

203.28

ARTICLE 7

203.29

DIRECT CARE AND TREATMENT

203.30 Section 1. Minnesota Statutes 2024, section 246.54, subdivision 1a, is amended to read:

203.31 Subd. 1a. **Anoka-Metro Regional Treatment Center.** (a) A county's payment of the  
203.32 cost of care provided at Anoka-Metro Regional Treatment Center shall be according to the  
203.33 following schedule:

204.1 (1) zero percent for the first 30 days;

204.2 (2) 20 percent for days 31 and over if the stay is determined to be clinically appropriate  
204.3 for the client; and

204.4 (3) 100 percent for each day during the stay, including the day of admission, when the  
204.5 facility determines that it is clinically appropriate for the client to be discharged.

204.6 (b) If payments received by the state under sections 246.50 to 246.53 exceed 80 percent  
204.7 of the cost of care for days over 31 for clients who meet the criteria in paragraph (a), clause  
204.8 (2), the county shall be responsible for paying the state only the remaining amount. The  
204.9 county shall not be entitled to reimbursement from the client, the client's estate, or from the  
204.10 client's relatives, except as provided in section 246.53.

204.11 (c) Between July 1, 2023, and March 31 Beginning July 1, 2025, the county is not  
204.12 responsible for the cost of care under paragraph (a), clause (3), for a person who is committed  
204.13 as a person who has a mental illness and is dangerous to the public under section 253B.18  
204.14 and who is awaiting transfer to another state-operated facility or program. This paragraph  
204.15 expires March 31, 2025 June 30, 2029.

204.16 (d) Between April 1, 2025, and June 30 Beginning July 1, 2025, the county is not  
204.17 responsible for the cost of care under paragraph (a), clause (3), for a person who is civilly  
204.18 committed, if the client is awaiting transfer;

199.8

ARTICLE 7

199.9

DIRECT CARE AND TREATMENT

199.10 Section 1. **[246.0142] FREE COMMUNICATION SERVICES FOR PATIENTS AND**  
199.11 **CLIENTS.**

199.12 Subdivision 1. **Free communication services.** The commissioner of human services  
199.13 and the Direct Care and Treatment executive board and all facilities, settings, and programs  
199.14 owned, operated, or under the programmatic or fiscal control of the commissioner of human  
199.15 services or the Direct Care and Treatment executive board are subject to section 241.252.  
199.16 The commissioner and executive board must not include the cost of voice or other  
199.17 communication services in the cost of care as defined under section 246.50 or 246B.01.

199.18 Subd. 2. **Communication service restrictions.** Notwithstanding section 241.252,  
199.19 subdivisions 2 and 4, nothing in this section entitles a civilly committed person to  
199.20 communication services restricted or limited under section 253B.03, subdivision 3, or  
199.21 253D.19.

204.19 (1) to a facility operated by the Department of Corrections; or

204.20 (2) to another state-operated facility or program, and the Direct Care and Treatment

204.21 executive medical director's office or a designee has determined that:

204.22 (i) the client meets criteria for admission to that state-operated facility or program; and

204.23 (ii) the state-operated facility or program is the only facility or program that can

204.24 reasonably serve the client. This paragraph expires June 30, ~~2025~~ 2029.

204.25 (e) Notwithstanding any law to the contrary, the client is not responsible for payment

204.26 of the cost of care under this subdivision.

204.27 **EFFECTIVE DATE.** This section is effective retroactively from March 30, 2025.

204.28 Sec. 2. Minnesota Statutes 2024, section 246.54, subdivision 1b, is amended to read:

204.29 Subd. 1b. **Community behavioral health hospitals.** (a) A county's payment of the cost

204.30 of care provided at state-operated community-based behavioral health hospitals for adults

204.31 and children shall be according to the following schedule:

205.1 (1) 100 percent for each day during the stay, including the day of admission, when the

205.2 facility determines that it is clinically appropriate for the client to be discharged; and

205.3 (2) the county shall not be entitled to reimbursement from the client, the client's estate,

205.4 or from the client's relatives, except as provided in section 246.53.

205.5 (b) ~~Between July 1, 2023, and March 31~~ Beginning July 1, 2025, the county is not

205.6 responsible for the cost of care under paragraph (a), clause (1), for a person committed as

205.7 a person who has a mental illness and is dangerous to the public under section 253B.18 and

205.8 who is awaiting transfer to another state-operated facility or program. This paragraph expires

205.9 ~~March 31, 2025~~ June 30, 2029.

