

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH LEGISLATURE

S.F. No. 266

(SENATE AUTHORS: EATON, Hoffman and Marty)

DATE	D-PG	OFFICIAL STATUS
02/04/2013	145	Introduction and first reading Referred to Health, Human Services and Housing
02/14/2013		Comm report: To pass as amended and re-refer to Finance

1.1

A bill for an act

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relating to human services; requiring the development of a program to certify

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certain behavioral health aides; amending Minnesota Statutes 2012, section

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256B.0943, subdivision 7, by adding a subdivision.

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

1.6

Section 1. Minnesota Statutes 2012, section 256B.0943, subdivision 7, is amended to

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read:

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Subd. 7. **Qualifications of individual and team providers.** (a) An individual

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or team provider working within the scope of the provider's practice or qualifications

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may provide service components of children's therapeutic services and supports that are

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identified as medically necessary in a client's individual treatment plan.

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(b) An individual provider must be qualified as:

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(1) a mental health professional as defined in subdivision 1, paragraph (n); or

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(2) a mental health practitioner as defined in section 245.4871, subdivision 26. The

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mental health practitioner must work under the clinical supervision of a mental health

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professional; or

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(3) a mental health behavioral aide working under the clinical supervision of a

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mental health professional to implement the rehabilitative mental health services identified

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in the client's individual treatment plan and individual behavior plan.

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(A) A level I mental health behavioral aide must:

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(i) be at least 18 years old;

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(ii) have a high school diploma or general equivalency diploma (GED) or two years

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of experience as a primary caregiver to a child with severe emotional disturbance within

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the previous ten years; and

- 2.1 (iii) meet preservice and continuing education requirements under subdivision 8.
- 2.2 (B) A level II mental health behavioral aide must:
- 2.3 (i) be at least 18 years old;
- 2.4 (ii) have an associate or bachelor's degree or 4,000 hours of experience in delivering
- 2.5 clinical services in the treatment of mental illness concerning children or adolescents or
- 2.6 complete a certificate program established under subdivision 8a; and
- 2.7 (iii) meet preservice and continuing education requirements in subdivision 8.
- 2.8 (c) A preschool program multidisciplinary team must include at least one mental
- 2.9 health professional and one or more of the following individuals under the clinical
- 2.10 supervision of a mental health professional:
- 2.11 (i) a mental health practitioner; or
- 2.12 (ii) a program person, including a teacher, assistant teacher, or aide, who meets the
- 2.13 qualifications and training standards of a level I mental health behavioral aide.
- 2.14 (d) A day treatment multidisciplinary team must include at least one mental health
- 2.15 professional and one mental health practitioner.

2.16 Sec. 2. Minnesota Statutes 2012, section 256B.0943, is amended by adding a

2.17 subdivision to read:

2.18 Subd. 8a. **Level II mental health behavioral aide.** The commissioner of human

2.19 services, in collaboration with the Board of Trustees of the Minnesota State Colleges

2.20 and Universities, shall develop an 11-credit certificate program for level II mental

2.21 health behavioral aides. The program shall include classroom and field-based learning.

2.22 The program components must include, but not be limited to, mental illnesses in

2.23 children, parent and family perspectives, skill training, documentation and reporting,

2.24 communication skills, and cultural competence.