd. 5. Child foster care license application.	245A.035, subd. 5
142B.10 Application Procedures.	Subd. 1. Application for licensure.	245A.04, subd. 1
—	Subd. 2. Notification of affected municipality.	245A.04, subd. 2
—	Subd. 3. Meeting fire and safety codes.	245A.04, subd. 2a
—	Subd. 4. Background study.	245A.04, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Notice of background study results; determination of risk of harm.	245A.04, subd. 3a
—	Subd. 6. Reconsideration of disqualification.	245A.04, subd. 3b
—	Subd. 7. Contested case.	245A.04, subd. 3c
—	Subd. 8. Disqualification.	245A.04, subd. 3d
—	Subd. 9. Variance for a disqualified individual.	245A.04, subd. 3e
—	Subd. 10. Conclusive determinations of dispositions.	245A.04, subd. 3f
—	Subd. 11. Inspections; waiver.	245A.04, subd. 4
—	Subd. 12. Commissioner's right of access.	245A.04, subd. 5
—	Subd. 13. Commissioner's evaluation.	245A.04, subd. 6
—	Subd. 14. Grant of license; license extension.	245A.04, subd. 7
—	Subd. 15. Notification required.	245A.04, subd. 7a
—	Subd. 16. Variances.	245A.04, subd. 9
—	Subd. 17. Child foster home variances.	245A.04, subd. 9a
—	Subd. 18. Adoption agency; additional requirements.	245A.04, subd. 10
—	Subd. 19. Education program; permitted ages, additional requirement.	245A.04, subd. 11
—	Subd. 20. Funds and property; other requirements.	245A.04, subd. 13
—	Subd. 21. Policies and procedures for program administration required and enforceable.	245A.04, subd. 14
—	Subd. 22. Pandemic planning.	245A.04, subd. 15

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 23. Plan for transfer of clients and records upon closure.	245A.04, subd. 15a
—	Subd. 24. Program policy; reporting a death in the program.	245A.04, subd. 16
142B.11 License Application After Change of Ownership.	Subd. 1. Transfer prohibited.	245A.043, subd. 1
—	Subd. 2. Change in ownership.	245A.043, subd. 2
—	Subd. 3. Change of ownership process.	245A.043, subd. 3
—	Subd. 4. Temporary change in ownership license.	245A.043, subd. 4
142B.12 Fees.	Subd. 1. Application or license fee required, programs exempt from fee.	245A.10, subd. 1
—	Subd. 2. County fees for background studies and licensing inspections.	245A.10, subd. 2
—	Subd. 3. Application fee for initial license or certification.	245A.10, subd. 3
—	Subd. 4. License or certification fee for certain programs.	245A.10, subd. 4
—	Subd. 5. License not issued until license or certification fee is paid.	245A.10, subd. 6
—	Subd. 6. Children, youth, and families licensing fees to recover expenditures.	245A.10, subd. 7
—	Subd. 7. Deposit of license fees.	245A.10, subd. 8
—	Subd. 8. License not reissued until outstanding debt is paid.	245A.10, subd. 9
142B.15 Denial of Application.	None.	245A.05
142B.16 Correction Order and Conditional License.	Subd. 1. Contents of correction orders and conditional licenses.	245A.06, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Reconsideration of correction orders.	245A.06, subd. 2
—	Subd. 3. Failure to comply.	245A.06, subd. 3
—	Subd. 4. Notice of conditional license; reconsideration of conditional license.	245A.06, subd. 4
—	Subd. 5. Requirements to post conditional license.	245A.06, subd. 8
—	Subd. 6. Child care correction order quotas prohibited.	245A.06, subd. 9
142B.17 Child Care Fix-It Ticket.	None.	245A.065
142B.18 Sanctions.	Subd. 1. Sanctions; appeals; license.	245A.07, subd. 1
—	Subd. 2. Temporary immediate suspension.	245A.07, subd. 2
—	Subd. 3. Immediate suspension expedited hearing.	245A.07, subd. 2a
—	Subd. 4. Immediate suspension of residential programs.	245A.07, subd. 2b
—	Subd. 5. License suspension, revocation, or fine.	245A.07, subd. 3
—	Subd. 6. Adoption agency violations.	245A.07, subd. 4
—	Subd. 7. Requirement to post licensing order or fine.	245A.07, subd. 5
—	Subd. 8. Appeal of multiple sanctions.	245A.07, subd. 6
—	Subd. 9. Time frame for conducting hearing.	245A.07, subd. 7
142B.19 Disqualified Individual; Denial, Conditional License, Revocation.	None.	245A.075
142B.20 Hearings.	Subd. 1. Receipt of appeal; conduct of hearing.	245A.08, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Conduct of hearings.	245A.08, subd. 2
—	Subd. 3. Consolidated contested case hearings.	245A.08, subd. 2a
—	Subd. 4. Burden of proof.	245A.08, subd. 3
—	Subd. 5. Recommendation of administrative law judge.	245A.08, subd. 4
—	Subd. 6. Notice of commissioner's final order.	245A.08, subd. 5
—	Subd. 7. Granting subsequent license.	245A.08, subd. 5a
142B.21 Settlement Agreement.	None.	245A.081
142B.22 Consolidation of Hearings; Reconsideration.	None.	245A.085
142B.25 Closing a License.	Subd. 1. Inactive programs.	245A.055, subd. 1
—	Subd. 2. Reconsideration of closure.	245A.055, subd. 2
—	Subd. 3. Reconsideration final.	245A.055, subd. 3
142B.30 Standards for County Agencies and Private Agencies.	Subd. 1. Delegation of authority to agencies.	245A.16, subd. 1
—	Subd. 2. Investigations.	245A.16, subd. 2
—	Subd. 3. Recommendations to commissioner.	245A.16, subd. 3
—	Subd. 4. Enforcement of commissioner's orders.	245A.16, subd. 4
—	Subd. 5. Instruction and technical assistance.	245A.16, subd. 5
—	Subd. 6. Certification by commissioner.	245A.16, subd. 6
—	Subd. 7. Family child care licensing oversight.	245A.16, subd. 7

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 8. Notice of county recommendation.	245A.16, subd. 8
—	Subd. 9. Licensed family foster settings.	245A.16, subd. 9
—	Subd. 10. Licensing and reporting hub.	245A.16, subd. 10
—	Subd. 11. Electronic checklist use by family child care licensors.	245A.16, subd. 11
142B.31 Public Funds Program Integrity Monitoring.	None.	245A.167
142B.32 Licensing Prohibition for Certain Facilities Serving Children.	None.	245A.30
142B.40 Special Conditions for Residential Programs.	Subd. 1. Policy Statement.	245A.11, subd. 1
—	Subd. 2. Permitted single-family use.	245A.11, subd. 2
—	Subd. 3. Permitted multifamily residential use.	245A.11, subd. 3
—	Subd. 4. Location of residential programs.	245A.11, subd. 4
—	Subd. 5. Integration of residential programs.	245A.11, subd. 5a
—	Subd. 6. License holder qualifications for child foster care.	245A.11, subd. 12
142B.41 Special Conditions for Nonresidential Programs.	Subd. 1. Permitted single-family residential use.	245A.14, subd. 1
—	Subd. 2. Permitted multifamily use.	245A.14, subd. 2
—	Subd. 3. Conditional license.	245A.14, subd. 3
—	Subd. 4. Special family child care homes.	245A.14, subd. 4
—	Subd. 5. Specialized infant and toddler family child care.	245A.14, subd. 4a

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 6. Drop-in and school age child care programs.	245A.14, subd. 6
—	Subd. 7. Experienced aides; child care centers.	245A.14, subd. 8
—	Subd. 8. Portable wading pools; family day care and group family day care providers.	245A.14, subd. 10
—	Subd. 9. Swimming pools; family day care and group family day care providers.	245A.14, subd. 11
—	Subd. 10. Attendance records for publicly funded services.	245A.14, subd. 14
—	Subd. 11. Parental access in child care programs.	245A.14, subd. 15
—	Subd. 12. Valid driver's license.	245A.14, subd. 16
—	Subd. 13. Reusable water bottles or cups.	245A.14, subd. 17
142B.42 Voluntary Receivership For Residential or Nonresidential Programs.	Subd. 1. Definitions.	245A.12, subd. 1
—	Subd. 2. Receivership agreement.	245A.12, subd. 2
—	Subd. 3. Management agreement.	245A.12, subd. 3
—	Subd. 4. Controlling individuals; restrictions on licensure.	245A.12, subd. 5
—	Subd. 5. Liability.	245A.12, subd. 6
—	Subd. 6. Liability for financial obligations.	245A.12, subd. 7
—	Subd. 7. Physical plant of the residential or nonresidential program.	245A.12, subd. 8
—	Subd. 8. Receivership accounting.	245A.12, subd. 9
—	Subd. 9. Receivership costs.	245A.12, subd. 10

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142B.43 Involuntary Receivership for Residential or Nonresidential Programs.	Subd. 1. Application.	245A.13, subd. 1
—	Subd. 2. Appointment of receiver.	245A.13, subd. 2
—	Subd. 3. Powers and duties of receiver.	245A.13, subd. /3
—	Subd. 4. Liability.	245A.13, subd. 3a
—	Subd. 5. Liability for financial obligations.	245A.13, subd. 3b
—	Subd. 6. Physical plant of the program.	245A.13, subd. 3c
—	Subd. 7. Fee.	245A.13, subd. 4
—	Subd. 8. Termination.	245A.13, subd. 5
—	Subd. 9. Emergency procedure.	245A.13, subd. 6
—	Subd. 10. Receivership costs.	245A.13, subd. 10
—	Subd. 11. Controlling individuals; restrictions on licensure.	245A.13, subd. 11
142B.44 Fire Marshal Inspection.	None.	245A.151
142B.45 Crib Safety Requirements.	Subd. 1. Consumer product safety web link.	245A.146, subd. 1
—	Subd. 2. Documentation requirement for license holders.	245A.146, subd. 2
—	Subd. 3. License holder documentation of cribs.	245A.146, subd. 3
—	Subd. 4. Crib safety standards and inspection.	245A.146, subd. 4
—	Subd. 5. Commissioner inspection.	245A.146, subd. 5
—	Subd. 6. Failure to comply.	245A.146, subd. 6