205.10 (c) ~~Between April 1, 2025, and June 30~~ Beginning July 1, 2025, the county is not

205.11 responsible for the cost of care under paragraph (a), clause (1), for a person who is civilly

205.12 committed, if the client is awaiting transfer:

205.13 (1) to a facility operated by the Department of Corrections; or

205.14 (2) to another state-operated facility or program, and the Direct Care and Treatment

205.15 executive medical director's office or a designee has determined that:

205.16 (i) the client meets criteria for admission to that state-operated facility or program; and

205.17 (ii) the state-operated facility or program is the only facility or program that can

205.18 reasonably serve the client. This paragraph expires June 30, ~~2025~~ 2029.

205.19 (d) Notwithstanding any law to the contrary, the client is not responsible for payment

205.20 of the cost of care under this subdivision.

205.21 **EFFECTIVE DATE.** This section is effective retroactively from March 30, 2025.

205.22 Sec. 3. Minnesota Statutes 2024, section 246B.10, is amended to read:

205.23 **246B.10 LIABILITY OF COUNTY; REIMBURSEMENT.**

205.24 (a) The civilly committed sex offender's county shall pay to the state a portion of the

205.25 cost of care provided in the Minnesota Sex Offender Program to a civilly committed sex

205.26 offender who has legally settled in that county.

205.27 (b) A county's payment must be made from the county's own sources of revenue and

205.28 payments must:

205.29 (1) equal ten percent of the cost of care, as determined by the executive board, for each

205.30 day or portion of a day that the civilly committed sex offender spends at the facility for

205.31 individuals admitted to the Minnesota Sex Offender Program before August 1, 2011; or

206.1 (2) equal 25 percent of the cost of care, as determined by the executive board, for each

206.2 day or portion of a day that the civilly committed sex offender:

206.3 (i) spends at the facility for individuals admitted to the Minnesota Sex Offender Program

206.4 on or after August 1, 2011; or

206.5 (ii) receives services within a program operated by the Minnesota Sex Offender Program

206.6 while on provisional discharge.

206.7 This paragraph expires June 30, 2027.

206.8 (c) The county is responsible for paying the state the remaining amount if payments

206.9 received by the state under this chapter exceed:

206.10 (1) 90 percent of the cost of care for individuals admitted to the Minnesota Sex Offender

206.11 Program before August 1, 2011; or

206.12 (2) 75 percent of the cost of care for individuals:

206.13 (i) admitted to the Minnesota Sex Offender Program on or after August 1, 2011; or

206.14 (ii) receiving services within a program operated by the Minnesota Sex Offender Program

206.15 while on provisional discharge.

206.16 This paragraph expires June 30, 2027.

206.17 (d) The county is not entitled to reimbursement from the civilly committed sex offender,

206.18 the civilly committed sex offender's estate, or from the civilly committed sex offender's

206.19 relatives, except as provided in section 246B.07.

206.20 (e) Effective July 1, 2027, a county's payment must be made from the county's own

206.21 sources of revenue and payments must equal 40 percent of the cost of care as determined

206.22 by the executive board for each day or portion of a day that the civilly committed sex

206.23 offender spends at the facility or receives services within a program operated by the  
206.24 Minnesota Sex Offender Program while on provisional discharge.

206.25 (f) Effective July 1, 2027, the county is responsible for paying the state the remaining  
206.26 amount if payments received by the state under this chapter exceed 60 percent of the cost  
206.27 of care for individuals.

206.28 Sec. 4. Minnesota Statutes 2024, section 246C.091, subdivision 3, is amended to read:

206.29 Subd. 3. **Direct Care and Treatment systems account.** (a) The Direct Care and  
206.30 Treatment systems account is created in the special revenue fund of the state treasury.  
206.31 Beginning July 1, 2025, money in the account is appropriated to the Direct Care and  
207.1 Treatment executive board and may be used for security systems and information technology  
207.2 projects, services, and support under the control of the executive board.

207.3 (b) The commissioner of human services shall transfer all money allocated to the Direct  
207.4 Care and Treatment systems projects under section 256.014 to the Direct Care and Treatment  
207.5 systems account by June 30, 2026.

207.6 (c) Beginning July 1, 2025, and each fiscal year thereafter, \$5,000,000 of general fund  
207.7 cost of care collections under section 246.18, subdivision 4, shall be deposited into the  
207.8 Direct Care and Treatment systems account to support the Direct Care and Treatment  
207.9 electronic health record system and information technology projects.

