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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 856

02/25/2013 Authored by Loeffler, Abeler, Allen and Dorholt
The bill was read for the first time and referred to the Committee on Health and Human Services Policy
04/02/2013 Adoption of Report: Pass and re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to health; modifying the definition of mental illness in the Adult Mental
1.3 Health Act; amending Minnesota Statutes 2012, section 245.462, subdivision 20.

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

1.5 Section 1. Minnesota Statutes 2012, section 245.462, subdivision 20, is amended to read:

1.6 Subd. 20. **Mental illness.** (a) "Mental illness" means an organic disorder of the brain
1.7 or a clinically significant disorder of thought, mood, perception, orientation, memory, or
1.8 behavior that is detailed in a diagnostic codes list published by the commissioner, and that
1.9 seriously limits a person's capacity to function in primary aspects of daily living such as
1.10 personal relations, living arrangements, work, and recreation.

1.11 (b) An "adult with acute mental illness" means an adult who has a mental illness that
1.12 is serious enough to require prompt intervention.

1.13 (c) For purposes of case management and community support services, a "person
1.14 with serious and persistent mental illness" means an adult who has a mental illness and
1.15 meets at least one of the following criteria:

1.16 (1) the adult has undergone two or more episodes of inpatient care for a mental
1.17 illness within the preceding 24 months;

1.18 (2) the adult has experienced a continuous psychiatric hospitalization or residential
1.19 treatment exceeding six months' duration within the preceding 12 months;

1.20 (3) the adult has been treated by a crisis team two or more times within the preceding
1.21 24 months;

1.22 (4) the adult:

1.23 (i) has a diagnosis of schizophrenia, bipolar disorder, major depression,
1.24 schizoaffective disorder, or borderline personality disorder;

2.1 (ii) indicates a significant impairment in functioning; and
2.2 (iii) has a written opinion from a mental health professional, in the last three years,
2.3 stating that the adult is reasonably likely to have future episodes requiring inpatient or
2.4 residential treatment, of a frequency described in clause (1) or (2), unless ongoing case
2.5 management or community support services are provided;

2.6 (5) the adult has, in the last three years, been committed by a court as a person who is
2.7 mentally ill under chapter 253B, or the adult's commitment has been stayed or continued; or

2.8 (6) the adult (i) was eligible under clauses (1) to (5), but the specified time period
2.9 has expired or the adult was eligible as a child under section 245.4871, subdivision 6; and
2.10 (ii) has a written opinion from a mental health professional, in the last three years, stating
2.11 that the adult is reasonably likely to have future episodes requiring inpatient or residential
2.12 treatment, of a frequency described in clause (1) or (2), unless ongoing case management
2.13 or community support services are provided.