



S.F. No. 626 – Department of Direct Care and Treatment establishment

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S.F. 626 modifies the governance structure of Direct Care and Treatment by dissolving the Direct Care and Treatment Executive Board, eliminating the Chief Executive Officer of Direct Care and Treatment, and replacing both with a Commissioner of Direct Care and Treatment. Most of the statutory changes required to implement this change in the governance structure of Direct Care and Treatment are accomplished via the Revisor instructions and repealers that appear at the end of each Article of the bill.

Article 1 contains changes that could not be easily accomplished by a Revisor instruction or that the drafter thought were essential elements of the proposal and should be shown in the bill language.

Sections 1 to 7 reclassify Direct Care and Treatment as a state agency that is a Department and thus headed by a commissioner.

Sections 8 and 9 modify the existing statutes governing the scheduled transfer on July 1, 2025, of the duties and authorities of the commissioner of human services related to direct care and treatment from the commissioner of human services to the proposed commissioner of direct care and treatment.

Sections 10 to 16 modify the statutes governing the duties and authorities of the executive board by stating that those duties and authorities will be vested in the commissioner of direct care and treatment. Many of the duties and the authorities transferred by the bill are not included in this portion of the bill, but are included in the revisor instructions, which will have the same legal effect with respect to the other duties and authorities scheduled to be transferred to the executive board.

Section 17 makes conforming changes with respect to the existing Direct Care and Treatment Advisory Committee, which is different from the Direct Care and Treatment Executive Board. The advisory committee will continue to function under the proposal in the bill, but the committee will advise the commissioner, not the executive board.

Section 18 governs the initial appointment of the commissioner of direct care and treatment and requires the governor to make an appointment of a commissioner or name a temporary commissioner by July 1, 2025.

Section 19 explicitly dissolves the executive board the day following final enactment of this proposal, and transfers any duties or authorities, if any, currently vested in the executive board to the commissioner of human services until July 1, 2025, at which time all duties and authorities related to direct care and treatment will be transferred to the commissioner of direct care and treatment.

Sections 20 and 21 are Revisor instructions to modify terms in Minnesota Statutes to implement the dissolution of the executive board, the elimination of the position of chief executive officer of direct care and treatment, and the replacement of both with a commissioner of direct care and treatment.

Section 22 repeals those portions of Chapter 246C that are no longer relevant under a governance structure with a commissioner. This section also repeals session laws related to the initial appointments of the executive board and chief executive officer, as well as a conflicting statutory amendment from 2024 that was rendered obsolete but also could not be reconciled by the revisor when publishing the 2024 statutes.

Article 2 contains conforming changes to other portions of statute that in the opinion of non-partisan staff could not be clearly communicated in a revisor instruction. Often the changes required in Article 2 are needed because under the proposed changes the chapter or section would have references to two commissioners and as a result the revisor instruction might be ambiguous.



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