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Authors: Rarick and others

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Analyst: Sarah Sunderman

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Overview

This bill requires state aid payment to reimburse counties for 100 percent of the nonfederal share of costs related to out-of-home placement of Indian children.

Section

1 Reimbursement of county for certain out-of-home placement. Creates § 477A.0126.

Subd. 1. Definition. Defines the term “out-of-home placement” as a county’s placement of an Indian child in 24-hour substitute care under the Indian Child Welfare Act, including placement in foster care or a correctional facility pursuant to court order.

Subd. 2. Determination of nonfederal share of costs. Paragraph (a) requires counties to report the following information to the commissioners of human services and corrections by January 1, 2017: the amount of the county social services and corrections budgets paid each year for out-of-home placement of Indian children in calendar years 2013, 2014, and 2015; and the number of case days for each year associated with the budget expenditures. Requires the commissioners, by March 15, 2017, to certify to the commissioner of revenue and the legislative committees with jurisdiction over local government aid and out-of-home placement whether the data accurately reflects county expenditures for placement of Indian children.

Paragraph (b) requires each county to report out-of-home-placement costs for placement of Indian children to the commissioners of human services and corrections. Instructs counties to submit the amounts paid for the two calendar years prior to the

Section

reporting year along with the number of case days associated with the expenditures. Requires the reporting to begin January 1, 2018, and continue each January 1 thereafter.

Paragraph (c) requires this data to be used to calculate payments under subdivision 3 until another method of calculation is authorized by the legislature. Requires the commissioners of human services and corrections to certify the information to the commissioner of revenue by June 1 of the year prior to the aid payment.

Subd. 3. Aid for counties. Beginning for aids payable in calendar year 2018, requires the commissioner of revenue to reimburse each county for the proportionate share that remains after aid for tribes has been paid, based on the county's average nonfederal share for the cost of out-of-home placement of Indian children for the three calendar years certified by the commissioner of human services, if the commissioner certifies that accurate data is available to make this determination. For aids payable in 2018, each county's proportionate share is based on the nonfederal share certified by the commissioner by July 15, 2017.

Subd. 4. Aid for tribes. For aids payable in 2018 and after, requires reimbursement to each tribe to be the greater of: (1) 5 percent of the average reimbursement amount received from the federal government for the three most recent years; or (2) \$200,000.

Subd. 5. Payments. Requires commissioner of revenue to compute the reimbursement amounts for tribes and counties and before August 1 of each year, certify the amount to be paid in the following year. Requires the commissioner of revenue to pay aid according to the schedule provided in section 477A.015.

Subd. 6. Appropriation. Makes an annual appropriation in a sufficient amount to pay aid from the general fund to the commissioner of revenue.

Effective date. Makes this section effective beginning with aids payable in 2018.