

162.1 **ARTICLE 4**

162.2 **DEPARTMENT OF HEALTH**

162.3 Section 1. Minnesota Statutes 2022, section 12A.08, subdivision 3, is amended to read:

162.4 Subd. 3. **Implementation.** To implement the requirements of this section, the
162.5 commissioner may cooperate with private health care providers and facilities, Tribal nations,
162.6 and community health boards as defined in section 145A.02; provide grants to assist
162.7 community health boards; and Tribal nations; use volunteer services of individuals qualified
162.8 to provide public health services; and enter into cooperative or mutual aid agreements to
162.9 provide public health services.

162.10 Sec. 2. Minnesota Statutes 2022, section 13.10, subdivision 5, is amended to read:

162.11 Subd. 5. **Adoption records.** Notwithstanding any provision of this or any other chapter,
162.12 adoption records shall be treated as provided in sections 259.53, 259.61, 259.79, and 259.83
162.13 to ~~259.89~~ 259.88.

162.14 **EFFECTIVE DATE.** This section is effective July 1, 2024.

162.15 Sec. 3. Minnesota Statutes 2022, section 13.465, subdivision 8, is amended to read:

162.16 Subd. 8. **Adoption records.** Various adoption records are classified under section 259.53,
162.17 subdivision 1. Access to the original birth record of a person who has been adopted is
162.18 governed by section ~~259.89~~ 144.2252.

162.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.

162.20 Sec. 4. Minnesota Statutes 2022, section 16A.151, subdivision 2, is amended to read:

162.21 Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific
162.22 injured persons or entities, this section does not prohibit distribution of money to the specific
162.23 injured persons or entities on whose behalf the litigation or settlement efforts were initiated.
162.24 If money recovered on behalf of injured persons or entities cannot reasonably be distributed
162.25 to those persons or entities because they cannot readily be located or identified or because
162.26 the cost of distributing the money would outweigh the benefit to the persons or entities, the
162.27 money must be paid into the general fund.

162.28 (b) Money recovered on behalf of a fund in the state treasury other than the general fund
162.29 may be deposited in that fund.

196.1 Subd. 4. **Report.** (a) Teaching institutions receiving funds under this section must sign
196.2 and submit a medical education grant verification report (GVR) to verify funding was
196.3 distributed as specified in the GVR. If the teaching institution fails to submit the GVR by
196.4 the stated deadline, the teaching institution is required to return the full amount of funds
196.5 received to the commissioner within 30 days of receiving notice from the commissioner.
196.6 The commissioner shall distribute returned funds to the appropriate training sites in
196.7 accordance with the commissioner's approval letter.

196.8 (b) Teaching institutions receiving funds under this section must provide any other
196.9 information the commissioner deems appropriate to evaluate the effectiveness of the use of
196.10 funds for medical education.

196.11 **Sec. 28. Minnesota Statutes 2022, section 144.218, subdivision 1, is amended to read:**

196.12 **Subdivision 1. Adoption.** Upon receipt of a certified copy of an order, decree, or
196.13 certificate of adoption, the state registrar shall register a replacement vital record in the new
196.14 name of the adopted person. The original record of birth is ~~confidential~~ private data pursuant
196.15 to section 13.02, subdivision ~~3~~ 12, and shall not be disclosed except pursuant to court order
196.16 or section 144.2252. The information contained on the original birth record, except for the
196.17 registration number, shall be provided on request to a parent who is named on the original
196.18 birth record. Upon the receipt of a certified copy of a court order of annulment of adoption
196.19 the state registrar shall restore the original vital record to its original place in the file.

196.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

196.21 **Sec. 29. Minnesota Statutes 2022, section 144.218, subdivision 2, is amended to read:**

196.22 **Subd. 2. Adoption of foreign persons.** In proceedings for the adoption of a person who
196.23 was born in a foreign country, the court, upon evidence presented by the commissioner of
196.24 human services from information secured at the port of entry or upon evidence from other
196.25 reliable sources, may make findings of fact as to the date and place of birth and parentage.
196.26 Upon receipt of certified copies of the court findings and the order or decree of adoption,
196.27 a certificate of adoption, or a certified copy of a decree issued under section 259.60, the
196.28 state registrar shall register a birth record in the new name of the adopted person. The
196.29 certified copies of the court findings and the order or decree of adoption, certificate of
196.30 adoption, or decree issued under section 259.60 are ~~confidential~~ private data, pursuant to
196.31 section 13.02, subdivision ~~3~~ 12, and shall not be disclosed except pursuant to court order
196.32 or section 144.2252. The birth record shall state the place of birth as specifically as possible
196.33 and that the vital record is not evidence of United States citizenship.

