

**Subject** Children's Residential Treatment

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## Overview

This bill makes changes to provisions in the Children's Mental Health Act and chemical dependency fund statutes relating to children's residential treatment. The bill also modifies the section governing medical assistance coverage for services for children with severe emotional disturbance to allow for direct referrals for residential treatment and specifies that a child's custodial parent or legal custodian retains legal custody of the child while a child is in residential treatment.

## Summary

Section	Description
1	<b>Residential treatment.</b> Amends § 245.4871, subd. 32. Adds psychiatric residential treatment program (PRTF) to definition of "residential treatment" in the children's mental health statutes.
2	<b>Duties of county board.</b> Amends § 245.4874, subd. 1. Removes county's duty to provide screening for each child upon admission to a residential treatment facility who is directly referred for residential services.
3	<b>Availability of residential treatment services.</b> Amends § 245.4882, subd. 1. Provides exception to the six-month review process and court review process as bases for a child's length of stay in residential treatment for a child who is directly referred for residential services.
4	<b>Residential services; provider qualifications.</b> Amends § 256B.0945, subd. 1. Specifies that a child's custodial parent or legal custodian retains legal custody of the child and decision-making authority while a child is in residential treatment, and that the commissioner or a managed care

Section	Description
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organization retains the authority to make medical necessity and clinical appropriateness determinations.

**5 Residential services; direct referral.**

Amends § 256B.0945 by adding subd. 1a. Specifies that a child is eligible for residential services for severe emotional disturbance without a referral from the county if the child meets certain criteria. Requires the commissioner of human services to provide oversight by reviewing referrals to residential treatment. Requires residential treatment facilities to notify the county in which the child and family reside within ten days after the child is first admitted to a residential facility.

Makes this section effective January 1, 2022.

**6 Payment rates; direct referral.**

Amends § 256B.0945 by adding subd. 4a. Specifies that the commissioner must directly pay a provider for services on a fee-for-service basis and that there is no county share for direct referral children's residential services when a child is enrolled in medical assistance.

Makes this section effective January 1, 2022.



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