

**SENATE**  
**STATE OF MINNESOTA**  
**NINETIETH SESSION**

**S.F. No. 3173**

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DATE  
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OFFICIAL STATUS  
Introduction and first reading  
Referred to Human Services Reform Finance and Policy

1.1 A bill for an act  
1.2 relating to human services; changing child protection grant allocation to counties;  
1.3 amending Minnesota Statutes 2016, section 256M.41, subdivision 3, by adding a  
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 256M.41, subdivision 3, is amended to read:

1.7 Subd. 3. **Payments based on performance.** (a) The commissioner shall make payments  
1.8 under this section to each county ~~board on a calendar year basis in an amount determined~~  
1.9 ~~under paragraph (b)~~ on or before July 10 of each year.

1.10 ~~(b) Calendar year allocations under subdivision 1 shall be paid to counties in the following~~  
1.11 ~~manner:~~

1.12 ~~(1) 80 percent of the allocation as determined in subdivision 1 must be paid to counties~~  
1.13 ~~on or before July 10 of each year;~~

1.14 ~~(2) ten percent of the allocation shall be withheld until the commissioner determines if~~  
1.15 ~~the county has met the performance outcome threshold of 90 percent based on face-to-face~~  
1.16 ~~contact with alleged child victims. In order to receive the performance allocation, the county~~  
1.17 ~~child protection workers must have a timely face-to-face contact with at least 90 percent of~~  
1.18 ~~all alleged child victims of screened-in maltreatment reports. The standard requires that~~  
1.19 ~~each initial face-to-face contact occur consistent with timelines defined in section 626.556,~~  
1.20 ~~subdivision 10, paragraph (i). The commissioner shall make threshold determinations in~~  
1.21 ~~January of each year and payments to counties meeting the performance outcome threshold~~  
1.22 ~~shall occur in February of each year. Any withheld funds from this appropriation for counties~~

2.1 that do not meet this requirement shall be reallocated by the commissioner to those counties  
2.2 meeting the requirement; and

2.3 ~~(3) ten percent of the allocation shall be withheld until the commissioner determines~~  
2.4 ~~that the county has met the performance outcome threshold of 90 percent based on~~  
2.5 ~~face-to-face visits by the case manager. In order to receive the performance allocation, the~~  
2.6 ~~total number of visits made by caseworkers on a monthly basis to children in foster care~~  
2.7 ~~and children receiving child protection services while residing in their home must be at least~~  
2.8 ~~90 percent of the total number of such visits that would occur if every child were visited~~  
2.9 ~~once per month. The commissioner shall make such determinations in January of each year~~  
2.10 ~~and payments to counties meeting the performance outcome threshold shall occur in February~~  
2.11 ~~of each year. Any withheld funds from this appropriation for counties that do not meet this~~  
2.12 ~~requirement shall be reallocated by the commissioner to those counties meeting the~~  
2.13 ~~requirement. For 2015, the commissioner shall only apply the standard for monthly foster~~  
2.14 ~~care visits.~~

2.15 ~~(e) The commissioner shall work with stakeholders and the Human Services Performance~~  
2.16 ~~Council under section 402A.16 to develop recommendations for specific outcome measures~~  
2.17 ~~that counties should meet in order to receive funds withheld under paragraph (b), and include~~  
2.18 ~~in those recommendations a determination as to whether the performance measures under~~  
2.19 ~~paragraph (b) should be modified or phased out. The commissioner shall report the~~  
2.20 ~~recommendations to the legislative committees having jurisdiction over child protection~~  
2.21 ~~issues by January 1, 2018.~~

2.22 Sec. 2. Minnesota Statutes 2016, section 256M.41, is amended by adding a subdivision  
2.23 to read:

2.24 Subd. 4. **County performance on child protection measures.** The commissioner shall  
2.25 set child protection measures and standards. The commissioner shall require an  
2.26 underperforming county to demonstrate that the county designated sufficient funds and  
2.27 implemented a reasonable strategy to improve child protection performance, including the  
2.28 provision of a performance improvement plan and additional remedies identified by the  
2.29 commissioner. The commissioner may redirect up to 20 percent of a county's funds under  
2.30 this section toward the performance improvement plan for a county not meeting child  
2.31 protection standards and not demonstrating significant improvement. Sanctions under section  
2.32 256M.20, subdivision 3, related to noncompliance with federal performance standards also  
2.33 apply.