207.10 Sec. 5. Minnesota Statutes 2024, section 256G.08, subdivision 1, is amended to read:

207.11 Subdivision 1. **Commitment and competency proceedings.** In cases of voluntary  
207.12 admission, ~~or~~ commitment to state or other institutions, or criminal orders for inpatient  
207.13 examination or participation in a competency attainment program under chapter 611, the  
207.14 committing county or the county from which the first criminal order for inpatient examination  
207.15 or order for participation in a competency attainment program under chapter 611 is issued  
207.16 shall initially pay for all costs. This includes the expenses of the taking into custody,  
207.17 confinement, emergency holds under sections 253B.051, subdivisions 1 and 2, and 253B.07,  
207.18 examination, commitment, conveyance to the place of detention, rehearing, and hearings  
207.19 under ~~section~~ sections 253B.092 and 611.47, including hearings held under ~~that section~~  
207.20 ~~which~~ those sections that are venued outside the county of commitment or the county of  
207.21 the chapter 611 competency proceedings order.

207.22 **EFFECTIVE DATE.** This section is effective July 1, 2027.

207.23 Sec. 6. Minnesota Statutes 2024, section 256G.08, subdivision 2, is amended to read:

207.24 Subd. 2. **Responsibility for nonresidents.** If a person committed, ~~or~~ voluntarily admitted  
207.25 to a state institution, or ordered for inpatient examination or participation in a competency  
207.26 attainment program under chapter 611 has no residence in this state, financial responsibility  
207.27 belongs to the county of commitment or the county from which the first criminal order for  
207.28 inpatient examination or order for participation in a competency attainment program under  
207.29 chapter 611 was issued.

207.30 **EFFECTIVE DATE.** This section is effective July 1, 2027.

208.1 Sec. 7. Minnesota Statutes 2024, section 256G.09, subdivision 1, is amended to read:

208.2 Subdivision 1. **General procedures.** If upon investigation the local agency decides that  
208.3 the application, ~~or~~ commitment, or first criminal order under chapter 611 was not filed in  
208.4 the county of financial responsibility as defined by this chapter, but that the applicant is  
208.5 otherwise eligible for assistance, it shall send a copy of the application, ~~or~~ commitment  
208.6 claim, or chapter 611 claim together with the record of any investigation it has made, to the  
208.7 county it believes is financially responsible. The copy and record must be sent within 60  
208.8 days of the date the application was approved or the claim was paid. The first local agency  
208.9 shall provide assistance to the applicant until financial responsibility is transferred under  
208.10 this section.

208.11 The county receiving the transmittal has 30 days to accept or reject financial  
208.12 responsibility. A failure to respond within 30 days establishes financial responsibility by  
208.13 the receiving county.

208.14 **EFFECTIVE DATE.** This section is effective July 1, 2027.

208.15 Sec. 8. Minnesota Statutes 2024, section 256G.09, subdivision 2, is amended to read:

208.16 Subd. 2. **Financial disputes.** (a) If the county receiving the transmittal does not believe  
208.17 it is financially responsible, it should provide to the commissioner of human services and  
208.18 the initially responsible county a statement of all facts and documents necessary for the  
208.19 commissioner to make the requested determination of financial responsibility. The submission  
208.20 must clearly state the program area in dispute and must state the specific basis upon which  
208.21 the submitting county is denying financial responsibility.

208.22 (b) The initially responsible county then has 15 calendar days to submit its position and  
208.23 any supporting evidence to the commissioner. The absence of a submission by the initially  
208.24 responsible county does not limit the right of the commissioner of human services or Direct  
208.25 Care and Treatment executive board to issue a binding opinion based on the evidence actually  
208.26 submitted.

208.27 (c) A case must not be submitted until the local agency taking the application, ~~or~~ making  
208.28 the commitment, or residing in the county from which the first criminal order under chapter  
208.29 611 was issued has made an initial determination about eligibility and financial responsibility,  
208.30 and services have been initiated. This paragraph does not prohibit the submission of closed  
208.31 cases that otherwise meet the applicable statute of limitations.

208.32 **EFFECTIVE DATE.** This section is effective July 1, 2027.

