

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:

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Subdivision 1. **Rules governing the use of positive support strategies and**

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restrictive interventions. The commissioner of human services shall, by August

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31, 2015, adopt rules to govern the use of positive support strategies, and ensure the

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applicability of chapter 245D prohibitions and limits on the emergency use of manual

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restraint and on the use of restrictive interventions to facilities and services governed by

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the rules. The rules apply to all facilities and services licensed under chapter 245D, and all

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licensed facilities and licensed services serving persons with a developmental disability or

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related condition. For the purposes of this section, "developmental disability or related

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condition" has the meaning given in Minnesota Rules, part 9525.0016, subpart 2, items

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A to E. For the purposes of this section and Minnesota Rules, part 9544.0090, "licensed

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holders," "executives," "managers," and "owners" do not include directors and board

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members who are volunteers and who do not receive compensation for their roles as

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directors or board members of nonprofit corporations, nonprofit organizations, or charities.