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142B.46 Reduction of Risk of Sudden Unexpected Infant Death in Licensed Programs.	None.	245A.1435
142B.47 Training on Risk of Sudden Unexpected Infant Death and Abusive Head Trauma for Child Foster Care Providers.	None.	245A.144
142B.48 Dangers of Shaking Infants and Young Children.	None.	245A.1445
142B.49 Care of Individuals on Medical Monitoring Equipment.	Subd. 1. Licensed foster care and respite care.	245A.155, subd. 1
—	Subd. 2. Foster care agency requirements.	245A.155, subd. 2
—	Subd. 3. Foster care provider requirements.	245A.155, subd. 3
—	Subd. 4. Qualified source definition.	245A.155, subd. 4
—	Subd. 5. Foster care provider training and skills form.	245A.155, subd. 5
142B.50 Disclosure of Communicable Disease.	Subd. 1. Licensed foster care.	245A.156, subd. 1
—	Subd. 2. Placing agency's or individual's duties.	245A.156, subd. 2
142B.51 Child Passenger Restraint Systems.	Subd. 1. Seat belt and child passenger restraint system use.	245A.18, subd. 1
—	Subd. 2. Child passenger restraint systems; training requirement.	245A.18, subd. 2
142B.52 Prone Restraint Prohibition.	Subd. 1. Applicability.	245A.211, subd. 1
—	Subd. 2. Definitions.	245A.211, subd. 2
—	Subd. 3. Prone restraint prohibition.	245A.211, subd. 3
—	Subd. 4. Contraindicated physical restraints.	245A.211, subd. 4

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142B.53 Mandatory Reporting.	None.	245A.24
142B.54 Requirements; Maltreatment of Minors or Vulnerable Adults.	Subd. 1. Internal review.	245A.66, subd. 1
—	Subd. 2. Child care centers; risk reduction plan.	245A.66, subd. 2
—	Subd. 3. Yearly review of risk reduction plan.	245A.66, subd. 3
—	Subd. 4. Vulnerable youth and adults.	New
—	Subd. 5. Ongoing training requirement.	New
142B.60 Information for Child Care License Holders.	None.	245A.1434
142B.61 Child Care Program Reporting Notification.	Subd 1. Policies and procedures.	245A.145, subd. 1
—	Subd. 2. Licensing agency phone number displayed.	245A.145, subd. 2
142B.62 Child Care License Holder Insurance.	None.	245A.152
142B.63 Positive Support Strategies; Child Care.	None.	245A.23
142B.65 Child Care Center Training Requirements.	Subd. 1. Orientation.	245A.40, subd. 1
—	Subd. 2. Definitions.	245A.40, subd. 1a
—	Subd. 3. Child development and learning training.	245A.40, subd. 2
—	Subd. 4. First aid.	245A.40, subd. 3
—	Subd. 5. Cardiopulmonary resuscitation.	245A.40, subd. 4
—	Subd. 6. Sudden unexpected infant death training.	245A.40, subd. 5

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 7. Abusive head trauma training.	245A.40, subd. 5a
—	Subd. 8. Child passenger restraint systems; training requirement.	245A.40, subd. 6
—	Subd. 9. In-service training.	245A.40, subd. 7
—	Subd. 10. Documentation.	245A.40, subd. 10
142B.66 Child Care Center Health and Safety Requirements.	Subd. 1. Allergy prevention and response.	245A.41, subd. 1
—	Subd. 2. Handling and disposal of bodily fluids.	245A.41, subd. 2
—	Subd. 3. Emergency preparedness.	245A.41, subd. 3
—	Subd. 4. Child passenger restraint requirements.	245A.41, subd. 4
—	Subd. 5. Telephone requirement in licensed child care centers.	245A.41, subd. 5
142B.67 Child Care Center Hiring Practices.	None.	245A.42
142B.70 Family Child Care Training Requirements.	Subd. 1. Initial training.	245A.50, subd. 1
—	Subd. 2. Definitions and general provisions.	245A.50, subd. 1a
—	Subd. 3. Child development and learning and behavior guidance training.	245A.50, subd. 2
—	Subd. 4. First aid.	245A.50, subd. 3
—	Subd. 5. Cardiopulmonary resuscitation.	245A.50, subd. 4
—	Subd. 6. Sudden unexpected infant death and abusive head trauma training.	245A.50, subd. 5

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 7. Child passenger restraint systems; training requirement.	245A.50, subd. 6
—	Subd. 8. Training requirements for family and group family child care.	245A.50, subd. 7
—	Subd. 9. Other required training requirements.	245A.50, subd. 8
—	Subd. 10. Supervising for safety; training requirement.	245A.50, subd. 9
—	Subd. 11. Approved training.	245A.50, subd. 10
—	Subd. 12. Provider training.	245A.50, subd. 11
142B.71 Family Child Care Health and Safety Requirements.	Subd. 1. Allergy prevention and response.	245A.51, subd. 1
—	Subd. 2. Handling and disposal of bodily fluids.	245A.51, subd. 2
—	Subd. 3. Emergency preparedness plan.	245A.51, subd. 3
—	Subd. 4. Transporting children.	245A.51, subd. 4
—	Subd. 5. Telephone requirement.	245A.51, subd. 5
142B.72 Family Child Care Physical Space Requirements.	Subd. 1. Means of escape.	245A.52, subd. 1
—	Subd. 2. Door to attached garage.	245A.52, subd. 2
—	Subd. 3. Heating and venting systems.	245A.52, subd. 3
—	Subd. 4. Fire extinguisher.	245A.52, subd. 4
—	Subd. 5. Carbon monoxide and smoke alarms.	245A.52, subd. 5
—	Subd. 6. Updates.	245A.52, subd. 6
—	Subd. 7. Fire code variances.	245A.52, subd. 8
142B.74 Substitute Caregivers and Replacements in Family Child Care.	Subd. 1. Total hours allowed.	245A.53, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Emergency replacement supervision.	245A.53, subd. 2
142B.75 Family Child Care Infant Sleep Supervision Requirements.	Subd. 1. In-person checks on infants.	245A.147, subd. 1
—	Subd. 2. Use of audio or visual monitoring devices.	245A.147, subd. 2
142B.76 Family Child Care Diapering Area Disinfection.	None.	245A.148
142B.77 Supervision of Family Child Care License Holder's Own Child.	None.	245A.149
142B.78 Regulation of Family Day Child Care by Local Government.	None.	245A.15
142B.79 Contractors Serving Multiple Family Child Care License Holders.	None.	245A.1511
142B.80 Child Foster Care Training Requirement; Mental Health Training; Fetal Alcohol Spectrum Disorders Training.	None.	245A.175

Chapter 142C: Certified License-Exempt Child Care Centers

This proposed chapter governs the certification of license-exempt child care centers. The language is transferred from the current Certified License-Exempt Child Care Centers chapter of statutes (Minn. Stat. ch. 245H).

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142C.01 Definitions.	Subd. 1. Scope.	245H.01, subd. 1
—	Subd. 2. Applicant.	245H.01, subd. 2
—	Subd. 3. Authorized agent.	245H.01, subd. 2a

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 4. Center operator or program operator.	245H.01, subd. 3
—	Subd.5. Certification holder.	245H.01, subd. 4
—	Subd. 6. Certified license-exempt child care center.	245H.01, subd. 5
—	Subd. 7. Disinfecting.	245H.01, subd. 6
—	Subd. 8. Staff person.	245H.01, subd. 8
—	Subd. 9. Substitute.	245H.01, subd. 7
—	Subd. 10. Unsupervised volunteer.	245H.01, subd. 9
142C.02 Who Must Be Certified.	None.	245H.02
142C.03 Application Procedures.	Subd. 1. Schedule.	245H.03, subd. 1
—	Subd. 2. Application submission.	245H.03, subd. 2
—	Subd. 3. Incomplete applications.	245H.03, subd. 3
—	Subd. 4. Reconsideration of certification denial.	245H.03, subd. 4
—	Subd. 5. Notification required.	245H.03, subd. 5
142C.04 Commissioner's Right of Access.	None.	245H.04
142C.05 Monitoring and Inspections.	None.	245H.05
142C.06 Correction Order.	Subd. 1. Correction order requirements.	245H.06, subd. 1
—	Subd. 2. Reconsideration request.	245H.06, subd. 2
—	Subd. 3. Decertification following a correction order.	245H.06, subd. 3
142C.07 Decertification.	Subd. 1. Generally.	245H.07, subd. 1
—	Subd. 2. Reconsideration of decertification.	245H.07, subd. 2

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 3. Decertification due to maltreatment.	245H.07, subd. 3
—	Subd. 4. Decertification due to revocation of child care assistance.	245H.07, subd. 4
142C.08 Staffing Requirements.	Subd. 1. Staffing requirements.	245H.08, subd. 1
—	Subd. 2. Director qualifications.	245H.08, subd. 2
—	Subd. 3. Staff qualifications.	245H.08, subd. 3
—	Subd. 4. Maximum group size.	245H.08, subd. 4
—	Subd. 5. Ratios.	245H.08, subd. 5
142C.09 Background Studies.	None.	245H.10
142C.10 Reporting.	None.	245H.11
142C.11 Health and Safety Requirements.	Subd. 1. Exclusion of sick children and infectious disease outbreak control.	245H.13, subd. 1
—	Subd. 2. Immunizations.	245H.13, subd. 2
—	Subd. 3. Administration of medication.	245H.13, subd. 3
—	Subd. 4. Preventing and responding to allergies.	245H.13, subd. 4
—	Subd. 5. Building and physical premises; free of hazards.	245H.13, subd. 5
—	Subd. 6. Transporting children.	245H.13, subd. 6
—	Subd. 7. Risk reduction plan.	245H.13, subd. 7
—	Subd. 8. Required policies.	245H.13, subd. 8
—	Subd. 9. Behavior guidance.	245H.13, subd. 9
—	Subd. 10. Supervision.	245H.13, subd. 10
142C.12 Training Requirements.	Subd. 1. First aid and cardiopulmonary resuscitation.	245H.14, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Sudden unexpected infant death.	245H.14, subd. 2
—	Subd. 3. Abusive head trauma.	245H.14, subd. 3
—	Subd. 4. Child development.	245H.14, subd. 4
—	Subd. 5. Orientation.	245H.14, subd. 5
—	Subd. 6. In-service training.	245H.14, subd. 6
—	Subd. 7. Documentation.	245H.14, subd. 7
142C.13 Emergency Preparedness.	Subd. 1. Written emergency plan.	245H.15, subd. 1
—	Subd. 2. Staff person training.	245H.15, subd. 2
142C.14 Personnel Record.	None.	245H.16
142C.15 Certification Standards; <u>Stakeholder Consultation.</u>	None.	245H.17
142C.16 Parental Access.	None.	245H.18
142C.17 Prone Restraint Prohibition.	None.	245A.211