209.1 Sec. 9. Minnesota Statutes 2024, section 611.43, is amended by adding a subdivision to  
209.2 read:

209.3 Subd. 5. **Costs related to confined treatment.** (a) When a defendant is ordered to  
209.4 participate in an examination in a treatment facility, a locked treatment facility, or a

199.22 Sec. 2. Minnesota Statutes 2024, section 611.43, is amended by adding a subdivision to  
199.23 read:

199.24 Subd. 5. **Costs related to confined treatment.** (a) When a defendant is ordered to  
199.25 participate in an examination in a treatment facility, a locked treatment facility, or a

209.5 state-operated treatment facility under subdivision 1, paragraph (b), the facility shall bill  
209.6 the responsible health plan first. The county in which the criminal charges are filed is  
209.7 responsible to pay any charges not covered by the health plan, including co-pays and  
209.8 deductibles. If the defendant has health plan coverage and is confined in a hospital, but the  
209.9 hospitalization does not meet the criteria in section 62M.07, subdivision 2, clause (1);  
209.10 62Q.53; 62Q.535, subdivision 1; or 253B.045, subdivision 6, the county in which criminal  
209.11 charges are filed is responsible for payment.

209.12 (b) The Direct Care and Treatment executive board shall determine the cost of  
209.13 confinement in a state-operated treatment facility based on the executive board's  
209.14 determination of cost of care pursuant to section 246.50, subdivision 5.

209.15 Sec. 10. Minnesota Statutes 2024, section 611.46, subdivision 1, is amended to read:

209.16 Subdivision 1. **Order to competency attainment program.** (a) If the court finds the  
209.17 defendant incompetent and the charges have not been dismissed, the court shall order the  
209.18 defendant to participate in a program to assist the defendant in attaining competency. The  
209.19 court may order participation in a competency attainment program provided outside of a  
209.20 jail, a jail-based competency attainment program, or an alternative program. The court must  
209.21 determine the least-restrictive program appropriate to meet the defendant's needs and public  
209.22 safety. In making this determination, the court must consult with the forensic navigator and  
209.23 consider any recommendations of the court examiner. The court shall not order a defendant  
209.24 to participate in a jail-based program or a state-operated treatment program if the highest  
209.25 criminal charge is a targeted misdemeanor.

209.26 (b) If the court orders the defendant to a locked treatment facility or jail-based program,  
209.27 the court must calculate the defendant's custody credit and cannot order the defendant to a  
209.28 locked treatment facility or jail-based program for a period that would cause the defendant's  
209.29 custody credit to exceed the maximum sentence for the underlying charge.

209.30 (c) The court may only order the defendant to participate in competency attainment at  
209.31 an inpatient or residential treatment program under this section if the head of the treatment  
209.32 program determines that admission to the program is clinically appropriate and consents to  
209.33 the defendant's admission. The court may only order the defendant to participate in  
209.34 competency attainment at a state-operated treatment facility under this section if the Direct  
210.1 Care and Treatment executive board or a designee determines that admission of the defendant  
210.2 is clinically appropriate and consents to the defendant's admission. The court may require  
210.3 a competency program that qualifies as a locked facility or a state-operated treatment program  
210.4 to notify the court in writing of the basis for refusing consent for admission of the defendant  
210.5 in order to ensure transparency and maintain an accurate record. The court may not require  
210.6 personal appearance of any representative of a competency program. The court shall send  
210.7 a written request for notification to the locked facility or state-operated treatment program  
210.8 and the locked facility or state-operated treatment program shall provide a written response  
210.9 to the court within ten days of receipt of the court's request.

199.26 state-operated treatment facility under subdivision 1, paragraph (b), the facility shall bill  
199.27 the responsible health plan.

199.28 (b) The Direct Care and Treatment executive board shall determine the cost of  
199.29 confinement in a state-operated treatment facility based on the executive board's  
199.30 determination of cost of care pursuant to section 246.50, subdivision 5.

200.1 Sec. 3. Minnesota Statutes 2024, section 611.46, subdivision 1, is amended to read:

200.2 Subdivision 1. **Order to competency attainment program.** (a) If the court finds the  
200.3 defendant incompetent and the charges have not been dismissed, the court shall order the  
200.4 defendant to participate in a program to assist the defendant in attaining competency. The  
200.5 court may order participation in a competency attainment program provided outside of a  
200.6 jail, a jail-based competency attainment program, or an alternative program. The court must  
200.7 determine the least-restrictive program appropriate to meet the defendant's needs and public  
200.8 safety. In making this determination, the court must consult with the forensic navigator and  
200.9 consider any recommendations of the court examiner. The court shall not order a defendant  
200.10 to participate in a jail-based program or a state-operated treatment program if the highest  
200.11 criminal charge is a targeted misdemeanor.

