

121.23

ARTICLE 6

121.24

HUMAN SERVICES RESPONSE CONTINGENCY ACCOUNT

121.25 Section 1. **[256.044] HUMAN SERVICES RESPONSE CONTINGENCY ACCOUNT.**

121.26 Subdivision 1. **Human services response contingency account.** A human services
121.27 response contingency account is created in the special revenue fund in the state treasury.
121.28 Money in the human services response contingency account does not cancel and is
121.29 appropriated to the commissioner of human services for the purposes specified in this section.

122.1 Subd. 2. **Definition.** For purposes of this section, "human services response" means
122.2 activities deemed necessary by the commissioner of human services to respond to emerging
122.3 or immediate needs related to supporting the health, welfare, or safety of people.

122.4 Subd. 3. **Use of money.** (a) The commissioner may make expenditures from the human
122.5 services response contingency account to respond to needs as defined in subdivision 2 and
122.6 for which no other funding or insufficient funding is available.

122.7 (b) When the commissioner determines that a human services response is needed, the
122.8 commissioner may make expenditures from the human services response contingency
122.9 account for the following uses to implement the human services response:

122.10 (1) services, supplies, and equipment to support the health, welfare, or safety of people;

122.11 (2) training and coordination with service providers, Tribal Nations, and local government
122.12 entities;

122.13 (3) communication with and outreach to impacted people;

122.14 (4) informational technology; and

122.15 (5) staffing.

122.16 (c) The commissioner may transfer money within the Department of Human Services
122.17 and to the Department of Children, Youth, and Families for eligible uses under paragraph
122.18 (b) as necessary to implement a human services response.

122.19 (d) Notwithstanding any other law or rule to the contrary, when implementing a human
122.20 services response, the commissioner may allocate funds from the human services response
122.21 contingency account to programs, providers, and organizations for eligible uses under
122.22 paragraph (b) through one or more fiscal agents chosen by the commissioner. In contracting
122.23 with a fiscal agent, the commissioner may use a sole-source contract and is not subject to
122.24 the solicitation requirements of chapter 16B or 16C.

122.25 (e) Programs, providers, and organizations receiving funds from the human services
122.26 response contingency account under paragraph (d) must describe how the money will be
122.27 used. If a program, provider, or organization receiving money from the human services
122.28 response contingency account receives money from a nonstate source other than a local unit

122.29 of government or Tribe for the same human services response, the entity must notify the
122.30 commissioner of the amount received from the nonstate source. If the commissioner
122.31 determines that the total amount received under this section and from the nonstate source
122.32 exceeds the entity's total costs for the human services response, the entity must pay the
122.33 commissioner the amount that exceeds the costs up to the amount of funding provided to
123.1 the entity under this section. All money paid to the commissioner under this paragraph must
123.2 be deposited in the human services response contingency account.

123.3 Subd. 4. **Assistance from other sources.** (a) As a condition of making expenditures
123.4 from the human services response contingency account, the commissioner must seek any
123.5 appropriate assistance from other available sources, including the federal government, to
123.6 assist with costs attributable to the human services response.

123.7 (b) If the commissioner recovers eligible costs for the human services response from a
123.8 nonstate source after making expenditures from the human services response contingency
123.9 account, the commissioner shall reimburse the human services response contingency account
123.10 for those costs up to the amount recovered for eligible costs from the nonstate source.

123.11 Subd. 5. **Reporting.** The commissioner must develop required reporting for entities
123.12 receiving human services response contingency account money. Entities receiving money
123.13 from the commissioner of human services from the human services response contingency
123.14 account must submit reports to the commissioner of human services with detailed information
123.15 in a manner determined by the commissioner, including but not limited to:

123.16 (1) amounts expended by category of expenditure;

123.17 (2) outcomes achieved, including estimated individuals served;

123.18 (3) documentation necessary to verify that funds were spent in compliance with this
123.19 section;

123.20 (4) expenditure reports for the purpose of requesting reimbursement from other available
123.21 sources; and

123.22 (5) data necessary to comply with an audit of human services response contingency
123.23 account expenditures.

123.24 Subd. 6. **Report.** By March 1 of each year, the commissioner shall submit a report to
123.25 the chairs and ranking minority members of the house of representatives and senate
123.26 committees with jurisdiction over human services finance and health and human services
123.27 finance detailing expenditures made in the previous calendar year from the human services
123.28 response contingency account. This report is exempt from section 256.01, subdivision 42.