Chapter 142D: Early Care and Learning

This proposed chapter governs early care and learning programs, including school readiness programs, the voluntary prekindergarten program, early childhood health and developmental screening, early childhood family education, Head Start, the quality rating and improvement system, after-school community learning programs, early learning scholarships, and various grant programs. The language is largely transferred from the current chapters of statute governing Education Programs (Minn. Stat. ch. 124D), Student Rights, Responsibilities, and Behavior (Minn. Stat. ch. 121A), the Department of Education (Minn. Stat. 119A), and Child Care Programs (Minn. Stat. 119B).

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142D.05 School Readiness Programs.	Subd. 1. Establishment; purpose.	124D.15, subd. 1
—	Subd. 2. Program requirements.	124D.15, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 3. Application and reporting requirements.	124D.15, subd. 3a
—	Subd. 4. Services with new or existing providers.	124D.15, subd. 5
—	Subd. 5. Supervision.	124D.15, subd. 10
—	Subd. 6. Program fees.	124D.15, subd. 12
—	Subd. 7. Assistance.	124D.15, subd. 14
—	Subd. 8. Eligibility.	124D.15, subd. 15
142D.06 School Readiness Aid.	Subd. 1. Amount of aid.	124D.16, subd. 2
—	Subd. 2. Use of aid.	124D.16, subd. 3
—	Subd. 3. Reserve account.	124D.16, subd. 5
—	Subd. 4. Funding.	New
142D.07 School Readiness Plus Program.	None.	Laws 2017, First Special Session ch. 5, art. 8, § 9
142D.08 Voluntary Prekindergarten Program.	Subd. 1. Establishment; purpose.	124D.151, subd. 1
—	Subd. 2. Program requirements.	124D.151, subd. 2
—	Subd. 3. Mixed delivery of services.	124D.151, subd. 3
—	Subd. 4. Eligibility.	124D.151, subd. 4
—	Subd. 5. Application process; priority for high poverty schools.	124D.151, subd. 5
—	Subd. 6. Participation limits.	124D.151, subd. 6
—	Subd. 7. Financial accounting.	124D.151, subd. 7
—	Subd. 8. Funding.	New
142D.09 Early Childhood Health and Development Screening; Purpose.	None.	121A.16

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142D.091 School Board Responsibilities.	Subd. 1. Early childhood developmental screening.	121A.17, subd. 1
—	Subd. 2. Screening required before kindergarten enrollment.	121A.17, subd. 2
—	Subd. 3. Screening program.	121A.17, subd. 3
—	Subd. 4. Follow-up screening.	121A.17, subd. 4
—	Subd. 5. Developmental screening program information.	121A.17, subd. 5
—	Subd. 6. Developmental screening program information.	121A.17, subd. 6
—	Subd. 7. Screening record.	121A.17, subd. 7
—	Subd. 8. Volunteer screening programs.	121A.17, subd. 8
—	Subd. 9. Priority to volunteers.	121A.17, subd. 10
142D.092 Data Use.	None.	121A.18
142D.093 Developmental Screening Aid.	None.	121A.19
142D.10 Early Childhood Family Education (ECFE) Programs.	Subd. 1. Establishment; purpose.	124D.13, subd. 1
—	Subd. 2. Program requirements.	124D.13, subd. 2
—	Subd. 3. Substantial parental involvement.	124D.13, subd. 3
—	Subd. 4. Home visiting program.	124D.13, subd. 4
—	Subd. 5. Separate accounts.	124D.13, subd. 5
—	Subd. 6. Participants' fees.	124D.13, subd. 6
—	Subd. 7. Additional funding.	124D.13, subd. 7
—	Subd. 8. Coordination.	124D.13, subd. 8

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 9. District advisory councils.	124D.13, subd. 9
—	Subd. 10. Alternative council.	124D.13, subd. 10
—	Subd. 11. Teachers.	124D.13, subd. 11
—	Subd. 12. Assistance.	124D.13, subd. 12
—	Subd. 13. Program data submission requirements.	124D.13, subd. 13
—	Subd. 14. Supervision.	124D.13, subd. 14
—	Subd. 15. Parenting education transition program.	124D.13, subd. 15
142D.11 Early Childhood Family Education (ECFE) Revenue.	Subd. 1. Revenue.	124D.135, subd. 1
—	Subd. 2. Population.	124D.135, subd. 2
—	Subd. 3. Early childhood family education levy.	124D.135, subd. 3
—	Subd. 4. Early childhood family education aid.	124D.135, subd. 4
—	Subd. 5. Use of revenue restricted.	124D.135, subd. 5
—	Subd. 6. Home visiting revenue.	124D.135, subd. 6
—	Subd. 7. Home visiting levy.	124D.135, subd. 6a
—	Subd. 8. Home visiting aid.	124D.135, subd. 6b
—	Subd. 9. Reserve account.	124D.135, subd. 7
142D.12 Head Start Program.	Subd. 1. Department of Children, Youth, and Families.	119A.50, subd. 1
—	Subd. 2. Data classification.	119A.50, subd. 2
—	Subd. 3. Early childhood literacy programs.	119A.50, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142D.121 Distribution of Appropriation.	None.	119A.52
142D.122 Federal Requirements.	None.	119A.53
142D.123 Application Requirements.	None.	119A.535
142D.124 Full-Day Requirements.	None.	119A.5411
142D.125 Authority to Waive Requirements During Disaster Periods.	None.	119A.545
142D.13 Quality Rating and Improvement System.	Subd. 1. System established.	124D.142, subd. 1
—	Subd. 2. System components.	124D.142, subd. 2
—	Subd. 3. Evaluation.	124D.142, subd. 3
—	Subd. 4. Equity report.	124D.142, subd. 4
142D.14 After-School Community Learning Programs.	Subd. 1. Establishment.	124D.2211, subd. 1
—	Subd. 2. Program outcomes.	124D.2211, subd. 2
—	Subd. 3. Grants.	124D.2211, subd. 3
142D.15 Family Services and Community-Based Collaboratives.	Subd. 1. Establishment.	124D.23, subd. 1
—	Subd. 2. Duties <u>of collaboratives.</u>	124D.23, subd. 2
—	Subd. 3. Duties of certain coordinating bodies.	124D.23, subd. 3
—	Subd. 4. Integrated local service delivery system.	124D.23, subd. 4
—	Subd. 5. Information sharing.	124D.23, subd. 5
—	Subd. 6. Integrated fund.	124D.23, subd. 6

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 7. Local plans.	124D.23, subd. 7
—	Subd. 8. Plan approval by Children's Cabinet.	124D.23, subd. 8
—	Subd. 9. Receipt of funds.	124D.23, subd. 9
—	Subd. 10. Liability insurance.	124D.23, subd. 10
142D.16 State Advisory Council on Early Childhood Education and Care.	Subd. 1. Membership; duties.	124D.141, subd. 1
—	Subd. 2. Additional duties.	124D.141, subd. 2
—	Subd. 3. Administration.	124D.141, subd. 3
142D.20 Child Care Improvement Grants.	Subd. 1. Purpose.	119B.25, subd. 1
—	Subd. 2. Grants.	119B.25, subd. 2
—	Subd. 3. Financing program.	119B.25, subd. 3
—	Subd. 4. Reporting.	119B.25, subd. 4
142D.21 Great Start Compensation Support Payments.	Subd. 1. Establishment.	119B.27, subd. 1
—	Subd. 2. Eligible programs.	119B.27, subd. 2
—	Subd. 3. Requirements.	119B.27, subd. 3
—	Subd. 4. Record retention.	119B.27, subd. 4
—	Subd. 5. Enforcement.	119B.27, subd. 5
—	Subd. 6. Payments.	119B.27, subd. 6
—	Subd. 7. Eligible uses of money.	119B.27, subd. 7
—	Subd. 8. Legal nonlicensed child care provider payments.	119B.27, subd. 8
—	Subd. 9. Report.	119B.27, subd. 9

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 10. Carryforward authority.	119B.27, subd. 10
142D.22 Shared Services Grants.	Subd. 1. Establishment.	119B.28, subd. 1
—	Subd. 2. Shared services alliances.	119B.28, subd. 2
—	Subd. 3. Eligible uses of money.	119B.28, subd. 3
—	Subd. 4. Administration; reporting.	119B.28, subd. 4
142D.23 Child Care Provider Access to Technology Grants.	Subd. 1. Establishment.	119B.29, subd. 1
—	Subd. 2. Eligibility.	119B.29, subd. 2
—	Subd. 3. Eligible uses of money.	119B.29, subd. 3
—	Subd. 4. Administration.	119B.29, subd. 4
142D.24 Family, Friend, and Neighbor Grant Program.	Subd. 1. Establishment.	119B.196, subd. 1
—	Subd. 2. Grant award.	119B.196, subd. 2
—	Subd. 3. Administration.	119B.196, subd. 3
—	Subd. 4. Reporting requirements.	119B.196, subd. 4
142D.25 Early Learning Scholarships.	Subd. 1. Establishment; purpose.	124D.165, subd. 1
—	Subd. 2. Family eligibility.	124D.165, subd. 2
—	Subd. 3. Administration.	124D.165, subd. 3
—	Subd. 4. Early childhood program eligibility.	124D.165, subd. 4
—	Subd. 5. Report required.	124D.165, subd. 5
—	Subd. 6. Early learning scholarship account.	124D.165, subd. 6

