

67.1 **ARTICLE 5**

67.2 **DIRECT CARE AND TREATMENT**

67.3 Section 1. Minnesota Statutes 2023 Supplement, section 10.65, subdivision 2, is amended
67.4 to read:

67.5 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
67.6 given:

67.7 (1) "agency" means the Department of Administration; Department of Agriculture;
67.8 Department of Children, Youth, and Families; Department of Commerce; Department of
67.9 Corrections; Department of Education; Department of Employment and Economic
67.10 Development; Department of Health; Office of Higher Education; Housing Finance Agency;
67.11 Department of Human Rights; Department of Human Services; Department of Information
67.12 Technology Services; Department of Iron Range Resources and Rehabilitation; Department
67.13 of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;
67.14 Department of Military Affairs; Metropolitan Council; Department of Natural Resources;
67.15 Pollution Control Agency; Department of Public Safety; Department of Revenue; Department
67.16 of Transportation; Department of Veterans Affairs; Direct Care and Treatment; Gambling
67.17 Control Board; Racing Commission; the Minnesota Lottery; the Animal Health Board; and
67.18 the Board of Water and Soil Resources;

67.19 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal
67.20 governments in the development of policy on matters that have Tribal implications.
67.21 Consultation is the proactive, affirmative process of identifying and seeking input from
67.22 appropriate Tribal governments and considering their interest as a necessary and integral
67.23 part of the decision-making process. This definition adds to statutorily mandated notification
67.24 procedures. During a consultation, the burden is on the agency to show that it has made a
67.25 good faith effort to elicit feedback. Consultation is a formal engagement between agency
67.26 officials and the governing body or bodies of an individual Minnesota Tribal government
67.27 that the agency or an individual Tribal government may initiate. Formal meetings or
67.28 communication between top agency officials and the governing body of a Minnesota Tribal
67.29 government is a necessary element of consultation;

67.30 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
67.31 statements, or other actions that have substantial direct effects on one or more Minnesota
67.32 Tribal governments, or on the distribution of power and responsibilities between the state
67.33 and Minnesota Tribal governments;

68.1 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
68.2 in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech
68.3 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
68.4 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
68.5 and Upper Sioux Community; and

80.18 **ARTICLE 5**

80.19 **DIRECT CARE AND TREATMENT AGENCY**

80.20 Section 1. Minnesota Statutes 2023 Supplement, section 10.65, subdivision 2, is amended
80.21 to read:

80.22 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
80.23 given:

80.24 (1) "agency" means the Department of Administration; Department of Agriculture;
80.25 Department of Children, Youth, and Families; Department of Commerce; Department of
80.26 Corrections; Department of Education; Department of Employment and Economic
80.27 Development; Department of Health; Office of Higher Education; Housing Finance Agency;
80.28 Department of Human Rights; Department of Human Services; Department of Information
80.29 Technology Services; Department of Iron Range Resources and Rehabilitation; Department
80.30 of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;
80.31 Department of Military Affairs; Metropolitan Council; Department of Natural Resources;
80.32 Pollution Control Agency; Department of Public Safety; Department of Revenue; Department
81.1 of Transportation; Department of Veterans Affairs; Direct Care and Treatment; Gambling
81.2 Control Board; Racing Commission; the Minnesota Lottery; the Animal Health Board; and
81.3 the Board of Water and Soil Resources;

81.4 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal
81.5 governments in the development of policy on matters that have Tribal implications.
81.6 Consultation is the proactive, affirmative process of identifying and seeking input from
81.7 appropriate Tribal governments and considering their interest as a necessary and integral
81.8 part of the decision-making process. This definition adds to statutorily mandated notification
81.9 procedures. During a consultation, the burden is on the agency to show that it has made a
81.10 good faith effort to elicit feedback. Consultation is a formal engagement between agency
81.11 officials and the governing body or bodies of an individual Minnesota Tribal government
81.12 that the agency or an individual Tribal government may initiate. Formal meetings or
81.13 communication between top agency officials and the governing body of a Minnesota Tribal
81.14 government is a necessary element of consultation;

81.15 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
81.16 statements, or other actions that have substantial direct effects on one or more Minnesota
81.17 Tribal governments, or on the distribution of power and responsibilities between the state
81.18 and Minnesota Tribal governments;

81.19 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
81.20 in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech
81.21 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
81.22 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
81.23 and Upper Sioux Community; and

68.6 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
68.7 allows the result of consultation to be included in the agency's decision-making process for
68.8 a matter that has Tribal implications.

68.9 **EFFECTIVE DATE.** This section is effective July 1, 2024.

68.10 Sec. 2. Minnesota Statutes 2022, section 13.46, subdivision 1, as amended by Laws 2024,
68.11 chapter 79, article 9, section 1, and Laws 2024, chapter 80, article 8, section 1, is amended
68.12 to read:

68.13 Subdivision 1. **Definitions.** As used in this section:

68.14 (a) "Individual" means an individual according to section 13.02, subdivision 8, but does
68.15 not include a vendor of services.

68.16 (b) "Program" includes all programs for which authority is vested in a component of the
68.17 welfare system according to statute or federal law, including but not limited to Native
68.18 American Tribe programs that provide a service component of the welfare system, the
68.19 Minnesota family investment program, medical assistance, general assistance, general
68.20 assistance medical care formerly codified in chapter 256D, the child care assistance program,
68.21 and child support collections.

68.22 (c) "Welfare system" includes the Department of Human Services; ~~the Department of~~
68.23 Direct Care and Treatment; the Department of Children, Youth, and Families; local social
68.24 services agencies; county welfare agencies; county public health agencies; county veteran
68.25 services agencies; county housing agencies; private licensing agencies; the public authority
68.26 responsible for child support enforcement; human services boards; community mental health
68.27 center boards, state hospitals, state nursing homes, the ombudsman for mental health and
68.28 developmental disabilities; Native American Tribes to the extent a Tribe provides a service
68.29 component of the welfare system; and persons, agencies, institutions, organizations, and
68.30 other entities under contract to any of the above agencies to the extent specified in the
68.31 contract.

68.32 (d) "Mental health data" means data on individual clients and patients of community
68.33 mental health centers, established under section 245.62, mental health divisions of counties
69.1 and other providers under contract to deliver mental health services, ~~Department of Direct~~
69.2 Care and Treatment mental health services, or the ombudsman for mental health and
69.3 developmental disabilities.

69.4 (e) "Fugitive felon" means a person who has been convicted of a felony and who has
69.5 escaped from confinement or violated the terms of probation or parole for that offense.

69.6 (f) "Private licensing agency" means an agency licensed by the commissioner of children,
69.7 youth, and families under chapter 142B to perform the duties under section 142B.30.

69.8 **EFFECTIVE DATE.** This section is effective July 1, 2024.

81.24 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
81.25 allows the result of consultation to be included in the agency's decision-making process for
81.26 a matter that has Tribal implications.

81.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

81.28 Sec. 2. Minnesota Statutes 2022, section 13.46, subdivision 1, as amended by Laws 2024,
81.29 chapter 79, article 9, section 1, and Laws 2024, chapter 80, article 8, section 1, is amended
81.30 to read:

81.31 Subdivision 1. **Definitions.** As used in this section:

81.32 (a) "Individual" means an individual according to section 13.02, subdivision 8, but does
81.33 not include a vendor of services.

82.1 (b) "Program" includes all programs for which authority is vested in a component of the
82.2 welfare system according to statute or federal law, including but not limited to Native
82.3 American Tribe programs that provide a service component of the welfare system, the
82.4 Minnesota family investment program, medical assistance, general assistance, general
82.5 assistance medical care formerly codified in chapter 256D, the child care assistance program,
82.6 and child support collections.

82.7 (c) "Welfare system" includes the Department of Human Services; ~~the Department of~~
82.8 Direct Care and Treatment; the Department of Children, Youth, and Families; local social
82.9 services agencies; county welfare agencies; county public health agencies; county veteran
82.10 services agencies; county housing agencies; private licensing agencies; the public authority
82.11 responsible for child support enforcement; human services boards; community mental health
82.12 center boards, state hospitals, state nursing homes, the ombudsman for mental health and
82.13 developmental disabilities; Native American Tribes to the extent a Tribe provides a service
82.14 component of the welfare system; and persons, agencies, institutions, organizations, and
82.15 other entities under contract to any of the above agencies to the extent specified in the
82.16 contract.

82.17 (d) "Mental health data" means data on individual clients and patients of community
82.18 mental health centers, established under section 245.62, mental health divisions of counties
82.19 and other providers under contract to deliver mental health services, ~~Department of Direct~~
82.20 Care and Treatment mental health services, or the ombudsman for mental health and
82.21 developmental disabilities.

82.22 (e) "Fugitive felon" means a person who has been convicted of a felony and who has
82.23 escaped from confinement or violated the terms of probation or parole for that offense.

82.24 (f) "Private licensing agency" means an agency licensed by the commissioner of children,
82.25 youth, and families under chapter 142B to perform the duties under section 142B.30.

82.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

69.9 Sec. 3. Minnesota Statutes 2023 Supplement, section 13.46, subdivision 2, as amended
69.10 by Laws 2024, chapter 80, article 8, section 2, is amended to read:

69.11 Subd. 2. **General.** (a) Data on individuals collected, maintained, used, or disseminated
69.12 by the welfare system are private data on individuals, and shall not be disclosed except:

69.13 (1) according to section 13.05;

69.14 (2) according to court order;

69.15 (3) according to a statute specifically authorizing access to the private data;

69.16 (4) to an agent of the welfare system and an investigator acting on behalf of a county,
69.17 the state, or the federal government, including a law enforcement person or attorney in the
69.18 investigation or prosecution of a criminal, civil, or administrative proceeding relating to the
69.19 administration of a program;

69.20 (5) to personnel of the welfare system who require the data to verify an individual's
69.21 identity; determine eligibility, amount of assistance, and the need to provide services to an
69.22 individual or family across programs; coordinate services for an individual or family;
69.23 evaluate the effectiveness of programs; assess parental contribution amounts; and investigate
69.24 suspected fraud;

69.25 (6) to administer federal funds or programs;

69.26 (7) between personnel of the welfare system working in the same program;

69.27 (8) to the Department of Revenue to assess parental contribution amounts for purposes
69.28 of section 252.27, subdivision 2a, administer and evaluate tax refund or tax credit programs
69.29 and to identify individuals who may benefit from these programs, and prepare the databases
69.30 for reports required under section 270C.13 and Laws 2008, chapter 366, article 17, section
69.31 6. The following information may be disclosed under this paragraph: an individual's and
70.1 their dependent's names, dates of birth, Social Security or individual taxpayer identification
70.2 numbers, income, addresses, and other data as required, upon request by the Department
70.3 of Revenue. Disclosures by the commissioner of revenue to the commissioner of human
70.4 services for the purposes described in this clause are governed by section 270B.14,
70.5 subdivision 1. Tax refund or tax credit programs include, but are not limited to, the dependent
70.6 care credit under section 290.067, the Minnesota working family credit under section
70.7 290.0671, the property tax refund under section 290A.04, and the Minnesota education
70.8 credit under section 290.0674;

70.9 (9) between the Department of Human Services; the Department of Employment and
70.10 Economic Development; the Department of Children, Youth, and Families; Direct Care and
70.11 Treatment; and, when applicable, the Department of Education, for the following purposes:

70.12 (i) to monitor the eligibility of the data subject for unemployment benefits, for any
70.13 employment or training program administered, supervised, or certified by that agency;

82.27 Sec. 3. Minnesota Statutes 2023 Supplement, section 13.46, subdivision 2, as amended
82.28 by Laws 2024, chapter 80, article 8, section 2, is amended to read:

82.29 Subd. 2. **General.** (a) Data on individuals collected, maintained, used, or disseminated
82.30 by the welfare system are private data on individuals, and shall not be disclosed except:

82.31 (1) according to section 13.05;

82.32 (2) according to court order;

83.1 (3) according to a statute specifically authorizing access to the private data;

83.2 (4) to an agent of the welfare system and an investigator acting on behalf of a county,
83.3 the state, or the federal government, including a law enforcement person or attorney in the
83.4 investigation or prosecution of a criminal, civil, or administrative proceeding relating to the
83.5 administration of a program;

83.6 (5) to personnel of the welfare system who require the data to verify an individual's
83.7 identity; determine eligibility, amount of assistance, and the need to provide services to an
83.8 individual or family across programs; coordinate services for an individual or family;
83.9 evaluate the effectiveness of programs; assess parental contribution amounts; and investigate
83.10 suspected fraud;

83.11 (6) to administer federal funds or programs;

83.12 (7) between personnel of the welfare system working in the same program;

83.13 (8) to the Department of Revenue to assess parental contribution amounts for purposes
83.14 of section 252.27, subdivision 2a, administer and evaluate tax refund or tax credit programs
83.15 and to identify individuals who may benefit from these programs, and prepare the databases
83.16 for reports required under section 270C.13 and Laws 2008, chapter 366, article 17, section
83.17 6. The following information may be disclosed under this paragraph: an individual's and
83.18 their dependent's names, dates of birth, Social Security or individual taxpayer identification
83.19 numbers, income, addresses, and other data as required, upon request by the Department
83.20 of Revenue. Disclosures by the commissioner of revenue to the commissioner of human
83.21 services for the purposes described in this clause are governed by section 270B.14,
83.22 subdivision 1. Tax refund or tax credit programs include, but are not limited to, the dependent
83.23 care credit under section 290.067, the Minnesota working family credit under section
83.24 290.0671, the property tax refund under section 290A.04, and the Minnesota education
83.25 credit under section 290.0674;

83.26 (9) between the Department of Human Services; the Department of Employment and
83.27 Economic Development; the Department of Children, Youth, and Families; Direct Care and
83.28 Treatment; and, when applicable, the Department of Education, for the following purposes:

83.29 (i) to monitor the eligibility of the data subject for unemployment benefits, for any
83.30 employment or training program administered, supervised, or certified by that agency;

70.14 (ii) to administer any rehabilitation program or child care assistance program, whether
70.15 alone or in conjunction with the welfare system;

70.16 (iii) to monitor and evaluate the Minnesota family investment program or the child care
70.17 assistance program by exchanging data on recipients and former recipients of Supplemental
70.18 Nutrition Assistance Program (SNAP) benefits, cash assistance under chapter 256, 256D,
70.19 256J, or 256K, child care assistance under chapter 119B, medical programs under chapter
70.20 256B or 256L; and

70.21 (iv) to analyze public assistance employment services and program utilization, cost,
70.22 effectiveness, and outcomes as implemented under the authority established in Title II,
70.23 Sections 201-204 of the Ticket to Work and Work Incentives Improvement Act of 1999.
70.24 Health records governed by sections 144.291 to 144.298 and "protected health information"
70.25 as defined in Code of Federal Regulations, title 45, section 160.103, and governed by Code
70.26 of Federal Regulations, title 45, parts 160-164, including health care claims utilization
70.27 information, must not be exchanged under this clause;

70.28 (10) to appropriate parties in connection with an emergency if knowledge of the
70.29 information is necessary to protect the health or safety of the individual or other individuals
70.30 or persons;

70.31 (11) data maintained by residential programs as defined in section 245A.02 may be
70.32 disclosed to the protection and advocacy system established in this state according to Part
70.33 C of Public Law 98-527 to protect the legal and human rights of persons with developmental
70.34 disabilities or other related conditions who live in residential facilities for these persons if
71.1 the protection and advocacy system receives a complaint by or on behalf of that person and
71.2 the person does not have a legal guardian or the state or a designee of the state is the legal
71.3 guardian of the person;

71.4 (12) to the county medical examiner or the county coroner for identifying or locating
71.5 relatives or friends of a deceased person;

71.6 (13) data on a child support obligor who makes payments to the public agency may be
71.7 disclosed to the Minnesota Office of Higher Education to the extent necessary to determine
71.8 eligibility under section 136A.121, subdivision 2, clause (5);

71.9 (14) participant Social Security or individual taxpayer identification numbers and names
71.10 collected by the telephone assistance program may be disclosed to the Department of
71.11 Revenue to conduct an electronic data match with the property tax refund database to
71.12 determine eligibility under section 237.70, subdivision 4a;

71.13 (15) the current address of a Minnesota family investment program participant may be
71.14 disclosed to law enforcement officers who provide the name of the participant and notify
71.15 the agency that:

71.16 (i) the participant:

83.31 (ii) to administer any rehabilitation program or child care assistance program, whether
83.32 alone or in conjunction with the welfare system;

84.1 (iii) to monitor and evaluate the Minnesota family investment program or the child care
84.2 assistance program by exchanging data on recipients and former recipients of Supplemental
84.3 Nutrition Assistance Program (SNAP) benefits, cash assistance under chapter 256, 256D,
84.4 256J, or 256K, child care assistance under chapter 119B, medical programs under chapter
84.5 256B or 256L; and

84.6 (iv) to analyze public assistance employment services and program utilization, cost,
84.7 effectiveness, and outcomes as implemented under the authority established in Title II,
84.8 Sections 201-204 of the Ticket to Work and Work Incentives Improvement Act of 1999.
84.9 Health records governed by sections 144.291 to 144.298 and "protected health information"
84.10 as defined in Code of Federal Regulations, title 45, section 160.103, and governed by Code
84.11 of Federal Regulations, title 45, parts 160-164, including health care claims utilization
84.12 information, must not be exchanged under this clause;

84.13 (10) to appropriate parties in connection with an emergency if knowledge of the
84.14 information is necessary to protect the health or safety of the individual or other individuals
84.15 or persons;

84.16 (11) data maintained by residential programs as defined in section 245A.02 may be
84.17 disclosed to the protection and advocacy system established in this state according to Part
84.18 C of Public Law 98-527 to protect the legal and human rights of persons with developmental
84.19 disabilities or other related conditions who live in residential facilities for these persons if
84.20 the protection and advocacy system receives a complaint by or on behalf of that person and
84.21 the person does not have a legal guardian or the state or a designee of the state is the legal
84.22 guardian of the person;

84.23 (12) to the county medical examiner or the county coroner for identifying or locating
84.24 relatives or friends of a deceased person;

84.25 (13) data on a child support obligor who makes payments to the public agency may be
84.26 disclosed to the Minnesota Office of Higher Education to the extent necessary to determine
84.27 eligibility under section 136A.121, subdivision 2, clause (5);

84.28 (14) participant Social Security or individual taxpayer identification numbers and names
84.29 collected by the telephone assistance program may be disclosed to the Department of
84.30 Revenue to conduct an electronic data match with the property tax refund database to
84.31 determine eligibility under section 237.70, subdivision 4a;

84.32 (15) the current address of a Minnesota family investment program participant may be
84.33 disclosed to law enforcement officers who provide the name of the participant and notify
84.34 the agency that:

85.1 (i) the participant:

71.17 (A) is a fugitive felon fleeing to avoid prosecution, or custody or confinement after
71.18 conviction, for a crime or attempt to commit a crime that is a felony under the laws of the
71.19 jurisdiction from which the individual is fleeing; or

71.20 (B) is violating a condition of probation or parole imposed under state or federal law;

71.21 (ii) the location or apprehension of the felon is within the law enforcement officer's
71.22 official duties; and

71.23 (iii) the request is made in writing and in the proper exercise of those duties;

71.24 (16) the current address of a recipient of general assistance may be disclosed to probation
71.25 officers and corrections agents who are supervising the recipient and to law enforcement
71.26 officers who are investigating the recipient in connection with a felony level offense;

71.27 (17) information obtained from a SNAP applicant or recipient households may be
71.28 disclosed to local, state, or federal law enforcement officials, upon their written request, for
71.29 the purpose of investigating an alleged violation of the Food and Nutrition Act, according
71.30 to Code of Federal Regulations, title 7, section 272.1(c);

71.31 (18) the address, Social Security or individual taxpayer identification number, and, if
71.32 available, photograph of any member of a household receiving SNAP benefits shall be made
72.1 available, on request, to a local, state, or federal law enforcement officer if the officer
72.2 furnishes the agency with the name of the member and notifies the agency that:

72.3 (i) the member:

72.4 (A) is fleeing to avoid prosecution, or custody or confinement after conviction, for a
72.5 crime or attempt to commit a crime that is a felony in the jurisdiction the member is fleeing;

72.6 (B) is violating a condition of probation or parole imposed under state or federal law;
72.7 or

72.8 (C) has information that is necessary for the officer to conduct an official duty related
72.9 to conduct described in subitem (A) or (B);

72.10 (ii) locating or apprehending the member is within the officer's official duties; and

72.11 (iii) the request is made in writing and in the proper exercise of the officer's official duty;

72.12 (19) the current address of a recipient of Minnesota family investment program, general
72.13 assistance, or SNAP benefits may be disclosed to law enforcement officers who, in writing,
72.14 provide the name of the recipient and notify the agency that the recipient is a person required
72.15 to register under section 243.166, but is not residing at the address at which the recipient is
72.16 registered under section 243.166;

72.17 (20) certain information regarding child support obligors who are in arrears may be
72.18 made public according to section 518A.74;

85.2 (A) is a fugitive felon fleeing to avoid prosecution, or custody or confinement after
85.3 conviction, for a crime or attempt to commit a crime that is a felony under the laws of the
85.4 jurisdiction from which the individual is fleeing; or

85.5 (B) is violating a condition of probation or parole imposed under state or federal law;

85.6 (ii) the location or apprehension of the felon is within the law enforcement officer's
85.7 official duties; and

85.8 (iii) the request is made in writing and in the proper exercise of those duties;

85.9 (16) the current address of a recipient of general assistance may be disclosed to probation
85.10 officers and corrections agents who are supervising the recipient and to law enforcement
85.11 officers who are investigating the recipient in connection with a felony level offense;

85.12 (17) information obtained from a SNAP applicant or recipient households may be
85.13 disclosed to local, state, or federal law enforcement officials, upon their written request, for
85.14 the purpose of investigating an alleged violation of the Food and Nutrition Act, according
85.15 to Code of Federal Regulations, title 7, section 272.1(c);

85.16 (18) the address, Social Security or individual taxpayer identification number, and, if
85.17 available, photograph of any member of a household receiving SNAP benefits shall be made
85.18 available, on request, to a local, state, or federal law enforcement officer if the officer
85.19 furnishes the agency with the name of the member and notifies the agency that:

85.20 (i) the member:

