

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 3372

(SENATE AUTHORS: HOFFMAN)

DATE	D-PG	OFFICIAL STATUS
03/31/2016	5424	Introduction and first reading Referred to Health, Human Services and Housing

1.1 A bill for an act
 1.2 relating to human services; modifying restrictive interventions in licensed
 1.3 facilities; amending Minnesota Statutes 2014, section 245.8251, subdivision 1.
 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 245.8251, subdivision 1, is amended to read:

1.6 Subdivision 1. **Rules governing the use of positive support strategies and**
 1.7 **restrictive interventions.** The commissioner of human services shall, by August
 1.8 31, 2015, adopt rules to govern the use of positive support strategies, and ensure the
 1.9 applicability of chapter 245D prohibitions and limits on the emergency use of manual
 1.10 restraint and on the use of restrictive interventions to facilities and services governed by
 1.11 the rules. The rules apply to all facilities and services licensed under chapter 245D, and all
 1.12 licensed facilities and licensed services serving persons with a developmental disability or
 1.13 related condition. For the purposes of this section, "developmental disability or related
 1.14 condition" has the meaning given in Minnesota Rules, part 9525.0016, subpart 2, items
 1.15 A to E. For the purposes of this section and Minnesota Rules, part 9544.0090, "licensed
 1.16 holders," "executives," "managers," and "owners" do not include directors and board
 1.17 members who are volunteers and who do not receive compensation for their roles as
 1.18 directors or board members of nonprofit corporations, nonprofit organizations, or charities.