

A bill for an act

relating to special education; expanding who is qualified to make a diagnosis of attention deficit disorder or attention deficit hyperactivity disorder; amending Minnesota Statutes 2009 Supplement, section 125A.02, subdivision 1.

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

Section 1. Minnesota Statutes 2009 Supplement, section 125A.02, subdivision 1, is amended to read:

Subdivision 1. **Child with a disability.** "Child with a disability" means a child identified under federal and state special education law as having a hearing impairment, blindness, visual disability, speech or language impairment, physical disability, other health impairment, mental disability, emotional/behavioral disorder, specific learning disability, autism, traumatic brain injury, multiple disabilities, or deafblind disability who needs special education and related services, as determined by the rules of the commissioner, is a child with a disability. A licensed physician, an advanced practice nurse, ~~or~~ a licensed psychologist, or a mental health professional under section 245.4871, subdivision 27, clauses (2) and (6), is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability.