

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 266

(SENATE AUTHORS: EATON, Hoffman and Marty)

DATE	D-PG	OFFICIAL STATUS
02/04/2013	145	Introduction and first reading Referred to Health, Human Services and Housing
02/14/2013	224a	Comm report: To pass as amended and re-refer to Finance
05/07/2013	3396a	Comm report: To pass as amended
	3396	Second reading Rule 47, returned to Finance See HF1233, Art. 4, Sec. 24-25

1.1

A bill for an act

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relating to human services; requiring the development of a program to certify

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certain behavioral health aides; amending Minnesota Statutes 2012, section

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256B.0943, subdivision 7, by adding a subdivision.

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

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Section 1. Minnesota Statutes 2012, section 256B.0943, subdivision 7, is amended to

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read:

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Subd. 7. **Qualifications of individual and team providers.** (a) An individual

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or team provider working within the scope of the provider's practice or qualifications

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may provide service components of children's therapeutic services and supports that are

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identified as medically necessary in a client's individual treatment plan.

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(b) An individual provider must be qualified as:

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(1) a mental health professional as defined in subdivision 1, paragraph (n); or

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(2) a mental health practitioner as defined in section 245.4871, subdivision 26. The

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mental health practitioner must work under the clinical supervision of a mental health

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professional; or

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(3) a mental health behavioral aide working under the clinical supervision of a

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mental health professional to implement the rehabilitative mental health services identified

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in the client's individual treatment plan and individual behavior plan.

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(A) A level I mental health behavioral aide must:

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(i) be at least 18 years old;

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(ii) have a high school diploma or general equivalency diploma (GED) or two years

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of experience as a primary caregiver to a child with severe emotional disturbance within

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the previous ten years; and

2.1 (iii) meet preservice and continuing education requirements under subdivision 8.

2.2 (B) A level II mental health behavioral aide must:

2.3 (i) be at least 18 years old;

2.4 (ii) have an associate or bachelor's degree or 4,000 hours of experience in delivering
2.5 clinical services in the treatment of mental illness concerning children or adolescents or
2.6 complete a certificate program established under subdivision 8a; and

2.7 (iii) meet preservice and continuing education requirements in subdivision 8.

2.8 (c) A preschool program multidisciplinary team must include at least one mental
2.9 health professional and one or more of the following individuals under the clinical
2.10 supervision of a mental health professional:

2.11 (i) a mental health practitioner; or

2.12 (ii) a program person, including a teacher, assistant teacher, or aide, who meets the
2.13 qualifications and training standards of a level I mental health behavioral aide.

2.14 (d) A day treatment multidisciplinary team must include at least one mental health
2.15 professional and one mental health practitioner.

2.16 Sec. 2. Minnesota Statutes 2012, section 256B.0943, is amended by adding a
2.17 subdivision to read:

2.18 Subd. 8a. **Level II mental health behavioral aide.** The commissioner of human
2.19 services, in collaboration with children's mental health providers and the Board of Trustees
2.20 of the Minnesota State Colleges and Universities, shall develop a certificate program
2.21 for level II mental health behavioral aides.