

amended to read:

Subd. 1a. **SPECIAL SCHOOL DISTRICT NO. 1, MINNEAPOLIS; BOARD OF DIRECTORS; TERMS OF OFFICE.** The board of education of such district shall consist of seven directors, each of whom shall be elected at large for a term of six years, or until his successor has been elected and qualified, provided that the term of office of each director elected after the effective date of this act shall be four years or until a successor is elected and qualified. The directors shall receive such compensation as may be fixed by the board of education.

Sec. 2. This act is effective the day following its final enactment.

Approved March 23, 1978.

CHAPTER 560-H.F.No.1826

[Coded in Part]

An act relating to public welfare; providing compensation to residents of state institutions; accepting volunteer services; authorizing rule promulgation for child cost of care; authorizing ward institutional placement for respite care; concerning the discharge of a committed patient; providing for a hospital program plan; concerning local welfare hearing; regarding child support; modifying reimbursement for transportation for medical assistance; amending Minnesota Statutes 1976, Sections 246.36; 252A.11, Subdivision 3; 253A.15, Subdivision 11; 253A.17, Subdivision 9; 256.045, Subdivision 2; 256B.02, Subdivision 8; 256B.041, Subdivision 6; Chapter 246, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 252.27, Subdivision 2; 256.79; 256.873; and 256B.04, Subdivision 12.

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

Section 1. Minnesota Statutes 1976, Chapter 246, is amended by adding a section to read:

[246.151] COMPENSATION PAID TO PATIENT. Notwithstanding any law to the contrary, the commissioner of public welfare is authorized to provide for the payment to patients or residents of state institutions under his management and control of such pecuniary compensation as he may deem proper, the amount of compensation to depend upon the quality and character of the work performed as determined by the commissioner and the chief executive officer, but in no case less than 25 percent of the minimum wage established pursuant to section 177.24.

Sec. 2. Minnesota Statutes 1976, Section 246.36, is amended to read:

246.36. ACCEPTANCE OF VOLUNTARY, UNCOMPENSATED SERVICES. For the purpose of carrying out his duties, the commissioner of public welfare shall have authority to accept uncompensated and voluntary services and to enter into contracts or agreements with private or public agencies, or persons, for uncompensated and voluntary

Changes or additions indicated by underline deletions by strikeout

services, as he may deem practicable. The volunteer agencies, organizations or persons who provide services to residents of state hospitals shall not be subject to the procurement requirements of chapters 16 and 16A. The agencies, organizations or persons may purchase supplies, services and equipment to be used in providing services to residents of state hospitals through the department of administration.

Sec. 3. Minnesota Statutes, 1977 Supplement, Section 252.27, Subdivision 2, is amended to read:

Subd. 2. The commissioner of public welfare shall promulgate rules to determine the responsibility of the parents and the child to contribute to the cost of care and treatment based upon ability to pay. Responsibility of the parents and of the child for the cost of care shall be up to a maximum of \$125 per month. Reimbursement by the parents and child shall be made to the county making any payments for care and treatment. The commissioner may require payment of the full cost of caring for children whose parents or guardians do not reside in this state. The commissioner's determination shall be conclusive in any action to enforce payment of the cost of care. Any appeals from the commissioner's determination shall be made pursuant to section ~~246.55~~ 256.045, subdivision 2 and subdivision 3.

Sec. 4. Minnesota Statutes 1976, Section 252A.11, Subdivision 3, is amended to read:

Subd. 3. Nothing in sections 252A.01 to 252A.21 shall give the commissioner authority to place a ward in a state institution except pursuant to sections 253A.01 to 253A.21 ~~or, for outpatient services, or for the purpose of receiving temporary care for a specific period of time not to exceed 90 days in any calendar year with the concurrence of the responsible county welfare board and the chief executive officer of the hospital or his designee.~~

Sec. 5. Minnesota Statutes 1976, Section 253A.15, Subdivision 11, is amended to read:

Subd. 11. (a) The head of any hospital, prior to the discharge or provisional discharge of any patient committed as mentally ill, mentally deficient, or inebriate, shall notify the patient's spouse, of if there be none, an adult child, or if there be none, the next of kin of the patient, of the proposed discharge date. The notice shall be sent to the last known address of the patient's next of kin by ~~registered~~ certified mail with return receipt. Further, the notice shall include the following information: (1) the proposed date of discharge or provisional discharge; (2) the date, time and place of the meeting of the staff, who have been treating the patient, to discuss discharge and discharge planning; (3) that the patient will be present at the meeting; (4) that the next of kin may attend the designated staff meeting and present any information relevant to the discharge of the patient. The notice shall be sent to the next of kin at least one week prior to the date designated for the meeting.

