

Senators Hoffman and Rasmusson from the Committee on Human Services, to which was referred

S.F. No. 626: A bill for an act relating to direct care and treatment; establishing a commissioner and the Department of Direct Care and Treatment; repealing the direct care and treatment executive board; amending Minnesota Statutes 2024, sections 10.65, subdivision 2; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 15A.082, subdivisions 1, 3, 7; 43A.08, subdivisions 1, 1a; 245.021; 245.073; 246.13, subdivision 1; 246B.01, by adding a subdivision; 246C.01; 246C.015, subdivision 3, by adding a subdivision; 246C.02, subdivision 1; 246C.04, subdivisions 2, 3; 246C.07, subdivisions 1, 2, 8; 246C.09, subdivision 3; 246C.091, subdivisions 2, 3, 4; 252.021, by adding a subdivision; 252.50, subdivision 5; 253.195, by adding a subdivision; 253B.02, subdivisions 3, 4c, by adding a subdivision; 253B.03, subdivision 7; 253B.041, subdivision 4; 253B.09, subdivision 3a; 253B.18, subdivision 6; 253B.19, subdivision 2; 253B.20, subdivision 2; 253D.02, subdivision 3, by adding a subdivision; 254B.05, subdivision 4; 256.045, subdivisions 6, 7, by adding a subdivision; 256G.09, subdivision 3; 352.91, subdivisions 2a, 3c, 3d, 4a; 524.3-801; 611.57, subdivision 2; Laws 2024, chapter 125, article 5, section 40; repealing Minnesota Statutes 2024, sections 246B.01, subdivision 2; 246C.015, subdivisions 2, 5a, 6; 246C.06, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 246C.07, subdivisions 4, 5; 246C.08; 252.021, subdivision 2; 253.195, subdivision 2; 253B.02, subdivision 7b; 253D.02, subdivision 7; 254B.01, subdivision 15; 256.045, subdivision 1a; 256G.02, subdivision 5a; Laws 2024, chapter 79, article 1, section 20; Laws 2024, chapter 125, article 5, section 41; Laws 2024, chapter 127, article 50, section 41.

Report the same back with the recommendation that the bill be amended as follows:

Page 6, after line 15, insert:

"Sec. 13. [246C.075] ADVISORY COUNCIL ON DIRECT CARE AND TREATMENT.

Subdivision 1. Establishment. An Advisory Council on Direct Care and Treatment is established.

Subd. 2. Membership. (a) The Advisory Council on Direct Care and Treatment must consist of no more than 15 members appointed as provided in section 15.0597. The advisory council must include:

(1) one member who is a licensed physician with experience serving behavioral health patients or a licensed psychiatrist, appointed by the commissioner;

(2) two members with executive management experience at a hospital or health care system, or experience serving on the board of a hospital or health care system, appointed by the commissioner;

(3) three members, each appointed by the commissioner, who have experience working:

(i) in the delivery of behavioral health services;

(ii) in care coordination;

- 2.1 (iii) in traditional healing practices;
- 2.2 (iv) as a licensed health care professional;
- 2.3 (v) within health care administration; or
- 2.4 (vi) with residential services;
- 2.5 (4) one member appointed by the Association of Counties;
- 2.6 (5) one member who has an active role as a union representative representing staff at
- 2.7 the Department of Direct Care and Treatment appointed by joint representatives of the
- 2.8 following unions: American Federation of State, County, and Municipal Employees
- 2.9 (AFSCME); Minnesota Association of Professional Employees (MAPE); Minnesota Nurses
- 2.10 Association (MNA); Middle Management Association (MMA); and State Residential
- 2.11 Schools Education Association (SRSEA);
- 2.12 (6) one member appointed by the National Alliance on Mental Illness Minnesota;
- 2.13 (7) two members representing people with lived experience being served by state-operated
- 2.14 treatment programs or their families, appointed by the commissioner; and
- 2.15 (8) up to four additional members appointed by the commissioner reflecting community
- 2.16 interests or perspectives the commissioner deems valuable.
- 2.17 (b) Membership on the advisory council must include representation from outside the
- 2.18 seven-county metropolitan area, as defined in section 473.121, subdivision 2.
- 2.19 (c) Appointing authorities under paragraph (a) must make initial appointments by
- 2.20 September 1, 2025.
- 2.21 **Subd. 3. Terms; compensation; removal; vacancies; expiration.** (a) The membership
- 2.22 terms, compensation, removal of members, and filling of vacancies of members are as
- 2.23 provided in section 15.059, except that council members shall not receive a per diem.
- 2.24 (b) The advisory council does not expire.
- 2.25 **Subd. 4. Meetings.** (a) The members of the advisory council shall elect a chair from
- 2.26 among their membership at the first meeting and annually thereafter or upon a vacancy in
- 2.27 the chair. The advisory council shall meet at the call of the commissioner, the call of the
- 2.28 chair, or upon the call of a majority of members.
- 2.29 (b) The first meeting of the advisory council must be held no later than September 15,
- 2.30 2025.

Subd. 5. **Duties.** The advisory council shall advise the commissioner regarding the operations of the Department of Direct Care and Treatment, the clinical standards of care for patients and clients of state-operated programs, and provide recommendations to the commissioner for improving the department's role in the state's mental health care system."

Page 7, delete section 17

Page 10, delete section 23 and insert:

"Sec. 23. **REPEALER.**

(a) Minnesota Statutes 2024, sections 246C.015, subdivisions 2, 5a, and 6; 246C.06, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10; 246C.07, subdivisions 4 and 5; and 246C.08, are repealed.

(b) Laws 2024, chapter 79, article 1, section 20, is repealed.

(c) Laws 2024, chapter 125, article 5, sections 40; and 41; and Laws 2024, chapter 127, article 50, sections 40; and 41, are repealed retroactive to July 1, 2024."

Page 36, delete section 37 and insert:


"Sec. 37. **REPEALER.**


Minnesota Statutes 2024, sections 246B.01, subdivision 2; 252.021, subdivision 2; 253.195, subdivision 2; 253B.02, subdivision 7b; 253D.02, subdivision 7a; 254B.01, subdivision 15; 256.045, subdivision 1a; and 256G.02, subdivision 5a, are repealed."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.


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(Committee Co-Chair)


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(Committee Co-Chair)

January 29, 2025.....
(Date of Committee Recommendation)