197.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

197.2 Sec. 30. Minnesota Statutes 2022, section 144.222, subdivision 1, is amended to read:

197.3 Subdivision 1. **Fetal death report required.** A fetal death report must be filed within
197.4 five days of the death of a fetus for whom 20 or more weeks of gestation have elapsed,
197.5 except for abortions defined under section ~~145.4241~~ 145.411, subdivision 5. A fetal death
197.6 report must be prepared in a format prescribed by the state registrar and filed in accordance
197.7 with Minnesota Rules, parts 4601.0100 to 4601.2600 by:

197.8 (1) a person in charge of an institution or that person's authorized designee if a fetus is
197.9 delivered in the institution or en route to the institution;

197.10 (2) a physician, certified nurse midwife, or other licensed medical personnel in attendance
197.11 at or immediately after the delivery if a fetus is delivered outside an institution; or

197.12 (3) a parent or other person in charge of the disposition of the remains if a fetal death
197.13 occurred without medical attendance at or immediately after the delivery.

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

197.15 Sec. 31. Minnesota Statutes 2022, section 144.225, subdivision 2, is amended to read:

197.16 Subd. 2. **Data about births.** (a) Except as otherwise provided in this subdivision, data
197.17 pertaining to the birth of a child to a woman who was not married to the child's father when
197.18 the child was conceived nor when the child was born, including the original record of birth
197.19 and the certified vital record, are confidential data. At the time of the birth of a child to a
197.20 woman who was not married to the child's father when the child was conceived nor when
197.21 the child was born, the mother may designate demographic data pertaining to the birth as
197.22 public. Notwithstanding the designation of the data as confidential, it may be disclosed:

197.23 (1) to a parent or guardian of the child;

197.24 (2) to the child when the child is 16 years of age or older, except as provided in clause
197.25 (3);

197.26 (3) to the child if the child is a homeless youth;

197.27 (4) under paragraph (b), (e), or (f); or

197.28 (5) pursuant to a court order. For purposes of this section, a subpoena does not constitute
197.29 a court order.

198.1 (b) ~~Unless the child is adopted,~~ Data pertaining to the birth of a child that are not
198.2 accessible to the public become public data if 100 years have elapsed since the birth of the
198.3 child who is the subject of the data, or as provided under section 13.10, whichever occurs
198.4 first.

198.5 (c) If a child is adopted, data pertaining to the child's birth are governed by the provisions
198.6 relating to adoption and birth records, including sections 13.10, subdivision 5; 144.218,
198.7 subdivision 1; and 144.2252; ~~and 259.89.~~

198.8 (d) The name and address of a mother under paragraph (a) and the child's date of birth
198.9 may be disclosed to the county social services, Tribal health department, or public health
198.10 member of a family services collaborative for purposes of providing services under section
198.11 124D.23.

198.12 (e) The commissioner of human services shall have access to birth records for:

198.13 (1) the purposes of administering medical assistance and the MinnesotaCare program;

198.14 (2) child support enforcement purposes; and

198.15 (3) other public health purposes as determined by the commissioner of health.

198.16 (f) Tribal child support programs shall have access to birth records for child support
198.17 enforcement purposes.

198.18 **EFFECTIVE DATE.** This section is effective July 1, 2024.

198.19 Sec. 32. Minnesota Statutes 2022, section 144.2252, is amended to read:

198.20 **144.2252 ACCESS TO ORIGINAL BIRTH RECORD AFTER ADOPTION.**

198.21 **Subdivision 1. Definitions.** (a) ~~Whenever an adopted person requests the state registrar~~
198.22 ~~to disclose the information on the adopted person's original birth record, the state registrar~~
198.23 ~~shall act according to section 259.89.~~ For purposes of this section, the following terms have
198.24 the meanings given.

198.25 (b) "Person related to the adopted person" means:

198.26 (1) the spouse, child, or grandchild of an adopted person, if the spouse, child, or
198.27 grandchild is at least 18 years of age; or

198.28 (2) the legal representative of an adopted person.

