

## CHAPTER 256F

## MINNESOTA FAMILY PRESERVATION ACT

256F.10 Child welfare targeted case management.

256F.14 Family group decision-making.

**256F.10 CHILD WELFARE TARGETED CASE MANAGEMENT.**

Subdivision 1. **Eligibility.** Persons under 21 years of age who are eligible to receive medical assistance are eligible for child welfare targeted case management services under section 256B.094 and this section if they have received an assessment and have been determined by the local county or tribal social services agency to be:

(1) at risk of placement or in placement as described in section 260C.212, subdivision 1;

(2) at risk of maltreatment or experiencing maltreatment as defined in section 626.556, subdivision 10e; or

(3) in need of protection or services as defined in section 260C.007, subdivision 6.

*[For text of subs 2 to 10, see M.S.2000]*

**History:** 2001 c 178 art 1 s 44

**256F.14 FAMILY GROUP DECISION-MAKING.**

Subdivision 1. **Definitions.** (a) For purposes of this section, family includes relatives of the child. "Relative" means an adult who is a stepparent, grandparent, brother, sister, uncle, aunt, or other extended family member of the minor by blood, marriage, or adoption. Relative also includes anyone with whom the child has resided or had a significant relationship.

For an Indian child, "relative" includes members of the extended family as defined by the law or custom of the Indian child's tribe or, in the absence of law or custom, nieces, nephews, or first or second cousins, as provided in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1903.

(b) For purposes of this section, "relative care" means one or more of the following: respite care, a monitoring agreement, a designated caregiver agreement under chapter 257A, access to information about a child, the right to make decisions about a child's residence, education, religious training, or health care, a custody consent decree under section 257.0215, or joint or sole legal or physical custody of a child. Relative care may also mean the voluntary establishment of an order permanently placing the child away from the care of the parent under section 260C.201, subdivision 11.

(c) For purposes of this section, "relative care agreement" means an agreement regarding the care of a child that has been reached by the parents and interested relatives of the child after the parents and interested relatives have participated in a family group decision-making meeting under this section. It may include relative care, the provision of services by the responsible social services agency, or any other legally available plan that protects the safety and stability of the child.

Subd. 2. **Family group decision-making meeting.** A responsible social services agency may proceed under this section if it appears at any point in a particular case that a family group decision-making meeting may be in the best interests of the child. The responsible social services agency may select a facilitator to convene and facilitate such a meeting.

The purpose of the family group decision-making meeting is to have the parent or parents and relatives of a child develop a plan to provide for the safety and stability of the child. The outcome of a family group decision-making meeting may be a relative care agreement or any other agreement between the parents, the relatives, and, where appropriate, the child and the responsible social services agency that addresses the

safety and permanency needs of the child including an agreement to voluntarily establish an order permanently placing the child out of the care of the parent under section 260C.201, subdivision 11.

Subd. 3. **Facilitator training; immunity.** A facilitator must receive 12 hours of training in family group decision-making or similar training prior to facilitating a family group decision-making meeting. A facilitator who complies with the training requirement of this subdivision and acts in good faith has immunity from criminal or civil liability that might otherwise arise from the actions of the facilitator in convening or facilitating a family group decision-making meeting.

**History:** 2001 c 178 art 1 s 3