85.21 (A) is fleeing to avoid prosecution, or custody or confinement after conviction, for a
85.22 crime or attempt to commit a crime that is a felony in the jurisdiction the member is fleeing;

85.23 (B) is violating a condition of probation or parole imposed under state or federal law;
85.24 or

85.25 (C) has information that is necessary for the officer to conduct an official duty related
85.26 to conduct described in subitem (A) or (B);

85.27 (ii) locating or apprehending the member is within the officer's official duties; and

85.28 (iii) the request is made in writing and in the proper exercise of the officer's official duty;

85.29 (19) the current address of a recipient of Minnesota family investment program, general
85.30 assistance, or SNAP benefits may be disclosed to law enforcement officers who, in writing,
85.31 provide the name of the recipient and notify the agency that the recipient is a person required
86.1 to register under section 243.166, but is not residing at the address at which the recipient is
86.2 registered under section 243.166;

86.3 (20) certain information regarding child support obligors who are in arrears may be
86.4 made public according to section 518A.74;

72.19 (21) data on child support payments made by a child support obligor and data on the
72.20 distribution of those payments excluding identifying information on obligees may be
72.21 disclosed to all obligees to whom the obligor owes support, and data on the enforcement
72.22 actions undertaken by the public authority, the status of those actions, and data on the income
72.23 of the obligor or obligee may be disclosed to the other party;

72.24 (22) data in the work reporting system may be disclosed under section 256.998,
72.25 subdivision 7;

72.26 (23) to the Department of Education for the purpose of matching Department of Education
72.27 student data with public assistance data to determine students eligible for free and
72.28 reduced-price meals, meal supplements, and free milk according to United States Code,
72.29 title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to allocate federal and state
72.30 funds that are distributed based on income of the student's family; and to verify receipt of
72.31 energy assistance for the telephone assistance plan;

73.1 (24) the current address and telephone number of program recipients and emergency
73.2 contacts may be released to the commissioner of health or a community health board as
73.3 defined in section 145A.02, subdivision 5, when the commissioner or community health
73.4 board has reason to believe that a program recipient is a disease case, carrier, suspect case,
73.5 or at risk of illness, and the data are necessary to locate the person;

73.6 (25) to other state agencies, statewide systems, and political subdivisions of this state,
73.7 including the attorney general, and agencies of other states, interstate information networks,
73.8 federal agencies, and other entities as required by federal regulation or law for the
73.9 administration of the child support enforcement program;

73.10 (26) to personnel of public assistance programs as defined in section 256.741, for access
73.11 to the child support system database for the purpose of administration, including monitoring
73.12 and evaluation of those public assistance programs;

73.13 (27) to monitor and evaluate the Minnesota family investment program by exchanging
73.14 data between the Departments of Human Services; Children, Youth, and Families; and
73.15 Education, on recipients and former recipients of SNAP benefits, cash assistance under
73.16 chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, medical
73.17 programs under chapter 256B or 256L, or a medical program formerly codified under chapter
73.18 256D;

73.19 (28) to evaluate child support program performance and to identify and prevent fraud
73.20 in the child support program by exchanging data between the Department of Human Services;
73.21 Department of Children, Youth, and Families; Department of Revenue under section 270B.14,
73.22 subdivision 1, paragraphs (a) and (b), without regard to the limitation of use in paragraph
73.23 (c); Department of Health; Department of Employment and Economic Development; and
73.24 other state agencies as is reasonably necessary to perform these functions;

86.5 (21) data on child support payments made by a child support obligor and data on the
86.6 distribution of those payments excluding identifying information on obligees may be
86.7 disclosed to all obligees to whom the obligor owes support, and data on the enforcement
86.8 actions undertaken by the public authority, the status of those actions, and data on the income
86.9 of the obligor or obligee may be disclosed to the other party;

86.10 (22) data in the work reporting system may be disclosed under section 256.998,
86.11 subdivision 7;

86.12 (23) to the Department of Education for the purpose of matching Department of Education
86.13 student data with public assistance data to determine students eligible for free and
86.14 reduced-price meals, meal supplements, and free milk according to United States Code,
86.15 title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to allocate federal and state
86.16 funds that are distributed based on income of the student's family; and to verify receipt of
86.17 energy assistance for the telephone assistance plan;

86.18 (24) the current address and telephone number of program recipients and emergency
86.19 contacts may be released to the commissioner of health or a community health board as
86.20 defined in section 145A.02, subdivision 5, when the commissioner or community health
86.21 board has reason to believe that a program recipient is a disease case, carrier, suspect case,
86.22 or at risk of illness, and the data are necessary to locate the person;

86.23 (25) to other state agencies, statewide systems, and political subdivisions of this state,
86.24 including the attorney general, and agencies of other states, interstate information networks,
86.25 federal agencies, and other entities as required by federal regulation or law for the
86.26 administration of the child support enforcement program;

86.27 (26) to personnel of public assistance programs as defined in section 256.741, for access
86.28 to the child support system database for the purpose of administration, including monitoring
86.29 and evaluation of those public assistance programs;

86.30 (27) to monitor and evaluate the Minnesota family investment program by exchanging
86.31 data between the Departments of Human Services; Children, Youth, and Families; and
86.32 Education, on recipients and former recipients of SNAP benefits, cash assistance under
86.33 chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, medical
87.1 programs under chapter 256B or 256L, or a medical program formerly codified under chapter
87.2 256D;

87.3 (28) to evaluate child support program performance and to identify and prevent fraud
87.4 in the child support program by exchanging data between the Department of Human Services;
87.5 Department of Children, Youth, and Families; Department of Revenue under section 270B.14,
87.6 subdivision 1, paragraphs (a) and (b), without regard to the limitation of use in paragraph
87.7 (c); Department of Health; Department of Employment and Economic Development; and
87.8 other state agencies as is reasonably necessary to perform these functions;

73.25 (29) counties and the Department of Children, Youth, and Families operating child care
73.26 assistance programs under chapter 119B may disseminate data on program participants,
73.27 applicants, and providers to the commissioner of education;

73.28 (30) child support data on the child, the parents, and relatives of the child may be
73.29 disclosed to agencies administering programs under titles IV-B and IV-E of the Social
73.30 Security Act, as authorized by federal law;

73.31 (31) to a health care provider governed by sections 144.291 to 144.298, to the extent
73.32 necessary to coordinate services;

74.1 (32) to the chief administrative officer of a school to coordinate services for a student
74.2 and family; data that may be disclosed under this clause are limited to name, date of birth,
74.3 gender, and address;

74.4 (33) to county correctional agencies to the extent necessary to coordinate services and
74.5 diversion programs; data that may be disclosed under this clause are limited to name, client
74.6 demographics, program, case status, and county worker information; or

74.7 (34) between the Department of Human Services and the Metropolitan Council for the
74.8 following purposes:

74.9 (i) to coordinate special transportation service provided under section 473.386 with
74.10 services for people with disabilities and elderly individuals funded by or through the
74.11 Department of Human Services; and

74.12 (ii) to provide for reimbursement of special transportation service provided under section
74.13 473.386.

74.14 The data that may be shared under this clause are limited to the individual's first, last, and
74.15 middle names; date of birth; residential address; and program eligibility status with expiration
74.16 date for the purposes of informing the other party of program eligibility.

74.17 (b) Information on persons who have been treated for substance use disorder may only
74.18 be disclosed according to the requirements of Code of Federal Regulations, title 42, sections
74.19 2.1 to 2.67.

74.20 (c) Data provided to law enforcement agencies under paragraph (a), clause (15), (16),
74.21 (17), or (18), or paragraph (b), are investigative data and are confidential or protected
74.22 nonpublic while the investigation is active. The data are private after the investigation
74.23 becomes inactive under section 13.82, subdivision 7, clause (a) or (b).

74.24 (d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but are
74.25 not subject to the access provisions of subdivision 10, paragraph (b).

74.26 For the purposes of this subdivision, a request will be deemed to be made in writing if
74.27 made through a computer interface system.

87.9 (29) counties and the Department of Children, Youth, and Families operating child care
87.10 assistance programs under chapter 119B may disseminate data on program participants,
87.11 applicants, and providers to the commissioner of education;

87.12 (30) child support data on the child, the parents, and relatives of the child may be
87.13 disclosed to agencies administering programs under titles IV-B and IV-E of the Social
87.14 Security Act, as authorized by federal law;

87.15 (31) to a health care provider governed by sections 144.291 to 144.298, to the extent
87.16 necessary to coordinate services;

87.17 (32) to the chief administrative officer of a school to coordinate services for a student
87.18 and family; data that may be disclosed under this clause are limited to name, date of birth,
87.19 gender, and address;

87.20 (33) to county correctional agencies to the extent necessary to coordinate services and
87.21 diversion programs; data that may be disclosed under this clause are limited to name, client
87.22 demographics, program, case status, and county worker information; or

87.23 (34) between the Department of Human Services and the Metropolitan Council for the
87.24 following purposes:

87.25 (i) to coordinate special transportation service provided under section 473.386 with
87.26 services for people with disabilities and elderly individuals funded by or through the
87.27 Department of Human Services; and

87.28 (ii) to provide for reimbursement of special transportation service provided under section
87.29 473.386.

87.30 The data that may be shared under this clause are limited to the individual's first, last, and
87.31 middle names; date of birth; residential address; and program eligibility status with expiration
87.32 date for the purposes of informing the other party of program eligibility.

88.1 (b) Information on persons who have been treated for substance use disorder may only
88.2 be disclosed according to the requirements of Code of Federal Regulations, title 42, sections
88.3 2.1 to 2.67.

88.4 (c) Data provided to law enforcement agencies under paragraph (a), clause (15), (16),
88.5 (17), or (18), or paragraph (b), are investigative data and are confidential or protected
88.6 nonpublic while the investigation is active. The data are private after the investigation
88.7 becomes inactive under section 13.82, subdivision 7, clause (a) or (b).

88.8 (d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but are
88.9 not subject to the access provisions of subdivision 10, paragraph (b).

88.10 For the purposes of this subdivision, a request will be deemed to be made in writing if
88.11 made through a computer interface system.

74.28 **EFFECTIVE DATE.** This section is effective July 1, 2024.

75.1 Sec. 4. Minnesota Statutes 2022, section 13.46, subdivision 10, as amended by Laws 2024,
75.2 chapter 79, article 9, section 2, is amended to read:

75.3 Subd. 10. **Responsible authority.** (a) Notwithstanding any other provision of this chapter
75.4 to the contrary, the responsible authority for each component of the welfare system listed
75.5 in subdivision 1, clause (c), shall be as follows:

75.6 (1) the responsible authority for the Department of Human Services is the commissioner
75.7 of human services;

75.8 (2) the responsible authority of a county welfare agency is the director of the county
75.9 welfare agency;

75.10 (3) the responsible authority for a local social services agency, human services board,
75.11 or community mental health center board is the chair of the board;

75.12 (4) the responsible authority of any person, agency, institution, organization, or other
75.13 entity under contract to any of the components of the welfare system listed in subdivision
75.14 1, clause (c), is the person specified in the contract;

75.15 (5) the responsible authority of the public authority for child support enforcement is the
75.16 head of the public authority for child support enforcement;

75.17 (6) the responsible authority for county veteran services is the county veterans service
75.18 officer pursuant to section 197.603, subdivision 2; and

75.19 (7) the responsible authority for ~~the Department of~~ Direct Care and Treatment is the
75.20 ~~chief executive officer of Direct Care and Treatment executive board.~~

75.21 (b) A responsible authority shall allow another responsible authority in the welfare
75.22 system access to data classified as not public data when access is necessary for the
75.23 administration and management of programs, or as authorized or required by statute or
75.24 federal law.

75.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

75.26 Sec. 5. Minnesota Statutes 2023 Supplement, section 15.01, is amended to read:

75.27 **15.01 DEPARTMENTS OF THE STATE.**

75.28 The following agencies are designated as the departments of the state government: the
75.29 Department of Administration; the Department of Agriculture; the Department of Children,
75.30 Youth, and Families; the Department of Commerce; the Department of Corrections; ~~the~~
75.31 ~~Department of Direct Care and Treatment~~; the Department of Education; the Department
76.1 of Employment and Economic Development; the Department of Health; the Department of
76.2 Human Rights; the Department of Human Services; the Department of Information
76.3 Technology Services; the Department of Iron Range Resources and Rehabilitation; the

88.12 **EFFECTIVE DATE.** This section is effective July 1, 2024.

88.13 Sec. 4. Minnesota Statutes 2022, section 13.46, subdivision 10, as amended by Laws 2024,
88.14 chapter 79, article 9, section 2, is amended to read:

88.15 Subd. 10. **Responsible authority.** (a) Notwithstanding any other provision of this chapter
88.16 to the contrary, the responsible authority for each component of the welfare system listed
88.17 in subdivision 1, clause (c), shall be as follows:

88.18 (1) the responsible authority for the Department of Human Services is the commissioner
88.19 of human services;

88.20 (2) the responsible authority of a county welfare agency is the director of the county
88.21 welfare agency;

88.22 (3) the responsible authority for a local social services agency, human services board,
88.23 or community mental health center board is the chair of the board;

88.24 (4) the responsible authority of any person, agency, institution, organization, or other
88.25 entity under contract to any of the components of the welfare system listed in subdivision
88.26 1, clause (c), is the person specified in the contract;

88.27 (5) the responsible authority of the public authority for child support enforcement is the
88.28 head of the public authority for child support enforcement;

88.29 (6) the responsible authority for county veteran services is the county veterans service
88.30 officer pursuant to section 197.603, subdivision 2; and

89.1 (7) the responsible authority for ~~the Department of~~ Direct Care and Treatment is the
89.2 ~~chief executive officer of Direct Care and Treatment executive board.~~

89.3 (b) A responsible authority shall allow another responsible authority in the welfare
89.4 system access to data classified as not public data when access is necessary for the
89.5 administration and management of programs, or as authorized or required by statute or
89.6 federal law.

89.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

89.8 Sec. 5. Minnesota Statutes 2023 Supplement, section 15.01, is amended to read:

89.9 **15.01 DEPARTMENTS OF THE STATE.**

89.10 The following agencies are designated as the departments of the state government: the
89.11 Department of Administration; the Department of Agriculture; the Department of Children,
89.12 Youth, and Families; the Department of Commerce; the Department of Corrections; ~~the~~
89.13 ~~Department of Direct Care and Treatment~~; the Department of Education; the Department
89.14 of Employment and Economic Development; the Department of Health; the Department of
89.15 Human Rights; the Department of Human Services; the Department of Information
89.16 Technology Services; the Department of Iron Range Resources and Rehabilitation; the

76.4 Department of Labor and Industry; the Department of Management and Budget; the
76.5 Department of Military Affairs; the Department of Natural Resources; the Department of
76.6 Public Safety; the Department of Revenue; the Department of Transportation; the Department
76.7 of Veterans Affairs; and their successor departments.

76.8 **EFFECTIVE DATE.** This section is effective July 1, 2024.

76.9 Sec. 6. Minnesota Statutes 2023 Supplement, section 15.06, subdivision 1, is amended to
76.10 read:

76.11 Subdivision 1. **Applicability.** This section applies to the following departments or
76.12 agencies: the Departments of Administration; Agriculture; Children, Youth, and Families;
76.13 Commerce; Corrections; ~~Direct Care and Treatment~~; Education; Employment and Economic
76.14 Development; Health; Human Rights; Human Services; Labor and Industry; Management
76.15 and Budget; Natural Resources; Public Safety; Revenue; Transportation; and Veterans
76.16 Affairs; the Housing Finance and Pollution Control Agencies; the Office of Commissioner
76.17 of Iron Range Resources and Rehabilitation; the Department of Information Technology
76.18 Services; the Bureau of Mediation Services; and their successor departments and agencies.
76.19 The heads of the foregoing departments or agencies are "commissioners."

76.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

76.21 Sec. 7. Minnesota Statutes 2023 Supplement, section 15A.0815, subdivision 2, is amended
76.22 to read:

76.23 Subd. 2. **Agency head salaries.** The salary for a position listed in this subdivision shall
76.24 be determined by the Compensation Council under section 15A.082. The commissioner of
76.25 management and budget must publish the salaries on the department's website. This
76.26 subdivision applies to the following positions:

76.27 Commissioner of administration;

76.28 Commissioner of agriculture;

76.29 Commissioner of education;

76.30 Commissioner of children, youth, and families;

76.31 Commissioner of commerce;

77.1 Commissioner of corrections;

77.2 Commissioner of health;

77.3 Commissioner, Minnesota Office of Higher Education;

77.4 Commissioner, Minnesota IT Services;

77.5 Commissioner, Housing Finance Agency;

77.6 Commissioner of human rights;

89.17 Department of Labor and Industry; the Department of Management and Budget; the
89.18 Department of Military Affairs; the Department of Natural Resources; the Department of
89.19 Public Safety; the Department of Revenue; the Department of Transportation; the Department
89.20 of Veterans Affairs; and their successor departments.

89.21 **EFFECTIVE DATE.** This section is effective July 1, 2024.

89.22 Sec. 6. Minnesota Statutes 2023 Supplement, section 15.06, subdivision 1, is amended to
89.23 read:

89.24 Subdivision 1. **Applicability.** This section applies to the following departments or
89.25 agencies: the Departments of Administration; Agriculture; Children, Youth, and Families;
89.26 Commerce; Corrections; ~~Direct Care and Treatment~~; Education; Employment and Economic
89.27 Development; Health; Human Rights; Human Services; Labor and Industry; Management
89.28 and Budget; Natural Resources; Public Safety; Revenue; Transportation; and Veterans
89.29 Affairs; the Housing Finance and Pollution Control Agencies; the Office of Commissioner
89.30 of Iron Range Resources and Rehabilitation; the Department of Information Technology
89.31 Services; the Bureau of Mediation Services; and their successor departments and agencies.
89.32 The heads of the foregoing departments or agencies are "commissioners."

90.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

- 77.7 Commissioner of human services;
- 77.8 Commissioner of labor and industry;
- 77.9 Commissioner of management and budget;
- 77.10 Commissioner of natural resources;
- 77.11 Commissioner, Pollution Control Agency;
- 77.12 Commissioner of public safety;
- 77.13 Commissioner of revenue;
- 77.14 Commissioner of employment and economic development;
- 77.15 Commissioner of transportation;
- 77.16 Commissioner of veterans affairs;
- 77.17 Executive director of the Gambling Control Board;
- 77.18 Executive director of the Minnesota State Lottery;
- 77.19 Commissioner of Iron Range resources and rehabilitation;
- 77.20 Commissioner, Bureau of Mediation Services;
- 77.21 Ombudsman for mental health and developmental disabilities;
- 77.22 Ombudsperson for corrections;
- 77.23 Chair, Metropolitan Council;
- 77.24 Chair, Metropolitan Airports Commission;
- 77.25 School trust lands director;
- 77.26 Executive director of pari-mutuel racing; ~~and~~
- 77.27 Commissioner, Public Utilities Commission; and
- 78.1 Chief Executive Officer, Direct Care and Treatment.

78.2 Sec. 8. Minnesota Statutes 2023 Supplement, section 15A.082, subdivision 1, is amended
78.3 to read:

78.4 Subdivision 1. **Creation.** A Compensation Council is created each odd-numbered year
78.5 to establish the compensation of constitutional officers and the heads of state and metropolitan
78.6 agencies identified in section 15A.0815, ~~and~~ to assist the legislature in establishing the
78.7 compensation of justices of the supreme court and judges of the court of appeals and district
78.8 court, and to determine the daily compensation for voting members of the Direct Care and
78.9 Treatment executive board.

90.2 Sec. 7. Minnesota Statutes 2023 Supplement, section 15A.082, subdivision 1, is amended
90.3 to read:

90.4 Subdivision 1. **Creation.** A Compensation Council is created each odd-numbered year
90.5 to establish the compensation of constitutional officers and the heads of state and metropolitan
90.6 agencies identified in section 15A.0815, ~~and~~ to assist the legislature in establishing the
90.7 compensation of justices of the supreme court and judges of the court of appeals and district
90.8 court, and to determine the daily compensation for voting members of the Direct Care and
90.9 Treatment executive board.

78.10 Sec. 9. Minnesota Statutes 2023 Supplement, section 15A.082, subdivision 3, is amended
78.11 to read:

78.12 Subd. 3. **Submission of recommendations and determination.** (a) By April 1 in each
78.13 odd-numbered year, the Compensation Council shall submit to the speaker of the house and
78.14 the president of the senate salary recommendations for justices of the supreme court, and
78.15 judges of the court of appeals and district court. The recommended salaries take effect on
78.16 July 1 of that year and July 1 of the subsequent even-numbered year and at whatever interval
78.17 the council recommends thereafter, unless the legislature by law provides otherwise. The
78.18 salary recommendations take effect if an appropriation of money to pay the recommended
78.19 salaries is enacted after the recommendations are submitted and before their effective date.
78.20 Recommendations may be expressly modified or rejected.

78.21 (b) By April 1 in each odd-numbered year, the Compensation Council must prescribe
78.22 salaries for constitutional officers, and for the agency and metropolitan agency heads
78.23 identified in section 15A.0815. The prescribed salary for each office must take effect July
78.24 1 of that year and July 1 of the subsequent even-numbered year and at whatever interval
78.25 the council determines thereafter, unless the legislature by law provides otherwise. An
78.26 appropriation by the legislature to fund the relevant office, branch, or agency of an amount
78.27 sufficient to pay the salaries prescribed by the council constitutes a prescription by law as
78.28 provided in the Minnesota Constitution, article V, sections 4 and 5.

78.29 (c) By April 1 in each odd-numbered year, the Compensation Council must prescribe
78.30 daily compensation for voting members of the Direct Care and Treatment executive board.
78.31 The recommended daily compensation takes effect on July 1 of that year and July 1 of the
78.32 subsequent even-numbered year and at whatever interval the council recommends thereafter,
78.33 unless the legislature by law provides otherwise.

79.1 Sec. 10. Minnesota Statutes 2023 Supplement, section 15A.082, subdivision 7, is amended
79.2 to read:

79.3 Subd. 7. **No ex parte communications.** Members may not have any communication
79.4 with a constitutional officer, a head of a state agency, ~~or~~ a member of the judiciary, or a
79.5 member of the Direct Care and Treatment executive board during the period after the first
79.6 meeting is convened under this section and the date the prescribed and recommended salaries
79.7 and daily compensation are submitted under subdivision 3.