198.29 The definition under this paragraph only applies when the adopted person is deceased.

199.1 (c) "Original birth record" means a copy of the original birth record for a person who is
199.2 born in Minnesota and whose original birth record was sealed and replaced by a replacement
199.3 birth record after the state registrar received a certified copy of an order, decree, or certificate
199.4 of adoption.

199.5 **Subd. 2. Release of original birth record.** (a) The state registrar must provide to an
199.6 adopted person who is 18 years of age or older or a person related to the adopted person a
199.7 copy of the adopted person's original birth record and any evidence of the adoption previously
199.8 filed with the state registrar. To receive a copy of an original birth record under this
199.9 subdivision, the adopted person or person related to the adopted person must make the
199.10 request to the state registrar in writing. The copy of the original birth record must clearly
199.11 indicate that it may not be used for identification purposes. All procedures, fees, and waiting
199.12 periods applicable to a nonadopted person's request for a copy of a birth record apply in the
199.13 same manner as requests made under this section.

199.14 (b) If a contact preference form is attached to the original birth record as authorized
199.15 under section 144.2253, the state registrar must provide a copy of the contact preference
199.16 form along with the copy of the adopted person's original birth record.

199.17 ~~(b)~~ (c) The state registrar shall provide a transcript of an adopted person's original birth
199.18 record to an authorized representative of a federally recognized American Indian Tribe for
199.19 the sole purpose of determining the adopted person's eligibility for enrollment or membership.
199.20 Information contained in the birth record may not be used to provide the adopted person
199.21 information about the person's birth parents, except as provided in this section or section
199.22 259.83.

199.23 (d) For a replacement birth record issued under section 144.218, the adopted person or
199.24 a person related to the adopted person may obtain from the state registrar copies of the order
199.25 or decree of adoption, certificate of adoption, or decree issued under section 259.60, as filed
199.26 with the state registrar.

199.27 **Subd. 3. Adult adoptions.** Notwithstanding section 144.218, a person adopted as an
199.28 adult may access the person's birth records that existed before the person's adult adoption.
199.29 Access to the existing birth records shall be the same access that was permitted prior to the
199.30 adult adoption.

199.31 **EFFECTIVE DATE.** This section is effective July 1, 2024.

200.1 **Sec. 33. [144.2253] BIRTH PARENT CONTACT PREFERENCE FORM.**

200.2 (a) The commissioner must make available to the public a contact preference form as
200.3 described in paragraph (b).

200.4 (b) The contact preference form must provide the following information to be completed
200.5 at the option of a birth parent:

200.6 (1) "I would like to be contacted."

200.7 (2) "I would prefer to be contacted only through an intermediary."

200.8 (3) "I prefer not to be contacted at this time. If I decide later that I would like to be
200.9 contacted, I will submit an updated contact preference form to the Minnesota Department
200.10 of Health."

200.11 (c) A contact preference form must include space where the birth parent may include
200.12 information that the birth parent feels is important for the adopted person to know.

200.13 (d) If a birth parent of an adopted person submits a completed contact preference form
200.14 to the commissioner, the commissioner must:

200.15 (1) match the contact preference form to the adopted person's original birth record; and

200.16 (2) attach the contact preference form to the original birth record as required under
200.17 section 144.2252.

200.18 (e) A contact preference form submitted to the commissioner under this section is private
200.19 data on an individual as defined in section 13.02, subdivision 12, except that the contact
200.20 preference form may be released as provided under section 144.2252, subdivision 2.

200.21 **EFFECTIVE DATE.** This section is effective August 1, 2023.

200.22 **Sec. 34. [144.2254] PREVIOUSLY FILED CONSENTS TO DISCLOSURE AND**
200.23 **AFFIDAVITS OF NONDISCLOSURE.**

200.24 (a) The commissioner must inform a person applying for an original birth record under
200.25 section 144.2252 of the existence of an unrevoked consent to disclosure or an affidavit of
200.26 nondisclosure on file with the department, including the name of the birth parent who filed
200.27 the consent or affidavit. If a birth parent authorized the release of the birth parent's address
200.28 on an unrevoked consent to disclosure, the commissioner shall provide the address to the
200.29 person who requests the original birth record.

200.30 (b) A birth parent's consent to disclosure or affidavit of nondisclosure filed with the
200.31 commissioner of health expires and has no force or effect beginning on June 30, 2024.

245.1 (iii) at least 87.5 percent of the minimum amount required under chapter 62D after the
245.2 second full calendar year; and

245.3 (iv) at least 100 percent of the minimum amount required under chapter 62D after the
245.4 third full calendar year.