(b) The head of any hospital, upon the provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21,

Changes or additions indicated by underline deletions by ~~strikeout~~

shall notify the welfare board and in the event the patient is a drug dependent person the community mental health center of the county of such patient's residence before the patient is to leave the hospital. Whenever possible said notice shall be given at least one week before the patient is to leave the hospital. The commissioner shall provide by regulation the procedure and methods whereby such patient shall be helped to receive all public assistance benefits provided by state or federal law to which his residence and circumstances entitle him. Such regulations shall be uniformly applied in all counties, and all counties shall provide temporary relief whenever necessary to meet the intent of this subdivision.

Sec. 6. Minnesota Statutes 1976, Section 253A.17, Subdivision 9, is amended to read:

Subd. 9. Every person hospitalized or otherwise receiving services under ~~section 253A.16 and this section~~ sections 253A.01 to 253A.21 shall be entitled to receive proper care and treatment, best adapted, according to contemporary professional standards, to rendering further custody, institutionalization, or other services unnecessary. To this end the head of the hospital shall devise or cause to be devised for each person so hospitalized a written program plan which shall describe in behavioral terms the case problems, and the precise goals, including the expected period of time for hospitalization, and the specific measures to be employed in the solution or easement of said problems. Each plan shall be reviewed at not less than quarterly intervals to determine progress toward the goals, and to modify the program plan as necessary. The program plan shall be devised and reviewed in each instance with the appropriate county welfare department, and with the patient. The hospital record shall attest to the program plan review. If the county welfare department or the patient does not so participate in the planning and review, the hospital record shall include reasons for non-participation and the plans for future involvement.

The department of public welfare shall monitor the aforementioned program plan and review process to insure compliance with the provisions of this subdivision.

Sec. 7. Minnesota Statutes 1976, Section 256.045, Subdivision 2, is amended to read:

Subd. 2. **LOCAL WELFARE HEARINGS.** In counties in which the commissioner of public welfare has appointed a local welfare referee, any person applying for or receiving public assistance granted by a local agency pursuant to Minnesota Statutes, Sections 256.72 to 256.87, Chapters 256B, 256D, 261, the Federal Food Stamp Act or a program of social services whose application for assistance is denied, or not acted upon with reasonable promptness, or whose assistance is suspended, reduced, or terminated by a local agency, or any patient or relative aggrieved by an order of the commissioner under section 252.27, may contest that action or decision before the local welfare referee by submitting a written request for a hearing to the local agency within 30 days after receiving written notice of the action or decision, or within 90 days of such written notice if the applicant or recipient shows good cause why the request was not submitted within the 30 day time limit. The local welfare referee shall conduct a hearing on the matter and shall issue a ruling affirming, reversing, or modifying the action or decision of the local

Changes or additions indicated by underline deletions by strikeout

agency. The ruling of the local welfare referee shall be binding upon the local agency and the aggrieved party unless appeal is taken in the manner provided by subdivision 3.

Sec. 8. Minnesota Statutes, 1977 Supplement, Section 256.79, is amended to read:

256.79 REMOVAL TO ANOTHER COUNTY. Any child qualified for and receiving assistance pursuant to the provisions in sections 256.72 to 256.87 in any county in this state, who moves or is taken to another county in this state shall be entitled to continue to receive assistance from the county from which he has moved or has been taken until he shall have resided for two months in the county to which he has moved. When he has resided two months in the county to which he has moved, or has been taken, the local agency of the county from which he has moved shall transfer all necessary records relating to the child to the county agency of the county to which he has moved.

Notwithstanding the provisions of section 256.73, subdivision 4, the county of financial responsibility shall not change because application for assistance is not made prior to initial placement or as a result of successive placements in one or more counties pursuant to a plan of treatment for health, rehabilitation, foster care, child care or training, nor as a result of placement in any correctional program.

Sec. 9. Minnesota Statutes, 1977 Supplement, Section 256.873, is amended to read:

256.873 EMPLOYER'S DUTY; REMITTANCE OF AMOUNT WITHHELD. The support money shall be withheld by the employer of said person obligated to pay the support and the amount withheld shall be remitted monthly or more frequently to the public agency ~~providing support to said dependent child~~ responsible for child support enforcement. Any amount so received in excess of the amount of public assistance expended for said child shall be further remitted to the person entitled thereto. No employer may discharge, suspend or otherwise penalize any employee by reason of the fact that the employer must withhold the support money.

