Overview

This bill changes references to "battered women" throughout Minnesota Statutes to "victims of domestic abuse" or "domestic abuse victims." This bill also creates a process for making per diem payments to shelter facilities for the maintenance and security costs of housing battered women and their children. The bill specifies the duties of the director of the Minnesota Center for Crime Victim Services in relation to the program. The bill also provides a process for shelters to seek payments and appeal the denial of payments. Finally, the bill classifies data held by shelter facilities that receive per diem payments as private data.

1, 3-

Various provisions. Changes references to "battered women" through Minnesota Statutes to "victims of domestic abuse" or "domestic abuse victims."

26, 41-

Victims of domestic abuse. Inserts a cross-reference in the data practices law to the classification of data under the per diem provisions in the bill. Also amends references to "battered women."

27

Classification of data collected by grantees. Classifies as private data information from which the location of a domestic abuse victim may be determined. Also amends references to "battered women."

36

Definitions.

Subd. 1. Scope. Provides that the following terms have the meaning given them unless otherwise provided or indicated by the context.

Subd. 2. Director. "Director" means the director of the Minnesota center for crime victims or a designee.

Subd. 3. Center. "Center" means the Minnesota center for crime victim services.

Subd. 4. Shelter facility. "Shelter facility" means a secure crisis shelter, housing network, safe home, or other facility operated by a nonprofit organization and designated by the center for the
purpose of providing food, lodging, safety, and 24-hour coverage for domestic abuse victims and their children.

Subd. 5. Designated shelter facility. "Designated shelter facility" means a facility that has applied and been approved by the center to provide shelter and services to domestic abuse victims and their children.

Subd. 6. Per diem rate. "Per diem rate" means a daily charge per person for providing food, lodging, safety, and 24-hour coverage for domestic abuse victims and their children.

Subd. 7. Reserve amount. "Reserve amount" means the amount the center has reserved for each shelter facility.

Subd. 8. Domestic abuse victim. "Domestic abuse victim" has the meaning given in the law for emergency shelter and support services.

Program operation.

Subd. 1. Purpose. Specifies that the purpose of the per diem program is to provide reimbursement in a timely, efficient manner to local programs for the reasonable costs of providing domestic abuse victims and their minor children with food, lodging, and safety. Provides that per diem funding may not be used for other purposes.

Subd. 2. Nondiscrimination. Prohibits designated shelter facilities from discriminating against a domestic abuse victim or her minor children on the basis of race, color, creed, religion, national origin, marital status, status with regard to public assistance, disability, or sexual orientation.

Subd. 3. Data. Classifies as public data personal history information collected, used or maintained by a designated shelter facility from which the identity or location of any domestic abuse victim may be determined.

Duties of the director. Specifies the duties of the director. States that these duties include those imposed by law and the following, with the approval of the commissioner of public safety:

- supervising the administration of per diem payments to shelter facilities;
- collecting data on shelter facilities;
- conducting an annual evaluation of the per diem program;
- reporting to the governor and the legislature on the need for emergency secure shelter;
- and
- developing an application process for shelter facilities to follow in seeking reimbursement under the per diem program.

Payments.

Subd. 1. Payment requests. Allows designated shelter facilities to submit requests for payment monthly. Requires payments to be made directly to designated shelter facilities upon approval of the request. Specifies that the payments are made from per diem funds on behalf of the women and children who reside in the facility. Provides that the payments to a facility may not exceed the annual reserve amount for the facility unless approved by the director. Provides that payments to designated shelter facilities must not affect the eligibility of individuals who reside in shelter facilities for public assistance benefits except when required by federal law or regulation.

Subd. 2. Reserve amount. Requires the center to calculate annually the reserve amount for each designated shelter facility. Provides that the calculation of reserve amounts may be based upon program type, average occupancy rates, and licensed capacity limits. Specifies that the total of all reserve amounts must not exceed the per diem appropriation.

Appeal process. Provides an appeal process for a facility to requires reconsideration of a denial
of payment. Requires this request to be made within 30 days of the denial and allows further appeal through a contested case hearing. Specifies that a facility may not appeal a decision by the center to deny payments in excess of the facility's reserve amount.

**Appropriation.** Appropriates $400,000 from the general fund to the commissioner of public safety to make per diem payments to designated shelter facilities.