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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2072

03/09/2021

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The bill was read for the first time and referred to the Committee on Human Services Finance and Policy

1.1 A bill for an act
1.2 relating to human services; extending human services temporary emergency
1.3 background study provisions.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **HUMAN SERVICES EMERGENCY COVID-19 BACKGROUND**
1.6 **STUDIES.**

1.7 Subdivision 1. Emergency COVID-19 background studies. (a) The commissioner of
1.8 human services shall continue to permit emergency COVID-19 background studies for
1.9 individuals required to be studied under Minnesota Statutes, chapter 245C, until the peacetime
1.10 emergency declared by the governor in response to the COVID-19 outbreak expires, is
1.11 terminated, or is rescinded by the proper authority. A full fingerprint-based background
1.12 study must be completed within one year after the peacetime emergency expires, is
1.13 terminated, or is rescinded by the proper authority, for every individual who received an
1.14 emergency COVID-19 background study under this section or under the background study
1.15 requirement waiver issued by the Department of Human Services retroactively from April
1.16 6, 2020.

1.17 (b) Fingerprints and photographs required for background studies under Minnesota
1.18 Statutes, chapter 245C, are not required for emergency COVID-19 background studies
1.19 under this section.

1.20 (c) Emergency COVID-19 background studies under this section shall use an individual's
1.21 name and date of birth to check Minnesota maltreatment and criminal history registries and
1.22 databases. Requirements under Minnesota Statutes, chapter 245C, for checks from
1.23 out-of-state registries and databases are waived for these studies.

2.1 (d) The fee for an emergency COVID-19 background study under this section is \$20.

2.2 Subd. 2. **Direct contact supervision.** The commissioner shall waive direct contact
2.3 supervision requirements under Minnesota Statutes, section 245C.13, subdivision 2, on a
2.4 case-by-case basis, to allow an individual to provide direct contact services to persons served
2.5 by a program without continuous, direct supervision while an emergency COVID-19
2.6 background study is being completed. This subdivision does not apply to transportation
2.7 providers and personal care assistants.

2.8 Subd. 3. **Exceptions.** (a) Child abuse and neglect registry checks shall be conducted in
2.9 other states for background study applicants for foster care, adoption, legal guardianship,
2.10 and children's residential facilities, if the subject is not currently residing in Minnesota or
2.11 resided in a jurisdiction other than Minnesota during the previous five years. Fees for these
2.12 background studies shall remain at the amounts in effect on April 1, 2020.

2.13 (b) This section does not apply to background studies for county and private agency
2.14 adoptions or transfers of permanent legal and physical custody. The requirements under
2.15 Minnesota Statutes, chapter 245C, apply to these background studies.

2.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.