

nation in the same manner as claims of other public employees under the workmen's compensation law are heard and determined.

[1973 c 388 s 168]

**251.053 Officers admitted to sanatorium; payments**

If upon the evidence mentioned in section 251.052, the workmen's compensation division finds that such police officer is suffering from tuberculosis contracted by contact with persons suffering from tuberculosis while said police officer was working within the scope of his employment, it shall order the head of the police department in which said police officer is engaged, to apply for the admission of the said police officer to the Minnesota state sanatorium or some county tuberculosis sanatorium. There shall be paid to the institution where such employee may be received the same fee for the maintenance and care of such persons as is received by such institution for the maintenance and care of a non-resident patient, and such fees shall be paid by the state, county, city or village in whose employment the said police officer was hired and working at the time said police officer contracted the tuberculosis. Such police officer shall receive full hospital care and medical care without cost for the duration of the infection of tuberculosis or any recurrence thereof or any disability resulting therefrom. Further, the workmen's compensation division shall order payment to such police officer by the state, county, city, or village concerned, of the compensation provided for under the general provisions of the workmen's compensation law, including benefits to dependents as defined by the workmen's compensation law, if said police officer dies from the effects of the disease of tuberculosis and if the tuberculosis was the primary infection and the authentic cause of death.

[1973 c 388 s 169]

**CHAPTER 252. MENTALLY RETARDED AND EPILEPTIC;  
STATE HOSPITALS**

<p>Sec. 252.22 Applicants for assistance; tax           levy. 252.24 Commissioner's duties. 252.27 Cost of boarding care outside           home or institution.</p>	<p>Sec. 252.29 Establishment of advisory council for mentally retarded and cerebral palsied community residential facilities [New]. 252.30 Authorization to make grants for community residential facilities [New].</p>
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**252.22 Applicants for assistance; tax levy**

Any city, village, town, county or non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for assistance in establishing and operating a daytime activity center and program for mentally retarded persons. Application for such assistance shall be on forms supplied by the commissioner. Each applicant shall annually submit to the commissioner its plan and budget for the next fiscal year. No applicant shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner.

Any city, town, village, or county is authorized, at the discretion of its governing body, to make grants from special tax revenues or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded. In order to provide necessary funds to establish and operate daytime activity centers for the mentally retarded, the governing body of any city, town, village, or county may levy annually upon all taxable property in such city, town, village, or county, a special tax in excess of any statutory or charter limitation but such levy shall not exceed one-half mill as to any city, town or village. The governing body of any city, town, village, or county may make such a levy, where necessary, separate from the general

**252.22 RETARDED AND EPILEPTIC; STATE HOSPITALS**

levy. Nothing contained herein shall in any way preclude the use of funds available for this purpose under any existing statute or charter provision relating to cities, towns, villages and counties.

[1973 c 583 s 16]

**252.24 Commissioner's duties**

[For text of subds. 1 to 3, see M.S.1971]

**Subd. 4. Limitation on grants; fees.** No grants of assistance to any center shall exceed 60 percent of all its expenditures for (a) salaries, (b) contract facilities and services, (c) operation, maintenance and service costs, (d) rent of an appropriate facility, (e) mortgage or other financial costs specifically approved and authorized by the commissioner of public welfare, (f) other expenditures specifically approved and authorized by the commissioner of public welfare.

Where any county served by a program hereunder has an assessed valuation of real and personal property of less than \$13,000,000 and the required total mill levy for all costs, including administrative costs, for all forms of public assistance exceeds by 50 percent or more the average required mill levy for such costs in all counties of the state, grants hereunder, attributable to such county's proportionate share of the total expenditures based on the ratio of such county's population to the total population of the area served by the program, may exceed 50 percent of the total expenditures but shall not exceed 75 percent of the total expenditure for the daytime activity center program of such county. The board of directors of an activity center may, with the approval of the commissioner, charge a reasonable attendance fee, based on the ability of the mentally retarded person, his guardian or family to pay such a fee, provided that no mentally retarded person shall be denied participation in the activities of such a center because of an inability to pay such a fee.