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142D.30 Retaining Early Educators Through Attaining Incentives Now (REETAIN) Grant Program.	Subd. 1. Establishment; purpose.	119B.195, subd. 1
—	Subd. 2. Administration.	119B.195, subd. 2
—	Subd. 3. Application.	119B.195, subd. 3
—	Subd. 4. Eligibility.	119B.195, subd. 4
—	Subd. 5. Grant awards.	119B.195, subd. 5
—	Subd. 6. Report.	119B.195, subd. 6
142D.31 Teacher Education and Compensation Helps; Early Childhood Teacher Education Incentives.	Subd. 1. TEACH.	119B.251, subd. 1
—	Subd. 2. Program components.	119B.251, subd. 2
—	Subd. 3. Advisory committee.	119B.251, subd. 3
—	Subd. 4. Administration.	119B.251, subd. 4
142D.32 Early Childhood Registered Apprenticeship Grant Program.	Subd. 1. Establishment.	119B.252, subd. 1
—	Subd. 2. Definitions.	119B.252, subd. 2
—	Subd. 3. Program components.	119B.252, subd. 3
—	Subd. 4. Grants to apprentices.	119B.252, subd. 4
—	Subd. 5. Stipends to mentors.	119B.252, subd. 5
—	Subd. 6. Stipends for early childhood signatory employers.	119B.252, subd. 6
142D.33 Grants for Grow Your Own Early Childhood and Family Educator Programs.	None.	122A.731

Chapter 142E: Child Care Assistance Program

This proposed chapter governs the child care assistance program and child care assistance program fraud investigations. The language is largely transferred from the current chapters governing Child Care Programs (Minn. Stat. ch. 119B) and Child Care Assistance Program Fraud Investigations (Minn. Stat. ch. 245E).

Note: CCAP and MFIP program eligibility and verification remain subject to Minnesota Statutes, chapter 256P, which is unchanged.

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142E.01 Definitions.	Subd. 1. Scope.	119B.011, subd. 1
—	Subd. 2. Applicant.	119B.011, subd. 2
—	Subd. 3. Application.	119B.011, subd. 3
—	Subd. 4. Child.	119B.011, subd. 4
—	Subd. 5. Child care.	119B.011, subd. 5
—	Subd. 6. Child care fund.	119B.011, subd. 6
—	Subd. 7. Child care services.	119B.011, subd. 7
—	Subd. 8. Commissioner.	119B.011, subd. 8
—	Subd. 9. County board.	119B.011, subd. 9
—	Subd. 10. Department.	119B.011, subd. 10
—	Subd. 11. Education program.	119B.011, subd. 11
—	Subd. 12. Employment plan.	119B.011, subd. 12
—	Subd. 13. Family.	119B.011, subd. 13
—	Subd. 14. Family stabilization services.	119B.011, subd. 13a
—	Subd. 15. Homeless.	119B.011, subd. 13b
—	Subd. 16. Human services board.	119B.011, subd. 14
—	Subd. 17. Income.	119B.011, subd. 15
—	Subd. 18. Legal nonlicensed child care provider.	119B.011, subd. 16

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 19. MFIP.	119B.011, subd. 17
—	Subd. 20. Postsecondary educational systems.	119B.011, subd. 18
—	Subd. 21. Provider.	119B.011, subd. 19
—	Subd. 22. Recoupment of overpayments.	119B.011, subd. 21
—	Subd. 23. Registration.	119B.011, subd. 19a
—	Subd. 24. Service period.	119B.011, subd. 22
—	Subd. 25. Student parent.	119B.011, subd. 19b
—	Subd. 26. Transition year extension families.	119B.011, subd. 20a
—	Subd. 27. Transition year families.	119B.011, subd. 20
142E.02 Duties of Commissioner.	Subd. 1. Child care services.	119B.02, subd. 1
—	Subd. 2. Contractual agreements with Tribes.	119B.02, subd. 2
—	Subd. 3. Supervision of counties.	119B.02, subd. 3
—	Subd. 4. Universal application form.	119B.02, subd. 4
—	Subd. 5. Program integrity.	119B.02, subd. 5
—	Subd. 6. Data.	119B.02, subd. 6
—	Subd. 7. Child care market rate survey.	119B.02, subd. 7
—	Subd. 8. Child care fund, referral, and accreditation.	119B.24
—	Subd. 9. Administrative expenses.	119B.15
142E.021 Authority to Waive Requirements During Disaster Periods.	None.	119B.26
142E.03 Duties of Counties.	Subd. 1. Applications.	119B.025, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Social Security numbers.	119B.025, subd. 2
—	Subd. 3. Redeterminations.	119B.025, subd. 3
—	Subd. 4. Changes in eligibility.	119B.025, subd. 4
—	Subd. 5. Information to applicants; child care fraud.	119B.025, subd. 5
—	Subd. 6. Extension of employment opportunities.	119B.14
142E.04 Basic Sliding Fee Program.	Subd. 1. Notice of allocation.	119B.03, subd. 1
—	Subd. 2. Waiting list.	119B.03, subd. 2
—	Subd. 3. Eligible participants.	119B.03, subd. 3
—	Subd. 4. Funding priority.	119B.03, subd. 4
—	Subd. 5. Temporary reprioritization.	119B.03, subd. 4a
—	Subd. 6. Review of use of funds; reallocation.	119B.03, subd. 5
—	Subd. 7. Allocation formula.	119B.03, subd. 6
—	Subd. 8. Allocation due to increased funding.	119B.03, subd. 6a
—	Subd. 9. Allocation due to decreased funding.	119B.03, subd. 6b
—	Subd. 10. Guaranteed floor.	119B.03, subd. 8
—	Subd. 11. Portability pool.	119B.03, subd. 9
—	Subd. 12. Application; entry points.	119B.03, subd. 10
142E.05 At-Home Infant Child Care Program.	Subd. 1. Establishment.	119B.035, subd. 1
—	Subd. 2. Eligible families.	119B.035, subd. 2
—	Subd. 3. Eligible parent.	119B.035, subd. 3
—	Subd. 4. Assistance.	119B.035, subd. 4

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Implementation.	119B.035, subd. 5
142E.06 Federal Child Care and Development Fund.	Subd. 1. Commissioner to administer program.	119B.04, subd. 1
—	Subd. 2. Rulemaking authority.	119B.04, subd. 2
142E.07 Federal Child Care and Development Block Grant.	Subd. 1. Commissioner to administer block grant.	119B.06, subd. 1
—	Subd. 2. Rulemaking authority.	119B.06, subd. 2
—	Subd. 3. Child care development fund plan development; review.	119B.06, subd. 3
142E.08 MFIP Child Care Assistance Program.	Subd. 1. Eligible participants.	119B.05, subd. 1
—	Subd. 2. Contracts; other uses allowed.	119B.05, subd. 4
—	Subd. 3. Federal reimbursement.	119B.05, subd. 5
142E.09 Reporting and Payments.	Subd. 1. Reports.	119B.08, subd. 1
—	Subd. 2. Monthly payments.	119B.08, subd. 2
—	Subd. 3. Child care fund plan.	119B.08, subd. 3
142E.10 Financial Eligibility.	Subd. 1. General eligibility requirements.	119B.09, subd. 1
—	Subd. 2. Priorities; allocations.	119B.09, subd. 3
—	Subd. 3. Eligibility; annual income; calculation.	119B.09, subd. 4
—	Subd. 4. Temporary ineligibility of military personnel.	119B.09, subd. 4a
—	Subd. 5. Provider choice.	119B.09, subd. 5
—	Subd. 6. Maximum child care assistance.	119B.09, subd. 6
—	Subd. 7. Date of eligibility for assistance.	119B.09, subd. 7/

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 8. No employee-employer relationships.	119B.09, subd. 8
—	Subd. 9. Licensed and legal nonlicensed family child care providers; assistance.	119B.09, subd. 9
—	Subd. 10. Child care centers; assistance.	119B.09, subd. 9a
—	Subd. 11. Payment of funds.	119B.09, subd. 10
—	Subd. 12. Payment of other child care expenses.	119B.09, subd. 11
—	Subd. 13. Sliding fee.	119B.09, subd. 12
—	Subd. 14. Child care in the child's home.	119B.09, subd. 13
142E.11 Child Care Authorizations.	Subd. 1. General authorization requirements.	119B.095, subd. 1
—	Subd. 2. Maintain steady child care authorizations.	119B.095, subd. 2
—	Subd. 3. Assistance for persons who are homeless.	119B.095, subd. 3
—	Subd. 4. Authorization with a secondary provider.	119B.097
142E.12 Employment, Education, or Training Eligibility.	Subd. 1. Assistance for persons seeking and retaining employment.	119B.10, subd. 1
—	Subd. 2. Financial eligibility required.	119B.10, subd. 2
—	Subd. 3. Assistance for persons attending an approved education or training program.	119B.10, subd. 3
142E.13 Extended Eligibility and Authorization.	Subd. 1. Three-month extended eligibility period.	119B.105, subd. 1
—	Subd. 2. Extended eligibility and redetermination.	119B.105, subd. 2

