

# House Research Act Summary

**CHAPTER:** 290

**SESSION:** 2002 Regular Session

**TOPIC:** Disclosure of an individual's communicable disease to a licensed foster care provider

**Date:** March 26, 2002

**Analyst:** Peg Hicks, 651-296-8079

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

## Overview

This act requires the disclosure of an individual's known communicable disease to a licensed foster care provider before placement of the individual with the provider and that a child's out-of-home placement plan include information regarding the child's known communicable disease. The act also clarifies when a court's jurisdiction ends in a child protection case where parental rights are terminated and adoption is the intended disposition of the case.

### Section

- 1 **Disclosure of communicable disease to licensed foster care providers.** Adds § 245A.156.  
**Subd. 1. Licensed foster care.** Specifies that this section applies to county agencies, private child-placing agencies, and individuals who place children or adults with a known communicable disease in licensed foster care homes.  
**Subd. 2. Placing agency's or individual's duties.** Requires the county or private child-placing agency or individual to disclose to a foster care provider an adult's or a child's known communicable disease before placement. Specifies that the patient health records act (section 144.335) does not apply to the disclosure. Also requires the agency or individual to determine that the provider has the ability to provide care to the individual.
- 2 **Out-of-home placement; plan.** Amends § 260C.212, subd. 1. Requires a child's out-of-home placement plan to include information regarding the child's known medical problems, including any known communicable diseases.
- 3 **Order; retention of jurisdiction.** Amends § 260C.317, subd. 3. Clarifies that, in a child protection case where parental rights are terminated and adoption is the intended permanent placement disposition, the court must retain jurisdiction of the case until the child's adoption is finalized, the child is 18 years old, or the child is otherwise ordered discharged from the court's

jurisdiction.