200.12 (b) If the court orders the defendant to a locked treatment facility or jail-based program,  
200.13 the court must calculate the defendant's custody credit and cannot order the defendant to a  
200.14 locked treatment facility or jail-based program for a period that would cause the defendant's  
200.15 custody credit to exceed the maximum sentence for the underlying charge.

200.16 (c) The court may only order the defendant to participate in competency attainment at  
200.17 an inpatient or residential treatment program under this section if the head of the treatment  
200.18 program determines that admission to the program is clinically appropriate and consents to  
200.19 the defendant's admission. The court may only order the defendant to participate in  
200.20 competency attainment at a state-operated treatment facility under this section if the Direct  
200.21 Care and Treatment executive board or a designee determines that admission of the defendant  
200.22 is clinically appropriate and consents to the defendant's admission. The court may require  
200.23 a competency program that qualifies as a locked facility or a state-operated treatment program  
200.24 to notify the court in writing of the basis for refusing consent for admission of the defendant  
200.25 in order to ensure transparency and maintain an accurate record. The court may not require  
200.26 personal appearance of any representative of a competency program. The court shall send  
200.27 a written request for notification to the locked facility or state-operated treatment program  
200.28 and the locked facility or state-operated treatment program shall provide a written response  
200.29 to the court within ten days of receipt of the court's request.

210.10 (d) If the defendant is confined in jail and has not received competency attainment  
210.11 services within 30 days of the finding of incompetency, the court shall review the case with  
210.12 input from the prosecutor and defense counsel and may:

210.13 (1) order the defendant to participate in an appropriate competency attainment program  
210.14 that takes place outside of a jail;

210.15 (2) order a conditional release of the defendant with conditions that include but are not  
210.16 limited to a requirement that the defendant participate in a competency attainment program  
210.17 when one becomes available and accessible;

210.18 (3) make a determination as to whether the defendant is likely to attain competency in  
210.19 the reasonably foreseeable future and proceed under section 611.49; or

210.20 (4) upon a motion, dismiss the charges in the interest of justice.

210.21 (e) The court may order any hospital, treatment facility, or correctional facility that has  
210.22 provided care or supervision to a defendant in the previous two years to provide copies of  
210.23 the defendant's medical records to the competency attainment program or alternative program  
210.24 in which the defendant was ordered to participate. This information shall be provided in a  
210.25 consistent and timely manner and pursuant to all applicable laws.

210.26 (f) If at any time the defendant refuses to participate in a competency attainment program  
210.27 or an alternative program, the head of the program shall notify the court and any entity  
210.28 responsible for supervision of the defendant.

210.29 (g) At any time, the head of the program may discharge the defendant from the program  
210.30 or facility. The head of the program must notify the court, prosecutor, defense counsel, and  
210.31 any entity responsible for the supervision of the defendant prior to any planned discharge.  
210.32 Absent emergency circumstances, this notification shall be made five days prior to the  
210.33 discharge if the defendant is not being discharged to jail or a correctional facility. Upon the  
211.1 receipt of notification of discharge or upon the request of either party in response to  
211.2 notification of discharge, the court may order that a defendant who is subject to bail or  
211.3 unmet conditions of release be returned to jail upon being discharged from the program or  
211.4 facility. If the court orders a defendant returned to jail, the court shall notify the parties and  
211.5 head of the program at least one day before the defendant's planned discharge, except in  
211.6 the event of an emergency discharge where one day notice is not possible. The court must  
211.7 hold a review hearing within seven days of the defendant's return to jail. The forensic  
211.8 navigator must be given notice of the hearing and be allowed to participate.

211.9 (h) If the defendant is discharged from the program or facility under emergency  
211.10 circumstances, notification of emergency discharge shall include a description of the  
211.11 emergency circumstances and may include a request for emergency transportation. The  
211.12 court shall make a determination on a request for emergency transportation within 24 hours.  
211.13 Nothing in this section prohibits a law enforcement agency from transporting a defendant  
211.14 pursuant to any other authority.

200.30 (d) If the defendant is confined in jail and has not received competency attainment  
200.31 services within 30 days of the finding of incompetency, the court shall review the case with  
200.32 input from the prosecutor and defense counsel and may:

200.33 (1) order the defendant to participate in an appropriate competency attainment program  
200.34 that takes place outside of a jail;

201.1 (2) order a conditional release of the defendant with conditions that include but are not  
201.2 limited to a requirement that the defendant participate in a competency attainment program  
201.3 when one becomes available and accessible;

201.4 (3) make a determination as to whether the defendant is likely to attain competency in  
201.5 the reasonably foreseeable future and proceed under section 611.49; or

201.6 (4) upon a motion, dismiss the charges in the interest of justice.

