

House Research Act Summary

CHAPTER: 59

SESSION: 2013 Regular Session

TOPIC: DHS chemical and mental health; state-operated services

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Section

Article 1: Chemical and Mental Health

Overview

This article modifies the definition of a diagnostic assessment. It clarifies clinical supervision requirements and makes technical changes. It allows doctoral level psychologists to be members of a special review board panel.

- 1 **Special review board.** Amends § 253B.18, subd. 4c. Allows a doctoral level psychologist with forensic experience to be a member of a special review board panel.
- 2 **Definitions.** Amends § 256B.0943, subd. 1. Modifies the definition of “diagnostic assessment” to the meaning given in Minnesota Rules, part 9505.0372, subp. 1.

Adds the definition of “mental health practitioner.”

Strikes the definition of “preschool program.”
- 3 **Determination of client eligibility.** Amends § 256B.0943, subd. 3. Provides that eligibility for CTSS is determined based on a diagnostic assessment completed within one year before the start of service. Requires the diagnostic assessment to be completed by a mental health professional or a mental health practitioner who is a clinical trainee.

Clarifies that for individuals between the ages of 18 and 21, the annual update of the diagnostic assessment must be an adult diagnostic update.

Section

- 4** **Provider entity clinical infrastructure requirements.** Amends § 256B.0943, subd. 6. For purposes of medical assistance reimbursement of behavioral aide services, requires a mental health professional to develop an approved clinical supervision plan with the aide in accordance with specified supervision standards.
- 5** **Service delivery criteria.** Amends § 256B.0943, subd. 9. Corrects a cross-reference. Clarifies that a mental health professional or mental health practitioner must observe a behavioral aide deliver services to the child at least one hour during every 40 hours of service provided to the child.
- 6** **Mobile crisis intervention staff qualifications.** Amends § 256B.0944, subd. 5. Updates a cross-reference.

Article 2: State-Operated Services**Overview**

This article makes numerous technical changes to strike obsolete facility names and references. It allows for disclosure of certain information on individuals who are buried on the grounds of a state institution for the purpose of placing a grave marker. It instructs the Revisor to change the term “state-operated services” to “Minnesota Specialty Behavioral Health Services” and to change “Minnesota Security Hospital” to “Minnesota Forensic Services” wherever found in statute and rule.

- 1** **State institutions.** Amends § 13.461, by adding subd. 8a. States that disclosure of certain data on individuals who are buried on the grounds of a state institution is governed by section 246.33, subd. 4.
- 2** **Leases for state-operated, community-based programs.** Amends § 245.036. Strikes repealed cross-references.
- 3** **Services.** Amends § 246.014. Strikes a repealed cross-reference. Includes nursing home services as a component of forensic services maintained by the commissioner.
- 4** **Tobacco use prohibited.** Amends § 246.0141. Strikes the name of a closed program.
- 5** **Hospital administrator.** Amends § 246.0251. Strikes obsolete sentence.
- 6** **Biennial estimates; suggestions for legislation.** Amends § 246.12. Strikes outdated terminology.
- 7** **Notification to legislature required.** Amends § 246.128. Strikes obsolete sentence.
- 8** **Plots in cemetery.** Amends § 246.33, subd. 4. Allows the commissioner to share private data on individuals for purposes of placing a marker on each grave.

Section

- 9** **Exceptions.** Amends § 246.54, subd. 2. Strikes the name of a closed program.
- 10** **Chemical dependency rates.** Amends § 246.64, subd. 1. Strikes an obsolete cross-reference.
- 11** **Regional center.** Amends § 252.41, subd. 7. Strikes the names of the now closed regional treatment centers.
- 12** **State-operated services for persons with mental illness.** Amends § 253.015, subd. 1. Strikes the names of the state-operated services facilities for person with mental illness.
- 13** **Facilities.** Amends § 253B.045, subd. 2. Adds that any charges for temporary confinement at a regional treatment center that are not covered by the individual's insurance company are the responsibility of the county.
- 14** **Designation of state hospitals.** Amends § 254.05. Strikes the names and locations of all regional treatment centers except Anoka-Metro Regional Treatment Center.
- 15** **Regional treatment center.** Amends §295.50, subd. 10b. Strikes an obsolete cross-reference.
- 16** **Eligible mortgagor.** Amends §4 62A.03, subd. 13. Strikes outdated and obsolete language and cross-reference.
- 17** **Repealer.** Repeals §§ 246.04 (financial records of each treatment center); 246.05 (dissemination of research and information); 246.125 (chemical and mental health services advisory task force); 246.21 (contingent funds); 246.57, subd. 5 (shared services agreement; laundry facilities); 246.58 (labor accounts); 246.59 (lodging, food, domestic service); 252.011, subds. 3 (Ah Gwah Ching) and 6 (rulemaking authority related to two closed nursing facilities); 253.015, subd. 4 (services for person with traumatic brain injury); 253.018 (persons served at regional treatment centers); and 253.28 (state-operated, community-based services for persons with mental illness).

Article 3: Terminology Changes**Overview**

This article strikes outdated terminology related to individuals who have a disability and substitutes currently acceptable terminology. This article also instructs the Revisor to make specified word and grammatical changes in Minnesota Rules.