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142E.14 County Contribution.	Subd. 1. County contributions required.	119B.11, subd. 1
—	Subd. 2. Recovery of overpayments.	119B.11, subd. 2a
—	Subd. 3. Federal money; state recovery.	119B.11, subd. 3
—	Subd. 4. Maintenance of funding effort.	119B.11, subd. 4
142E.15 Sliding Fee Scale.	Subd. 1. Fee schedule.	119B.12, subd. 1
—	Subd. 2. Parent fee.	119B.12, subd. 2
142E.16 Provider Requirements.	Subd. 1. Authorization.	119B.125, subd. 1
—	Subd. 2. Background study required.	119B.125, subd. 1a
—	Subd. 3. Training required.	119B.125, subd. 1b
—	Subd. 4. Persons who cannot be authorized.	119B.125, subd. 2
—	Subd. 5. Authorization; exception.	119B.125, subd. 3
—	Subd. 6. Unsafe care.	119B.125, subd. 4
—	Subd. 7. Record-keeping requirement.	119B.125, subd. 6
—	Subd. 8. Failure to comply with attendance record requirement.	119B.125, subd. 7
—	Subd. 9. Reporting required for child's part-time attendance.	119B.125, subd. 9
142E.17 Child Care Rates.	Subd. 1. Subsidy restrictions.	119B.13, subd. 1
—	Subd. 2. Legal nonlicensed family child care provider rates.	119B.13, subd. 1a
—	Subd. 3. Provider rate for care of children with disabilities or special needs.	119B.13, subd. 3
—	Subd. 4. Provider rate differential for accreditation.	119B.13, subd. 3a

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Provider rate differential for Parent Aware.	119B.13, subd. 3b
—	Subd. 6. Weekly rate paid for children attending high-quality care.	119B.13, subd. 3c
—	Subd. 7. Rates charged to publicly subsidized families.	119B.13, subd. 4
—	Subd. 8. Provider notice.	119B.13, subd. 5
—	Subd. 9. Provider payments.	119B.13, subd. 6
—	Subd. 10. Absent days.	119B.13, subd. 7
142E.18 Fair Hearing Process.	Subd. 1. Fair hearing allowed for applicants and recipients.	119B.16, subd. 1
—	Subd. 2. Fair hearing allowed for providers.	119B.16, subd. 1a
—	Subd. 3. Joint fair hearings.	119B.16, subd. 1b
—	Subd. 4. Notice to providers.	119B.16, subd. 1c
—	Subd. 5. Fair hearing stayed.	119B.16, subd. 3
—	Subd. 6. Final department action.	119B.16, subd. 4
142E.19 Administrative Review.	Subd. 1. Applicability.	119B.161, subd. 1
—	Subd. 2. Notice.	119B.161, subd. 2
—	Subd. 3. Duration.	119B.161, subd. 3
—	Subd. 4. Good cause exception.	119B.161, subd. 4
142E.20 Reconsideration of Correction Orders.	None.	119B.162
142E.30 Child Care Services Grant Definitions.	Subd. 1. Child care services grants.	119B.189, subd. 5
—	Subd. 2. District.	119B.189, subd. 6
—	Subd. 3. Facility improvement expenses.	119B.189, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 4. Interim financing.	119B.189, subd. 2
—	Subd. 5. Region.	119B.189, subd. 3
—	Subd. 6. Training program.	119B.189, subd. 4
142E.31 Grants for School Age Child Care Programs and Child Care Resource and Referral Programs.	Subd. 1. Distribution of funds for operation of child care resource and referral programs.	119B.19, subd. 1
—	Subd. 2. Designation of organizations.	119B.19, subd. 1a
—	Subd. 3. Basis for distributing funds.	119B.19, subd. 6
—	Subd. 4. Local match requirement.	119B.19, subd. 6a
—	Subd. 5. Child care resource and referral programs.	119B.19, subd. 7
142E.32 Child Care Services Grants.	Subd. 1. Distribution of grant funds.	119B.21, subd. 1
—	Subd. 2. Eligible programs.	119B.21, subd. 1a
—	Subd. 3. Child care district proposal review committees.	119B.21, subd. 3
—	Subd. 4. Child care services grants.	119B.21, subd. 5
142E.50 <u>Child Care Assistance Program Fraud Investigations;</u> Definitions.	Subd. 1. Application.	245E.01, subd. 1
—	Subd. 2. Applicant.	245E.01, subd. 2
—	Subd. 3. Child care assistance program.	245E.01, subd. 3
—	Subd. 4. Commissioner.	245E.01, subd. 4
—	Subd. 5. Controlling individual.	245E.01, subd. 5
—	Subd. 6. County.	245E.01, subd. 6
—	Subd. 7. Department.	245E.01, subd. 7
—	Subd. 8. Financial misconduct or misconduct.	245E.01, subd. 8

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 9. Identify.	245E.01, subd. 9
—	Subd. 10. License holder.	245E.01, subd. 10
—	Subd. 11. Mail.	245E.01, subd. 11
—	Subd. 12. Provider.	245E.01, subd. 12
—	Subd. 13. Recipient.	245E.01, subd. 13
—	Subd. 14. Recruiter offering conditional employment.	245E.01, subd. 13a
—	Subd. 15. Terminate.	245E.01, subd. 14
142E.51 Investigations of Financial Misconduct.	Subd. 1. Investigating provider or recipient financial misconduct.	245E.02, subd. 1
—	Subd. 2. Provider definitions.	245E.02, subd. 1a
—	Subd. 3. Scope of investigations.	245E.02, subd. 2
—	Subd. 4. Determination of investigation.	245E.02, subd. 3
—	Subd. 5. Administrative disqualification of child care providers caring for children receiving child care assistance.	256.046
—	Subd. 6. Prohibited hiring practice.	245E.02, subd. 3a
—	Subd. 7. Actions or administrative sanctions.	245E.02, subd. 4
142E.52 Duty to Provide Access.	Subd. 1. Affirmative duty.	245E.03, subd. 1
—	Subd. 2. Failure to provide access.	245E.03, subd. 2
—	Subd. 3. Notice of denial or termination.	245E.03, subd. 3
—	Subd. 4. Continued or repeat failure to provide access.	245E.03, subd. 4
—	Subd. 5. Duplication of records.	245E.03, subd. 5

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 6. Department access to program or records.	245E.03, subd. 6
142E.53 Honest and Truthful Statements.	None.	245E.04
142E.54 Record Retention.	Subd. 1. Records required to be maintained.	245E.05, subd. 1
—	Subd. 2. Time period for record retention.	245E.05, subd. 2
—	Subd. 3. Withdrawal or termination from program.	245E.05, subd. 3
—	Subd. 4. Provider change of ownership.	245E.05, subd. 4
—	Subd. 5. Electronic record keeping or signatures.	245E.05, subd. 5
142E.55. Administrative Sanctions.	Subd. 1. Factors regarding imposition of administrative sanctions.	245E.06, subd. 1
—	Subd. 2. Appeal of department action.	245E.06, subd. 3
142E.56 Monetary Recovery.	Subd. 1. Grounds for and methods of monetary recovery.	245E.07, subd. 1
—	Subd. 2. Monetary recovery; random sample extrapolation.	245E.07, subd. 2
142E.57 Reporting of Suspected Fraudulent Activity.	None.	245E.08
142E.58 Data Privacy.	None.	245E.09

Chapter 142F: Food, Housing, and Community Support Programs

This proposed chapter governs food, housing, and community support programs, including the Supplemental Nutrition Assistance Program, the Minnesota food assistance program, food shelves, the American Indian food sovereignty funding program, family assets for independence, and community action agencies. The language is largely transferred from the

current chapter of statutes governing Economic Assistance and Food Support (Minn. Stat. ch. 256D) and Community Social Services (Minn. Stat. ch. 256E).

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142F.05 Supervision of Supplemental Nutrition Assistance Program.	Subd. 1. Supervision of program.	245.771, subd. 1
—	Subd. 2. Waivers.	245.771, subd. 2
—	Subd. 3. Employment and training programs.	245.771, subd. 3
—	Subd. 4. SNAP bonus awards.	245.771, subd. 4
142F.10 SNAP Employment and Training Program.	Subd. 1. SNAP employment and training.	256D.60, subd. 1
—	Subd. 2. County and Tribal agency duties.	256D.60, subd. 2
—	Subd. 3. Duties of commissioner.	256D.60, subd. 3
—	Subd. 4. Participant duties.	256D.60, subd. 4
—	Subd. 5. Program funding.	256D.60, subd. 5
142F.101 Asset Limitations for Supplemental Nutrition Assistance Program Households.	None.	256D.62
142F.102 Supplemental Nutrition Assistance Program Reporting Requirements.	None.	256D.63
142F.11 <u>SNAP</u> Federal Waiver.	None.	256D.61
142F.12 Supplemental Nutrition Assistance Program Outreach Program.	Subd. 1. SNAP outreach program.	256D.65, subd. 1
—	Subd. 2. Duties of commissioner.	256D.65, subd. 2
—	Subd. 3. Program funding.	256D.65, subd. 3
142F.13 Minnesota Food Assistance Program.	Subd. 1. Program established.	256D.64, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Eligibility requirements.	256D.64, subd. 2
—	Subd. 3. Program administration.	256D.64, subd. 3
142F.14 Food Shelf.	Subd. 1. Distribution of appropriation.	256E.34, subd. 1
—	Subd. 2. Application.	256E.34, subd. 2
—	Subd. 3. Distribution formula.	256E.34, subd. 3
—	Subd. 4. Use of money.	256E.34, subd. 4
—	Subd. 5. Enforcement.	256E.34, subd. 5
—	Subd. 6. Administrative expenses.	256E.34, subd. 6
—	Subd. 7. Data classification.	256E.34, subd. 7
142F.15 American Indian Food Sovereignty Funding Program.	Subd. 1. Establishment.	256E.342, subd. 1
—	Subd. 2. Distribution of funding.	256E.342, subd. 2
—	Subd. 3. Allowable uses of money.	256E.342, subd. 3
—	Subd. 4. Reporting.	256E.342, subd. 4
142F.20 Family Assets for Independence.	Subd. 1. Establishment.	256E.35, subd. 1
—	Subd. 2. Definitions.	256E.35, subd. 2
—	Subd. 3. Grants awarded.	256E.35, subd. 3
—	Subd. 4. Duties.	256E.35, subd. 4
—	Subd. 5. Financial coaching.	256E.35, subd. 4a
—	Subd. 6. Household eligibility; participation.	256E.35, subd. 5
—	Subd. 7. Withdrawal; matching; permissible uses.	256E.35, subd. 6
—	Subd. 8. Program reporting.	256E.35, subd. 7

