

**9525.3045 CONSENT TO USE OF AVERSIVE AND DEPRIVATION PROCEDURES.**

Subpart 1. **Generally.** The county staff acting as public guardian has the authority to give informed consent for the use of aversive and deprivation procedures. Technical assistance from the department about the use of aversive and deprivation procedures is available to the local agency upon request. The county staff acting as public guardian must withdraw consent at any time that the use of aversive and deprivation procedures do not appear to be in the best interest of the ward.

Subp. 2. **Informed consent.** The county staff acting as public guardian must not consent to the use of aversive and deprivation procedures unless all requirements in parts 9525.2700 to 9525.2810, Code of Federal Regulations, title 42, section 483.13, and other requirements existing in state and federal law governing the use of such procedures are met.

Subp. 3. **Monitoring data.** The county staff acting as public guardian shall monitor the use of aversive and deprivation procedures by reviewing data required under parts 9525.2700 to 9525.2810 and Code of Federal Regulations, title 42, section 483.13, to determine whether continued use of aversive or deprivation procedures is consistent with these requirements and is in the best interest of the ward. Documentation of this review must be included in the quarterly review required under part 9525.3065, subpart 2.

**Statutory Authority:** *MS s 252A.21*

**History:** *17 SR 2276*

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