201.7 (e) The court may order any hospital, treatment facility, or correctional facility that has  
201.8 provided care or supervision to a defendant in the previous two years to provide copies of  
201.9 the defendant's medical records to the competency attainment program or alternative program  
201.10 in which the defendant was ordered to participate. This information shall be provided in a  
201.11 consistent and timely manner and pursuant to all applicable laws.

201.12 (f) If at any time the defendant refuses to participate in a competency attainment program  
201.13 or an alternative program, the head of the program shall notify the court and any entity  
201.14 responsible for supervision of the defendant.

201.15 (g) At any time, the head of the program may discharge the defendant from the program  
201.16 or facility. The head of the program must notify the court, prosecutor, defense counsel, and  
201.17 any entity responsible for the supervision of the defendant prior to any planned discharge.  
201.18 Absent emergency circumstances, this notification shall be made five days prior to the  
201.19 discharge if the defendant is not being discharged to jail or a correctional facility. Upon the  
201.20 receipt of notification of discharge or upon the request of either party in response to  
201.21 notification of discharge, the court may order that a defendant who is subject to bail or  
201.22 unmet conditions of release be returned to jail upon being discharged from the program or  
201.23 facility. If the court orders a defendant returned to jail, the court shall notify the parties and  
201.24 head of the program at least one day before the defendant's planned discharge, except in  
201.25 the event of an emergency discharge where one day notice is not possible. The court must  
201.26 hold a review hearing within seven days of the defendant's return to jail. The forensic  
201.27 navigator must be given notice of the hearing and be allowed to participate.

201.28 (h) If the defendant is discharged from the program or facility under emergency  
201.29 circumstances, notification of emergency discharge shall include a description of the  
201.30 emergency circumstances and may include a request for emergency transportation. The  
201.31 court shall make a determination on a request for emergency transportation within 24 hours.  
201.32 Nothing in this section prohibits a law enforcement agency from transporting a defendant  
201.33 pursuant to any other authority.

211.15       (i) If the defendant is ordered to participate in an inpatient or residential competency  
211.16 attainment or alternative program, the program or facility must notify the court, prosecutor,  
211.17 defense counsel, forensic navigator, and any entity responsible for the supervision of the  
211.18 defendant if the defendant is placed on a leave or elopement status from the program and  
211.19 if the defendant returns to the program from a leave or elopement status.

211.20       (j) Defense counsel, prosecutors, and forensic navigators must have access to information  
211.21 relevant to a defendant's participation and treatment in a competency attainment program  
211.22 or alternative program, including but not limited to discharge planning.

211.23       Sec. 11. Minnesota Statutes 2024, section 611.55, is amended by adding a subdivision to  
211.24 read:

211.25       Subd. 5. **Data access.** Forensic navigators must have access to all data collected, created,  
211.26 or maintained by a competency attainment program or an alternative program regarding a  
211.27 defendant in order for navigators to carry out their duties under this section. A competency  
211.28 attainment program or alternative program may request a copy of the court order appointing  
211.29 the forensic navigator before disclosing any private information about a defendant.

211.30       **EFFECTIVE DATE.** This section is effective July 1, 2027.

202.1       (i) If the defendant is ordered to participate in an inpatient or residential competency  
202.2 attainment or alternative program, the program or facility must notify the court, prosecutor,  
202.3 defense counsel, forensic navigator, and any entity responsible for the supervision of the  
202.4 defendant if the defendant is placed on a leave or elopement status from the program and  
202.5 if the defendant returns to the program from a leave or elopement status.

202.6       (j) Defense counsel, prosecutors, and forensic navigators must have access to information  
202.7 relevant to a defendant's participation and treatment in a competency attainment program  
202.8 or alternative program, including but not limited to discharge planning.

202.9       Sec. 4. Minnesota Statutes 2024, section 611.55, is amended by adding a subdivision to  
202.10 read:

202.11       Subd. 5. **Data access.** Forensic navigators must have access to all data collected, created,  
202.12 or maintained by a competency attainment program or an alternative program regarding a  
202.13 defendant in order for navigators to carry out their duties under this section. A competency  
202.14 attainment program or alternative program may request a copy of the court order appointing  
202.15 the forensic navigator before disclosing any private information about a defendant.