79.8 Sec. 11. Minnesota Statutes 2023 Supplement, section 43A.08, subdivision 1, is amended
79.9 to read:

79.10 Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees
79.11 who are:

79.12 (1) chosen by election or appointed to fill an elective office;

90.10 Sec. 8. Minnesota Statutes 2023 Supplement, section 15A.082, subdivision 3, is amended
90.11 to read:

90.12 Subd. 3. **Submission of recommendations and determination.** (a) By April 1 in each
90.13 odd-numbered year, the Compensation Council shall submit to the speaker of the house and
90.14 the president of the senate salary recommendations for justices of the supreme court, and
90.15 judges of the court of appeals and district court. The recommended salaries take effect on
90.16 July 1 of that year and July 1 of the subsequent even-numbered year and at whatever interval
90.17 the council recommends thereafter, unless the legislature by law provides otherwise. The
90.18 salary recommendations take effect if an appropriation of money to pay the recommended
90.19 salaries is enacted after the recommendations are submitted and before their effective date.
90.20 Recommendations may be expressly modified or rejected.

90.21 (b) By April 1 in each odd-numbered year, the Compensation Council must prescribe
90.22 salaries for constitutional officers, and for the agency and metropolitan agency heads
90.23 identified in section 15A.0815. The prescribed salary for each office must take effect July
90.24 1 of that year and July 1 of the subsequent even-numbered year and at whatever interval
90.25 the council determines thereafter, unless the legislature by law provides otherwise. An
90.26 appropriation by the legislature to fund the relevant office, branch, or agency of an amount
90.27 sufficient to pay the salaries prescribed by the council constitutes a prescription by law as
90.28 provided in the Minnesota Constitution, article V, sections 4 and 5.

90.29 (c) By April 1 in each odd-numbered year, the Compensation Council must prescribe
90.30 daily compensation for voting members of the Direct Care and Treatment executive board.
90.31 The recommended daily compensation takes effect on July 1 of that year and July 1 of the
90.32 subsequent even-numbered year and at whatever interval the council recommends thereafter,
90.33 unless the legislature by law provides otherwise.

91.1 Sec. 9. Minnesota Statutes 2023 Supplement, section 15A.082, subdivision 7, is amended
91.2 to read:

91.3 Subd. 7. **No ex parte communications.** Members may not have any communication
91.4 with a constitutional officer, a head of a state agency, ~~or~~ a member of the judiciary, or a
91.5 member of the Direct Care and Treatment executive board during the period after the first
91.6 meeting is convened under this section and the date the prescribed and recommended salaries
91.7 and daily compensation are submitted under subdivision 3.

91.8 Sec. 10. Minnesota Statutes 2023 Supplement, section 43A.08, subdivision 1, is amended
91.9 to read:

91.10 Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees
91.11 who are:

91.12 (1) chosen by election or appointed to fill an elective office;

79.13 (2) heads of agencies required by law to be appointed by the governor or other elective
79.14 officers, and the executive or administrative heads of departments, bureaus, divisions, and
79.15 institutions specifically established by law in the unclassified service;

79.16 (3) deputy and assistant agency heads and one confidential secretary in the agencies
79.17 listed in subdivision 1a;

79.18 (4) the confidential secretary to each of the elective officers of this state and, for the
79.19 secretary of state and state auditor, an additional deputy, clerk, or employee;

79.20 (5) intermittent help employed by the commissioner of public safety to assist in the
79.21 issuance of vehicle licenses;

79.22 (6) employees in the offices of the governor and of the lieutenant governor and one
79.23 confidential employee for the governor in the Office of the Adjutant General;

79.24 (7) employees of the Washington, D.C., office of the state of Minnesota;

79.25 (8) employees of the legislature and of legislative committees or commissions; provided
79.26 that employees of the Legislative Audit Commission, except for the legislative auditor, the
79.27 deputy legislative auditors, and their confidential secretaries, shall be employees in the
79.28 classified service;

79.29 (9) presidents, vice-presidents, deans, other managers and professionals in academic
79.30 and academic support programs, administrative or service faculty, teachers, research
79.31 assistants, and student employees eligible under terms of the federal Economic Opportunity
79.32 Act work study program in the Perpich Center for Arts Education and the Minnesota State
80.1 Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any
80.2 professional or managerial employee performing duties in connection with the business
80.3 administration of these institutions;

80.4 (10) officers and enlisted persons in the National Guard;

80.5 (11) attorneys, legal assistants, and three confidential employees appointed by the attorney
80.6 general or employed with the attorney general's authorization;

80.7 (12) judges and all employees of the judicial branch, referees, receivers, jurors, and
80.8 notaries public, except referees and adjusters employed by the Department of Labor and
80.9 Industry;

80.10 (13) members of the State Patrol; provided that selection and appointment of State Patrol
80.11 troopers must be made in accordance with applicable laws governing the classified service;

80.12 (14) examination monitors and intermittent training instructors employed by the
80.13 Departments of Management and Budget and Commerce and by professional examining
80.14 boards and intermittent staff employed by the technical colleges for the administration of
80.15 practical skills tests and for the staging of instructional demonstrations;

80.16 (15) student workers;

91.13 (2) heads of agencies required by law to be appointed by the governor or other elective
91.14 officers, and the executive or administrative heads of departments, bureaus, divisions, and
91.15 institutions specifically established by law in the unclassified service;

91.16 (3) deputy and assistant agency heads and one confidential secretary in the agencies
91.17 listed in subdivision 1a;

91.18 (4) the confidential secretary to each of the elective officers of this state and, for the
91.19 secretary of state and state auditor, an additional deputy, clerk, or employee;

91.20 (5) intermittent help employed by the commissioner of public safety to assist in the
91.21 issuance of vehicle licenses;

91.22 (6) employees in the offices of the governor and of the lieutenant governor and one
91.23 confidential employee for the governor in the Office of the Adjutant General;

91.24 (7) employees of the Washington, D.C., office of the state of Minnesota;

91.25 (8) employees of the legislature and of legislative committees or commissions; provided
91.26 that employees of the Legislative Audit Commission, except for the legislative auditor, the
91.27 deputy legislative auditors, and their confidential secretaries, shall be employees in the
91.28 classified service;

91.29 (9) presidents, vice-presidents, deans, other managers and professionals in academic
91.30 and academic support programs, administrative or service faculty, teachers, research
91.31 assistants, and student employees eligible under terms of the federal Economic Opportunity
91.32 Act work study program in the Perpich Center for Arts Education and the Minnesota State
92.1 Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any
92.2 professional or managerial employee performing duties in connection with the business
92.3 administration of these institutions;

92.4 (10) officers and enlisted persons in the National Guard;

92.5 (11) attorneys, legal assistants, and three confidential employees appointed by the attorney
92.6 general or employed with the attorney general's authorization;

92.7 (12) judges and all employees of the judicial branch, referees, receivers, jurors, and
92.8 notaries public, except referees and adjusters employed by the Department of Labor and
92.9 Industry;

92.10 (13) members of the State Patrol; provided that selection and appointment of State Patrol
92.11 troopers must be made in accordance with applicable laws governing the classified service;

92.12 (14) examination monitors and intermittent training instructors employed by the
92.13 Departments of Management and Budget and Commerce and by professional examining
92.14 boards and intermittent staff employed by the technical colleges for the administration of
92.15 practical skills tests and for the staging of instructional demonstrations;

92.16 (15) student workers;

80.17 (16) executive directors or executive secretaries appointed by and reporting to any
80.18 policy-making board or commission established by statute;

80.19 (17) employees unclassified pursuant to other statutory authority;

80.20 (18) intermittent help employed by the commissioner of agriculture to perform duties
80.21 relating to pesticides, fertilizer, and seed regulation; and

80.22 (19) the administrators and the deputy administrators at the State Academies for the
80.23 Deaf and the Blind; and.

80.24 ~~(20) chief executive officers in the Department of Human Services;~~

80.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

80.26 Sec. 12. Minnesota Statutes 2023 Supplement, section 43A.08, subdivision 1a, is amended
80.27 to read:

80.28 Subd. 1a. **Additional unclassified positions.** Appointing authorities for the following
80.29 agencies may designate additional unclassified positions according to this subdivision: the
80.30 Departments of Administration; Agriculture; Children, Youth, and Families; Commerce;
80.31 Corrections; ~~Direct Care and Treatment~~; Education; Employment and Economic
81.1 Development; Explore Minnesota Tourism; Management and Budget; Health; Human
81.2 Rights; Human Services; Labor and Industry; Natural Resources; Public Safety; Revenue;
81.3 Transportation; and Veterans Affairs; the Housing Finance and Pollution Control Agencies;
81.4 the State Lottery; the State Board of Investment; the Office of Administrative Hearings; the
81.5 Department of Information Technology Services; the Offices of the Attorney General,
81.6 Secretary of State, and State Auditor; the Minnesota State Colleges and Universities; the
81.7 Minnesota Office of Higher Education; the Perpich Center for Arts Education; Direct Care
81.8 and Treatment; and the Minnesota Zoological Board.

81.9 A position designated by an appointing authority according to this subdivision must
81.10 meet the following standards and criteria:

81.11 (1) the designation of the position would not be contrary to other law relating specifically
81.12 to that agency;

81.13 (2) the person occupying the position would report directly to the agency head or deputy
81.14 agency head and would be designated as part of the agency head's management team;

81.15 (3) the duties of the position would involve significant discretion and substantial
81.16 involvement in the development, interpretation, and implementation of agency policy;

81.17 (4) the duties of the position would not require primarily personnel, accounting, or other
81.18 technical expertise where continuity in the position would be important;

92.17 (16) executive directors or executive secretaries appointed by and reporting to any
92.18 policy-making board or commission established by statute;

92.19 (17) employees unclassified pursuant to other statutory authority;

92.20 (18) intermittent help employed by the commissioner of agriculture to perform duties
92.21 relating to pesticides, fertilizer, and seed regulation;

92.22 (19) the administrators and the deputy administrators at the State Academies for the
92.23 Deaf and the Blind; and.

92.24 ~~(20) the chief executive officers in the Department of Human Services~~ officer of Direct
92.25 Care and Treatment.

92.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

92.27 Sec. 11. Minnesota Statutes 2023 Supplement, section 43A.08, subdivision 1a, is amended
92.28 to read:

92.29 Subd. 1a. **Additional unclassified positions.** Appointing authorities for the following
92.30 agencies may designate additional unclassified positions according to this subdivision: the
92.31 Departments of Administration; Agriculture; Children, Youth, and Families; Commerce;
93.1 Corrections; ~~Direct Care and Treatment~~; Education; Employment and Economic
93.2 Development; Explore Minnesota Tourism; Management and Budget; Health; Human
93.3 Rights; Human Services; Labor and Industry; Natural Resources; Public Safety; Revenue;
93.4 Transportation; and Veterans Affairs; the Housing Finance and Pollution Control Agencies;
93.5 the State Lottery; the State Board of Investment; the Office of Administrative Hearings; the
93.6 Department of Information Technology Services; the Offices of the Attorney General,
93.7 Secretary of State, and State Auditor; the Minnesota State Colleges and Universities; the
93.8 Minnesota Office of Higher Education; the Perpich Center for Arts Education; Direct Care
93.9 and Treatment; and the Minnesota Zoological Board.

93.10 A position designated by an appointing authority according to this subdivision must
93.11 meet the following standards and criteria:

93.12 (1) the designation of the position would not be contrary to other law relating specifically
93.13 to that agency;

93.14 (2) the person occupying the position would report directly to the agency head or deputy
93.15 agency head and would be designated as part of the agency head's management team;

93.16 (3) the duties of the position would involve significant discretion and substantial
93.17 involvement in the development, interpretation, and implementation of agency policy;

93.18 (4) the duties of the position would not require primarily personnel, accounting, or other
93.19 technical expertise where continuity in the position would be important;

81.19 (5) there would be a need for the person occupying the position to be accountable to,
81.20 loyal to, and compatible with, the governor and the agency head, the employing statutory
81.21 board or commission, or the employing constitutional officer;

81.22 (6) the position would be at the level of division or bureau director or assistant to the
81.23 agency head; and

81.24 (7) the commissioner has approved the designation as being consistent with the standards
81.25 and criteria in this subdivision.

81.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

81.27 Sec. 13. Minnesota Statutes 2022, section 145.61, subdivision 5, is amended to read:

81.28 Subd. 5. **Review organization.** "Review organization" means a nonprofit organization
81.29 acting according to clause (l), a committee as defined under section 144E.32, subdivision
81.30 2, or a committee whose membership is limited to professionals, administrative staff, and
81.31 consumer directors, except where otherwise provided for by state or federal law, and which
81.32 is established by one or more of the following: a hospital, a clinic, a nursing home, an
82.1 ambulance service or first responder service regulated under chapter 144E, one or more
82.2 state or local associations of professionals, an organization of professionals from a particular
82.3 area or medical institution, a health maintenance organization as defined in chapter 62D, a
82.4 community integrated service network as defined in chapter 62N, a nonprofit health service
82.5 plan corporation as defined in chapter 62C, a preferred provider organization, a professional
82.6 standards review organization established pursuant to United States Code, title 42, section
82.7 1320c-1 et seq., a medical review agent established to meet the requirements of section
82.8 256B.04, subdivision 15, the Department of Human Services, Direct Care and Treatment,
82.9 or a nonprofit corporation that owns, operates, or is established by one or more of the above
82.10 referenced entities, to gather and review information relating to the care and treatment of
82.11 patients for the purposes of:

82.12 (a) evaluating and improving the quality of health care;

82.13 (b) reducing morbidity or mortality;

82.14 (c) obtaining and disseminating statistics and information relative to the treatment and
82.15 prevention of diseases, illness and injuries;

82.16 (d) developing and publishing guidelines showing the norms of health care in the area
82.17 or medical institution or in the entity or organization that established the review organization;

82.18 (e) developing and publishing guidelines designed to keep within reasonable bounds the
82.19 cost of health care;

82.20 (f) developing and publishing guidelines designed to improve the safety of care provided
82.21 to individuals;

93.20 (5) there would be a need for the person occupying the position to be accountable to,
93.21 loyal to, and compatible with, the governor and the agency head, the employing statutory
93.22 board or commission, or the employing constitutional officer;

93.23 (6) the position would be at the level of division or bureau director or assistant to the
93.24 agency head; and

93.25 (7) the commissioner has approved the designation as being consistent with the standards
93.26 and criteria in this subdivision.

93.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

93.28 Sec. 12. Minnesota Statutes 2022, section 145.61, subdivision 5, is amended to read:

93.29 Subd. 5. **Review organization.** "Review organization" means a nonprofit organization
93.30 acting according to clause (l), a committee as defined under section 144E.32, subdivision
93.31 2, or a committee whose membership is limited to professionals, administrative staff, and
93.32 consumer directors, except where otherwise provided for by state or federal law, and which
94.1 is established by one or more of the following: a hospital, a clinic, a nursing home, an
94.2 ambulance service or first responder service regulated under chapter 144E, one or more
94.3 state or local associations of professionals, an organization of professionals from a particular
94.4 area or medical institution, a health maintenance organization as defined in chapter 62D, a
94.5 community integrated service network as defined in chapter 62N, a nonprofit health service
94.6 plan corporation as defined in chapter 62C, a preferred provider organization, a professional
94.7 standards review organization established pursuant to United States Code, title 42, section
94.8 1320c-1 et seq., a medical review agent established to meet the requirements of section
94.9 256B.04, subdivision 15, the Department of Human Services, Direct Care and Treatment,
94.10 or a nonprofit corporation that owns, operates, or is established by one or more of the above
94.11 referenced entities, to gather and review information relating to the care and treatment of
94.12 patients for the purposes of:

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94.14 (b) reducing morbidity or mortality;

94.15 (c) obtaining and disseminating statistics and information relative to the treatment and
94.16 prevention of diseases, illness and injuries;

94.17 (d) developing and publishing guidelines showing the norms of health care in the area
94.18 or medical institution or in the entity or organization that established the review organization;

94.19 (e) developing and publishing guidelines designed to keep within reasonable bounds the
94.20 cost of health care;

94.21 (f) developing and publishing guidelines designed to improve the safety of care provided
94.22 to individuals;

82.22 (g) reviewing the safety, quality, or cost of health care services provided to enrollees of
82.23 health maintenance organizations, community integrated service networks, health service
82.24 plans, preferred provider organizations, and insurance companies;

82.25 (h) acting as a professional standards review organization pursuant to United States
82.26 Code, title 42, section 1320c-1 et seq.;

82.27 (i) determining whether a professional shall be granted staff privileges in a medical
82.28 institution, membership in a state or local association of professionals, or participating status
82.29 in a nonprofit health service plan corporation, health maintenance organization, community
82.30 integrated service network, preferred provider organization, or insurance company, or
82.31 whether a professional's staff privileges, membership, or participation status should be
82.32 limited, suspended or revoked;

82.33 (j) reviewing, ruling on, or advising on controversies, disputes or questions between:

83.1 (1) health insurance carriers, nonprofit health service plan corporations, health
83.2 maintenance organizations, community integrated service networks, self-insurers and their
83.3 insureds, subscribers, enrollees, or other covered persons;

83.4 (2) professional licensing boards and health providers licensed by them;

83.5 (3) professionals and their patients concerning diagnosis, treatment or care, or the charges
83.6 or fees therefor;

83.7 (4) professionals and health insurance carriers, nonprofit health service plan corporations,
83.8 health maintenance organizations, community integrated service networks, or self-insurers
83.9 concerning a charge or fee for health care services provided to an insured, subscriber,
83.10 enrollee, or other covered person;

83.11 (5) professionals or their patients and the federal, state, or local government, or agencies
83.12 thereof;

83.13 (k) providing underwriting assistance in connection with professional liability insurance
83.14 coverage applied for or obtained by dentists, or providing assistance to underwriters in
83.15 evaluating claims against dentists;

83.16 (l) acting as a medical review agent under section 256B.04, subdivision 15;

83.17 (m) providing recommendations on the medical necessity of a health service, or the
83.18 relevant prevailing community standard for a health service;

83.19 (n) providing quality assurance as required by United States Code, title 42, sections
83.20 1396r(b)(1)(b) and 1395i-3(b)(1)(b) of the Social Security Act;

83.21 (o) providing information to group purchasers of health care services when that
83.22 information was originally generated within the review organization for a purpose specified
83.23 by this subdivision;

94.23 (g) reviewing the safety, quality, or cost of health care services provided to enrollees of
94.24 health maintenance organizations, community integrated service networks, health service
94.25 plans, preferred provider organizations, and insurance companies;

94.26 (h) acting as a professional standards review organization pursuant to United States
94.27 Code, title 42, section 1320c-1 et seq.;

94.28 (i) determining whether a professional shall be granted staff privileges in a medical
94.29 institution, membership in a state or local association of professionals, or participating status
94.30 in a nonprofit health service plan corporation, health maintenance organization, community
94.31 integrated service network, preferred provider organization, or insurance company, or
94.32 whether a professional's staff privileges, membership, or participation status should be
94.33 limited, suspended or revoked;

95.1 (j) reviewing, ruling on, or advising on controversies, disputes or questions between:

95.2 (1) health insurance carriers, nonprofit health service plan corporations, health
95.3 maintenance organizations, community integrated service networks, self-insurers and their
95.4 insureds, subscribers, enrollees, or other covered persons;

95.5 (2) professional licensing boards and health providers licensed by them;

95.6 (3) professionals and their patients concerning diagnosis, treatment or care, or the charges
95.7 or fees therefor;

95.8 (4) professionals and health insurance carriers, nonprofit health service plan corporations,
95.9 health maintenance organizations, community integrated service networks, or self-insurers
95.10 concerning a charge or fee for health care services provided to an insured, subscriber,
95.11 enrollee, or other covered person;

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95.13 thereof;

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95.15 coverage applied for or obtained by dentists, or providing assistance to underwriters in
95.16 evaluating claims against dentists;

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95.19 relevant prevailing community standard for a health service;

95.20 (n) providing quality assurance as required by United States Code, title 42, sections
95.21 1396r(b)(1)(b) and 1395i-3(b)(1)(b) of the Social Security Act;

95.22 (o) providing information to group purchasers of health care services when that
95.23 information was originally generated within the review organization for a purpose specified
95.24 by this subdivision;

83.24 (p) providing information to other, affiliated or nonaffiliated review organizations, when
83.25 that information was originally generated within the review organization for a purpose
83.26 specified by this subdivision, and as long as that information will further the purposes of a
83.27 review organization as specified by this subdivision; or

83.28 (q) participating in a standardized incident reporting system, including Internet-based
83.29 applications, to share information for the purpose of identifying and analyzing trends in
83.30 medical error and iatrogenic injury.

83.31 **EFFECTIVE DATE.** This section is effective July 1, 2024.

84.1 Sec. 14. Minnesota Statutes 2022, section 246.018, subdivision 3, as amended by Laws
84.2 2024, chapter 79, article 1, section 6, is amended to read:

84.3 Subd. 3. **Duties.** The executive medical director shall:

84.4 (1) oversee the clinical provision of inpatient mental health services provided in the
84.5 state's regional treatment centers;

84.6 (2) recruit and retain psychiatrists to serve on the direct care and treatment medical staff
84.7 established in subdivision 4;

84.8 (3) consult with the executive board, ~~the chief executive officer, and~~ community mental
84.9 health center directors, ~~and the state-operated services governing body~~ to develop standards
84.10 for treatment and care of patients in state-operated service programs;

84.11 (4) develop and oversee a continuing education program for members of the medical
84.12 staff; and

84.13 (5) participate and cooperate in the development and maintenance of a quality assurance
84.14 program for state-operated services that assures that residents receive continuous quality
84.15 inpatient, outpatient, and postdischarge care.

84.16 **EFFECTIVE DATE.** This section is effective July 1, 2024.

