

Laws of Minnesota 2021, Chapter 7, article 2, section 74 2021 First Special Session

Sec. 74. LEGISLATIVE TASK FORCE; HUMAN SERVICES BACKGROUND STUDY ELIGIBILITY.

Subdivision 1. Creation; duties.

A legislative task force is created to review the statutes relating to human services background study eligibility and disqualifications, including but not limited to Minnesota Statutes, sections 245C.14 and 245C.15, in order to:

- (1) evaluate the existing statutes' effectiveness in protecting the individuals served by programs for which background studies are conducted under Minnesota Statutes, chapter 245C, including by gathering and reviewing available background study disqualification data;
- (2) identify the existing statutes' weaknesses and inefficiencies, ways in which the existing statutes may unnecessarily or unintentionally prevent qualified individuals from providing services or securing employment, and any additional areas for improvement or modernization; and
- (3) develop legislative proposals that improve or modernize the human services background study eligibility and disqualification statutes, or otherwise address the issues identified in clauses (1) and (2).

Subd. 2. Membership.

(a) The task force shall consist of 26 members, appointed as follows:

- (1) two members representing licensing boards whose licensed providers are subject to the provisions in Minnesota Statutes, section 245C.03, one appointed by the speaker of the house of representatives, and one appointed by the senate majority leader;
- (2) the commissioner of human services or a designee;
- (3) the commissioner of health or a designee;
- (4) two members representing county attorneys and law enforcement, one appointed by the speaker of the house of representatives, and one appointed by the senate majority leader;
- (5) two members representing licensed service providers who are subject to the provisions in Minnesota Statutes, section 245C.15, one appointed by the speaker of the house of representatives, and one appointed by the senate majority leader;
- (6) four members of the public, including two who have been subject to disqualification based on the provisions of Minnesota Statutes, section 245C.15, and two who have been subject to a set-aside based on the provisions of Minnesota Statutes, section 245C.15, with one from each category appointed by the speaker of the house of representatives, and one from each category appointed by the senate majority leader;

- (7) one member appointed by the governor's Workforce Development Board;
- (8) one member appointed by the One Minnesota Council on Diversity, Inclusion, and Equity;
- (9) two members representing the Minnesota courts, one appointed by the speaker of the house of representatives, and one appointed by the senate majority leader;
- (10) one member appointed jointly by Mid-Minnesota Legal Aid, Southern Minnesota Legal Services, and the Legal Rights Center;
- (11) one member representing Tribal organizations, appointed by the Minnesota Indian Affairs Council;
- (12) two members from the house of representatives, including one appointed by the speaker of the house of representatives and one appointed by the minority leader in the house of representatives;
- (13) two members from the senate, including one appointed by the senate majority leader and one appointed by the senate minority leader;
- (14) two members representing county human services agencies appointed by the Minnesota Association of County Social Service Administrators, including one appointed to represent the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, and one appointed to represent the area outside of the metropolitan area; and
- (15) two attorneys who have represented individuals that appealed a background study disqualification determination based on Minnesota Statutes, sections 245C.14 and 245C.15, one appointed by the speaker of the house of representatives, and one appointed by the senate majority leader.

(b) Appointments to the task force must be made by August 18, 2021.

Subd. 3. Compensation.

Public members of the task force may be compensated as provided by Minnesota Statutes, section 15.059, subdivision 3.

Subd. 4. Officers; meetings.

(a) The first meeting of the task force shall be cochaired by the task force member from the majority party of the house of representatives and the task force member from the majority party of the senate. The task force shall elect a chair and vice chair at the first meeting who shall preside at the remainder of the task force meetings. The task force may elect other officers as necessary.

(b) The task force shall meet at least monthly. The Legislative Coordinating Commission shall convene the first meeting by September 1, 2021.

(c) Meetings of the task force are subject to the Minnesota Open Meeting Law under Minnesota Statutes, chapter 13D.

Subd. 5. Reports required.

The task force shall submit an interim written report by March 1, 2022, and a final report by December 16, 2022, to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over human services licensing. The reports shall explain the task force's findings and recommendations relating to each of the duties under subdivision 1, and include any draft legislation necessary to implement the recommendations.

Subd. 6. Expiration.

The task force expires upon submission of the final report in subdivision 5 or December 20, 2022, whichever is later.

EFFECTIVE DATE. This section is effective the day following final enactment and expires December 31, 2022.