

Subd. 3. **Retaliation prohibited.** (a) An employer of any person required to make a report under this section shall not retaliate against the person for reporting in good faith, or against a child with respect to whom a report is made, because of the report.

(b) The employer of any person required to report under this section who retaliates against the person because of a report under this section is liable to that person for actual damages and, in addition, a penalty of up to \$10,000.

(c) There shall be a rebuttable presumption that any adverse action taken within 90 days of a report is retaliatory.

Subd. 4. **Immunity.** (a) The following persons are immune from civil or criminal liability if the person is acting in good faith:

(1) an employee or supervisor who reports pursuant to this section or, following the submission of a report, cooperates with an assessment or investigation under this chapter; and

(2) a municipality or private entity providing a private or public youth recreation program that provides training on making a report under this section, assists in making a report under this section, or following the submission of a report, cooperates with an investigation or assessment under this chapter.

(b) This subdivision does not provide immunity to any person for failure to make a required report or for committing abuse.

Subd. 5. **Penalties for failure to report; false reports.** (a) A person who is required to report under this section but fails to report is guilty of a petty misdemeanor.

(b) Section 260E.08, paragraph (d), applies to reports made under this section.

Subd. 6. **Construction with other law.** As used in this section, "reports" does not include mandated or voluntary reports under section 260E.06 and nothing in this section shall govern reports made pursuant to section 260E.06.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 2. **[260E.065] TRAINING FOR REPORTERS.**

The local welfare agency must offer training to a person required to make a report under section 260E.055 or 260E.06. The training may be offered online or in person and must provide an explanation of the legal obligations of a reporter, consequences for failure to report, and instruction on how to detect and report suspected maltreatment or suspected abuse, as defined under section 260E.055, subdivision 1, paragraph (b). A local welfare agency may fulfill the requirement under this section by directing reporters to trainings offered by the commissioner.

Sec. 3. **LEGISLATIVE TASK FORCE; CHILD PROTECTION.**

(a) A legislative task force is created to:

(1) review the efforts being made to implement the recommendations of the Governor's Task Force on the Protection of Children;

(2) expand the efforts into related areas of the child welfare system;

(3) work with the commissioner of human services and community partners to establish and evaluate child protection grants to address disparities in child welfare pursuant to Minnesota Statutes, section 256E.28;

(4) review and recommend alternatives to law enforcement responding to a maltreatment report by removing the child and evaluate situations in which it may be appropriate for a social worker or other child protection worker to remove the child from the home;

(5) evaluate current statutes governing mandatory reporters, consider the modification of mandatory reporting requirements for private or public youth recreation programs, and, if necessary, introduce legislation by February 15, 2022, to implement appropriate modifications;

(6) evaluate and consider the intersection of educational neglect and the child protection system; and

(7) identify additional areas within the child welfare system that need to be addressed by the legislature.

(b) Members of the legislative task force shall include:

(1) six members from the house of representatives appointed by the speaker of the house, including three from the majority party and three from the minority party; and

(2) six members from the senate, including three members appointed by the senate majority leader and three members appointed by the senate minority leader.

(c) Members of the task force shall serve a term that expires on December 31 of the even-numbered year following the year they are appointed. The speaker of the house and the majority leader of the senate shall each appoint a chair and vice-chair from the membership of the task force. The chair shall rotate after each meeting. The task force must meet at least quarterly.

(d) Initial appointments to the task force shall be made by July 15, 2021. The chair shall convene the first meeting of the task force by August 15, 2021.

(e) The task force may provide oversight and monitoring of:

(1) the efforts by the Department of Human Services, counties, and Tribes to implement laws related to child protection;

(2) efforts by the Department of Human Services, counties, and Tribes to implement the recommendations of the Governor's Task Force on the Protection of Children;

(3) efforts by agencies including but not limited to the Department of Education, the Housing Finance Agency, the Department of Corrections, and the Department of Public Safety, to work with the Department of Human Services to assure safety and well-being for children at risk of harm or children in the child welfare system; and

(4) efforts by the Department of Human Services, other agencies, counties, and Tribes to implement best practices to ensure every child is protected from maltreatment and neglect and to ensure every child has the opportunity for healthy development.

(f) The task force, in cooperation with the commissioner of human services, shall issue a report to the legislature and governor by February 1, 2024. The report must contain information on the progress toward implementation of changes to the child protection system, recommendations for additional legislative changes and procedures affecting child protection and child welfare, and funding needs to implement recommended changes.

(g) This section expires December 31, 2024.

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

ARTICLE 11

BEHAVIORAL HEALTH

Section 1. Minnesota Statutes 2020, section 245.462, subdivision 17, is amended to read:

Subd. 17. **Mental health practitioner.** (a) "Mental health practitioner" means a person providing services to adults with mental illness or children with emotional disturbance who is qualified in at least one of the ways described in paragraphs (b) to (g). A mental health practitioner for a child client must have training working with children. A mental health practitioner for an adult client must have training working with adults.

(b) For purposes of this subdivision, a practitioner is qualified through relevant coursework if the practitioner completes at least 30 semester hours or 45 quarter hours in behavioral sciences or related fields and:

(1) has at least 2,000 hours of supervised experience in the delivery of services to adults or children with:

(i) mental illness, substance use disorder, or emotional disturbance; or

(ii) traumatic brain injury or developmental disabilities and completes training on mental illness, recovery from mental illness, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects;

(2) is fluent in the non-English language of the ethnic group to which at least 50 percent of the practitioner's clients belong, completes 40 hours of training in the delivery of services to adults with mental illness or children with emotional disturbance, and receives clinical supervision from a mental health professional at least once a week until the requirement of 2,000 hours of supervised experience is met;

(3) is working in a day treatment program under section 245.4712, subdivision 2; ~~or~~

(4) has completed a practicum or internship that (i) requires direct interaction with adults or children served, and (ii) is focused on behavioral sciences or related fields; or

(5) is in the process of completing a practicum or internship as part of a formal undergraduate or graduate training program in social work, psychology, or counseling.

(c) For purposes of this subdivision, a practitioner is qualified through work experience if the person:

(1) has at least 4,000 hours of supervised experience in the delivery of services to adults or children with:

(i) mental illness, substance use disorder, or emotional disturbance; or

(ii) traumatic brain injury or developmental disabilities and completes training on mental illness, recovery from mental illness, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects; or