84.17 Sec. 15. Minnesota Statutes 2022, section 246.13, subdivision 2, as amended by Laws
84.18 2024, chapter 79, article 2, section 4, is amended to read:

84.19 Subd. 2. **Definitions; risk assessment and management.** (a) As used in this section:

84.20 (1) "appropriate and necessary medical and other records" includes patient medical
84.21 records and other protected health information as defined by Code of Federal Regulations,
84.22 title 45, section 164.501, relating to a patient in a state-operated services facility including
84.23 but not limited to the patient's treatment plan and abuse prevention plan pertinent to the
84.24 patient's ongoing care, treatment, or placement in a community-based treatment facility or
84.25 a health care facility that is not operated by state-operated services, including information
84.26 describing the level of risk posed by a patient when the patient enters the facility;

95.25 (p) providing information to other, affiliated or nonaffiliated review organizations, when
95.26 that information was originally generated within the review organization for a purpose
95.27 specified by this subdivision, and as long as that information will further the purposes of a
95.28 review organization as specified by this subdivision; or

95.29 (q) participating in a standardized incident reporting system, including Internet-based
95.30 applications, to share information for the purpose of identifying and analyzing trends in
95.31 medical error and iatrogenic injury.

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96.10 for treatment and care of patients in state-operated service programs;

96.11 (4) develop and oversee a continuing education program for members of the medical
96.12 staff; and

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96.14 program for state-operated services that assures that residents receive continuous quality
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96.23 but not limited to the patient's treatment plan and abuse prevention plan pertinent to the
96.24 patient's ongoing care, treatment, or placement in a community-based treatment facility or
96.25 a health care facility that is not operated by state-operated services, including information
96.26 describing the level of risk posed by a patient when the patient enters the facility;

84.27 (2) "community-based treatment" means the community support services listed in section
84.28 253B.02, subdivision 4b;

84.29 (3) "criminal history data" means data maintained or used by the Departments of
84.30 Corrections and Public Safety and by the supervisory authorities listed in section 13.84,
84.31 subdivision 1, that relate to an individual's criminal history or propensity for violence,
84.32 including data in the:

85.1 (i) Corrections Offender Management System (COMS);

85.2 (ii) Statewide Supervision System (S3);

85.3 (iii) Bureau of Criminal Apprehension criminal history data as defined in section 13.87;

85.4 (iv) Integrated Search Service as defined in section 13.873; and

85.5 (v) Predatory Offender Registration (POR) system;

85.6 (4) "designated agency" means the agency defined in section 253B.02, subdivision 5;

85.7 (5) "law enforcement agency" means the law enforcement agency having primary
85.8 jurisdiction over the location where the offender expects to reside upon release;

85.9 (6) "predatory offender" and "offender" mean a person who is required to register as a
85.10 predatory offender under section 243.166; and

85.11 (7) "treatment facility" means a facility as defined in section 253B.02, subdivision 19.

85.12 (b) To promote public safety and for the purposes and subject to the requirements of
85.13 this paragraph, the executive board or the executive board's designee shall have access to,
85.14 and may review and disclose, medical and criminal history data as provided by this section,
85.15 as necessary to comply with Minnesota Rules, part 1205.0400, to:

85.16 (1) determine whether a patient is required under state law to register as a predatory
85.17 offender according to section 243.166;

85.18 (2) facilitate and expedite the responsibilities of the special review board and
85.19 end-of-confinement review committees by corrections institutions and state treatment
85.20 facilities;

85.21 (3) prepare, amend, or revise the abuse prevention plans required under section 626.557,
85.22 subdivision 14, and individual patient treatment plans required under section 253B.03,
85.23 subdivision 7;

85.24 (4) facilitate the custody, supervision, and transport of individuals transferred between
85.25 the Department of Corrections and ~~the Department of~~ Direct Care and Treatment; and

85.26 (5) effectively monitor and supervise individuals who are under the authority of the
85.27 Department of Corrections, ~~the Department of~~ Direct Care and Treatment, and the supervisory
85.28 authorities listed in section 13.84, subdivision 1.

96.27 (2) "community-based treatment" means the community support services listed in section
96.28 253B.02, subdivision 4b;

96.29 (3) "criminal history data" means data maintained or used by the Departments of
96.30 Corrections and Public Safety and by the supervisory authorities listed in section 13.84,
96.31 subdivision 1, that relate to an individual's criminal history or propensity for violence,
96.32 including data in the:

97.1 (i) Corrections Offender Management System (COMS);

97.2 (ii) Statewide Supervision System (S3);

97.3 (iii) Bureau of Criminal Apprehension criminal history data as defined in section 13.87;

97.4 (iv) Integrated Search Service as defined in section 13.873; and

97.5 (v) Predatory Offender Registration (POR) system;

97.6 (4) "designated agency" means the agency defined in section 253B.02, subdivision 5;

97.7 (5) "law enforcement agency" means the law enforcement agency having primary
97.8 jurisdiction over the location where the offender expects to reside upon release;

97.9 (6) "predatory offender" and "offender" mean a person who is required to register as a
97.10 predatory offender under section 243.166; and

97.11 (7) "treatment facility" means a facility as defined in section 253B.02, subdivision 19.

97.12 (b) To promote public safety and for the purposes and subject to the requirements of
97.13 this paragraph, the executive board or the executive board's designee shall have access to,
97.14 and may review and disclose, medical and criminal history data as provided by this section,
97.15 as necessary to comply with Minnesota Rules, part 1205.0400, to:

97.16 (1) determine whether a patient is required under state law to register as a predatory
97.17 offender according to section 243.166;

97.18 (2) facilitate and expedite the responsibilities of the special review board and
97.19 end-of-confinement review committees by corrections institutions and state treatment
97.20 facilities;

97.21 (3) prepare, amend, or revise the abuse prevention plans required under section 626.557,
97.22 subdivision 14, and individual patient treatment plans required under section 253B.03,
97.23 subdivision 7;

97.24 (4) facilitate the custody, supervision, and transport of individuals transferred between
97.25 the Department of Corrections and ~~the Department of~~ Direct Care and Treatment; and

97.26 (5) effectively monitor and supervise individuals who are under the authority of the
97.27 Department of Corrections, ~~the Department of~~ Direct Care and Treatment, and the supervisory
97.28 authorities listed in section 13.84, subdivision 1.

85.29 (c) The state-operated services treatment facility or a designee must make a good faith
85.30 effort to obtain written authorization from the patient before releasing information from the
85.31 patient's medical record.

86.1 (d) If the patient refuses or is unable to give informed consent to authorize the release
86.2 of information required under this subdivision, the chief executive officer ~~for state-operated~~
86.3 ~~services~~ or a designee shall provide the appropriate and necessary medical and other records.
86.4 The chief executive officer or a designee shall comply with the minimum necessary privacy
86.5 requirements.

86.6 (e) The executive board may have access to the National Crime Information Center
86.7 (NCIC) database through the Department of Public Safety in support of the public safety
86.8 functions described in paragraph (b).

86.9 EFFECTIVE DATE. This section is effective July 1, 2024.

86.10 Sec. 16. Minnesota Statutes 2022, section 246.234, as amended by Laws 2024, chapter
86.11 79, article 1, section 11, is amended to read:

86.12 **246.234 RECIPROCAL EXCHANGE OF CERTAIN PERSONS.**

86.13 The executive board is ~~hereby~~ authorized with the approval of the governor to enter into
86.14 reciprocal agreements with duly authorized authorities of ~~any other~~ another state or states
86.15 regarding the mutual exchange, return, and transportation of persons with a mental illness
86.16 or developmental disability who are within the confines of one state but have legal residence
86.17 or legal settlement for the purposes of relief in another state. ~~Such agreements~~ Any agreement
86.18 entered into under this subdivision must not contain ~~provisions conflicting any provision~~
86.19 that conflicts with any ~~law of this state law.~~

86.20 EFFECTIVE DATE. This section is effective July 1, 2024.

86.21 Sec. 17. Minnesota Statutes 2022, section 246.36, as amended by Laws 2024, chapter 79,
86.22 article 1, section 14, is amended to read:

86.23 **246.36 ACCEPTANCE OF VOLUNTARY, UNCOMPENSATED SERVICES.**

86.24 For the purpose of carrying out a duty, the executive board ~~shall have authority to may~~
86.25 accept uncompensated and voluntary services and ~~to may~~ enter into contracts or agreements
86.26 with private or public agencies, organizations, or persons for uncompensated and voluntary
86.27 services as the executive board deems practicable. Uncompensated and voluntary services
86.28 do not include services mandated by licensure and certification requirements for health care
86.29 facilities. The volunteer agencies, organizations, or persons who provide services to residents
86.30 of state facilities operated under the authority of the executive board are not subject to the
86.31 procurement requirements of chapters 16A and 16C. ~~The agencies, organizations, or persons~~
87.1 ~~may purchase supplies, services, and equipment to be used in providing services to residents~~
87.2 ~~of state facilities through the Department of Administration.~~

97.29 (c) The state-operated services treatment facility or a designee must make a good faith
97.30 effort to obtain written authorization from the patient before releasing information from the
97.31 patient's medical record.

98.1 (d) If the patient refuses or is unable to give informed consent to authorize the release
98.2 of information required under this subdivision, the chief executive officer ~~for state-operated~~
98.3 ~~services~~ or a designee shall provide the appropriate and necessary medical and other records.
98.4 The chief executive officer or a designee shall comply with the minimum necessary privacy
98.5 requirements.

98.6 (e) The executive board may have access to the National Crime Information Center
98.7 (NCIC) database through the Department of Public Safety in support of the public safety
98.8 functions described in paragraph (b).

98.9 EFFECTIVE DATE. This section is effective July 1, 2024.

98.10 Sec. 15. Minnesota Statutes 2022, section 246.234, as amended by Laws 2024, chapter
98.11 79, article 1, section 11, is amended to read:

98.12 **246.234 RECIPROCAL EXCHANGE OF CERTAIN PERSONS.**

98.13 The executive board is ~~hereby~~ authorized with the approval of the governor to enter into
98.14 reciprocal agreements with duly authorized authorities of ~~any other~~ another state or states
98.15 regarding the mutual exchange, return, and transportation of persons with a mental illness
98.16 or developmental disability who are within the confines of one state but have legal residence
98.17 or legal settlement for the purposes of relief in another state. ~~Such agreements~~ Any agreement
98.18 entered into under this subdivision must not contain ~~provisions conflicting any provision~~
98.19 that conflicts with any ~~law of this state law.~~

98.20 EFFECTIVE DATE. This section is effective July 1, 2024.

98.21 Sec. 16. Minnesota Statutes 2022, section 246.36, as amended by Laws 2024, chapter 79,
98.22 article 1, section 14, is amended to read:

98.23 **246.36 ACCEPTANCE OF VOLUNTARY, UNCOMPENSATED SERVICES.**

98.24 For the purpose of carrying out a duty, the executive board ~~shall have authority to may~~
98.25 accept uncompensated and voluntary services and ~~to may~~ enter into contracts or agreements
98.26 with private or public agencies, organizations, or persons for uncompensated and voluntary
98.27 services as the executive board deems practicable. Uncompensated and voluntary services
98.28 do not include services mandated by licensure and certification requirements for health care
98.29 facilities. The volunteer agencies, organizations, or persons who provide services to residents
98.30 of state facilities operated under the authority of the executive board are not subject to the
98.31 procurement requirements of chapters 16A and 16C. ~~The agencies, organizations, or persons~~
99.1 ~~may purchase supplies, services, and equipment to be used in providing services to residents~~
99.2 ~~of state facilities through the Department of Administration.~~

87.3 **EFFECTIVE DATE.** This section is effective July 1, 2024.

87.4 Sec. 18. Minnesota Statutes 2023 Supplement, section 246C.01, is amended to read:

87.5 **246C.01 TITLE.**

87.6 This chapter may be cited as the "~~Department of~~ Direct Care and Treatment Act."

87.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

87.8 Sec. 19. Minnesota Statutes 2023 Supplement, section 246C.02, as amended by Laws

87.9 2024, chapter 79, article 1, section 19, is amended to read:

87.10 **246C.02 DEPARTMENT OF DIRECT CARE AND TREATMENT;**

87.11 **ESTABLISHMENT.**

87.12 Subdivision 1. **Establishment.** ~~The Department of~~ Direct Care and Treatment is created

87.13 as an agency headed by an executive board. An executive board shall head the Department

87.14 of Direct Care and Treatment.

87.15 ~~Subd. 2. **Mission.** (a) The executive board shall develop and maintain direct care and~~

87.16 ~~treatment in a manner consistent with applicable law, including chapters 13, 245, 246, 246B,~~

87.17 ~~252, 253, 253B, 253C, 253D, 254A, 254B, and 256.~~

87.18 ~~(b) The executive board shall provide direct care and treatment services in coordination~~

87.19 ~~with the commissioner of human services, counties, and other vendors.~~

87.20 Subd. 3. **Direct care and treatment services.** Direct Care and Treatment ~~services~~ shall

87.21 provide direct care and treatment services that include specialized inpatient programs at

87.22 secure treatment facilities, community preparation services, regional treatment centers,

87.23 enterprise services, consultative services, aftercare services, community-based services and

87.24 programs, transition services, nursing home services, and other services consistent with the

87.25 mission of the Department of Direct Care and Treatment state law, including this chapter

87.26 and chapters 245, 246, 246B, 252, 253, 253B, 253C, 253D, 254A, 254B, and 256. Direct

87.27 Care and Treatment shall provide direct care and treatment services in coordination with

87.28 the commissioner of human services, counties, and other vendors.

87.29 Subd. 4. **Statewide services.** (a) The administrative structure of state-operated services

87.30 must be statewide in character.

88.1 (b) The state-operated services staff may deliver services at any location throughout the

88.2 state.

88.3 Subd. 5. **Department of Human Services as state agency.** The commissioner of human

88.4 services continues to constitute the "state agency" as defined by the Social Security Act of

88.5 the United States and the laws of this state for all purposes relating to mental health and

88.6 mental hygiene.

99.3 **EFFECTIVE DATE.** This section is effective July 1, 2024.

99.4 Sec. 17. Minnesota Statutes 2023 Supplement, section 246C.01, is amended to read:

99.5 **246C.01 TITLE.**

99.6 This chapter may be cited as the "~~Department of~~ Direct Care and Treatment Act."

99.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

99.8 Sec. 18. Minnesota Statutes 2023 Supplement, section 246C.02, as amended by Laws

99.9 2024, chapter 79, article 1, section 19, is amended to read:

99.10 **246C.02 DEPARTMENT OF DIRECT CARE AND TREATMENT;**

99.11 **ESTABLISHMENT.**

99.12 Subdivision 1. **Establishment.** ~~The Department of~~ Direct Care and Treatment is created

99.13 as an agency headed by an executive board. An executive board shall head the Department

99.14 of Direct Care and Treatment.

99.15 ~~Subd. 2. **Mission.** (a) The executive board shall develop and maintain direct care and~~

99.16 ~~treatment in a manner consistent with applicable law, including chapters 13, 245, 246, 246B,~~

99.17 ~~252, 253, 253B, 253C, 253D, 254A, 254B, and 256.~~

99.18 ~~(b) The executive board shall provide direct care and treatment services in coordination~~

99.19 ~~with the commissioner of human services, counties, and other vendors.~~

99.20 Subd. 3. **Direct care and treatment services.** Direct Care and Treatment ~~services~~ shall

99.21 provide direct care and treatment services that include specialized inpatient programs at

99.22 secure treatment facilities, community preparation services, regional treatment centers,

99.23 enterprise services, consultative services, aftercare services, community-based services and

99.24 programs, transition services, nursing home services, and other services consistent with the

99.25 mission of the Department of Direct Care and Treatment state law, including this chapter

99.26 and chapters 245, 246, 246B, 252, 253, 253B, 253C, 253D, 254A, 254B, and 256. Direct

99.27 Care and Treatment shall provide direct care and treatment services in coordination with

99.28 the commissioner of human services, counties, and other vendors.

99.29 Subd. 4. **Statewide services.** (a) The administrative structure of state-operated services

99.30 must be statewide in character.

100.1 (b) The state-operated services staff may deliver services at any location throughout the

100.2 state.

100.3 Subd. 5. **Department of Human Services as state agency.** The commissioner of human

100.4 services continues to constitute the "state agency" as defined by the Social Security Act of

100.5 the United States and the laws of this state for all purposes relating to mental health and

100.6 mental hygiene.

88.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

88.8 Sec. 20. Minnesota Statutes 2023 Supplement, section 246C.04, as amended by Laws
88.9 2024, chapter 79, article 1, section 21, is amended to read:

88.10 **246C.04 TRANSFER OF DUTIES.**

88.11 Subdivision 1. **Transfer of duties.** (a) Section 15.039 applies to the transfer of ~~duties~~
88.12 responsibilities from the Department of Human Services to Direct Care and Treatment
88.13 required by this chapter.

88.14 (b) The commissioner of administration, with the governor's approval, shall issue
88.15 reorganization orders under section 16B.37 as necessary to carry out the transfer of duties
88.16 required by ~~section 246C.03~~ this chapter. The provision of section 16B.37, subdivision 1,
88.17 stating that transfers under section 16B.37 may only be to an agency that has existed for at
88.18 least one year does not apply to transfers to an agency created by this chapter.

88.19 ~~(c) The initial salary for the health systems chief executive officer of the Department of~~
88.20 ~~Direct Care and Treatment is the same as the salary for the health systems chief executive~~
88.21 ~~officer of direct care and treatment at the Department of Human Services immediately before~~
88.22 ~~July 1, 2024.~~

88.23 Subd. 2. **Transfer of custody of civilly committed persons.** The commissioner of
88.24 human services shall continue to exercise all authority and responsibility for and retain
88.25 custody of persons subject to civil commitment under chapter 253B or 253D until July 1,
88.26 2025. Effective July 1, 2025, custody of persons subject to civil commitment under chapter
88.27 253B or 253D and in the custody of the commissioner of human services as of that date is
88.28 hereby transferred to the executive board without any further act or proceeding. Authority
88.29 and responsibility for the commitment of such persons is transferred to the executive board
88.30 July 1, 2025.

88.31 Subd. 3. **Control of direct care and treatment.** The commissioner of human services
88.32 shall continue to exercise all authorities and responsibilities under this chapter and chapters
88.33 13, 245, 246, 246B, 252, 253, 253B, 253C, 253D, 254A, 254B, and 256, with reference to
89.1 any state-operated service, program, or facility subject to transfer under this act until July
89.2 1, 2025. Effective July 1, 2025, the powers and duties vested in or imposed upon the
89.3 commissioner of human services with reference to any state-operated service, program, or
89.4 facility are hereby transferred to, vested in, and imposed upon the executive board according
89.5 to this chapter and applicable state law. Effective July 1, 2025, the executive board is hereby
89.6 charged with and has the exclusive power of administration and management of all state
89.7 hospitals for persons with a developmental disability, mental illness, or substance use
89.8 disorder. Effective July 1, 2025, the executive board has the power and authority to determine
89.9 all matters relating to the development of all of the foregoing institutions and of such other
89.10 institutions vested in the executive board. Effective July 1, 2025, the powers, functions, and
89.11 authority vested in the commissioner of human services relative to such state institutions

100.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

100.8 Sec. 19. Minnesota Statutes 2023 Supplement, section 246C.04, as amended by Laws
100.9 2024, chapter 79, article 1, section 21, is amended to read:

100.10 **246C.04 TRANSFER OF DUTIES.**

100.11 Subdivision 1. **Transfer of duties.** (a) Section 15.039 applies to the transfer of ~~duties~~
100.12 responsibilities from the Department of Human Services to Direct Care and Treatment
100.13 required by this chapter.

100.14 (b) The commissioner of administration, with the governor's approval, shall issue
100.15 reorganization orders under section 16B.37 as necessary to carry out the transfer of duties
100.16 required by ~~section 246C.03~~ this chapter. The provision of section 16B.37, subdivision 1,
100.17 stating that transfers under section 16B.37 may only be to an agency that has existed for at
100.18 least one year does not apply to transfers to an agency created by this chapter.

100.19 ~~(c) The initial salary for the health systems chief executive officer of the Department of~~
100.20 ~~Direct Care and Treatment is the same as the salary for the health systems chief executive~~
100.21 ~~officer of direct care and treatment at the Department of Human Services immediately before~~
100.22 ~~July 1, 2024.~~

100.23 Subd. 2. **Transfer of custody of civilly committed persons.** The commissioner of
100.24 human services shall continue to exercise all authority and responsibility for and retain
100.25 custody of persons subject to civil commitment under chapter 253B or 253D until July 1,
100.26 2025. Effective July 1, 2025, custody of persons subject to civil commitment under chapter
100.27 253B or 253D and in the custody of the commissioner of human services as of that date is
100.28 hereby transferred to the executive board without any further act or proceeding. Authority
100.29 and responsibility for the commitment of such persons is transferred to the executive board
100.30 on July 1, 2025.

100.31 Subd. 3. **Control of direct care and treatment.** The commissioner of human services
100.32 shall continue to exercise all authorities and responsibilities under this chapter and chapters
100.33 13, 245, 246, 246B, 252, 253, 253B, 253C, 253D, 254A, 254B, and 256, with reference to
101.1 any state-operated service, program, or facility subject to transfer under this act until July
101.2 1, 2025. Effective July 1, 2025, the powers and duties vested in or imposed upon the
101.3 commissioner of human services with reference to any state-operated service, program, or
101.4 facility are hereby transferred to, vested in, and imposed upon the executive board according
101.5 to this chapter and applicable state law. Effective July 1, 2025, the executive board is hereby
101.6 charged with and has the exclusive power of administration and management of all state
101.7 hospitals for persons with a developmental disability, mental illness, or substance use
101.8 disorder. Effective July 1, 2025, the executive board has the power and authority to determine
101.9 all matters relating to the development of all of the foregoing institutions and of such other
101.10 institutions vested in the executive board. Effective July 1, 2025, the powers, functions, and
101.11 authority vested in the commissioner of human services relative to such state institutions

89.12 are hereby transferred to the executive board according to this chapter and applicable state
89.13 law.

89.14 Subd. 4. **Appropriations.** There is hereby appropriated to such persons or institutions
89.15 as are entitled to such sums as are provided for in this section, from the fund or account in
89.16 the state treasury to which the money was credited, an amount sufficient to make such
89.17 payment.

89.18 **EFFECTIVE DATE.** This section is effective July 1, 2024.

89.19 Sec. 21. Minnesota Statutes 2023 Supplement, section 246C.05, as amended by Laws
89.20 2024, chapter 79, article 1, section 22, is amended to read:

89.21 **246C.05 EMPLOYEE PROTECTIONS FOR ESTABLISHING THE NEW**
89.22 **DEPARTMENT OF DIRECT CARE AND TREATMENT.**

89.23 (a) Personnel whose duties relate to the functions assigned to the executive board in
89.24 ~~section 246C.03~~ this chapter are transferred to the Department of Direct Care and Treatment
89.25 effective 30 days after approval by the commissioner of management and budget.