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142F.30 Financial Assistance for Community Action Agencies.	Subd. 1. Definition.	256E.30, subd. 4
—	Subd. 2. Authorization.	256E.30, subd. 1
—	Subd. 3. Allocation of money.	256E.30, subd. 2
—	Subd. 4. Merger.	256E.30, subd. 2a
—	Subd. 5. Reports.	256E.30, subd. 3
142F.301 Community Action Agencies.	Subd. 1. In general.	256E.31, subd. 1
—	Subd. 2. Designation and recognition.	256E.31, subd. 2
—	Subd. 3. Administering board.	256E.31, subd. 3
—	Subd. 4. Delegation of powers.	256E.31, subd. 4
—	Subd. 5. Local participation.	256E.31, subd. 5
—	Subd. 6. Functions; powers.	256E.31, subd. 6
—	Subd. 7. Agencies as local providers.	256E.31, subd. 7
—	Subd. 8. Categorical funds.	256E.31, subd. 8
142F.302 Community Action Programs.	Subd. 1. In general.	256E.32, subd. 1
—	Subd. 2. Components.	256E.32, subd. 2
—	Subd. 3. Administration.	256E.32, subd. 3
—	Subd. 4. Data classification.	256E.33, subd. 4

Chapter 142G: Minnesota Family Investment Program

This proposed chapter of statutes governs the Minnesota Family Investment Program. The language in this chapter is largely transferred from the current chapter of statutes governing this program (Minn. Stat. ch. 256J).

Note: CCAP and MFIP program eligibility and verification remain subject to Minnesota Statutes, chapter 256P, which is unchanged.

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142G.01 Establishing Minnesota Family Investment Program.	Subd. 1. Implementation of Minnesota family investment program (MFIP).	256J.01, subd. 1
—	Subd. 2. Implementation of temporary assistance for needy families (TANF).	256J.01, subd. 2
—	Subd. 3. Relationship to other statutes and rules.	256J.01, subd. 3
—	Subd. 4. Changes to waivers.	256J.01, subd. 4
—	Subd. 5. Legislative approval to move programs or activities.	256J.01, subd. 6
—	Subd. 6. Community involvement.	256J.06
—	Subd. 7. County and Tribal cooperation.	256J.315
—	Subd. 8. Child-only TANF program.	256J.88
142G.02 Definitions.	Subd. 1. Scope of definitions.	256J.08, subd. 1
—	Subd. 2. Absent parent.	256J.08, subd. 2
—	Subd. 3. Agency.	256J.08, subd. 2a
—	Subd. 4. Agency error.	256J.08, subd. 3
—	Subd. 5. Appeal.	256J.08, subd. 4
—	Subd. 6. Applicant.	256J.08, subd. 5
—	Subd. 7. Application.	256J.08, subd. 6
—	Subd. 8. Assistance unit or MFIP assistance unit.	256J.08, subd. 7
—	Subd. 9. Authorized representative.	256J.08, subd. 8
—	Subd. 10. Basic needs.	256J.08, subd. 9

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 11. Caregiver.	256J.08, subd. 11
—	Subd. 12. Child only case.	256J.08, subd. 11a
—	Subd. 13. Client error.	256J.08, subd. 12
—	Subd. 14. Commissioner.	256J.08, subd. 13
—	Subd. 15. Commissioner of education-selected high school equivalency.	256J.08, subd. 39
—	Subd. 16. Corrective payment.	256J.08, subd. 14
—	Subd. 17. Countable income.	256J.08, subd. 15
—	Subd. 18. Counted earnings.	256J.08, subd. 16
—	Subd. 19. County agency.	256J.08, subd. 17
—	Subd. 20. County board.	256J.08, subd. 18
—	Subd. 21. County of financial responsibility.	256J.08, subd. 19
—	Subd. 22. County of residence.	256J.08, subd. 20
—	Subd. 23. Date of application.	256J.08, subd. 21
—	Subd. 24. Deem.	256J.08, subd. 22
—	Subd. 25. Department.	256J.08, subd. 23
—	Subd. 26. Disqualified.	256J.08, subd. 24a
—	Subd. 27. Documentation.	256J.08, subd. 25
—	Subd. 28. Earned income.	256J.08, subd. 26
—	Subd. 29. Earned income tax credit.	256J.08, subd. 27
—	Subd. 30. Employable.	256J.08, subd. 28b
—	Subd. 31. Excluded time.	256J.08, subd. 30
—	Subd. 32. Expedited issuance of the SNAP benefit portion.	256J.08, subd. 31

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 33. Fair hearing or hearing.	256J.08, subd. 32
—	Subd. 34. Family.	256J.08, subd. 34
—	Subd. 35. Family violence.	256J.08, subd. 34a
—	Subd. 36. Family violence waiver.	256J.08, subd. 34b
—	Subd. 37. Family wage level.	256J.08, subd. 35
—	Subd. 38. Federal Insurance Contribution Act or FICA.	256J.08, subd. 36
—	Subd. 39. Financial case record.	256J.08, subd. 37
—	Subd. 40. Full-time student.	256J.08, subd. 38
—	Subd. 41. Gross earned income.	256J.08, subd. 40
—	Subd. 42. Gross income.	256J.08, subd. 41
—	Subd. 43. Half-time student.	256J.08, subd. 43
—	Subd. 44. Home.	256J.08, subd. 44
—	Subd. 45. Household.	256J.08, subd. 46
—	Subd. 46. Income.	256J.08, subd. 47
—	Subd. 47. Initial eligibility.	256J.08, subd. 48
—	Subd. 48. Inquiry.	256J.08, subd. 50
—	Subd. 49. Learning disabled.	256J.08, subd. 51b
—	Subd. 50. Legal custodian.	256J.08, subd. 51a
—	Subd. 51. Low-income home energy assistance program or LIHEAP.	256J.08, subd. 52
—	Subd. 52. Medical assistance.	256J.08, subd. 54
—	Subd. 53. MFIP household report form.	256J.08, subd. 55
—	Subd. 54. Migrant worker.	256J.08, subd. 56

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 55. Minnesota family investment program or MFIP.	256J.08, subd. 57
—	Subd. 56. Minnesota supplemental aid or MSA.	256J.08, subd. 58
—	Subd. 57. Minor caregiver.	256J.08, subd. 59
—	Subd. 58. Minor child.	256J.08, subd. 60
—	Subd. 59. Noncustodial parent.	256J.08, subd. 61a
—	Subd. 60. Overpayment.	256J.08, subd. 63
—	Subd. 61. Parent.	256J.08, subd. 64
—	Subd. 62. Participant.	256J.08, subd. 65
—	Subd. 63. Participation requirements of TANF.	256J.08, subd. 65a
—	Subd. 64. Payee.	256J.08, subd. 66
—	Subd. 65. Payment month.	256J.08, subd. 67
—	Subd. 66. Person trained in domestic violence.	256J.08, subd. 67a
—	Subd. 67. Prospective budgeting.	256J.08, subd. 71
—	Subd. 68. Protective payee.	256J.08, subd. 72
—	Subd. 69. Qualified noncitizen.	256J.08, subd. 73
—	Subd. 70. Qualified professional.	256J.08, subd. 73a
—	Subd. 71. Recertification.	256J.08, subd. 76
—	Subd. 72. Recoupment.	256J.08, subd. 77
—	Subd. 73. Recovery.	256J.08, subd. 78
—	Subd. 74. Recurring income.	256J.08, subd. 79
—	Subd. 75. Sanction.	256J.08, subd. 82
—	Subd. 76. Shelter costs.	256J.08, subd. 82b

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 77. SSI recipient.	256J.08, subd. 84a
—	Subd. 78. Supplemental Security Income or SSI.	256J.08, subd. 84
—	Subd. 79. Transitional standard.	256J.08, subd. 85
—	Subd. 80. Unearned income.	256J.08, subd. 86
—	Subd. 81. Unemployment benefits.	256J.08, subd. 80
—	Subd. 82. Vendor.	256J.08, subd. 87
—	Subd. 83. Vendor payment.	256J.08, subd. 88
—	Subd. 84. Verification.	256J.08, subd. 89
142G.03 Federal TANF Block Grant.	Subd. 1. Commissioner's authority to administer block grant funds.	256J.02, subd. 1
—	Subd. 2. Use of money.	256J.02, subd. 2
—	Subd. 3. Authority to transfer.	256J.02, subd. 4
—	Subd. 4. Indirect cost liability.	256J.02, subd. 5
—	Subd. 5. TANF funds appropriated to other entities.	256J.02, subd. 6
142G.04 Separate State Program for Use of State Money.	None.	256J.021
142G.05 Applying for Assistance.	Subd. 1. Where to apply.	256J.09, subd. 1
—	Subd. 2. County agency responsibility to provide information.	256J.09, subd. 2
—	Subd. 3. Submitting application form.	256J.09, subd. 3
—	Subd. 4. Screening.	256J.09, subd. 3a
—	Subd. 5. Interview to determine referrals and services.	256J.09, subd. 3b
—	Subd. 6. Verification of information on application.	256J.09, subd. 4