245.5 (c) Until a plan is required to have reserves equaling at least 100 percent of the minimum
245.6 amount required under chapter 62D, the plan may demonstrate its ability to cover any losses
245.7 by satisfying the requirements of chapter 62N. A county-based purchasing plan must also
245.8 assure the commissioner of health that the requirements of sections 62J.041; 62J.48; 62J.71
245.9 to 62J.73; all applicable provisions of chapter 62Q, including sections 62Q.075; 62Q.1055;
245.10 62Q.106; 62Q.12; 62Q.135; 62Q.14; ~~62Q.145~~; 62Q.19; 62Q.23, paragraph (c); 62Q.43;
245.11 62Q.47; 62Q.50; 62Q.52 to 62Q.56; 62Q.58; 62Q.68 to 62Q.72; and 72A.201 will be met.

245.12 (d) All enforcement and rulemaking powers available under chapters 62D, 62J, 62N,
245.13 and 62Q are hereby granted to the commissioner of health with respect to counties that
245.14 purchase medical assistance services under this section.

245.15 (e) The commissioner, in consultation with county government, shall develop
245.16 administrative and financial reporting requirements for county-based purchasing programs
245.17 relating to sections 62D.041, 62D.042, 62D.045, 62D.08, 62N.28, 62N.29, and 62N.31,
245.18 and other sections as necessary, that are specific to county administrative, accounting, and
245.19 reporting systems and consistent with other statutory requirements of counties.

245.20 (f) The commissioner shall collect from a county-based purchasing plan under this
245.21 section the following fees:

245.22 (1) fees attributable to the costs of audits and other examinations of plan financial
245.23 operations. These fees are subject to the provisions of Minnesota Rules, part 4685.2800,
245.24 subpart 1, item F; and

245.25 (2) an annual fee of \$21,500, to be paid by June 15 of each calendar year.

245.26 All fees collected under this paragraph shall be deposited in the state government special
245.27 revenue fund.

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

245.29 Sec. 79. Minnesota Statutes 2022, section 259.83, subdivision 1, is amended to read:

245.30 **Subdivision 1. Services provided.** (a) Agencies shall provide assistance and counseling
245.31 services upon receiving a request for current information from adoptive parents, birth parents,
245.32 or adopted persons aged ~~19~~ 18 years of age and over older. The agency shall contact the

246.1 other adult persons or the adoptive parents of a minor child in a personal and confidential
246.2 manner to determine whether there is a desire to receive or share information or to have
246.3 contact. If there is such a desire, the agency shall provide the services requested. The agency
246.4 shall provide services to adult genetic siblings if there is no known violation of the
246.5 confidentiality of a birth parent or if the birth parent gives written consent.

246.6 (b) Upon a request for assistance or services from an adoptive parent of a minor child,
246.7 birth parent, or an adopted person 18 years of age or older, the agency must inform the
246.8 person:

246.9 (1) about the right of an adopted person to request and obtain a copy of the adopted
246.10 person's original birth record at the age and circumstances specified in section 144.2253;
246.11 and

246.12 (2) about the right of the birth parent named on the adopted person's original birth record
246.13 to file a contact preference form with the state registrar pursuant to section 144.2253.

246.14 In adoptive placements, the agency must provide in writing to the birth parents listed on
246.15 the original birth record the information required under this section.

246.16 **EFFECTIVE DATE.** This section is effective July 1, 2024.

246.17 Sec. 80. Minnesota Statutes 2022, section 259.83, subdivision 1a, is amended to read:

246.18 Subd. 1a. **Social and medical history.** (a) If a person aged ~~19~~ 18 years of age and over
246.19 older who was adopted on or after August 1, 1994, or the adoptive parent requests the
246.20 detailed nonidentifying social and medical history of the adopted person's birth family that
246.21 was provided at the time of the adoption, agencies must provide the information to the
246.22 adopted person or adoptive parent on the applicable form required under sections 259.43
246.23 and 260C.212, subdivision 15.

246.24 (b) If an adopted person aged ~~19~~ 18 years of age and over older or the adoptive parent
246.25 requests the agency to contact the adopted person's birth parents to request current
246.26 nonidentifying social and medical history of the adopted person's birth family, agencies
246.27 must use the applicable form required under sections 259.43 and 260C.212, subdivision 15,
246.28 when obtaining the information for the adopted person or adoptive parent.