89.26 (b) Before the executive board is appointed, personnel whose duties relate to the functions
89.27 in this ~~section~~ chapter may be transferred beginning July 1, 2024, with 30 days' notice from
89.28 the commissioner of management and budget.

89.29 (c) The following protections shall apply to employees who are transferred from the
89.30 Department of Human Services to the Department of Direct Care and Treatment:

89.31 (1) No transferred employee other than the chief executive officer shall have their
89.32 employment status and job classification altered as a result of the transfer.

90.1 (2) Transferred employees who were represented by an exclusive representative prior
90.2 to the transfer shall continue to be represented by the same exclusive representative after
90.3 the transfer.

90.4 (3) The applicable collective bargaining agreements with exclusive representatives shall
90.5 continue in full force and effect for such transferred employees after the transfer.

90.6 (4) The state shall have the obligation to meet and negotiate with the exclusive
90.7 representatives of the transferred employees about any proposed changes affecting or relating
90.8 to the transferred employees' terms and conditions of employment to the extent such changes
90.9 are not addressed in the applicable collective bargaining agreement.

90.10 (5) When an employee in a temporary unclassified position is transferred to ~~the~~
90.11 ~~Department of~~ Direct Care and Treatment, the total length of time that the employee has
90.12 served in the appointment shall include all time served in the appointment at the transferring
90.13 agency and the time served in the appointment at ~~the Department of~~ Direct Care and
90.14 Treatment. An employee in a temporary unclassified position who was hired by a transferring
90.15 agency through an open competitive selection process in accordance with a policy enacted

101.12 are hereby transferred to the executive board according to this chapter and applicable state
101.13 law.

101.14 Subd. 4. **Appropriations.** There is hereby appropriated to such persons or institutions
101.15 as are entitled to such sums as are provided for in this section, from the fund or account in
101.16 the state treasury to which the money was credited, an amount sufficient to make such
101.17 payment.

101.18 **EFFECTIVE DATE.** This section is effective July 1, 2024.

101.19 Sec. 20. Minnesota Statutes 2023 Supplement, section 246C.05, as amended by Laws
101.20 2024, chapter 79, article 1, section 22, is amended to read:

101.21 **246C.05 EMPLOYEE PROTECTIONS FOR ESTABLISHING THE NEW**
101.22 **DEPARTMENT OF DIRECT CARE AND TREATMENT.**

101.23 (a) Personnel whose duties relate to the functions assigned to the executive board in
101.24 ~~section 246C.03~~ this chapter are transferred to the Department of Direct Care and Treatment
101.25 effective 30 days after approval by the commissioner of management and budget.

101.26 (b) Before the executive board is appointed, personnel whose duties relate to the functions
101.27 in this ~~section~~ chapter may be transferred beginning July 1, 2024, with 30 days' notice from
101.28 the commissioner of management and budget.

101.29 (c) The following protections shall apply to employees who are transferred from the
101.30 Department of Human Services to the Department of Direct Care and Treatment:

101.31 (1) No transferred employee shall have their employment status and job classification
101.32 altered as a result of the transfer.

102.1 (2) Transferred employees who were represented by an exclusive representative prior
102.2 to the transfer shall continue to be represented by the same exclusive representative after
102.3 the transfer.

102.4 (3) The applicable collective bargaining agreements with exclusive representatives shall
102.5 continue in full force and effect for such transferred employees after the transfer.

102.6 (4) The state shall have the obligation to meet and negotiate with the exclusive
102.7 representatives of the transferred employees about any proposed changes affecting or relating
102.8 to the transferred employees' terms and conditions of employment to the extent such changes
102.9 are not addressed in the applicable collective bargaining agreement.

102.10 (5) When an employee in a temporary unclassified position is transferred to ~~the~~
102.11 ~~Department of~~ Direct Care and Treatment, the total length of time that the employee has
102.12 served in the appointment shall include all time served in the appointment at the transferring
102.13 agency and the time served in the appointment at ~~the Department of~~ Direct Care and
102.14 Treatment. An employee in a temporary unclassified position who was hired by a transferring
102.15 agency through an open competitive selection process in accordance with a policy enacted

90.16 by Minnesota Management and Budget shall be considered to have been hired through such
90.17 process after the transfer.

90.18 (6) In the event that the state transfers ownership or control of any of the facilities,
90.19 services, or operations of ~~the Department of~~ Direct Care and Treatment to another entity,
90.20 whether private or public, by subcontracting, sale, assignment, lease, or other transfer, the
90.21 state shall require as a written condition of such transfer of ownership or control the following
90.22 provisions:

90.23 (i) Employees who perform work in transferred facilities, services, or operations must
90.24 be offered employment with the entity acquiring ownership or control before the entity
90.25 offers employment to any individual who was not employed by the transferring agency at
90.26 the time of the transfer.

90.27 (ii) The wage and benefit standards of such transferred employees must not be reduced
90.28 by the entity acquiring ownership or control through the expiration of the collective
90.29 bargaining agreement in effect at the time of the transfer or for a period of two years after
90.30 the transfer, whichever is longer.

90.31 (d) There is no liability on the part of, and no cause of action arises against, the state of
90.32 Minnesota or its officers or agents for any action or inaction of any entity acquiring ownership
90.33 or control of any facilities, services, or operations of ~~the Department of~~ Direct Care and
90.34 Treatment.

91.1 (e) This section expires upon the completion of the transfer of duties to the executive
91.2 board under ~~section 246C.03~~ this chapter. The commissioner of human services shall notify
91.3 the revisor of statutes when the transfer of duties is complete.

91.4 EFFECTIVE DATE. This section is effective July 1, 2024.

91.5 Sec. 22. [246C.07] POWERS AND DUTIES OF EXECUTIVE BOARD.

91.6 Subdivision 1. Generally. (a) The executive board must operate the agency according
91.7 to this chapter and applicable state and federal law. The overall management and control
91.8 of the agency is vested in the executive board in accordance with this chapter.

91.9 (b) The executive board may delegate duties imposed by this chapter and under applicable
91.10 state and federal law as deemed appropriate by the board and in accordance with this chapter.
91.11 Any delegation of a specified statutory duty or power to an employee of Direct Care and
91.12 Treatment other than the chief executive officer must be made by written order and filed
91.13 with the secretary of state. Only the chief executive officer shall have the powers and duties
91.14 of the executive board as specified in section 246C.08.

102.16 by Minnesota Management and Budget shall be considered to have been hired through such
102.17 process after the transfer.

102.18 (6) In the event that the state transfers ownership or control of any of the facilities,
102.19 services, or operations of ~~the Department of~~ Direct Care and Treatment to another entity,
102.20 whether private or public, by subcontracting, sale, assignment, lease, or other transfer, the
102.21 state shall require as a written condition of such transfer of ownership or control the following
102.22 provisions:

102.23 (i) Employees who perform work in transferred facilities, services, or operations must
102.24 be offered employment with the entity acquiring ownership or control before the entity
102.25 offers employment to any individual who was not employed by the transferring agency at
102.26 the time of the transfer.

102.27 (ii) The wage and benefit standards of such transferred employees must not be reduced
102.28 by the entity acquiring ownership or control through the expiration of the collective
102.29 bargaining agreement in effect at the time of the transfer or for a period of two years after
102.30 the transfer, whichever is longer.

102.31 (d) There is no liability on the part of, and no cause of action arises against, the state of
102.32 Minnesota or its officers or agents for any action or inaction of any entity acquiring ownership
102.33 or control of any facilities, services, or operations of ~~the Department of~~ Direct Care and
102.34 Treatment.

103.1 (e) This section expires upon the completion of the transfer of duties to the executive
103.2 board under ~~section 246C.03~~ this chapter. The commissioner of human services shall notify
103.3 the revisor of statutes when the transfer of duties is complete.

103.4 EFFECTIVE DATE. This section is effective July 1, 2024.

103.5 Sec. 21. [246C.07] POWERS AND DUTIES OF EXECUTIVE BOARD.

103.6 Subdivision 1. Generally. (a) The executive board must operate the agency according
103.7 to this chapter and applicable state and federal law. The overall management and control
103.8 of the agency is vested in the executive board in accordance with this chapter.

103.9 (b) The executive board must appoint a chief executive officer according to section
103.10 246C.08. The chief executive officer is responsible for the administrative and operational
103.11 duties of Direct Care and Treatment in accordance with this chapter.

103.12 (c) The executive board may delegate duties imposed by this chapter and under applicable
103.13 state and federal law as deemed appropriate by the board and in accordance with this chapter.
103.14 Any delegation of a specified statutory duty or power to an employee of Direct Care and
103.15 Treatment other than the chief executive officer must be made by written order and filed
103.16 with the secretary of state. Only the chief executive officer shall have the powers and duties
103.17 of the executive board as specified in section 246C.08.

91.15 Subd. 2. **Principles.** The executive board, in undertaking its duties and responsibilities
91.16 and within Direct Care and Treatment resources, shall act according to the following
91.17 principles:

91.18 (1) prevent the waste or unnecessary spending of public money;

91.19 (2) use innovative fiscal and human resource practices to manage the state's resources
91.20 and operate the agency as efficiently as possible;

91.21 (3) coordinate Direct Care and Treatment activities wherever appropriate with the
91.22 activities of other governmental agencies;

91.23 (4) use technology where appropriate to increase agency productivity, improve customer
91.24 service, increase public access to information about government, and increase public
91.25 participation in the business of government; and

91.26 (5) utilize constructive and cooperative labor management practices to the extent
91.27 otherwise required by chapter 43A or 179A.

91.28 Subd. 3. **Powers and duties.** (a) The executive board has the power and duty to:

91.29 (1) set the overall strategic direction for Direct Care and Treatment, ensuring that Direct
91.30 Care and Treatment delivers exceptional care and supports the well-being of all individuals
91.31 served by Direct Care and Treatment;

92.1 (2) establish policies and procedures to govern the operation of the facilities, programs,
92.2 and services under the direct authority of Direct Care and Treatment;

92.3 (3) employ personnel and delegate duties and responsibilities to personnel as deemed
92.4 appropriate by the executive board, subject to chapters 43A and 179A and in accordance
92.5 with this chapter;

92.6 (4) review and approve the operating budget proposal for Direct Care and Treatment;

92.7 (5) accept and use gifts, grants, or contributions from any nonstate source or refuse to
92.8 accept any gift, grant, or contribution if acceptance would not be in the best interest of the
92.9 state;

92.10 (6) deposit all money received as gifts, grants, or contributions pursuant to section
92.11 246C.091, subdivision 1;

92.12 (7) expend or use any gift, grant, or contribution as nearly in accordance with the
92.13 conditions of the gift, grant, or contribution identified by the donor for a certain institution
92.14 or purpose, compatible with the best interests of the individuals under the jurisdiction of
92.15 the executive board and of the state;

103.18 Subd. 2. **Principles.** The executive board, in undertaking its duties and responsibilities
103.19 and within Direct Care and Treatment resources, shall act according to the following
103.20 principles:

103.21 (1) prevent the waste or unnecessary spending of public money;

103.22 (2) use innovative fiscal and human resource practices to manage the state's resources
103.23 and operate the agency as efficiently as possible;

103.24 (3) coordinate Direct Care and Treatment activities wherever appropriate with the
103.25 activities of other governmental agencies;

103.26 (4) use technology where appropriate to increase agency productivity, improve customer
103.27 service, increase public access to information about government, and increase public
103.28 participation in the business of government; and

103.29 (5) utilize constructive and cooperative labor management practices to the extent
103.30 otherwise required by chapter 43A or 179A.

103.31 Subd. 3. **Powers and duties.** (a) The executive board has the power and duty to:

104.1 (1) set the overall strategic direction for Direct Care and Treatment, ensuring that Direct
104.2 Care and Treatment delivers exceptional care and supports the well-being of all individuals
104.3 served by Direct Care and Treatment;

104.4 (2) establish policies and procedures to govern the operation of the facilities, programs,
104.5 and services under the direct authority of Direct Care and Treatment;

104.6 (3) employ personnel and delegate duties and responsibilities to personnel as deemed
104.7 appropriate by the executive board, subject to chapters 43A and 179A and in accordance
104.8 with this chapter;

104.9 (4) review and approve the operating budget proposal for Direct Care and Treatment;

104.10 (5) accept and use gifts, grants, or contributions from any nonstate source or refuse to
104.11 accept any gift, grant, or contribution if acceptance would not be in the best interest of the
104.12 state;

104.13 (6) deposit all money received as gifts, grants, or contributions pursuant to section
104.14 246C.091, subdivision 1;

104.15 (7) expend or use any gift, grant, or contribution as nearly in accordance with the
104.16 conditions of the gift, grant, or contribution identified by the donor for a certain institution
104.17 or purpose, compatible with the best interests of the individuals under the jurisdiction of
104.18 the executive board and of the state;

92.16 (8) comply with all conditions and requirements necessary to receive federal aid or block
92.17 grants with respect to the establishment, construction, maintenance, equipment, or operation
92.18 of adequate facilities and services consistent with the mission of Direct Care and Treatment;

92.19 (9) enter into information-sharing agreements with federal and state agencies and other
92.20 entities, provided the agreements include adequate protections with respect to the
92.21 confidentiality and integrity of the information to be shared and comply with all applicable
92.22 state and federal laws, regulations, and rules;

92.23 (10) enter into interagency or service level agreements with a state department listed in
92.24 section 15.01; a multimember state agency described in section 15.012, paragraph (a); or
92.25 the Department of Information Technology Services;

92.26 (11) enter into contractual agreements with federally recognized Indian Tribes with a
92.27 reservation in Minnesota;

92.28 (12) enter into contracts with public and private agencies, private and nonprofit
92.29 organizations, and individuals, using appropriated money;

92.30 (13) establish and maintain any administrative units reasonably necessary for the
92.31 performance of administrative functions common to all programs or divisions of Direct
92.32 Care and Treatment;

93.1 (14) authorize the method of payment to or from Direct Care and Treatment as part of
93.2 programs administered by Direct Care and Treatment, including authorization of the receipt
93.3 or disbursement of money held by Direct Care and Treatment in a fiduciary capacity as part
93.4 of the programs administered by Direct Care and Treatment;

93.5 (15) inform Tribal Nations and county agencies, on a timely basis, of changes in statute,
93.6 rule, federal law, regulation, and policy necessary to Tribal or county agency administration
93.7 of Direct Care and Treatment programs and services;

93.8 (16) report to the legislature on the performance of Direct Care and Treatment operations
93.9 and the accomplishment of Direct Care and Treatment goals in its biennial budget in
93.10 accordance with section 16A.10, subdivision 1;

93.11 (17) recommend to the legislature appropriate changes in law necessary to carry out the
93.12 principles and improve the performance of Direct Care and Treatment; and

93.13 (18) exercise all powers reasonably necessary to implement and administer the
93.14 requirements of this chapter and applicable state and federal law.

93.15 (b) The specific enumeration of powers and duties as set forth in this section shall not
93.16 be construed as a limitation upon the general transfer of Direct Care and Treatment facilities,
93.17 programs, and services from the Department of Human Services to Direct Care and Treatment
93.18 under this chapter.

104.19 (8) comply with all conditions and requirements necessary to receive federal aid or block
104.20 grants with respect to the establishment, construction, maintenance, equipment, or operation
104.21 of adequate facilities and services consistent with the mission of Direct Care and Treatment;

104.22 (9) enter into information-sharing agreements with federal and state agencies and other
104.23 entities, provided the agreements include adequate protections with respect to the
104.24 confidentiality and integrity of the information to be shared and comply with all applicable
104.25 state and federal laws, regulations, and rules;

104.26 (10) enter into interagency or service level agreements with a state department listed in
104.27 section 15.01; a multimember state agency described in section 15.012, paragraph (a); or
104.28 the Department of Information Technology Services;

104.29 (11) enter into contractual agreements with federally recognized Indian Tribes with a
104.30 reservation in Minnesota;

104.31 (12) enter into contracts with public and private agencies, private and nonprofit
104.32 organizations, and individuals using appropriated money;

105.1 (13) establish and maintain any administrative units reasonably necessary for the
105.2 performance of administrative functions common to all programs or divisions of Direct
105.3 Care and Treatment;

105.4 (14) authorize the method of payment to or from Direct Care and Treatment as part of
105.5 programs administered by Direct Care and Treatment, including authorization of the receipt
105.6 or disbursement of money held by Direct Care and Treatment in a fiduciary capacity as part
105.7 of the programs administered by Direct Care and Treatment;

105.8 (15) inform Tribal Nations and county agencies, on a timely basis, of changes in statute,
105.9 rule, federal law, regulation, and policy necessary to Tribal or county agency administration
105.10 of Direct Care and Treatment programs and services;

105.11 (16) report to the legislature on the performance of Direct Care and Treatment operations
105.12 and the accomplishment of Direct Care and Treatment goals in its biennial budget in
105.13 accordance with section 16A.10, subdivision 1;

105.14 (17) recommend to the legislature appropriate changes in law necessary to carry out the
105.15 principles and improve the performance of Direct Care and Treatment; and

105.16 (18) exercise all powers reasonably necessary to implement and administer the
105.17 requirements of this chapter and applicable state and federal law.

105.18 (b) The specific enumeration of powers and duties as set forth in this section shall not
105.19 be construed as a limitation upon the general transfer of Direct Care and Treatment facilities,
105.20 programs, and services from the Department of Human Services to Direct Care and Treatment
105.21 under this chapter.

93.19 Subd. 4. **Powers and duties vested exclusively in the chair of the executive board.** The
93.20 chair of the executive board has exclusive and solely independent authority to exercise the
93.21 executive board's powers and duties under sections 253B.18, 253B.19, 253D.23, and 253D.28
93.22 that involve any person subject to civil commitment under chapter 253B or 253D as a person
93.23 who has a mental illness and is dangerous to the public, as a sexually dangerous person, or
93.24 as a sexual psychopathic personality.

93.25 Subd. 5. **Creation of bylaws.** The board may establish bylaws governing its operations
93.26 and the operations of Direct Care and Treatment in accordance with this chapter.

93.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

93.28 Sec. 23. **[246C.08] CHIEF EXECUTIVE OFFICER; SERVICE; DUTIES.**

93.29 Subdivision 1. **Service.** The Direct Care and Treatment chief executive officer is
93.30 appointed by the governor with the advice and consent of the senate and serves at the pleasure
93.31 of the governor.

94.1 Subd. 2. **Powers and duties.** (a) The chief executive officer shall serve as chair of the
94.2 executive board. The chief executive officer is responsible for the administrative and
94.3 operational management of the agency in accordance with this chapter.

94.4 (b) The chief executive officer shall have all the powers of the executive board unless
94.5 the executive board directs otherwise. The chief executive officer shall have the authority
94.6 to speak for the executive board and Direct Care and Treatment within and outside the
94.7 agency.

105.22 Subd. 4. **Creation of bylaws.** The board may establish bylaws governing its operations
105.23 and the operations of Direct Care and Treatment in accordance with this chapter.

105.24 Subd. 5. **Advisory committee.** (a) The executive board shall establish an advisory
105.25 committee to provide state legislators, counties, union representatives, the National Alliance
105.26 on Mental Illness Minnesota, people being served by direct care and treatment programs,
105.27 and other stakeholders the opportunity to advise the executive board regarding the operation
105.28 of Direct Care and Treatment. The legislative members of the advisory committee must be
105.29 appointed as follows: (1) one member appointed by the speaker of the house of
105.30 representatives; (2) one member appointed by the minority leader of the house of
105.31 representatives; and (3) two members appointed by the senate committee on committees,
105.32 one member representing the majority caucus and one member representing the minority
105.33 caucus.

106.1 (b) The executive board shall regularly consult with the advisory committee.

106.2 (c) The advisory committee under this subdivision expires December 31, 2027.

106.3 **EFFECTIVE DATE.** This section is effective July 1, 2024.

106.4 Sec. 22. **[246C.08] CHIEF EXECUTIVE OFFICER; SERVICE; DUTIES.**

106.5 Subdivision 1. **Service.** (a) The Direct Care and Treatment chief executive officer is
106.6 appointed by the executive board and serves at the pleasure of the executive board, with
106.7 the advice and consent of the senate.

106.8 (b) The chief executive officer shall serve in the unclassified service in accordance with
106.9 section 43A.08 and shall be governed by a compensation plan prepared by the executive
106.10 board, submitted to the commissioner of management and budget for review and comment,
106.11 and approved by the Legislative Coordinating Commission and the legislature in accordance
106.12 with section 3.855.

106.13 Subd. 2. **Powers and duties.** (a) The chief executive officer's primary duty is to assist
106.14 the executive board. The chief executive officer is responsible for the administrative and
106.15 operational management of the agency.

106.16 (b) The chief executive officer shall have all the powers of the executive board unless
106.17 the executive board directs otherwise. The chief executive officer shall have the authority
106.18 to speak for the executive board and Direct Care and Treatment within and outside the
106.19 agency.

94.8 (c) In the event that a vacancy occurs for any reason within the chief executive officer
94.9 position, the executive medical director appointed under section 246.018 shall immediately
94.10 become the temporary chief executive officer until the governor appoints a new chief
94.11 executive officer. During this period, the executive medical director shall have all the powers
94.12 and authority delegated to the chief executive officer by the board and specified in this
94.13 chapter except those specified in section 246C.07, subdivision 4. During this period, the
94.14 governor has the exclusive and solely independent authority to exercise the powers and
94.15 duties specified under section 246C.07, subdivision 4.

94.16 EFFECTIVE DATE. This section is effective July 1, 2024.

94.17 Sec. 24. [246C.091] DIRECT CARE AND TREATMENT ACCOUNTS.

94.18 Subdivision 1. Gifts, grants, and contributions account. (a) A gifts, grants, and
94.19 contributions account is created in the special revenue fund in the state treasury. All money
94.20 received by the executive board as a gift, grant, or contribution must be deposited in the
94.21 gifts, grants, and contributions account. Beginning July 1, 2025, except as provided in
94.22 paragraph (b), money in the account is annually appropriated to the Direct Care and
94.23 Treatment executive board to accomplish the purposes of this chapter. Gifts, grants, or
94.24 contributions received by the executive board exceeding current agency needs must be
94.25 invested by the State Board of Investment in accordance with section 11A.24. Disbursements
94.26 from the gifts, grants, and contributions account must be made in the manner provided for
94.27 the issuance of other state payments.