[1973 c 583 s 17]

**252.27 Cost of boarding care outside home or institution**

[For text of subds. 1 and 2, see M.S.1971]

**Subd. 3.** If the parent fails to make appropriate reimbursement as required in subdivision 2, the county attorney may initiate a civil action to collect any unpaid reimbursement.

[1973 c 696 s 1]

**252.29 Establishment of advisory council for mentally retarded and cerebral palsied community residential facilities**

The commissioner of public welfare shall appoint an advisory board on community residential facilities for the mentally retarded and cerebral palsied consisting of nine members. Such board shall include representatives of organizations experienced with mentally retarded and cerebral palsied persons. The members of the board shall serve at the pleasure of the commissioner and shall receive no compensation for their services on the board. The commissioner shall assign to the advisory board such powers and duties as he deems suitable.

[1973 c 673 s 1]

**252.30 Authorization to make grants for community residential facilities**

The commissioner of public welfare may make grants to nonprofit organizations, municipalities or local units of government to provide up to 25 percent of the cost of constructing, purchasing or remodeling small community residential facilities for mentally retarded and cerebral palsied persons allowing such persons to live in a homelike atmosphere near their families. Up to one-fifth of the grant may be used for equipment and initial staff costs. No aid under this section shall be granted to a facility providing for more than 16

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residents in a living unit and with more than two living units. The advisory board established by section 252.29 shall recommend to the commissioner appropriate disbursement of the funds appropriated by Laws 1973, Chapter 273, Section 3. Prior to any disbursement of funds the commissioner shall review the plans and location of any proposed facility to determine whether such a facility is needed. The commissioner shall promulgate such rules and regulations for the making of grants and for the administration of sections 252.29 and 252.30 as he deems proper. The remaining portion of the cost of constructing, purchasing or remodeling facilities shall be borne by nonstate sources including federal grants, local government funds, funds from charitable sources, gifts and mortgages.

[1973 c 673 s 2]

CHAPTER 253A. HOSPITALIZATION AND COMMITMENT ACT

Sec.		Sec.	
253A.03	Informal hospitalization by consent; voluntary hospitalization for drug dependent persons.	253A.07	Judicial commitment.
		253A.08	Commitment to an agency of the United States.
253A.04	Emergency hospitalization of mentally ill persons.	253A.15	Discharge.
		253A.16	Review boards.
		253A.17	Rights of patients.

**253A.03 Informal hospitalization by consent; voluntary hospitalization for drug dependent persons**

Subdivision 1. Any person may, if he so requests and the head of the hospital consents, be admitted to a hospital as an informal patient for observation, evaluation, diagnosis, care, and treatment, without making formal written application. Such person shall not be admitted to the hospital if he objects thereto and shall be free to leave the hospital within 12 hours of his request unless held under another provision of sections 253A.01 to 253A.21.

Subd. 2. Any person desiring to receive care and treatment at a public hospital as a drug dependent person may be admitted to such hospital upon his application, in such manner and upon such conditions as the commissioner of public welfare may determine. If such person requests to leave the hospital, such request shall be submitted in writing to the head of the hospital. If such person in writing demands his release, the head of the hospital may detain such person for three days, exclusive of Sundays and legal holidays, after the date of such demand for release. If the head of the hospital deems such release not to be for the best interest of such person, his family, or the public, he shall petition for the commitment of such person as provided in section 253A.04, subdivision 3.

[1973 c 572 s 12]

**253A.04 Emergency hospitalization of mentally ill persons**

[For text of subd. 1, see M.S.1971]

Subd. 2. A peace or health officer may take a person into custody and transport him to a licensed physician or hospital if such officer has reason to believe that such person is mentally ill and in imminent danger of injuring himself or others if not immediately restrained. Application for admission of such person to a hospital shall be made by the peace or health officer and the application shall contain a statement given by the peace or health officer stating the circumstances under which such person was taken into custody and the reasons therefor. Such person may be admitted to a hospital for emergency care and treatment pursuant to this subdivision with the consent of the head of the hospital if a written statement is made by the medical officer on duty at the hospital that after preliminary examination the person has symptoms of a mental illness and appears to be in imminent danger of harming himself or others.