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 7. Processing applications.	256J.09, subd. 5
—	Subd. 8. Invalid reason for delay.	256J.09, subd. 6
—	Subd 9. Changes in residence during application.	256J.09, subd. 7
—	Subd. 10. Additional applications.	256J.09, subd. 8
—	Subd. 11. Addendum to an existing application.	256J.09, subd. 9
—	Subd. 12. Ineligibility for MFIP or the diversionary work program.	256J.09, subd. 10
—	Subd. 13. Domestic violence informational brochure.	256.029
142G.10 MFIP Eligibility Requirements.	Subd. 1. General eligibility requirements.	256J.10
—	Subd. 2. Verification of information.	256J.32, subd. 1
142G.11 Eligibility ; Citizenship.	Subd. 1. General citizenship requirements.	256J.11, subd. 1
—	Subd. 2. Noncitizens; food portion.	256J.11, subd. 2
—	Subd. 3. Benefits funded with state money.	256J.11, subd. 3
142G.12 Eligibility ; Minnesota Residence.	Subd. 1. Simple residency.	256J.12, subd. 1
—	Subd. 2. 30-day residency requirement.	256J.12, subd. 1a
—	Subd. 3. Exceptions.	256J.12, subd. 2
—	Subd. 4. Migrant workers.	256J.12, subd. 2a
—	Subd. 5. Severability clause.	256J.12, subd. 4
142G.13 Eligibility ; Minor Child in Assistance Unit; Physical Presence .	Subd. 1. Minor child or pregnant woman.	256J.13, subd. 1
—	Subd. 2. Physical presence.	256J.13, subd. 2

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142G.14 Eligibility; for Parenting or Pregnant Minors.	None.	256J.14
142G.15 Other Eligibility Conditions.	Subd. 1. Eligibility when there is court-ordered custody.	256J.15, subd. 1
—	Subd. 2. Eligibility during labor disputes.	256J.15, subd. 2
142G.16 Income Limitations.	Subd. 1. Initial income test.	256J.21, subd. 3
—	Subd. 2. Monthly income test and determination of assistance payment.	256J.21, subd. 4
—	Subd. 3. Distribution of income.	256J.21, subd. 5
142G.17 Family Composition; Assistance Standards; Exit Level .	Subd. 1. MFIP assistance unit.	256J.24, subd. 1
—	Subd. 2. Mandatory assistance unit composition.	256J.24, subd. 2
—	Subd. 3. Individuals who must be excluded from an assistance unit.	256J.24, subd. 3
—	Subd. 4. Individuals who may elect to be included in the assistance unit.	256J.24, subd. 4
—	Subd. 5. MFIP transitional standard.	256J.24, subd. 5
—	Subd. 6. Food portion of MFIP transitional standard.	256J.24, subd. 5a
—	Subd. 7. Family wage level.	256J.24, subd. 7
142G.18 Persons Ineligible; Vendor Payments.	Subd. 1. Person convicted of drug offenses.	256J.26, subd. 1
—	Subd. 2. Parole violators.	256J.26, subd. 2
—	Subd. 3. Fleeing felons.	256J.26, subd. 3
—	Subd. 4. Disqualification for fraudulently misrepresenting residency.	256J.26, subd. 4

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Vendor payment; uninhabitable units.	256J.26, subd. 5
142G.19 Supplemental Nutrition Assistance Program.	Subd. 1. Expedited issuance of the Supplemental Nutrition Assistance Program (SNAP) benefits.	256J.28, subd. 1
—	Subd. 2. SNAP benefits for household members not in assistance unit.	256J.28, subd. 2
—	Subd. 3. Income disregard; food assistance portion of assistance payment.	256J.28, subd. 3
—	Subd. 4. SNAP benefits for persons residing in a battered woman's shelter.	256J.28, subd. 5
142G.20 Applicant and Participant Requirements and Responsibilities.	Subd. 1. Applicant reporting requirements.	256J.30, subd. 1
—	Subd. 2. Requirement to apply for other benefits.	256J.30, subd. 2
—	Subd. 3. Responsibility to inquire.	256J.30, subd. 3
—	Subd. 4. Participant's completion of recertification of eligibility form.	256J.30, subd. 4
—	Subd. 5. Changes that must be reported.	256J.30, subd. 9
—	Subd. 6. Requirement to assign support and maintenance rights.	256J.30, subd. 11
—	Subd. 7. Requirement to provide Social Security numbers.	256J.30, subd. 12
142G.21 Applicant and Participant Rights; County Agency Duty.	Subd. 1. Right to information.	256J.31, subd. 1
—	Subd. 2. Right to authorized representative.	256J.31, subd. 2
—	Subd. 3. Right of applicant to notice.	256J.31, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 4. Participant's right to notice.	256J.31, subd. 4
—	Subd. 5. Mailing of notice.	256J.31, subd. 5
—	Subd. 6. Right to appeal.	256J.31, subd. 6
—	Subd. 7. Right to case records.	256J.31, subd. 7
—	Subd. 8. Right to manage affairs.	256J.31, subd. 8
—	Subd. 9. Right to protection.	256J.31, subd. 9
—	Subd. 10. Protection from garnishment.	256J.31, subd. 10
—	Subd. 11. Responsibility to retain case records.	256J.31, subd. 11
—	Subd. 12. Right to discontinue cash assistance.	256J.31, subd. 12
142G.22 Prospective and Retrospective MFIP Eligibility.	Subd. 1. Determination of eligibility.	256J.33, subd. 1
—	Subd. 2. Prospective eligibility.	256J.33, subd. 2
142G.25 Reporting Requirements.	None.	256J.61
142G.26 Relationship to Other Programs.	Subd. 1. Social services.	256J.74, subd. 1
—	Subd. 2. Concurrent eligibility; limitations.	256J.74, subd. 2
—	Subd. 3. SNAP.	256J.74, subd. 5
142G.27 Orientation.	Subd. 1. County agency to provide orientation.	256J.45, subd. 1
—	Subd. 2. Pregnant and parenting minors.	256J.45, subd. 1a
—	Subd. 3. General information.	256J.45, subd. 2
—	Subd. 4. Good cause exemptions for not attending orientation.	256J.45, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142G.30 Calculating Assistance Payments.	Subd. 1. Prospective budgeting.	256J.34, subd. 1
—	Subd. 2. Retrospective budgeting.	256J.34, subd. 2
—	Subd. 3. Additional uses of retrospective budgeting.	256J.34, subd. 3
—	Subd. 4. Significant change in gross income.	256J.34, subd. 4
142G.31 Treatment of Income and Lump Sums.	Subd. 1. Deemed income from ineligible assistance unit members.	256J.37, subd. 1
—	Subd. 2. Deemed income from disqualified assistance unit members.	256J.37, subd. 1a
—	Subd. 3. Deemed income from parents of minor caregivers.	256J.37, subd. 1b
—	Subd. 4. Deemed income and assets of sponsor of noncitizens.	256J.37, subd. 2
—	Subd. 5. Earned income of wage, salary, and contractual employees.	256J.37, subd. 3
—	Subd. 6. Rental subsidies; unearned income.	256J.37, subd. 3a
—	Subd. 7. Self-employment.	256J.37, subd. 4
—	Subd. 8. Self-employment earnings.	256J.37, subd. 5
—	Subd. 9. Self-employment budget period.	256J.37, subd. 6
—	Subd. 10. Farm income.	256J.37, subd. 7
—	Subd. 11. Rental income.	256J.37, subd. 8
—	Subd. 12. Unearned income.	256J.37, subd. 9
142G.32. <u>Amount of Assistance Payment.</u>	Subd. 1. Payment levels.	256J.35
—	Subd. 2. Housing assistance grants; forecasted program.	256J.351

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
142G.33 Allocation for Unmet Need of Other Household Members.	None.	256J.36
142G.34 Support from Parents of Minor Caregivers Living Apart.	Subd. 1. General provisions.	256J.396, subd. 1
—	Subd. 2. Amount of support payment.	256J.396, subd. 2
—	Subd. 3. Reviews.	256J.396, subd. 3
—	Subd. 4. Parents under court order for support.	256J.396, subd. 4
142G.35 Payment Provisions; Vendor Payments.	Subd. 1. Payment policy.	256J.39, subd. 1
—	Subd. 2. Protective and vendor payments.	256J.39, subd. 2
—	Subd. 3. Choosing payees for protective or vendor payments.	256J.39, subd. 3
—	Subd. 4. Discontinuing protective or vendor payments.	256J.39, subd. 4
142G.36 Vendor Payment of Shelter Costs and Utilities.	Subd. 1. Vendor payment.	256J.395, subd. 1
—	Subd. 2. Vendor payment notification.	256J.395, subd. 2
—	Subd. 3. Discontinuing vendor payments due to dispute with landlord.	256J.395, subd. 3
142G.37 Work Participation Cash Benefits.	Subd. 1. Program characteristics.	256J.621, subd. 1
—	Subd. 2. Program suspension.	256J.621, subd. 2
142G.38 Aging of Cash Benefits.	None.	256J.77
142G.40 60-Month Time Limit; Exemptions.	Subd. 1. Time limit.	256J.42, subd. 1
—	Subd. 2. Adults living in Indian country.	256J.42, subd. 3

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 3. Exempt cash assistance.	256J.42, subd. 4
—	Subd. 4. Exemption for certain families.	256J.42, subd. 5
—	Subd. 5. Case review.	256J.42, subd. 6
142G.41 Notice of 12 Months of TANF Assistance Remaining.	None.	256J.415
142G.42 60-Month Time Limit; Hardship Extensions.	Subd. 1. Eligibility.	256J.425, subd. 1
—	Subd. 2. Review.	256J.425, subd. 1a
—	Subd. 3. Ill or incapacitated.	256J.425, subd. 2
—	Subd. 4. Hard-to-employ participants.	256J.425, subd. 3
—	Subd. 5. Employed participants.	256J.425, subd. 4
—	Subd. 6. Hardship extension pending documentation.	256J.425, subd. 4a
—	Subd. 7. Accrual of certain exempt months.	256J.425, subd. 5
—	Subd. 8. Sanctions for extended cases.	256J.425, subd. 6
—	Subd. 9. Status of disqualified participants.	256J.425, subd. 7
—	Subd. 10. County extension request.	256J.425, subd. 8
142G.45 Fair Hearings.	None.	256J.40
142G.50 Employment and Training Services; Definitions.	Subd. 1. Scope.	256J.49, subd. 1
—	Subd. 2. Employment and training services.	256J.49, subd. 3
—	Subd. 3. Employment and training service provider.	256J.49, subd. 4
—	Subd. 4. Employment plan.	256J.49, subd. 5