94.28 (b) If the gift or contribution is designated for a certain person, institution, or purpose,
94.29 the Direct Care and Treatment executive board must use the gift or contribution as specified
94.30 in accordance with the conditions of the gift or contribution if compatible with the best
94.31 interests of the person and the state. If a gift or contribution is accepted for the use and
94.32 benefit of a person with a developmental disability, including those within a state hospital,
94.33 research relating to persons with a developmental disability must be considered an appropriate
94.34 use of the gift or contribution. Such money must not be used for any structures or installations
95.1 which by their nature would require state expenditures for their operation or maintenance
95.2 without specific legislative enactment.

95.3 Subd. 2. Facilities management account. A facilities management account is created
95.4 in the special revenue fund of the state treasury. Beginning July 1, 2025, money in the
95.5 account is appropriated to the Direct Care and Treatment executive board and may be used
95.6 to maintain buildings, acquire facilities, renovate existing buildings, or acquire land for the
95.7 design and construction of buildings for Direct Care and Treatment use. Money received
95.8 for maintaining state property under control of the executive board may be deposited into
95.9 this account.

95.10 Subd. 3. Direct Care and Treatment systems account. (a) The Direct Care and
95.11 Treatment systems account is created in the special revenue fund of the state treasury.
95.12 Beginning July 1, 2025, money in the account is appropriated to the Direct Care and

106.20 (c) In the event that a vacancy occurs for any reason within the chief executive officer
106.21 position, the executive medical director appointed under section 246.018 shall immediately
106.22 become the temporary chief executive officer until the executive board appoints a new chief
106.23 executive officer. During this period, the executive medical director shall have all the powers
106.24 and authority delegated to the chief executive officer by the board and specified in this
106.25 chapter.

106.26 EFFECTIVE DATE. This section is effective July 1, 2024.

106.27 Sec. 23. [246C.091] DIRECT CARE AND TREATMENT ACCOUNTS.

106.28 Subdivision 1. Gifts, grants, and contributions account. (a) A gifts, grants, and
106.29 contributions account is created in the special revenue fund in the state treasury. All money
106.30 received by the executive board as a gift, grant, or contribution must be deposited in the
106.31 gifts, grants, and contributions account. Beginning July 1, 2025, except as provided in
107.1 paragraph (b), money in the account is annually appropriated to the Direct Care and
107.2 Treatment executive board to accomplish the purposes of this chapter. Gifts, grants, or
107.3 contributions received by the executive board exceeding current agency needs must be
107.4 invested by the State Board of Investment in accordance with section 11A.24. Disbursements
107.5 from the gifts, grants, and contributions account must be made in the manner provided for
107.6 the issuance of other state payments.

107.7 (b) If the gift or contribution is designated for a certain person, institution, or purpose,
107.8 the Direct Care and Treatment executive board must use the gift or contribution as specified
107.9 in accordance with the conditions of the gift or contribution if compatible with the best
107.10 interests of the person and the state. If a gift or contribution is accepted for the use and
107.11 benefit of a person with a developmental disability, including those within a state hospital,
107.12 research relating to persons with a developmental disability must be considered an appropriate
107.13 use of the gift or contribution. Such money must not be used for any structures or installations
107.14 which by their nature would require state expenditures for their operation or maintenance
107.15 without specific legislative enactment.

107.16 Subd. 2. Facilities management account. A facilities management account is created
107.17 in the special revenue fund of the state treasury. Beginning July 1, 2025, money in the
107.18 account is appropriated to the Direct Care and Treatment executive board and may be used
107.19 to maintain buildings, acquire facilities, renovate existing buildings, or acquire land for the
107.20 design and construction of buildings for Direct Care and Treatment use. Money received
107.21 for maintaining state property under control of the executive board may be deposited into
107.22 this account.

107.23 Subd. 3. Direct Care and Treatment systems account. (a) The Direct Care and
107.24 Treatment systems account is created in the special revenue fund of the state treasury.
107.25 Beginning July 1, 2025, money in the account is appropriated to the Direct Care and

95.13 Treatment executive board and may be used for security systems and information technology
95.14 projects, services, and support under the control of the executive board.

95.15 (b) The commissioner of human services shall transfer all money allocated to the Direct
95.16 Care and Treatment systems projects under section 256.014 to the Direct Care and Treatment
95.17 systems account by June 30, 2026.

95.18 Subd. 4. **Cemetery maintenance account.** The cemetery maintenance account is created
95.19 in the special revenue fund of the state treasury. Money in the account is appropriated to
95.20 the executive board for the maintenance of cemeteries under control of the executive board.
95.21 Money allocated to Direct Care and Treatment cemeteries may be transferred to this account.

95.22 **EFFECTIVE DATE.** This section is effective July 1, 2024.

95.23 Sec. 25. Minnesota Statutes 2022, section 256.88, is amended to read:

95.24 **256.88 SOCIAL WELFARE FUND ESTABLISHED.**

95.25 Except as otherwise expressly provided, all moneys and funds held by the commissioner
95.26 of human services, the Direct Care and Treatment executive board, and the local social
95.27 services agencies of the several counties in trust or for the benefit of children with a disability
95.28 and children who are dependent, neglected, or delinquent, children born to mothers who
95.29 were not married to the children's fathers at the times of the conception nor at the births of
95.30 the children, persons determined to have developmental disability, mental illness, or substance
95.31 use disorder, or other wards or beneficiaries, under any law, shall be kept in a single fund
95.32 to be known as the "social welfare fund" which shall be deposited at interest, held, or
95.33 disbursed as provided in sections 256.89 to 256.92.

96.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

96.2 Sec. 26. Minnesota Statutes 2022, section 256.89, is amended to read:

96.3 **256.89 FUND DEPOSITED IN STATE TREASURY.**

96.4 The social welfare fund and all accretions thereto shall be deposited in the state treasury,
96.5 as a separate and distinct fund, to the credit of the commissioner of human services and the
96.6 Direct Care and Treatment executive board as trustee trustees for the their respective
96.7 beneficiaries thereof in proportion to their the beneficiaries' several interests. The
96.8 commissioner of management and budget shall be responsible only to the commissioner of
96.9 human services and the Direct Care and Treatment executive board for the sum total of the
96.10 fund, and shall have no duties nor direct obligations toward the beneficiaries thereof
96.11 individually. Subject to the applicable rules of the commissioner of human services or the
96.12 Direct Care and Treatment executive board, money so received by a local social services
96.13 agency may be deposited by the executive secretary of the local social services agency in
96.14 a local bank carrying federal deposit insurance, designated by the local social services
96.15 agency for this purpose. The amount of such deposit in each such bank at any one time shall
96.16 not exceed the amount protected by federal deposit insurance.

107.26 Treatment executive board and may be used for security systems and information technology
107.27 projects, services, and support under the control of the executive board.

107.28 (b) The commissioner of human services shall transfer all money allocated to the Direct
107.29 Care and Treatment systems projects under section 256.014 to the Direct Care and Treatment
107.30 systems account by June 30, 2026.

107.31 Subd. 4. **Cemetery maintenance account.** The cemetery maintenance account is created
107.32 in the special revenue fund of the state treasury. Money in the account is appropriated to
107.33 the executive board for the maintenance of cemeteries under control of the executive board.
107.34 Money allocated to Direct Care and Treatment cemeteries may be transferred to this account.

108.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

108.2 Sec. 24. Minnesota Statutes 2022, section 256.88, is amended to read:

108.3 **256.88 SOCIAL WELFARE FUND ESTABLISHED.**

108.4 Except as otherwise expressly provided, all moneys and funds held by the commissioner
108.5 of human services, the Direct Care and Treatment executive board, and the local social
108.6 services agencies of the several counties in trust or for the benefit of children with a disability
108.7 and children who are dependent, neglected, or delinquent, children born to mothers who
108.8 were not married to the children's fathers at the times of the conception nor at the births of
108.9 the children, persons determined to have developmental disability, mental illness, or substance
108.10 use disorder, or other wards or beneficiaries, under any law, shall be kept in a single fund
108.11 to be known as the "social welfare fund" which shall be deposited at interest, held, or
108.12 disbursed as provided in sections 256.89 to 256.92.

108.13 **EFFECTIVE DATE.** This section is effective July 1, 2024.

108.14 Sec. 25. Minnesota Statutes 2022, section 256.89, is amended to read:

108.15 **256.89 FUND DEPOSITED IN STATE TREASURY.**

108.16 The social welfare fund and all accretions thereto shall be deposited in the state treasury,
108.17 as a separate and distinct fund, to the credit of the commissioner of human services and the
108.18 Direct Care and Treatment executive board as trustee trustees for the their respective
108.19 beneficiaries thereof in proportion to their the beneficiaries' several interests. The
108.20 commissioner of management and budget shall be responsible only to the commissioner of
108.21 human services and the Direct Care and Treatment executive board for the sum total of the
108.22 fund, and shall have no duties nor direct obligations toward the beneficiaries thereof
108.23 individually. Subject to the applicable rules of the commissioner of human services or the
108.24 Direct Care and Treatment executive board, money so received by a local social services
108.25 agency may be deposited by the executive secretary of the local social services agency in
108.26 a local bank carrying federal deposit insurance, designated by the local social services
108.27 agency for this purpose. The amount of such deposit in each such bank at any one time shall
108.28 not exceed the amount protected by federal deposit insurance.

96.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

96.18 Sec. 27. Minnesota Statutes 2022, section 256.90, is amended to read:

96.19 **256.90 SOCIAL WELFARE FUND; USE; DISPOSITION; DEPOSITORIES.**

96.20 The commissioner of human services, in consultation with the Direct Care and Treatment
96.21 executive board, at least 30 days before the first day of January and the first day of July in
96.22 each year shall file with the commissioner of management and budget an estimate of the
96.23 amount of the social welfare fund to be held in the treasury during the succeeding six-month
96.24 period, subject to current disbursement. Such portion of the remainder thereof as may be at
96.25 any time designated by the request of the commissioner of human services may be invested
96.26 by the commissioner of management and budget in bonds in which the permanent trust
96.27 funds of the state of Minnesota may be invested, upon approval by the State Board of
96.28 Investment. The portion of such remainder not so invested shall be placed by the
96.29 commissioner of management and budget at interest for the period of six months, or when
96.30 directed by the commissioner of human services, for the period of 12 months thereafter at
96.31 the highest rate of interest obtainable in a bank, or banks, designated by the board of deposit
96.32 as a suitable depository therefor. All the provisions of law relative to the designation and
96.33 qualification of depositories of other state funds shall be applicable to sections 256.88 to
97.1 256.92, except as herein otherwise provided. Any bond given, or collateral assigned or both,
97.2 to secure a deposit hereunder may be continuous in character to provide for the repayment
97.3 of any moneys belonging to the fund theretofore or thereafter at any time deposited in such
97.4 bank until its designation as such depository is revoked and the security thereof shall be not
97.5 impaired by any subsequent agreement or understanding as to the rate of interest to be paid
97.6 upon such deposit, or as to time for its repayment. The amount of money belonging to the
97.7 fund deposited in any bank, including other state deposits, shall not at any time exceed the
97.8 amount of the capital stock thereof. In the event of the closing of the bank any sum deposited
97.9 therein shall immediately become due and payable.

97.10 **EFFECTIVE DATE.** This section is effective July 1, 2024.

97.11 Sec. 28. Minnesota Statutes 2022, section 256.91, is amended to read:

97.12 **256.91 PURPOSES.**

97.13 From that part of the social welfare fund held in the state treasury subject to disbursement
97.14 as provided in section 256.90 the commissioner of human services or the Direct Care and
97.15 Treatment executive board at any time may pay out such amounts as the commissioner or
97.16 executive board deems proper for the support, maintenance, or other legal benefit of any of
97.17 the children with a disability and children who are dependent, neglected, or delinquent,
97.18 children born to mothers who were not married to the children's fathers at the times of the
97.19 conception nor at the births of the children, persons with developmental disability, substance
97.20 use disorder, or mental illness, or other wards or persons entitled thereto, not exceeding in
97.21 the aggregate to or for any person the principal amount previously received for the benefit

108.29 **EFFECTIVE DATE.** This section is effective July 1, 2024.

109.1 Sec. 26. Minnesota Statutes 2022, section 256.90, is amended to read:

109.2 **256.90 SOCIAL WELFARE FUND; USE; DISPOSITION; DEPOSITORIES.**

109.3 The commissioner of human services, in consultation with the Direct Care and Treatment
109.4 executive board, at least 30 days before the first day of January and the first day of July in
109.5 each year shall file with the commissioner of management and budget an estimate of the
109.6 amount of the social welfare fund to be held in the treasury during the succeeding six-month
109.7 period, subject to current disbursement. Such portion of the remainder thereof as may be at
109.8 any time designated by the request of the commissioner of human services may be invested
109.9 by the commissioner of management and budget in bonds in which the permanent trust
109.10 funds of the state of Minnesota may be invested, upon approval by the State Board of
109.11 Investment. The portion of such remainder not so invested shall be placed by the
109.12 commissioner of management and budget at interest for the period of six months, or when
109.13 directed by the commissioner of human services, for the period of 12 months thereafter at
109.14 the highest rate of interest obtainable in a bank, or banks, designated by the board of deposit
109.15 as a suitable depository therefor. All the provisions of law relative to the designation and
109.16 qualification of depositories of other state funds shall be applicable to sections 256.88 to
109.17 256.92, except as herein otherwise provided. Any bond given, or collateral assigned or both,
109.18 to secure a deposit hereunder may be continuous in character to provide for the repayment
109.19 of any moneys belonging to the fund theretofore or thereafter at any time deposited in such
109.20 bank until its designation as such depository is revoked and the security thereof shall be not
109.21 impaired by any subsequent agreement or understanding as to the rate of interest to be paid
109.22 upon such deposit, or as to time for its repayment. The amount of money belonging to the
109.23 fund deposited in any bank, including other state deposits, shall not at any time exceed the
109.24 amount of the capital stock thereof. In the event of the closing of the bank any sum deposited
109.25 therein shall immediately become due and payable.

109.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

109.27 Sec. 27. Minnesota Statutes 2022, section 256.91, is amended to read:

109.28 **256.91 PURPOSES.**

109.29 From that part of the social welfare fund held in the state treasury subject to disbursement
109.30 as provided in section 256.90 the commissioner of human services or the Direct Care and
109.31 Treatment executive board at any time may pay out such amounts as the commissioner or
109.32 executive board deems proper for the support, maintenance, or other legal benefit of any of
109.33 the children with a disability and children who are dependent, neglected, or delinquent,
109.34 children born to mothers who were not married to the children's fathers at the times of the
110.1 conception nor at the births of the children, persons with developmental disability, substance
110.2 use disorder, or mental illness, or other wards or persons entitled thereto, not exceeding in
110.3 the aggregate to or for any person the principal amount previously received for the benefit

97.22 of the person, together with the increase in it from an equitable apportionment of interest
97.23 realized from the social welfare fund.

97.24 When any such person dies or is finally discharged from the guardianship, care, custody,
97.25 and control of the commissioner of human services or the Direct Care and Treatment
97.26 executive board, the amount then remaining subject to use for the benefit of the person shall
97.27 be paid as soon as may be from the social welfare fund to the persons thereto entitled by
97.28 law.

97.29 **EFFECTIVE DATE.** This section is effective July 1, 2024.

98.1 Sec. 29. Minnesota Statutes 2022, section 256.92, is amended to read:

98.2 **256.92 COMMISSIONER OF HUMAN SERVICES AND DIRECT CARE AND**
98.3 **TREATMENT, ACCOUNTS.**

98.4 It shall be the duty of the commissioner of human services, the Direct Care and Treatment
98.5 executive board, and ~~of~~ the local social services agencies of the several counties of this state
98.6 to cause to be deposited with the commissioner of management and budget all moneys and
98.7 funds in their possession or under their control and designated by section 256.91 as and for
98.8 the social welfare fund; and all such moneys and funds shall be so deposited in the state
98.9 treasury as soon as received. The commissioner of human services, in consultation with the
98.10 Direct Care and Treatment executive board, shall keep books of account or other records
98.11 showing separately the principal amount received and deposited in the social welfare fund
98.12 for the benefit of any person, together with the name of such person, and the name and
98.13 address, if known to the commissioner of human services or the Direct Care and Treatment
98.14 executive board, of the person from whom such money was received; and, at least once
98.15 every two years, the amount of interest, if any, which the money has earned in the social
98.16 welfare fund shall be apportioned thereto and posted in the books of account or records to
98.17 the credit of such beneficiary.

98.18 The provisions of sections 256.88 to 256.92 shall not apply to any fund or money now
98.19 or hereafter deposited or otherwise disposed of pursuant to the lawful orders, decrees,
98.20 judgments, or other directions of any district court having jurisdiction thereof.

98.21 **EFFECTIVE DATE.** This section is effective July 1, 2024.

98.22 Sec. 30. Laws 2023, chapter 61, article 8, section 1, the effective date, is amended to read:

98.23 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025 2024.

98.24 Sec. 31. Laws 2023, chapter 61, article 8, section 2, the effective date, is amended to read:

98.25 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025 2024.

98.26 Sec. 32. Laws 2023, chapter 61, article 8, section 3, the effective date, is amended to read:

98.27 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025 2024.

110.4 of the person, together with the increase in it from an equitable apportionment of interest
110.5 realized from the social welfare fund.

110.6 When any such person dies or is finally discharged from the guardianship, care, custody,
110.7 and control of the commissioner of human services or the Direct Care and Treatment
110.8 executive board, the amount then remaining subject to use for the benefit of the person shall
110.9 be paid as soon as may be from the social welfare fund to the persons thereto entitled by
110.10 law.

110.11 **EFFECTIVE DATE.** This section is effective July 1, 2024.

110.12 Sec. 28. Minnesota Statutes 2022, section 256.92, is amended to read:

110.13 **256.92 COMMISSIONER OF HUMAN SERVICES AND DIRECT CARE AND**
110.14 **TREATMENT, ACCOUNTS.**

110.15 It shall be the duty of the commissioner of human services, the Direct Care and Treatment
110.16 executive board, and ~~of~~ the local social services agencies of the several counties of this state
110.17 to cause to be deposited with the commissioner of management and budget all moneys and
110.18 funds in their possession or under their control and designated by section 256.91 as and for
110.19 the social welfare fund; and all such moneys and funds shall be so deposited in the state
110.20 treasury as soon as received. The commissioner of human services, in consultation with the
110.21 Direct Care and Treatment executive board, shall keep books of account or other records
110.22 showing separately the principal amount received and deposited in the social welfare fund
110.23 for the benefit of any person, together with the name of such person, and the name and
110.24 address, if known to the commissioner of human services or the Direct Care and Treatment
110.25 executive board, of the person from whom such money was received; and, at least once
110.26 every two years, the amount of interest, if any, which the money has earned in the social
110.27 welfare fund shall be apportioned thereto and posted in the books of account or records to
110.28 the credit of such beneficiary.

110.29 The provisions of sections 256.88 to 256.92 shall not apply to any fund or money now
110.30 or hereafter deposited or otherwise disposed of pursuant to the lawful orders, decrees,
110.31 judgments, or other directions of any district court having jurisdiction thereof.

110.32 **EFFECTIVE DATE.** This section is effective July 1, 2024.

111.1 Sec. 29. Laws 2023, chapter 61, article 8, section 1, the effective date, is amended to read:

111.2 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025 2024.

111.3 Sec. 30. Laws 2023, chapter 61, article 8, section 2, the effective date, is amended to read:

111.4 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025 2024.

111.5 Sec. 31. Laws 2023, chapter 61, article 8, section 3, the effective date, is amended to read:

111.6 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025 2024.

98.28 Sec. 33. Laws 2023, chapter 61, article 8, section 8, the effective date, is amended to read:

98.29 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025.

99.1 Sec. 34. Laws 2024, chapter 79, article 1, section 18, is amended to read:

99.2 Sec. 18. **246C.015 DEFINITIONS.**

99.3 Subdivision 1. **Scope.** For purposes of this chapter, the following terms have the meanings
99.4 given.

99.5 Subd. 2. **Chief executive officer.** "Chief executive officer" means the ~~Department of~~
99.6 Direct Care and Treatment chief executive officer appointed according to section 246C.08.

99.7 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of human services.

99.8 Subd. 4. **Community preparation services.** "Community preparation services" means
99.9 specialized inpatient or outpatient services operated outside of a secure environment but
99.10 administered by a secure treatment facility.

99.11 Subd. 5. **County of financial responsibility.** "County of financial responsibility" has
99.12 the meaning given in section 256G.02, subdivision 4.

99.13 Subd. 5a. **Direct Care and Treatment.** "Direct Care and Treatment" means the agency
99.14 of Direct Care and Treatment established under this chapter.

99.15 Subd. 6. **Executive board.** "Executive board" means the ~~Department of~~
99.16 Treatment executive board established under section 246C.06.

99.17 Subd. 7. **Executive medical director.** "Executive medical director" means the licensed
99.18 physician serving as executive medical director in ~~the Department of~~
99.19 Treatment under section 246C.09.

99.20 Subd. 8. **Head of the facility or head of the program.** "Head of the facility" or "head
99.21 of the program" means the person who is charged with overall responsibility for the
99.22 professional program of care and treatment of the facility or program.

99.23 Subd. 9. **Indian.** "Indian" has the meaning given in section 260.755, subdivision 7.

99.24 Subd. 10. **Secure treatment facility.** "Secure treatment facility" means a facility as
99.25 defined in section 253B.02, subdivision 18a, or 253D.02, subdivision 13.

99.26 Subd. 11. **Tobacco; tobacco-related device.** "Tobacco" and "tobacco-related device"
99.27 have the meanings given in section 609.685, subdivision 1.

99.28 **EFFECTIVE DATE.** This section is effective July 1, 2024.

111.7 Sec. 32. Laws 2023, chapter 61, article 8, section 8, the effective date, is amended to read:

111.8 **EFFECTIVE DATE.** This section is effective ~~January~~ July 1, 2025.

