

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 5288

(SENATE AUTHORS: FRENTZ)

DATE
04/02/2024

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OFFICIAL STATUS
Introduction and first reading
Referred to State and Local Government and Veterans

1.1 A bill for an act
1.2 relating to retirement; Minnesota State Retirement System correctional state
1.3 employees retirement plan; expanding eligibility to certain registered nurse
1.4 supervisors; modifying other lists of covered employees; amending Minnesota
1.5 Statutes 2022, section 352.91, subdivisions 1, 3c; Minnesota Statutes 2023
1.6 Supplement, section 352.91, subdivision 3f.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2022, section 352.91, subdivision 1, is amended to read:

1.9 Subdivision 1. **Qualifying jobs.** (a) "Covered correctional service" means service
1.10 performed by a state employee, as defined in section 352.01, employed at a state correctional
1.11 facility, the state-operated forensic services program, or the Minnesota Sex Offender Program
1.12 as:

- 1.13 (1) a corrections officer 1;
- 1.14 (2) a corrections officer 2;
- 1.15 (3) a corrections officer 3;
- 1.16 (4) a corrections officer supervisor;
- 1.17 (5) a corrections lieutenant;
- 1.18 (6) a corrections captain;
- 1.19 (7) a security counselor;
- 1.20 (8) a security counselor lead; ~~or~~
- 1.21 (9) a corrections canine officer;

2.1 (10) a group supervisor; or

2.2 (11) a group supervisor assistant.

2.3 (b) For the employment positions specified in paragraph (a), clauses (10) and (11), at
2.4 least 75 percent of the employee's working time must be spent in direct contact with patients,
2.5 as certified to the executive director by the commissioner of human services.

2.6 Sec. 2. Minnesota Statutes 2022, section 352.91, subdivision 3c, is amended to read:

2.7 Subd. 3c. **Nursing personnel.** (a) "Covered correctional service" means service by a
2.8 state employee in one of the employment positions at a correctional facility, in the
2.9 state-operated forensic services program, or in the Minnesota Sex Offender Program that
2.10 are specified in paragraph (b) if at least 75 percent of the employee's working time is spent
2.11 in direct contact with inmates or patients and the fact of this direct contact is certified to the
2.12 executive director by the appropriate commissioner.

2.13 (b) The employment positions are as follows:

2.14 (1) registered nurse - senior;

2.15 (2) registered nurse;

2.16 (3) registered nurse - principal;

2.17 (4) licensed practical nurse;

2.18 (5) registered nurse advance practice; ~~and~~

2.19 (6) psychiatric advance practice registered nurse; and

2.20 (7) registered nurse - supervisor.

2.21 **EFFECTIVE DATE.** This section is effective on the first day of the first payroll period
2.22 occurring after the date of enactment and applies to prospective service only.

2.23 Sec. 3. Minnesota Statutes 2023 Supplement, section 352.91, subdivision 3f, is amended
2.24 to read:

2.25 Subd. 3f. **Additional Department of Human Services personnel.** (a) "Covered
2.26 correctional service" means service by a state employee in one of the employment positions
2.27 specified in paragraph (b) in the state-operated forensic services program or the Minnesota
2.28 Sex Offender Program if at least 75 percent of the employee's working time is spent in direct
2.29 contact with patients and the determination of this direct contact is certified to the executive
2.30 director by the commissioner of human services.

- 3.1 (b) The employment positions are:
- 3.2 (1) behavior analyst 2;
- 3.3 (2) behavior analyst 3;
- 3.4 (3) certified occupational therapy assistant 1;
- 3.5 (4) certified occupational therapy assistant 2;
- 3.6 (5) client advocate;
- 3.7 (6) clinical program therapist 2;
- 3.8 (7) clinical program therapist 3;
- 3.9 (8) clinical program therapist 4;
- 3.10 (9) customer services specialist principal;
- 3.11 (10) dental assistant registered;
- 3.12 (11) dental hygienist;
- 3.13 ~~(12) group supervisor;~~
- 3.14 ~~(13) group supervisor assistant;~~
- 3.15 ~~(14)~~ (12) human services support specialist;
- 3.16 ~~(15)~~ (13) licensed alcohol and drug counselor;
- 3.17 ~~(16)~~ (14) licensed practical nurse;
- 3.18 ~~(17)~~ (15) management analyst 3;
- 3.19 ~~(18)~~ (16) occupational therapist;
- 3.20 ~~(19)~~ (17) occupational therapist, senior;
- 3.21 ~~(20)~~ (18) physical therapist;
- 3.22 ~~(21)~~ (19) psychologist 1;
- 3.23 ~~(22)~~ (20) psychologist 2;
- 3.24 ~~(23)~~ (21) psychologist 3;
- 3.25 ~~(24)~~ (22) recreation program assistant;
- 3.26 ~~(25)~~ (23) recreation therapist lead;
- 3.27 ~~(26)~~ (24) recreation therapist senior;

- 4.1 ~~(27)~~ (25) rehabilitation counselor senior;
- 4.2 ~~(28)~~ (26) residential program lead;
- 4.3 ~~(29)~~ (27) security supervisor;
- 4.4 ~~(30)~~ (28) skills development specialist;
- 4.5 ~~(31)~~ (29) social worker senior;
- 4.6 ~~(32)~~ (30) social worker specialist;
- 4.7 ~~(33)~~ (31) social worker specialist, senior;
- 4.8 ~~(34)~~ (32) special education program assistant;
- 4.9 ~~(35)~~ (33) speech pathology clinician;
- 4.10 ~~(36)~~ (34) substance use disorder counselor senior;
- 4.11 ~~(37)~~ (35) work therapy assistant; and
- 4.12 ~~(38)~~ (36) work therapy program coordinator.