

parent or legal guardian if it is determined by an independent examination that there is reasonable evidence that the proposed patient is chemically dependent or has a mental illness and is suitable for treatment. The person conducting the examination shall notify the proposed patient and the parent or legal guardian of this determination.

Presented to the governor March 30, 2000

Signed by the governor April 3, 2000, 2:15 p.m.

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### CHAPTER 317—S.F.No. 3549

*An act relating to health; modifying the residential hospice program requirements; amending Minnesota Statutes 1998, section 144A.48, subdivision 1; repealing Minnesota Statutes 1998, section 144A.48, subdivision 6.*

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

Section 1. Minnesota Statutes 1998, section 144A.48, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** For the purposes of this section, the following terms have the meanings given to them:

(1) "Core services" means physician services, registered nursing services, medical social services, pastoral care or other counseling services, and volunteer services that are provided either directly by the hospice program or through a service contract or other arrangement;

(2) "Hospice patient" means an individual who has been diagnosed as terminally ill with a probable life expectancy of under one year, as documented by the individual's attending physician, and who alone or, when unable, through the hospice patient's family has voluntarily consented to and received admission to a hospice program;

(3) "Hospice patient's family" means relatives of the hospice patient, the hospice patient's guardian, primary caregivers, or persons identified by the hospice patient as having significant personal ties;

(4) "Hospice program" means palliative and supportive care and other services provided by an interdisciplinary team under the direction of an identifiable hospice administration to terminally ill hospice patients and their families to meet the physical, nutritional, emotional, social, spiritual, and special needs experienced during the final stages of illness, dying, and bereavement, through a centrally coordinated program that ensures continuity and consistency of home and inpatient care provided directly or through an agreement;

(5) "Interdisciplinary team" means a group of qualified individuals with expertise in meeting the special needs of hospice patients and their families, including, at a minimum, those individuals who are providers of core services;

New language is indicated by underline, deletions by ~~strikeout~~.

(6) "Palliative care" means care directed at managing the symptoms experienced by the hospice patient and intended to enhance the quality of life for the hospice patient and the patient's family, but not directed at curing the illness;

(7) "Residential hospice facility" means a facility ~~that houses no more than eight hospice patients,~~ located in a residential area in a facility that resembles a single-family home, that directly provides 24-hour residential and support services in a home-like setting for hospice patients as an integral part of the continuum of home care provided by a hospice licensed under subdivision 2, and that houses:

(i) no more than eight hospice patients; or

(ii) at least nine and no more than 12 hospice patients with the approval of the local governing authority, notwithstanding section 462.357, subdivision 8; and

(8) "Volunteer services" means services by volunteers who provide a personal presence that augments a variety of professional and nonprofessional services available to the hospice patient, the patient's family, and the hospice program.

**Sec. 2. REPEALER.**

Minnesota Statutes 1998, section 144A.48, subdivision 6, is repealed.

**Sec. 3. EFFECTIVE DATE.**

Section 2 is effective on the effective date of rules adopted by the commissioner of health relating to the licensure of residential hospice facilities.

Presented to the governor March 30, 2000

Signed by the governor April 3, 2000, 2:17 p.m.

**CHAPTER 318—S.F.No. 2701**

*An act relating to crime prevention; creating the crime of gambling fraud; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 609.*

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

**Section 1. [609.763] LAWFUL GAMBLING FRAUD.**

Subdivision 1. CRIME. A person is guilty of a crime and may be sentenced as provided in subdivision 2 if the person does any of the following:

(1) knowingly claims a lawful gambling prize using altered or counterfeited gambling equipment;

(2) knowingly claims a lawful gambling prize by means of fraud, deceit, or misrepresentation;

New language is indicated by underline, deletions by ~~strikeout~~.