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Functional work literacy.	256J.49, subd. 6a
—	Subd. 6. Job counselor.	256J.49, subd. 8
—	Subd. 7. Participant.	256J.49, subd. 9
—	Subd. 8. Provider.	256J.49, subd. 10
—	Subd. 9. Suitable employment.	256J.49, subd. 12
—	Subd. 10. Supported work.	256J.49, subd. 12a
—	Subd. 11. Work activity.	256J.49, subd. 13
142G.51 <u>Employment and Training Services</u> ; Participant Requirements, Rights, and Expectations.	Subd. 1. Participation requirements.	256J.55, subd. 1
—	Subd. 2. Duty to report.	256J.55, subd. 2
—	Subd. 3. Move to a different county.	256J.55, subd. 3
—	Subd. 4. Choice of provider.	256J.55, subd. 4
142G.52 Universal Participation Required.	Subd. 1. Participation requirements.	256J.561, subd. 2
—	Subd. 2. Child under 12 months of age.	256J.561, subd. 3
—	Subd. 3. Parents receiving family and medical leave benefits.	256J.561, subd. 4
142G.53 Family Violence Waiver Criteria.	None.	256J.545
142G.54 <u>Employment and Training Services</u> ; County Duties.	Subd. 1. Employment and training services component of MFIP.	256J.50, subd. 1
—	Subd. 2. Service providing agencies.	256J.50, subd. 4
—	Subd. 3. Explanatory materials required.	256J.50, subd. 6
—	Subd. 4. County duty to ensure employment and training choices for participants.	256J.50, subd. 8

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Exception; financial hardship.	256J.50, subd. 9
—	Subd. 6. Required notification to victims of family violence.	256J.50, subd. 10
—	Subd. 7. Coordination.	256J.50, subd. 11
—	Subd. 8. Access to persons trained in domestic violence.	256J.50, subd. 12
142G.55 Overview of Employment and Training Services.	None.	256J.515
142G.56 Assessment; Employment Plans.	Subd. 1. Assessments.	256J.521, subd. 1
—	Subd. 2. Employment plan; contents.	256J.521, subd. 2
—	Subd. 3. Employment plan; family violence waiver.	256J.521, subd. 3
—	Subd. 4. Self-employment.	256J.521, subd. 4
—	Subd. 5. Transition from the diversionary work program.	256J.521, subd. 5
—	Subd. 6. Loss of employment.	256J.521, subd. 6
142G.57 Minor Parents; Employment Plan.	Subd. 1. Assessment of educational progress and needs.	256J.54, subd. 1
—	Subd. 2. Responsibility for assessment and employment plan.	256J.54, subd. 2
—	Subd. 3. Education option developed.	256J.54, subd. 3
—	Subd. 4. No appropriate educational option.	256J.54, subd. 4
—	Subd. 5. School attendance required.	256J.54, subd. 5
142G.58 Postsecondary Education as Approved Work Activity.	Subd. 1. Length of program.	256J.53, subd. 1
—	Subd. 2. Postsecondary education or training.	256J.53, subd. 2

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 3. Satisfactory progress required.	256J.53, subd. 3
—	Subd. 4. Requirements after postsecondary education or training.	256J.53, subd. 5
142G.59 Basic Education; English as a Second Language.	Subd. 1. Approval of adult basic education.	256J.531, subd. 1
—	Subd. 2. Approval of English as a second language.	256J.531, subd. 2
142G.60 On-the-Job Training.	Subd. 1. Establishing on-the-job training program.	256J.66, subd. 1
—	Subd. 2. Training and placement.	256J.66, subd. 2
142G.61 Community Work Experience.	Subd. 1. Establishing the community work experience program.	256J.67, subd. 1
—	Subd. 2. Commissioner's duties.	256J.67, subd. 2
—	Subd. 3. Employment options.	256J.67, subd. 3
—	Subd. 4. Employment plan.	256J.67, subd. 4
142G.62 Injury Protection for Work Experience Participants.	Subd. 1. Applicability.	256J.68, subd. 1
—	Subd. 2. Investigation of the claim.	256J.68, subd. 2
—	Subd. 3. Submission of claim.	256J.68, subd. 3
—	Subd. 4. Claims less than \$1,000.	256J.68, subd. 4
—	Subd. 5. Claims more than \$1,000.	256J.68, subd. 5
—	Subd. 6. Compensation for certain costs.	256J.68, subd. 6
—	Subd. 7. Exclusive procedure.	256J.68, subd. 7
—	Subd. 8. Invalid claims.	256J.68, subd. 8
142G.63 Nondisplacement in Work Activities.	Subd. 1. Nondisplacement protection.	256J.72, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Dispute resolution.	256J.72, subd. 2
—	Subd. 3. Status of participant.	256J.72, subd. 3
142G.64 Employment and Training Services ; Grant Diversion.	Subd. 1. Establishing the grant diversion program.	256J.69, subd. 1
—	Subd. 2. Training and placement.	256J.69, subd. 2
142G.65 Employment and Training Service Provider Appeal.	Subd. 1. Provider application.	256J.51, subd. 1
—	Subd. 2. Appeal; alternate approval.	256J.51, subd. 2
—	Subd. 3. Commissioner's review.	256J.51, subd. 3
—	Subd. 4. Revised service agreement required.	256J.51, subd. 4
—	Subd. 5. Review not required.	256J.51, subd. 5
142G.70 Sanctions.	Subd. 1. Participants not complying with program requirements.	256J.46, subd. 1
—	Subd. 2. Sanctions for refusal to cooperate with support requirements.	256J.46, subd. 2
—	Subd. 3. Dual sanctions.	256J.46, subd. 2a
—	Subd. 4. Restrictions on sanctions.	256J.46, subd. 3
142G.71 Good Cause Exemption from Sanction.	Subd. 1. Good cause for failure to comply.	256J.57, subd. 1
—	Subd. 2. Notice of intent to sanction.	256J.57, subd. 2
142G.75 Family Stabilization Services.	Subd. 1. Purpose.	256J.575, subd. 1
—	Subd. 2. Definitions.	256J.575, subd. 2
—	Subd. 3. Eligibility.	256J.575, subd. 3
—	Subd. 4. Family stabilization plans; services.	256J.575, subd. 5

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 5. Cooperation with services requirements.	256J.575, subd. 6
—	Subd. 6. Sanctions.	256J.575, subd. 7
—	Subd. 7. Funding.	256J.575, subd. 8
142G.76 MFIP Consolidated Fund.	Subd. 1. Consolidated fund.	256J.626, subd. 1
—	Subd. 2. Allowable expenditures.	256J.626, subd. 2
—	Subd. 3. Eligibility for services.	256J.626, subd. 3
—	Subd. 4. County and Tribal biennial service agreements.	256J.626, subd. 4
—	Subd. 5. Innovation projects.	256J.626, subd. 5
—	Subd. 6. Base allocation to counties and Tribes; definitions.	256J.626, subd. 6
—	Subd. 7. Performance base funds.	256J.626, subd. 7
—	Subd. 8. Reporting requirement and reimbursement.	256J.626, subd. 8
142G.77 Indian Tribe MFIP Employment Services.	Subd. 1. Authorization to enter into agreements.	256J.645, subd. 1
—	Subd. 2. Tribal requirements.	256J.645, subd. 2
—	Subd. 3. Funding.	256J.645, subd. 3
—	Subd. 4. County agency requirement.	256J.645, subd. 4
142G.78 County of Financial Responsibility Policies.	Subd. 1. County of financial responsibility.	256J.75, subd. 1
—	Subd. 2. Change in residence.	256J.75, subd. 2
—	Subd. 3. Responsibility for incorrect assistance payments.	256J.75, subd. 3
—	Subd. 4. Excluded time.	256J.75, subd. 4
142G.79 County Performance Management.	Subd. 1. Monthly county caseload report.	256J.751, subd. 1

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 2. Quarterly comparison report.	256J.751, subd. 2
—	Subd. 3. Failure to meet federal performance standards.	256J.751, subd. 5
142G.85 TANF Demonstration Projects or Waiver from Federal Rules and Regulations.	Subd. 1. Duties of the commissioner.	256J.78, subd. 1
—	Subd. 2. Purpose.	256J.78, subd. 2
142G.90 Diversionary Work Program.	Subd. 1. Establishing a diversionary work program (DWP).	256J.95, subd. 1
—	Subd. 2. Definitions.	256J.95, subd. 2
—	Subd. 3. Eligibility for DWP.	256J.95, subd. 3
—	Subd. 4. Cooperation with program requirements.	256J.95, subd. 4
—	Subd. 5. Submitting application form.	256J.95, subd. 5
—	Subd. 6. Initial screening of applicants.	256J.95, subd. 6
—	Subd. 7. Program and processing standards.	256J.95, subd. 7
—	Subd. 8. Verification requirements.	256J.95, subd. 8
—	Subd. 9. Property and income limitations.	256J.95, subd. 9
—	Subd. 10. DWP grant.	256J.95, subd. 10
—	Subd. 11. Universal participation required.	256J.95, subd. 11
—	Subd. 12. Conversion or referral to MFIP.	256J.95, subd. 12
—	Subd. 13. Immediate referral to employment services.	256J.95, subd. 13
—	Subd. 14. Employment plan; DWP benefits.	256J.95, subd. 14

Proposed Section Coding and Headnote	Proposed Subdivision Coding and Headnote	Current Section Coding
—	Subd. 15. Limitations on certain work activities.	256J.95, subd. 15
—	Subd. 16. Failure to comply with requirements.	256J.95, subd. 16
—	Subd. 17. Good cause for not complying with requirements.	256J.95, subd. 17
—	Subd. 18. Reinstatement following disqualification.	256J.95, subd. 18
—	Subd. 19. DWP overpayments and underpayments.	256J.95, subd. 19
142G.95 Funeral Expenses, Payment by County Agency.	None.	256.935



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