111.9 Sec. 33. Laws 2024, chapter 79, article 1, section 18, is amended to read:

111.10 Sec. 18. **246C.015 DEFINITIONS.**

111.11 Subdivision 1. **Scope.** For purposes of this chapter, the following terms have the meanings
111.12 given.

111.13 Subd. 2. **Chief executive officer.** "Chief executive officer" means the ~~Department of~~
111.14 Direct Care and Treatment chief executive officer appointed according to section 246C.08.

111.15 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of human services.

111.16 Subd. 4. **Community preparation services.** "Community preparation services" means
111.17 specialized inpatient or outpatient services operated outside of a secure environment but
111.18 administered by a secure treatment facility.

111.19 Subd. 5. **County of financial responsibility.** "County of financial responsibility" has
111.20 the meaning given in section 256G.02, subdivision 4.

111.21 Subd. 5a. **Direct Care and Treatment.** "Direct Care and Treatment" means the agency
111.22 of Direct Care and Treatment established under this chapter.

111.23 Subd. 6. **Executive board.** "Executive board" means the ~~Department of~~
111.24 Treatment executive board established under section 246C.06.

111.25 Subd. 7. **Executive medical director.** "Executive medical director" means the licensed
111.26 physician serving as executive medical director in ~~the Department of~~
111.27 Treatment under section 246C.09.

112.1 Subd. 8. **Head of the facility or head of the program.** "Head of the facility" or "head
112.2 of the program" means the person who is charged with overall responsibility for the
112.3 professional program of care and treatment of the facility or program.

112.4 Subd. 9. **Indian.** "Indian" has the meaning given in section 260.755, subdivision 7.

112.5 Subd. 10. **Secure treatment facility.** "Secure treatment facility" means a facility as
112.6 defined in section 253B.02, subdivision 18a, or 253D.02, subdivision 13.

112.7 Subd. 11. **Tobacco; tobacco-related device.** "Tobacco" and "tobacco-related device"
112.8 have the meanings given in section 609.685, subdivision 1.

112.9 **EFFECTIVE DATE.** This section is effective July 1, 2024.

100.1 Sec. 35. Laws 2024, chapter 79, article 1, section 23, is amended to read:

100.2 Sec. 23. **246C.06 EXECUTIVE BOARD; ~~POWERS AND DUTIES~~ MEMBERSHIP;**
100.3 **GOVERNANCE.**

100.4 Subdivision 1. **Establishment.** The Direct Care and Treatment executive board ~~of the~~
100.5 ~~Department of Direct Care and Treatment~~ is established.

100.6 Subd. 2. **Membership of the executive board.** ~~The executive board shall consist of no~~
100.7 ~~more than five members, all appointed by the governor.~~ (a) The Direct Care and Treatment
100.8 executive board consists of ~~ten~~ members with ~~eight~~ voting members and two nonvoting
100.9 members. The ~~eight~~ voting members must include six members appointed by the governor
100.10 with the advice and consent of the senate in accordance with paragraph (b), the chief
100.11 executive officer, and the commissioner of human services or a designee. The two nonvoting
100.12 members must be appointed in accordance with paragraph (c). Section 15.0597 applies to
100.13 all executive board appointments except for the commissioner of human services and the
100.14 chief executive officer.

100.15 (b) The executive board voting members appointed by the governor ~~other than the~~
100.16 commissioner of human services and the chief executive officer must meet the following
100.17 qualifications:

100.18 (1) one member must be a licensed physician who is a psychiatrist or has experience in
100.19 serving behavioral health patients;

100.20 (2) two members must have experience serving on a hospital or nonprofit board; and

100.21 (3) three members must have experience working: (i) ~~as a public labor union~~
100.22 representative; (ii) in the delivery of behavioral health services or care coordination or in
100.23 traditional healing practices; (iii) as a licensed health care professional; (iv) within health
100.24 care administration; or (v) with residential services.

100.25 (c) The executive board nonvoting members must be appointed as follows:

100.26 (1) one member appointed by the Association of Counties; and

100.27 (2) one member who has an active role as a union representative representing staff at
100.28 Direct Care and Treatment appointed by joint representatives of the following unions:
100.29 American Federation of State and Municipal Employees (AFSCME); Minnesota Association
100.30 of Professional Employees (MAPE); Minnesota Nurses Association (MNA); Middle
100.31 Management Association (MMA); and State Residential Schools Education Association
100.32 (SRSEA).

101.1 (d) Membership on the board must include representation from outside the seven-county
101.2 metropolitan area, as defined in section 473.121, subdivision 2.

101.3 (e) A voting member of the executive board must not be or must not have been within
101.4 one year prior to appointment: (1) an employee of Direct Care and Treatment; (2) an
101.5 employee of a county, including a county commissioner; (3) an active employee or

112.10 Sec. 34. Laws 2024, chapter 79, article 1, section 23, is amended to read:

112.11 Sec. 23. **246C.06 EXECUTIVE BOARD; ~~POWERS AND DUTIES~~ MEMBERSHIP;**
112.12 **GOVERNANCE.**

112.13 Subdivision 1. **Establishment.** The Direct Care and Treatment executive board ~~of the~~
112.14 ~~Department of Direct Care and Treatment~~ is established.

112.15 Subd. 2. **Membership of the executive board.** ~~The executive board shall consist of no~~
112.16 ~~more than five members, all appointed by the governor.~~ (a) The Direct Care and Treatment
112.17 executive board consists of ~~nine~~ members with ~~seven~~ voting members and two nonvoting
112.18 members. The ~~seven~~ voting members must include six members appointed by the governor
112.19 with the advice and consent of the senate in accordance with paragraph (b) and the
112.20 commissioner of human services or a designee. The two nonvoting members must be
112.21 appointed in accordance with paragraph (c). Section 15.0597 applies to all executive board
112.22 appointments except for the commissioner of human services.

112.23 (b) The executive board voting members appointed by the governor must meet the
112.24 following qualifications:

112.25 (1) one member must be a licensed physician who is a psychiatrist or has experience in
112.26 serving behavioral health patients;

112.27 (2) two members must have experience serving on a hospital or nonprofit board; and

112.28 (3) three members must have experience working: (i) in the delivery of behavioral health
112.29 services or care coordination or in traditional healing practices; (ii) as a licensed health care
112.30 professional; (iii) within health care administration; or (iv) with residential services.

112.31 (c) The executive board nonvoting members must be appointed as follows:

113.1 (1) one member appointed by the Association of Counties; and

113.2 (2) one member who has an active role as a union representative representing staff at
113.3 Direct Care and Treatment appointed by joint representatives of the following unions:
113.4 American Federation of State, ~~County~~ and Municipal Employees (AFSCME); Minnesota
113.5 Association of Professional Employees (MAPE); Minnesota Nurses Association (MNA);
113.6 Middle Management Association (MMA); and State Residential Schools Education
113.7 Association (SRSEA).

113.8 (d) Membership on the board must include representation from outside the seven-county
113.9 metropolitan area, as defined in section 473.121, subdivision 2.

113.10 (e) A voting member of the executive board must not be or must not have been within
113.11 one year prior to appointment: (1) an employee of Direct Care and Treatment; (2) an
113.12 employee of a county, including a county commissioner; (3) an active employee or

101.6 representative of a labor union that represents employees of Direct Care and Treatment; or
101.7 (4) a member of the state legislature. This paragraph does not apply to the nonvoting
101.8 members, the chief executive officer, or the commissioner of human services or designee.

101.9 Subd. 3. ~~Qualifications of members~~ Procedures. An executive board member's
101.10 qualifications must be appropriate for overseeing a complex behavioral health system, such
101.11 as experience serving on a hospital or nonprofit board, serving as a public sector labor union
101.12 representative, delivering behavioral health services or care coordination, or working as a
101.13 licensed health care provider in an allied health profession or in health care administration.
101.14 Except as otherwise provided for in this section, the membership terms and removal and
101.15 filling of vacancies for the executive board are governed by section 15.0575.

101.16 Subd. 4. ~~Accepting contributions or gifts~~ Compensation. (a) The executive board has
101.17 the power and authority to accept, on behalf of the state, contributions and gifts of money
101.18 and personal property for the use and benefit of the residents of the public institutions under
101.19 the executive board's control. All money and securities received must be deposited in the
101.20 state treasury subject to the order of the executive board. Notwithstanding section 15.0575,
101.21 subdivision 3, paragraph (a), the nonvoting members of the executive board must not receive
101.22 daily compensation for executive board activities. Nonvoting members of the executive
101.23 board may receive expenses in the same manner and amount as authorized by the
101.24 commissioner's plan adopted under section 43A.18, subdivision 2. Nonvoting members
101.25 who, as a result of time spent attending board meetings, incur child care expenses that would
101.26 not otherwise have been incurred, may be reimbursed for those expenses upon board
101.27 authorization.

101.28 (b) If the gift or contribution is designated by the donor for a certain institution or purpose,
101.29 the executive board shall expend or use the money as nearly in accordance with the conditions
101.30 of the gift or contribution, compatible with the best interests of the individuals under the
101.31 jurisdiction of the executive board and the state. Notwithstanding section 15.0575, subdivision
101.32 3, paragraph (a), the Compensation Council under section 15A.082 must determine the
101.33 compensation for voting members of the executive board per day spent on executive board
101.34 activities authorized by the executive board. Voting members of the executive board may
101.35 also receive the expenses in the same manner and amount as authorized by the commissioner's
102.1 plan adopted under section 43A.18, subdivision 2. Voting members who, as a result of time
102.2 spent attending board meetings, incur child care expenses that would not otherwise have
102.3 been incurred, may be reimbursed for those expenses upon board authorization.

102.4 (c) The commissioner of management and budget must publish the daily compensation
102.5 rate for voting members of the executive board determined under paragraph (b) on the
102.6 Department of Management and Budget's website.

102.7 (d) Voting members of the executive board must adopt internal standards prescribing
102.8 what constitutes a day spent on board activities for the purposes of making payments
102.9 authorized under paragraph (b).

113.13 representative of a labor union that represents employees of Direct Care and Treatment; or
113.14 (4) a member of the state legislature. This paragraph does not apply to the nonvoting members
113.15 or the commissioner of human services or designee.

113.16 Subd. 3. ~~Qualifications of members~~ Procedures. An executive board member's
113.17 qualifications must be appropriate for overseeing a complex behavioral health system, such
113.18 as experience serving on a hospital or nonprofit board, serving as a public sector labor union
113.19 representative, delivering behavioral health services or care coordination, or working as a
113.20 licensed health care provider in an allied health profession or in health care administration.
113.21 Except as otherwise provided in this section, the membership terms and removal and filling
113.22 of vacancies for the executive board are governed by section 15.0575.

113.23 Subd. 4. ~~Accepting contributions or gifts~~ Compensation. (a) The executive board has
113.24 the power and authority to accept, on behalf of the state, contributions and gifts of money
113.25 and personal property for the use and benefit of the residents of the public institutions under
113.26 the executive board's control. All money and securities received must be deposited in the
113.27 state treasury subject to the order of the executive board. Notwithstanding section 15.0575,
113.28 subdivision 3, paragraph (a), the nonvoting members of the executive board must not receive
113.29 daily compensation for executive board activities. Nonvoting members of the executive
113.30 board may receive expenses in the same manner and amount as authorized by the
113.31 commissioner's plan adopted under section 43A.18, subdivision 2. Nonvoting members
113.32 who, as a result of time spent attending board meetings, incur child care expenses that would
113.33 not otherwise have been incurred may be reimbursed for those expenses upon board
113.34 authorization.

114.1 (b) If the gift or contribution is designated by the donor for a certain institution or purpose,
114.2 the executive board shall expend or use the money as nearly in accordance with the conditions
114.3 of the gift or contribution, compatible with the best interests of the individuals under the
114.4 jurisdiction of the executive board and the state. Notwithstanding section 15.0575, subdivision
114.5 3, paragraph (a), the Compensation Council under section 15A.082 must determine the
114.6 compensation for voting members of the executive board per day spent on executive board
114.7 activities authorized by the executive board. Voting members of the executive board may
114.8 also receive the expenses in the same manner and amount as authorized by the commissioner's
114.9 plan adopted under section 43A.18, subdivision 2. Voting members who, as a result of time
114.10 spent attending board meetings, incur child care expenses that would not otherwise have
114.11 been incurred may be reimbursed for those expenses upon board authorization.

114.12 (c) The commissioner of management and budget must publish the daily compensation
114.13 rate for voting members of the executive board determined under paragraph (b) on the
114.14 Department of Management and Budget's website.

114.15 (d) Voting members of the executive board must adopt internal standards prescribing
114.16 what constitutes a day spent on board activities for the purposes of making payments
114.17 authorized under paragraph (b).

102.10 (e) All other requirements under section 15.0575, subdivision 3, apply to the
102.11 compensation of executive board members.

102.12 (f) This subdivision does not apply to the chief executive officer or the commissioner
102.13 of human services or the commissioner's designee.

102.14 Subd. 5. ~~Federal aid or block grants~~ Chair; officers. The executive board may comply
102.15 ~~with all conditions and requirements necessary to receive federal aid or block grants with~~
102.16 ~~respect to the establishment, constructions, maintenance, equipment, or operation of adequate~~
102.17 ~~facilities and services consistent with the mission of the Department of Direct Care and~~
102.18 ~~Treatment.~~ (a) The chief executive officer shall serve as the chair.

102.19 (b) The executive board must elect officers from among the voting membership appointed
102.20 by the governor. The elected officers shall serve for one year.

102.21 Subd. 6. ~~Operation of a communication systems account~~ Terms. (a) The executive
102.22 ~~board may operate a communications systems account established in Laws 1993, First~~
102.23 ~~Special Session chapter 1, article 1, section 2, subdivision 2, to manage shared~~
102.24 ~~communication costs necessary for the operation of the regional treatment centers the~~
102.25 ~~executive board supervises. Except for the commissioner of human services and the chief~~
102.26 ~~executive officer, executive board members must not serve more than two consecutive terms~~
102.27 ~~unless service beyond two consecutive terms is approved by the majority of voting members.~~
102.28 The chief executive officer and the commissioner of human services or designee shall serve
102.29 until replaced by the governor.

102.30 (b) ~~Each account must be used to manage shared communication costs necessary for the~~
102.31 ~~operations of the regional treatment centers the executive board supervises. The executive~~
102.32 ~~board may distribute the costs of operating and maintaining communication systems to~~
102.33 ~~participants in a manner that reflects actual usage. Costs may include acquisition, licensing,~~
103.1 ~~insurance, maintenance, repair, staff time, and other costs as determined by the executive~~
103.2 ~~board. An executive board member may resign at any time by giving written notice to the~~
103.3 ~~executive board.~~

103.4 (c) ~~Nonprofit organizations and state, county, and local government agencies involved~~
103.5 ~~in the operation of regional treatment centers the executive board supervises may participate~~
103.6 ~~in the use of the executive board's communication technology and share in the cost of~~
103.7 ~~operation. The initial term of the member appointed under subdivision 2, paragraph (b),~~
103.8 ~~clause (1), is two years. The initial term of the members appointed under subdivision 2,~~
103.9 ~~paragraph (b), clause (2), is three years. The initial term of the members appointed under~~

114.18 (e) All other requirements under section 15.0575, subdivision 3, apply to the
114.19 compensation of executive board members.

114.20 Subd. 5. ~~Federal aid or block grants~~ Acting chair; officers. The executive board may
114.21 ~~comply with all conditions and requirements necessary to receive federal aid or block grants~~
114.22 ~~with respect to the establishment, constructions, maintenance, equipment, or operation of~~
114.23 ~~adequate facilities and services consistent with the mission of the Department of Direct~~
114.24 ~~Care and Treatment.~~ (a) The governor shall designate one member from the voting
114.25 membership appointed by the governor as acting chair of the executive board.

114.26 (b) At the first meeting of the executive board, the executive board must elect a chair
114.27 from among the voting membership appointed by the governor.

114.28 (c) The executive board must annually elect a chair from among the voting membership
114.29 appointed by the governor.

114.30 (d) The executive board must elect officers from among the voting membership appointed
114.31 by the governor. The elected officers shall serve for one year.

114.32 Subd. 6. ~~Operation of a communication systems account~~ Terms. (a) The executive
114.33 ~~board may operate a communications systems account established in Laws 1993, First~~
115.1 ~~Special Session chapter 1, article 1, section 2, subdivision 2, to manage shared~~
115.2 ~~communication costs necessary for the operation of the regional treatment centers the~~
115.3 ~~executive board supervises. Except for the commissioner of human services, executive~~
115.4 ~~board members must not serve more than two consecutive terms unless service beyond two~~
115.5 ~~consecutive terms is approved by the majority of voting members. The commissioner of~~
115.6 ~~human services or a designee shall serve until replaced by the governor.~~

115.7 (b) ~~Each account must be used to manage shared communication costs necessary for the~~
115.8 ~~operations of the regional treatment centers the executive board supervises. The executive~~
115.9 ~~board may distribute the costs of operating and maintaining communication systems to~~
115.10 ~~participants in a manner that reflects actual usage. Costs may include acquisition, licensing,~~
115.11 ~~insurance, maintenance, repair, staff time, and other costs as determined by the executive~~
115.12 ~~board. An executive board member may resign at any time by giving written notice to the~~
115.13 ~~executive board.~~

115.14 (c) ~~Nonprofit organizations and state, county, and local government agencies involved~~
115.15 ~~in the operation of regional treatment centers the executive board supervises may participate~~
115.16 ~~in the use of the executive board's communication technology and share in the cost of~~
115.17 ~~operation. The initial term of the member appointed under subdivision 2, paragraph (b),~~
115.18 ~~clause (1), is two years. The initial term of the members appointed under subdivision 2,~~
115.19 ~~paragraph (b), clause (2), is three years. The initial term of the members appointed under~~

103.10 subdivision 2, paragraph (b), clause (3), and the members appointed under subdivision 2,
103.11 paragraph (c), is four years.

103.12 ~~(d) The executive board may accept on behalf of the state any gift, bequest, devise,~~
103.13 ~~personal property of any kind, or money tendered to the state for any lawful purpose~~
103.14 ~~pertaining to the communication activities under this section. Any money received for this~~
103.15 ~~purpose must be deposited into the executive board's communication systems account.~~
103.16 ~~Money collected by the executive board for the use of communication systems must be~~
103.17 ~~deposited into the state communication systems account and is appropriated to the executive~~
103.18 ~~board for purposes of this section. After the initial term, the term length of all appointed~~
103.19 ~~executive board members is four years.~~

103.20 Subd. 7. **Conflicts of interest.** Executive board members must recuse themselves from
103.21 discussion of and voting on an official matter if the executive board member has a conflict
103.22 of interest. A conflict of interest means an association, including a financial or personal
103.23 association, that has the potential to bias or have the appearance of biasing an executive
103.24 board member's decision in matters related to Direct Care and Treatment or the conduct of
103.25 activities under this chapter.

103.26 Subd. 8. **Meetings.** The executive board must meet at least four times per fiscal year at
103.27 a place and time determined by the executive board.

103.28 Subd. 9. **Quorum.** A majority of the voting members of the executive board constitutes
103.29 a quorum. The affirmative vote of a majority of the voting members of the executive board
103.30 is necessary and sufficient for action taken by the executive board.

103.31 Subd. 10. **Immunity; indemnification.** (a) Members of the executive board are immune
103.32 from civil liability for any act or omission occurring within the scope of the performance
103.33 of their duties under this chapter.

104.1 (b) When performing executive board duties or actions, members of the executive board
104.2 are employees of the state for purposes of indemnification under section 3.736, subdivision
104.3 9.

104.4 Subd. 11. **Rulemaking.** (a) The executive board is authorized to adopt, amend, and
104.5 repeal rules in accordance with chapter 14 under the executive board's authority to implement
104.6 this chapter or any responsibilities of Direct Care and Treatment specified in state law.

104.7 (b) Until July 1, 2030, the executive board may adopt rules using the expedited
104.8 rulemaking process in section 14.389.

104.9 (c) All orders, rules, delegations, permits, and other privileges issued or granted by the
104.10 Department of Human Services with respect to any function of Direct Care and Treatment
104.11 and in effect at the time of the establishment of Direct Care and Treatment shall continue
104.12 in effect as if such establishment had not occurred. The executive board may amend or

115.20 subdivision 2, paragraph (b), clause (3), and the members appointed under subdivision 2,
115.21 paragraph (c), is four years.

115.22 ~~(d) The executive board may accept on behalf of the state any gift, bequest, devise,~~
115.23 ~~personal property of any kind, or money tendered to the state for any lawful purpose~~
115.24 ~~pertaining to the communication activities under this section. Any money received for this~~
115.25 ~~purpose must be deposited into the executive board's communication systems account.~~
115.26 ~~Money collected by the executive board for the use of communication systems must be~~
115.27 ~~deposited into the state communication systems account and is appropriated to the executive~~
115.28 ~~board for purposes of this section. After the initial term, the term length of all appointed~~
115.29 ~~executive board members is four years.~~

115.30 Subd. 7. **Conflicts of interest.** Executive board members must recuse themselves from
115.31 discussion of and voting on an official matter if the executive board member has a conflict
115.32 of interest. A conflict of interest means an association, including a financial or personal
115.33 association, that has the potential to bias or have the appearance of biasing an executive
115.34 board member's decision in matters related to Direct Care and Treatment or the conduct of
115.35 activities under this chapter.

116.1 Subd. 8. **Meetings.** The executive board must meet at least four times per fiscal year at
116.2 a place and time determined by the executive board.

116.3 Subd. 9. **Quorum.** A majority of the voting members of the executive board constitutes
116.4 a quorum. The affirmative vote of a majority of the voting members of the executive board
116.5 is necessary and sufficient for action taken by the executive board.

116.6 Subd. 10. **Immunity; indemnification.** (a) Members of the executive board are immune
116.7 from civil liability for any act or omission occurring within the scope of the performance
116.8 of their duties under this chapter.

116.9 (b) When performing executive board duties or actions, members of the executive board
116.10 are employees of the state for purposes of indemnification under section 3.736, subdivision
116.11 9.

116.12 Subd. 11. **Rulemaking.** (a) The executive board is authorized to adopt, amend, and
116.13 repeal rules in accordance with chapter 14 to the extent necessary to implement this chapter
116.14 or any responsibilities of Direct Care and Treatment specified in state law.