246.29 **EFFECTIVE DATE.** This section is effective July 1, 2024.

264.1 (8) use of natural organic reduction of a human body.

264.2 (b) The commissioner shall submit the study and recommendations, including any
264.3 statutory changes needed to implement the recommendations, to the chairs and ranking
264.4 minority members of the legislative committees with jurisdiction over health and the
264.5 environment by February 1, 2025.

264.6 **Sec. 103. ADOPTION LAW CHANGES; PUBLIC AWARENESS CAMPAIGN.**

264.7 (a) The commissioner of human services must, in consultation with licensed child-placing
264.8 agencies and the commissioner of health, provide information and educational materials to
264.9 adopted persons and birth parents about the changes in law made by this article affecting
264.10 access to birth records.

264.11 (b) The commissioner of human services and the commissioner of health must provide
264.12 notice on the department website about the changes in the law. The commissioners or the
264.13 commissioners' designee, in consultation with licensed child-placement agencies, must
264.14 coordinate a public awareness campaign to advise the public about the changes in law made
264.15 by this article.

264.16 **EFFECTIVE DATE.** This section is effective August 1, 2023.

264.17 **Sec. 104. EMMETT LOUIS TILL VICTIMS RECOVERY PROGRAM.**

264.18 Subdivision 1. **Short title.** This section shall be known as the Emmett Louis Till Victims
264.19 Recovery Program.

264.20 Subd. 2. **Program established; grants.** (a) The commissioner of health shall establish
264.21 the Emmett Louis Till Victims Recovery Program to address the health and wellness needs
264.22 of:

264.23 (1) victims who experienced trauma, including historical trauma, resulting from events
264.24 such as assault or another violent physical act, intimidation, false accusations, wrongful
264.25 conviction, a hate crime, the violent death of a family member, or experiences of
264.26 discrimination or oppression based on the victim's race, ethnicity, or national origin; and

264.27 (2) the families and heirs of victims described in clause (1), who experienced trauma,
264.28 including historical trauma, because of their proximity or connection to the victim.

264.29 (b) The commissioner, in consultation with victims, families, and heirs described in
264.30 paragraph (a), shall award competitive grants to applicants for projects to provide the
264.31 following services to victims, families, and heirs described in paragraph (a):

272.1 exposure from skin-lightening products must use the grant funds for activities that are
272.2 culturally specific and community-based and that focus on:

272.3 (1) increasing public awareness and providing education on the health dangers associated
272.4 with using skin-lightening creams and products that contain mercury and hydroquinone and
272.5 are manufactured in other countries, brought into this country, and sold illegally online or
272.6 in stores; the dangers of exposure to mercury through dermal absorption, inhalation,
272.7 hand-to-mouth contact, and contact with individuals who have used skin-lightening products;
272.8 the health effects of mercury poisoning, including the permanent effects on the central
272.9 nervous system and kidneys; and the dangers to mothers and infants of using these products
272.10 or being exposed to these products during pregnancy and while breastfeeding;

272.11 (2) identifying products that contain mercury and hydroquinone by testing skin-lightening
272.12 products;

272.13 (3) developing a train the trainer curriculum to increase community knowledge and
272.14 influence behavior changes by training community leaders, cultural brokers, community
272.15 health workers, and educators;

272.16 (4) continuing to build the self-esteem and overall wellness of young people who are
272.17 using skin-lightening products or are at risk of starting the practice of skin lightening; and

272.18 (5) building the capacity of community-based organizations to continue to combat
272.19 skin-lightening practices and chemical exposures from skin-lightening products.

272.20 Sec. 112. **REVISOR INSTRUCTION.**

272.21 (a) The revisor of statutes shall change the term "cancer surveillance system" to "cancer
272.22 reporting system" wherever it appears in the next edition of Minnesota Statutes and Minnesota
272.23 Rules and in the online publication.

272.24 (b) The revisor of statutes shall amend the headnote for Minnesota Statutes, section
272.25 145.423, to read "RECOGNITION OF INFANT WHO IS BORN ALIVE."

272.26 Sec. 113. **REPEALER.**

272.27 (a) Minnesota Statutes 2022, sections 144.212, subdivision 11; 259.83, subdivision 3;
272.28 259.89; and 260C.637, are repealed effective July 1, 2024.

272.29 (b) Minnesota Statutes 2022, sections 62U.10, subdivisions 6, 7, and 8; 144.059,
272.30 subdivision 10; and 145.4235, are repealed.