Sec. 10. Minnesota Statutes 1976, Section 256B.02, Subdivision 8, is amended to read:

Subd. 8. "Medical assistance" or "medical care" means payment of part or all of the cost of the following care and services for eligible individuals whose income and resources are insufficient to meet all of such cost:

- (1) Inpatient hospital services.
- (2) Skilled nursing home services.
- (3) Physicians' services.
- (4) Outpatient hospital or clinic services.
- (5) Home health care services.

Changes or additions indicated by underline deletions by ~~strikeout~~

- (6) Private duty nursing services.
- (7) Physical therapy and related services.
- (8) Dental services.
- (9) Laboratory and x-ray services.
- (10) The following if prescribed by a licensed practitioner: drugs, eyeglasses, dentures, and prosthetic devices.
- (11) Diagnostic, screening, and preventive services.
- (12) Health care pre-payment plan premiums and insurance premiums if paid directly to a vendor and supplementary medical insurance benefits under Title XVIII of the Social Security Act.
- (13) Transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by non-ambulatory persons in obtaining emergency or non-emergency medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services. For the purpose of this clause, a person who is incapable of transport by taxicab or bus shall be considered to be non-ambulatory.
- (14) To the extent authorized by rule of the state agency, costs of bus or taxicab transportation incurred by any ambulatory eligible person for obtaining non-emergency medical care.
- (14) (15) Any other medical or remedial care licensed and recognized under state law.

Sec. 11. Minnesota Statutes, 1977 Supplement, Section 256B.04, Subdivision 12, is amended to read:

Subd. 12. Place limits on the types of services covered by medical assistance, the frequency with which the same or similar services may be covered by medical assistance for an individual recipient, and the amount paid for each covered service. The state agency shall promulgate rules, including temporary rules, establishing maximum reimbursement rates for emergency and non-emergency ambulance transportation.

Sec. 12. Minnesota Statutes 1976, Section 256B.041, Subdivision 6, is amended to read:

Subd. 6. The commissioners of public welfare and administration may contract with any agency of government or any corporation for providing all or a portion of the services for carrying out the provisions of this section. Local welfare agencies may pay vendors of transportation for non-emergency medical care when so authorized by rule of the commissioner of public welfare.

Changes or additions indicated by underline deletions by ~~strikeout~~

Sec. 13. The commissioner of public welfare may issue temporary rules to implement sections 10 and 12.

Sec. 14. This act is effective on the day following final enactment.

Approved March 23, 1978.

CHAPTER 561-H.F.No.1833

An act relating to community colleges; requiring that one member of the state board be a student; requiring that one member of the local advisory committee be a student; amending Minnesota Statutes 1976, Sections 136.61, Subdivisions 1 and 1a; and 136.63, Subdivision 1.

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

Section 1. Minnesota Statutes 1976, Section 136.61, Subdivision 1, is amended to read:

136.61 STATE BOARD FOR COMMUNITY COLLEGES; SELECTION AND ADMINISTRATION. Subdivision 1. The state board for community colleges shall consist of seven members appointed by the governor with the advice and consent of the senate. They shall be selected for their knowledge of, and interest in community colleges of Minnesota. One member shall be a full-time student at a community college at the time of appointment or shall have been a full-time student at a community college within one year before appointment to the state board for community colleges.

Sec. 2. Minnesota Statutes 1976, Section 136.61, Subdivision 1a, is amended to read:

Subd. 1a. The membership terms, compensation, removal of members, and filling of vacancies on the board shall be as provided in section 15.0575 except that the term of the student member shall be two years.

Sec. 3. Minnesota Statutes 1976, Section 136.63, Subdivision 1, is amended to read:

136.63 LOCAL ADVISORY COMMITTEES. Subdivision 1. The board shall appoint a local advisory committee for each community college composed of qualified persons with who have a knowledge of and interest in community colleges residing and who reside in the area served by such the community college. One member of each local advisory committee shall be a full-time student at the community college at the time of appointment or shall have been a full-time student at the community college within one year before appointment to the local advisory committee. The board from time to time shall consult with each local advisory committee on matters of courses of study to be offered at the community college. The number of members and their terms of each advisory committee shall be fixed by the board. Advisory committee members shall serve without compensation and without reimbursement for expenses.

Approved March 23, 1978.

Changes or additions indicated by underline deletions by ~~strikeout~~