116.15 (b) Until July 1, 2027, the executive board may adopt rules using the expedited
116.16 rulemaking process in section 14.389.

116.17 (c) In accordance with section 15.039, all orders, rules, delegations, permits, and other
116.18 privileges issued or granted by the Department of Human Services with respect to any
116.19 function of Direct Care and Treatment and in effect at the time of the establishment of Direct
116.20 Care and Treatment shall continue in effect as if such establishment had not occurred. The

104.13 repeal rules applicable to Direct Care and Treatment that were established by the Department
104.14 of Human Services in accordance with chapter 14.

104.15 **EFFECTIVE DATE.** This section is effective July 1, 2024.

104.16 Sec. 36. Laws 2024, chapter 79, article 1, section 24, is amended to read:
104.17 Sec. 24. **246C.10 FORENSIC SERVICES.**

104.18 Subdivision 1. **Maintenance of forensic services.** (a) The executive board shall create
104.19 and maintain forensic services programs.

104.20 (b) The executive board must provide forensic services in coordination with counties
104.21 and other vendors.

104.22 (c) Forensic services must include specialized inpatient programs at secure treatment
104.23 facilities, consultive services, aftercare services, community-based services and programs,
104.24 transition services, nursing home services, or other services consistent with the mission of
104.25 ~~the Department of Direct Care and Treatment.~~

104.26 (d) The executive board ~~shall~~ may adopt rules to carry out the provision of this section
104.27 and to govern the operation of the services and programs under the direct administrative
104.28 authority of the executive board.

104.29 **EFFECTIVE DATE.** This section is effective July 1, 2024.

105.1 Sec. 37. Laws 2024, chapter 79, article 1, section 25, subdivision 3, is amended to read:

105.2 Subd. 3. **Comprehensive system of services.** The establishment of state-operated,
105.3 community-based programs must be within the context of a comprehensive definition of
105.4 the role of state-operated services in the state. The role of state-operated services must be
105.5 defined within the context of a comprehensive system of services for persons with
105.6 developmental disability.

105.7 **EFFECTIVE DATE.** This section is effective July 1, 2024.

105.8 Sec. 38. Laws 2024, chapter 79, article 10, section 1, is amended to read:
105.9 Section 1. **REVISOR INSTRUCTION.**

105.10 The revisor of statutes shall renumber each provision of Minnesota Statutes listed in
105.11 column A as amended in this act to the number listed in column B.

105.12	Column A	Column B
105.13	245.036	246C.16, subdivision 1
105.14	245.037	246C.16, subdivision 2

116.21 executive board may amend or repeal rules applicable to Direct Care and Treatment that
116.22 were established by the Department of Human Services in accordance with chapter 14.

116.23 (d) The executive board must not adopt rules that go into effect or enforce rules prior
116.24 to July 1, 2025.

116.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

116.26 Sec. 35. Laws 2024, chapter 79, article 1, section 24, is amended to read:
116.27 Sec. 24. **246C.10 FORENSIC SERVICES.**

116.28 Subdivision 1. **Maintenance of forensic services.** (a) The executive board shall create
116.29 and maintain forensic services programs.

116.30 (b) The executive board must provide forensic services in coordination with counties
116.31 and other vendors.

117.1 (c) Forensic services must include specialized inpatient programs at secure treatment
117.2 facilities, consultive services, aftercare services, community-based services and programs,
117.3 transition services, nursing home services, or other services consistent with the mission of
117.4 ~~the Department of Direct Care and Treatment.~~

117.5 (d) The executive board ~~shall~~ may adopt rules to carry out the provision of this section
117.6 and to govern the operation of the services and programs under the direct administrative
117.7 authority of the executive board.

117.8 **EFFECTIVE DATE.** This section is effective July 1, 2024.

117.9 Sec. 36. Laws 2024, chapter 79, article 1, section 25, subdivision 3, is amended to read:

117.10 Subd. 3. **Comprehensive system of services.** The establishment of state-operated,
117.11 community-based programs must be within the context of a comprehensive definition of
117.12 the role of state-operated services in the state. The role of state-operated services must be
117.13 defined within the context of a comprehensive system of services for persons with
117.14 developmental disability.

117.15 **EFFECTIVE DATE.** This section is effective July 1, 2024.

117.16 Sec. 37. Laws 2024, chapter 79, article 10, section 1, is amended to read:
117.17 Section 1. **REVISOR INSTRUCTION.**

117.18 The revisor of statutes shall renumber each provision of Minnesota Statutes listed in
117.19 column A as amended in this act to the number listed in column B.

117.20	Column A	Column B
117.21	245.036	246C.16, subdivision 1
117.22	245.037	246C.16, subdivision 2

105.15	245.041	246C.15	117.23	245.041	246C.15
105.16	245.474, subdivision 1	246C.12, subdivision 1	117.24	245.474, subdivision 1	246C.12, subdivision 1
105.17	245.474, subdivision 2	246C.12, subdivision 2	117.25	245.474, subdivision 2	246C.12, subdivision 2
105.18	245.474, subdivision 3	246C.12, subdivision 3	117.26	245.474, subdivision 3	246C.12, subdivision 3
105.19	245.474, subdivision 4	246C.12, subdivision 4	117.27	245.474, subdivision 4	246C.12, subdivision 4
105.20	246.0135, paragraph (a)	246C.18, subdivision 2, paragraph (a)	117.28	246.0135, paragraph (a)	246C.18, subdivision 2, paragraph (a)
105.21	246.0135, paragraph (b)	246C.18, subdivision 2, paragraph (b)	117.29	246.0135, paragraph (b)	246C.18, subdivision 2, paragraph (b)
105.22	246.0135, paragraph (c)	246C.18, subdivision 2, paragraph (c)	117.30	246.0135, paragraph (c)	246C.18, subdivision 2, paragraph (c)
105.23	246.0135, paragraph (d)	246C.18, subdivision 3	117.31	246.0135, paragraph (d)	246C.18, subdivision 3
105.24	246.018, subdivision 1	246C.09, subdivision 1	117.32	246.018, subdivision 1	246C.09, subdivision 1
105.25	246.018, subdivision 2	246C.09, subdivision 2	118.1	246.018, subdivision 2	246C.09, subdivision 2
105.26	246.018, subdivision 3	246C.09, subdivision 3	118.2	246.018, subdivision 3	246C.09, subdivision 3
105.27	246.018, subdivision 4	246C.09, subdivision 4	118.3	246.018, subdivision 4	246C.09, subdivision 4
105.28		246C.06, subdivision 7 <u>246C.07,</u>	118.4		246C.06, subdivision 7 <u>246C.07,</u>
105.29	246.12	<u>subdivision 7</u>	118.5	246.12	<u>subdivision 7</u>
105.30	246.128	246C.18, subdivision 1	118.6	246.128	246C.18, subdivision 1
105.31	246.129	246C.18, subdivision 4	118.7	246.129	246C.18, subdivision 4
105.32	246.14	246C.16, subdivision 3	118.8	246.14	246C.16, subdivision 3
105.33	246.23, subdivision 2	246.555, subdivision 1	118.9	246.23, subdivision 2	246.555, subdivision 1
105.34	246.23, subdivision 3	246.555, subdivision 2	118.10	246.23, subdivision 3	246.555, subdivision 2
106.1	246.23, subdivision 4	246.555, subdivision 3	118.11	246.23, subdivision 4	246.555, subdivision 3
106.2	246.23, subdivision 5	246.555, subdivision 4	118.12	246.23, subdivision 5	246.555, subdivision 4
106.3	246.23, subdivision 6	246.555, subdivision 5	118.13	246.23, subdivision 6	246.555, subdivision 5
106.4		246C.06, subdivision 8 <u>246C.07,</u>	118.14		246C.06, subdivision 8 <u>246C.07,</u>
106.5	246.234	<u>subdivision 5</u>	118.15	246.234	<u>subdivision 5</u>

106.6	246.24	246C.16, subdivision 4	118.16	246.24	246C.16, subdivision 4
106.7	246.27	246C.19	118.17	246.27	246C.19
106.8		246C.06, subdivision 9 246C.07,	118.18		246C.06, subdivision 9 246C.07,
106.9	246.36	<u>subdivision 6</u>	118.19	246.36	<u>subdivision 6</u>
106.10	246.41, subdivision 1	246C.06, subdivision 10, paragraph	118.20	246.41, subdivision 1	246C.06, subdivision 10, paragraph
106.11		(a)	118.21		(a)
106.12	246.41, subdivision 2	246C.06, subdivision 10, paragraph	118.22	246.41, subdivision 2	246C.06, subdivision 10, paragraph
106.13		(b)	118.23		(b)
106.14	246.41, subdivision 3	246C.06, subdivision 10, paragraph	118.24	246.41, subdivision 3	246C.06, subdivision 10, paragraph
106.15		(c)	118.25		(c)
106.16	246.70	246C.18, subdivision 5	118.26	246.70	246C.18, subdivision 5
106.17	246B.02	246C.13	118.27	246B.02	246C.13
106.18	251.012, subdivision 1	246.575, subdivision 1	118.28	251.012, subdivision 1	246.575, subdivision 1
106.19	251.012, subdivision 2	246.575, subdivision 2	118.29	251.012, subdivision 2	246.575, subdivision 2
106.20	251.012, subdivision 3	246.575, subdivision 3	118.30	251.012, subdivision 3	246.575, subdivision 3
106.21	251.012, subdivision 4	246.575, subdivision 4	118.31	251.012, subdivision 4	246.575, subdivision 4
106.22	251.041	176.87	118.32	251.041	176.87
106.23	251.042	176.871	118.33	251.042	176.871
106.24	251.043, subdivision 1	176.872, subdivision 1	118.34	251.043, subdivision 1	176.872, subdivision 1
106.25	251.043, subdivision 1a	176.872, subdivision 2	118.35	251.043, subdivision 1a	176.872, subdivision 2
106.26	251.043, subdivision 1b	176.872, subdivision 3	118.36	251.043, subdivision 1b	176.872, subdivision 3
106.27	251.043, subdivision 2	176.872, subdivision 4	118.37	251.043, subdivision 2	176.872, subdivision 4
106.28	251.043, subdivision 3	176.872, subdivision 5	118.38	251.043, subdivision 3	176.872, subdivision 5
106.29	251.044	176.873	118.39	251.044	176.873
106.30	251.051	176.874	118.40	251.051	176.874
106.31	251.052	176.875	119.1	251.052	176.875

106.32	251.053	176.876	119.2	251.053	176.876
106.33	251.15, subdivision 1	176.872, subdivision 6, paragraph (a)	119.3	251.15, subdivision 1	176.872, subdivision 6, paragraph (a)
106.34	251.15, subdivision 2	176.872, subdivision 6, paragraph (b)	119.4	251.15, subdivision 2	176.872, subdivision 6, paragraph (b)
106.35	251.17	246C.14	119.5	251.17	246C.14
106.36	252.50, subdivision 2	246C.16, subdivision 5	119.6	252.50, subdivision 2	246C.16, subdivision 5
106.37	252.50, subdivision 4	246C.10, subdivision 2	119.7	252.50, subdivision 4	246C.10, subdivision 2
106.38	252.50, subdivision 6	246.65	119.8	252.50, subdivision 6	246.65
106.39	252.50, subdivision 7	246.585	119.9	252.50, subdivision 7	246.585
106.40	252.50, subdivision 8	246.588	119.10	252.50, subdivision 8	246.588
107.1	252.50, subdivision 10	246.611	119.11	252.50, subdivision 10	246.611
107.2	253.015, subdivision 1	253B.10, subdivision 6	119.12	253.015, subdivision 1	253B.10, subdivision 6
107.3	253.016	246.554	119.13	253.016	246.554
107.4	253.017, subdivision 1	246.591	119.14	253.017, subdivision 1	246.591
107.5	253.017, subdivision 2	246C.10, subdivision 3	119.15	253.017, subdivision 2	246C.10, subdivision 3
107.6	253.017, subdivision 3	246C.10, subdivision 4	119.16	253.017, subdivision 3	246C.10, subdivision 4
107.7	253.13	253.245	119.17	253.13	253.245
107.8	253C.01, subdivision 1	245A.27, subdivision 1	119.18	253C.01, subdivision 1	245A.27, subdivision 1
107.9	253C.01, subdivision 2	245A.27, subdivision 2	119.19	253C.01, subdivision 2	245A.27, subdivision 2
107.10	253C.01, subdivision 3	245A.27, subdivision 3	119.20	253C.01, subdivision 3	245A.27, subdivision 3
107.11	256.0121, subdivision 1	246.595, subdivision 1	119.21	256.0121, subdivision 1	246.595, subdivision 1
107.12	256.0121, subdivision 2	246.595, subdivision 2	119.22	256.0121, subdivision 2	246.595, subdivision 2
107.13	256.0121, subdivision 3	246.595, subdivision 3	119.23	256.0121, subdivision 3	246.595, subdivision 3

107.14 Sec. 39. Laws 2024, chapter 79, article 10, section 6, is amended to read:

107.15 Sec. 6. **EFFECTIVE DATE.**

107.16 ~~(a) Article 1, section 23, is effective July 1, 2024.~~ This act is effective July 1, 2024.

107.17 ~~(b) Article 1, sections 1 to 22 and 24 to 31, and articles 2 to 10 are effective January 1,~~
107.18 ~~2025.~~

107.19 Sec. 40. **INITIAL APPOINTMENTS AND COMPENSATION OF THE DIRECT**
107.20 **CARE AND TREATMENT EXECUTIVE BOARD AND CHIEF EXECUTIVE**
107.21 **OFFICER.**

107.22 Subdivision 1. **Executive board.** (a) The initial appointments of the members of the
107.23 Direct Care and Treatment executive board under Minnesota Statutes, section 246C.06,
107.24 must be made by January 1, 2025.

107.25 (b) Prior to the first Compensation Council determination of the daily compensation rate
107.26 for voting members of the executive board under Minnesota Statutes, section 246C.06,
107.27 subdivision 4, paragraph (b), voting members of the executive board must be paid the per
107.28 diem rate provided for in Minnesota Statutes, section 15.0575, subdivision 3, paragraph (a).

107.29 (c) The executive board is exempt from Minnesota Statutes, section 13D.01, until the
107.30 authority and responsibilities for Direct Care and Treatment are transferred to the executive
107.31 board in accordance with Minnesota Statutes, section 246C.04.

108.1 Subd. 2. **Chief executive officer.** (a) No later than October 1, 2024, the governor shall
108.2 appoint a chief executive officer designee of Direct Care and Treatment. The individual
108.3 appointed as the chief executive officer designee of Direct Care and Treatment shall become
108.4 the governor's appointee as chief executive officer of Direct Care and Treatment on January
108.5 1, 2025, and shall serve as the chair of the executive board effective January 1, 2025.

108.6 (b) Prior to the first Compensation Council determination under Minnesota Statutes,
108.7 section 15A.082, of the salary of the chief executive officer, the salary of the chief executive
108.8 officer must equal the amount paid to the chief executive officer of the direct care and
108.9 treatment division of the Department of Human Services as of June 30, 2025.

108.10 (c) Between October 1, 2024, and June 30, 2025, the chief executive officer designee
108.11 shall receive the same per diem that voting members of the executive board receive under
108.12 subdivision 1, paragraph (b), except on any day the designee is an employee of the state,
108.13 the designee must not receive a per diem.

108.14 Subd. 3. **Commissioner of human services to consult.** In preparing the budget estimates
108.15 required under Minnesota Statutes, section 16A.10, for the direct care and treatment division
108.16 for the 2026-2027 biennial budget and any legislative proposals for the 2025 legislative
108.17 session that involve direct care and treatment operations, the commissioner of human services
108.18 must consult with the chief executive officer designee and the Direct Care and Treatment

119.24 Sec. 38. Laws 2024, chapter 79, article 10, section 6, is amended to read:

119.25 Sec. 6. **EFFECTIVE DATE.**

119.26 ~~(a) Article 1, section 23, is effective July 1, 2024.~~ This act is effective July 1, 2024.

119.27 ~~(b) Article 1, sections 1 to 22 and 24 to 31, and articles 2 to 10 are effective January 1,~~
119.28 ~~2025.~~

119.29 Sec. 39. **INITIAL APPOINTMENTS AND COMPENSATION OF THE DIRECT**
119.30 **CARE AND TREATMENT EXECUTIVE BOARD AND CHIEF EXECUTIVE**
119.31 **OFFICER.**

119.32 Subdivision 1. **Executive board.** (a) The initial appointments of the members of the
119.33 Direct Care and Treatment executive board under Minnesota Statutes, section 246C.06,
119.34 must be made by January 1, 2025.

120.1 (b) Prior to the first Compensation Council determination of the daily compensation rate
120.2 for voting members of the executive board under Minnesota Statutes, section 246C.06,
120.3 subdivision 4, paragraph (b), voting members of the executive board must be paid the per
120.4 diem rate provided for in Minnesota Statutes, section 15.0575, subdivision 3, paragraph (a).

120.5 (c) The executive board is exempt from Minnesota Statutes, section 13D.01, until the
120.6 authority and responsibilities for Direct Care and Treatment are transferred to the executive
120.7 board in accordance with Minnesota Statutes, section 246C.04.

120.8 Subd. 2. **Chief executive officer.** (a) The Direct Care and Treatment executive board
120.9 must appoint as the initial chief executive officer for Direct Care and Treatment under
120.10 Minnesota Statutes, section 246C.07, the chief executive officer of the direct care and
120.11 treatment division of the Department of Human Services holding that position at the time
120.12 the initial appointment is made by the board. The initial appointment of the chief executive
120.13 officer must be made by the executive board by July 1, 2025. The initial appointment of
120.14 the chief executive officer is subject to confirmation by the senate.

120.15 (b) Notwithstanding Minnesota Statutes, section 246C.08, the salary of the initial chief
120.16 executive officer must not be less than the amount paid to the chief executive officer of the
120.17 direct care and treatment division of the Department of Human Services as of the date of
120.18 the initial appointment.

120.19 Subd. 3. **Commissioner of human services to consult.** In preparing the budget estimates
120.20 required under Minnesota Statutes, section 16A.10, for the direct care and treatment division
120.21 for the 2026-2027 biennial budget and any legislative proposals for the 2025 legislative
120.22 session that involve direct care and treatment operations, the commissioner of human services
120.23 must consult with the Direct Care and Treatment executive board before submitting the

108.19 executive board before submitting the budget estimates or legislative proposals. If the
108.20 executive board is not appointed by the date the budget estimates must be submitted to the
108.21 commissioner of management and budget, the commissioner of human services must provide
108.22 the executive board with a summary of the budget estimates that were submitted.

108.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

108.24 Sec. 41. **REVISOR INSTRUCTION.**

108.25 The revisor of statutes shall change the term "Department of Human Services" to "Direct
108.26 Care and Treatment" wherever the term appears in respect to the governmental entity with
108.27 programmatic direction and fiscal control over state-operated services, programs, or facilities
108.28 under Minnesota Statutes, chapter 246C. The revisor may make technical and other necessary
108.29 changes to sentence structure to preserve the meaning of the text.

108.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

109.1 Sec. 42. **REVISOR INSTRUCTION.**

109.2 The revisor of statutes shall change the term "Department of Direct Care and Treatment"
109.3 to "Direct Care and Treatment" wherever the term appears in respect to the governmental
109.4 entity with programmatic direction and fiscal control over state-operated services, programs,
109.5 or facilities under Minnesota Statutes, chapter 246C. The revisor may make technical and
109.6 other necessary changes to sentence structure to preserve the meaning of the text.

109.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

109.8 Sec. 43. **REVISOR INSTRUCTION.**

109.9 The revisor of statutes, in consultation with the House Research Department; the Office
109.10 of Senate Counsel, Research, and Fiscal Analysis; the Department of Human Services; and
109.11 Direct Care and Treatment, shall make necessary cross-reference changes to conform with
109.12 this act. The revisor may make technical and other necessary changes to sentence structure
109.13 to preserve the meaning of the text. The revisor may alter the coding in this act to incorporate
109.14 statutory changes made by other law in the 2024 regular legislative session.

109.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

109.16 Sec. 44. **REPEALER.**

109.17 (a) Minnesota Statutes 2022, section 246.41, is repealed.

109.18 (b) Minnesota Statutes 2023 Supplement, section 246C.03, is repealed.

109.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.

120.24 budget estimates or legislative proposals. If the executive board is not appointed by the date
120.25 the budget estimates must be submitted to the commissioner of management and budget,
120.26 the commissioner of human services must provide the executive board with a summary of
120.27 the budget estimates that were submitted.

120.28 **EFFECTIVE DATE.** This section is effective July 1, 2024.

120.29 Sec. 40. **REVISOR INSTRUCTION.**

120.30 The revisor of statutes shall change the term "Department of Human Services" to "Direct
120.31 Care and Treatment" wherever the term appears in respect to the governmental entity with
120.32 programmatic direction and fiscal control over state-operated services, programs, or facilities
121.1 under Minnesota Statutes, chapter 246C. The revisor may make technical and other necessary
121.2 changes to sentence structure to preserve the meaning of the text.

121.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

121.4 Sec. 41. **REVISOR INSTRUCTION.**

121.5 The revisor of statutes shall change the term "Department of Direct Care and Treatment"
121.6 to "Direct Care and Treatment" wherever the term appears in respect to the governmental
121.7 entity with programmatic direction and fiscal control over state-operated services, programs,
121.8 or facilities under Minnesota Statutes, chapter 246C. The revisor may make technical and
121.9 other necessary changes to sentence structure to preserve the meaning of the text.

121.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

121.11 Sec. 42. **REVISOR INSTRUCTION.**

121.12 The revisor of statutes, in consultation with the House Research Department; the Office
121.13 of Senate Counsel, Research, and Fiscal Analysis; the Department of Human Services; and
121.14 Direct Care and Treatment, shall make necessary cross-reference changes to conform with
121.15 this act. The revisor may make technical and other necessary changes to sentence structure
121.16 to preserve the meaning of the text. The revisor may alter the coding in this act to incorporate
121.17 statutory changes made by other law in the 2024 regular legislative session.

121.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

121.19 Sec. 43. **REPEALER.**

121.20 (a) Minnesota Statutes 2022, section 246.41, is repealed.

121.21 (b) Minnesota Statutes 2023 Supplement, section 246C.03, is repealed.

121.22 **EFFECTIVE DATE.** This section is effective July 1, 2024.