

# Minnesota Citizen Review Panels

## Operating Procedures

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### *Appointment*

Members are appointed by the Commissioner of the Department of Human Services and the county board when appropriate.

### *Terms*

Citizen volunteers will serve a term of three calendar years beginning July 1.

Initially, terms will be staggered to ensure continuity of membership.

A panel member may not serve more than two consecutive terms.

### *Resignation*

The Commissioner of the Department of Human Services and the appointing county board will be informed of the resignation of any member.

Members who fail to attend two meetings without notice may be considered to have resigned.

### *Meetings*

Each panel will not meet less than once every three months.

Written notice of the place, date and time of the regularly scheduled meetings will be sent to the panel members prior to the meeting.

Meeting agendas will be sent with the meeting notice.

### *Voting*

All members are voting members.

Those with agency or advocacy group affiliation vote as individuals and are not presumed to speak for their agencies.

A quorum will consist of a majority of members present and voting.

Decisions of the panels will be approved by a simple majority of members present and voting.

### ***Chairs***

Each panel will elect its own chair who will preside over all meetings.

Each chair will oversee the preparation and make available on an annual basis a report containing a summary of the activities of the panel.

A chair will serve a one year term beginning July 1.

A chair may not serve more than three consecutive terms as chair.

### ***Vice Chairs***

Each panel will elect its own vice chair who will preside over meetings in the chair's absence.

A vice chair will serve a one year term beginning July 1.

A vice chair may not serve more than three consecutive terms as vice chair.

### ***Steering Committee***

The three chairs and three vice chairs will form a steering committee to:

- Oversee the publication of the panels' findings and, when appropriate, identify trends and develop recommendations that represent a consensus of the three panels.
- Jointly present the panels' reports to the Commissioner of the Department of Human Services, and to the county agencies reviewed by the panels, the county boards, the Governor, the Legislature and the State Supreme Court.

### ***Attendance***

Regular attendance at the panel meetings is expected. If a member cannot attend a meeting he or she should notify the Department of Human Services staff person or the panel chair.

### ***Reimbursement of Members' Expenses***

Panel members will be reimbursed for expenses reasonably incurred in the performance of their duties on the panel.

Reimbursement expenses other than mileage and parking must have prior approval of the Department of Human Services panel consultant. This may include ongoing training opportunities, copies of records, postage, long distance phone calls, meals and lodging.

## ***Access to Data***

### **Access:**

Citizen Review Panels have access to the following data for specific case reviews: police investigative data, autopsy records and coroner or medical examiner investigative data; hospital, public health, or other medical records of the child; hospital, public health, or other medical records of the child's parents that relate to prenatal care; records created by social service agencies that provide services to the child or family; and personnel data related to an employee's performance in discharging child protection responsibilities. (Minn. Stat. §256.01, subd.15 (c)).

### **Availability:**

A state agency, statewide system, or political subdivision shall provide the data upon request of the commissioner. Not public data may be shared with members of the state or local citizen review panel in connection with an individual case. (Minn. Stat. §256.01, subd.15 (c)).

### **Confidentiality:**

Notwithstanding the data's classification in the possession of any other agency, data acquired by a local or state citizen review panel in the exercise of its duties are protected nonpublic or confidential data as defined in section 13.02, but may be disclosed as necessary to carry out the purposes of the review panels. The data are not subject to subpoena or discovery. (Minn. Stat. §256.01, subd.15 (d)).

### **Disclosure:**

The commissioner may disclose the conclusions of the review panels, but may not disclose the data on individuals that were classified as confidential or private data on individuals in the possession of the state agency, statewide system, or political subdivision from which the data were received. However, the commissioner may disclose local social service agency data as provided in Minnesota Statutes 626.556, subdivision 11(d), on individual cases involving a fatality or near fatality of a person served by a local social service agency prior to the date of death. (Minn. Stat. §256.01, subd. 15 (d)).

### **Confidentiality of Meetings:**

A person attending a citizen review panel meeting may not disclose what transpired at the meeting, except to carry out the purposes of the panel. (Minn. Stat. §256.01, subd. 15 (e)).

### **Confidentiality of Records:**

The proceedings and records of the review panel are protected nonpublic data as defined in Minnesota Statutes 13.02, subdivision 13, and are not subject to discovery or introduction into evidence in a civil or criminal action against a professional, the state, or county agency arising out of the matters the panels are reviewing. (Minn. Stat. §256.01, subd. 15 (e)).

### ***Relationship With Other Agencies***

Department of Human Services:

The Department of Human Services is responsible to provide staff to the Citizen Review Panels and oversee its fiscal and legal operations. The Department handles requests for information and data from the review panels.

Local Social Service Agencies:

Local social service agencies must cooperate and work with the citizen review panels.

### ***Policy for Consumer Concerns***

The following policy regarding consumer concerns was approved by the Steering Committee on July 17, 2001 and was adopted by all panel members:

Policy for Consumer Concerns:

1. The Panel will not take the complaint.
2. The concerned citizen / consumer will be referred to the various and appropriate means available in requesting a review of a particular situation, when possible.
3. The individual will be referred to the county social service agency's program manager, or other appropriate county child protection staff person.
4. The agency's staff person will review the situation and determine if consultation with the Panel will be requested.