

**Subject** Governor's proposals for early childhood programs

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### Overview

This bill includes the governor's proposals related to early childhood programs. The bill includes proposals from the Departments of Education, Health, and Human Services (MDE, MDH, and DHS).

## Article 1: Education Programs

### Section Description - Article 1: Education Programs

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- 1 Distribution of appropriation. [Head Start]**  
Amends §119A.52. Designates 10.72 percent of the total state appropriation to Head Start for federally designated tribal Head Start programs.
- 2 Subsidy restrictions. [Child care assistance program]**  
Amends §119B.13, subd. 1. Increases the maximum rate paid to child care providers under the child care assistance program from the 25th percentile of the 2018 child care provider rate survey to the 30th percentile of the most recent survey.
- 3 School breakfast program.**  
Amends §124D.1158. Allows schools to receive school breakfast reimbursement for early childhood special education (ECSE) students participating in a voluntary prekindergarten program, similar to how schools receive the reimbursement for other voluntary prekindergarten students.
- 4 Program requirements. [Early childhood family education programs]**  
Amends §124D.13, subd. 2. Allows noncustodial providers of child care to participate in early childhood family education (ECFE) programs.
- 5 Participation limits. [VPK & SRP]**  
Amends §124D.151, subd. 6. Retains the 7,160 funded seats in the voluntary prekindergarten (VPK) and school readiness plus (SRP) programs in fiscal year 2022

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- and onward. Under current law, the number of funded seats is set to drop from 7,160 to 3,160 after fiscal year 2021.
- 6 **Administration. [Early learning scholarships]**  
Amends §124D.165, subd. 3. Provides that an early learning scholarship cancels if a recipient has not enrolled in an eligible program within three months of receiving the scholarship. Allows a family to request an extension of the three-month period based on criteria developed under the commissioner of education’s authority. Under current law, a scholarship recipient has ten months to enroll in an eligible program before the scholarship cancels.
- 7 **English learner.**  
Amends §124D.59, subd. 2. Modifies the definition of “English learner” to include ECSE students between the ages of 3 and 5 so that these students are eligible for English learner services.
- 8 **Pupil unit.**  
Amends §126C.05, subd. 1. Modifies the average daily membership (ADM) calculation for kindergarten students with a disability to match the ADM calculation for other kindergarten students. Makes a technical correction that corresponds with the proposal to retain the funded seats for the VPK and SRP programs in fiscal year 2022 and onward.
- 9 **Compensation revenue pupil units.**  
Amends §126C.05, subd. 3. Makes a technical correction that corresponds with the proposal to retain the funded seats for the VPK and SRP programs in fiscal year 2022 and onward.

**Article 2: Medical Data and Health Records**

**Section Description - Article 2: Medical Data and Health Records**

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- 1 **Fetal and infant death studies.**  
Adds § 145.9011. Authorizes the commissioner of health to conduct fetal and infant death studies, permits the commissioner to access certain data and health records, provides for records management, classifies data held by the commissioner, and requires the commissioner to convene case review committees and community action committees.
- Subd. 1. Purpose.** Allows the commissioner to conduct fetal and infant death studies to help with the planning, implementation, and evaluation of medical,

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health, and welfare service systems and to reduce the number of preventable fetal and infant deaths in the state.

**Subd. 2. Access to data.** Paragraph (a) authorizes the commissioner to access medical data, medical examiner data, and health records of a live-born infant who died within the first year of life, of a fetal death that meets criteria for reporting to the Office of Vital Records, and of the biological mother of such an infant or fetus. Allows access to this data and these records without the consent of the subject of the data or the subject's parent, guardian, or legal representative. MDH access is limited to data and records for fetal and infant deaths occurring after July 1, 2000.

Paragraph (b) requires providers and other responsible authorities to provide requested data to the commissioner and allows providers and responsible authorities to charge a fee for providing the data.

Paragraph (c) requires the commissioner to make a good faith, reasonable effort to notify the parent, spouse, guardian, or legal representative of the data subject before collecting data on the subject.

Paragraphs (d) and (e) prohibit the commissioner from having access to coroner or medical examiner data that are part of an active investigation, but allow the commissioner to request from the coroner or medical examiner the names of health care providers that provided health services to the data subject and to the data subject's biological mother.

Paragraph (f) allows the commissioner to access DHS data to identify sources of care and services.

**Subd. 3. Management of records.** Requires the commissioner to transfer data obtained under this section, other than data identifying the subject, from source records to separate records maintained by the commissioner, and then requires the commissioner to destroy the source records held by the commissioner.

**Subd. 4. Classification of data.** Classifies data provided to the commissioner from source records, and data transferred from source records to separate records, as confidential data on individuals or confidential data on decedents. Provides that this data shall not be discoverable or subject to introduction into evidence in a legal proceeding, but provides that the information is not immune from discovery or barred from introduction into evidence if it is otherwise available from an original source. Classifies summary data on fetal and infant death studies, which does not identify individual data subjects or individual providers, as public. States

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that data provided by the commissioner of human services to the commissioner of health maintains its data classification.

**Subd. 5. Fetal and infant mortality reviews.** Requires the commissioner to convene case review committees to conduct death study reviews, make recommendations, and share summary information. Lists representatives who may be included in case review committees and requires committees to review data from source records, other than data identifying the subject or provider. Requires case review committees to report findings and recommendations every three years to the Maternal and Child Health Advisory Task Force and the commissioner.

**Subd. 6. Community action committees.** Requires the commissioner to convene community action committees to implement priority recommendations from case review committees and specifies who may be included as members of community action committees.

## **Article 3: Grants and Appropriations**

**Section Description - Article 3: Grants and Appropriations**

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**1 Direction to the commissioner of human services; child care and development block grant allocation.**

Paragraph (a) directs DHS to allocate in fiscal years 2022 to 2025 specified amounts from the federal Child Care Development Block Grant (CCDBG) for child care assistance rate increases.

Paragraph (b) provides a formula for the amount of federal discretionary funding in the CCDBG that must be allocated each year to pay the cost of child care assistance rate adjustments.

Paragraph (c) allows DHS, working in consultation with MMB, to adjust the amount of working family credit expenditures to meet the state's maintenance of effort requirements for the TANF block grant when needed because of increased federal allocations under paragraph (a).

**2 Appropriations; Department of Education.**

Appropriates money from the general fund to MDE for early childhood programs, including \$20.0 million in fiscal year 2021 for summer preschool programs and \$3.3 million in each of fiscal years 2022 and 2023 for grants to the 11 Tribal Nations in the state to provide programming and services related to implementing strategies to support family engagement and education, to increase language and literacy

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outcomes through language revitalization efforts, or to support the recruitment and retention of American Indian teachers and enhance the practice of current American Indian teachers who work in tribal communities through professional development.



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