

# MINNESOTA STATUTES 1973 SUPPLEMENT

## 253A.17 HOSPITALIZATION AND COMMITMENT ACT

welfare department or the patient does not so participate in the planning and review, the hospital record shall include reasons for non-participation and the plans for future involvement.

The department of public welfare shall monitor the aforementioned program plan and review process to insure compliance with the provisions of this subdivision.

[1973 c 552 s 2]

## CHAPTER 254A. TREATMENT FOR ALCOHOL AND OTHER DRUG ABUSE [NEW]

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### 254A.01 Public policy

It is hereby declared to be the public policy of this state that the interests of society are best served by providing persons who are dependent upon alcohol or other drugs with a comprehensive range of rehabilitative and social services. Further, it is declared that treatment under these services shall be voluntary when possible; treatment shall not be denied on the basis of prior treatment; treatment shall be based on an individual treatment plan for each person undergoing treatment; treatment shall include a continuum of services available for a person leaving a program of treatment; treatment shall include all family members at the earliest possible phase of the treatment process.

[1973 c 572 s 1]

### 254A.02 Definitions

Subdivision 1. For the purposes of Laws 1973, Chapter 572, unless the context clearly indicates otherwise, the terms defined in this section have the meanings given them.

Subd. 2. "Approved treatment program" means care and treatment services provided by any individual, organization or association to drug dependent persons, which meets the standards established by the commissioner of public welfare.

Subd. 3. "Comprehensive program" means the range of services which are to be made available for the purpose of prevention, care and treatment of alcohol and drug abuse.

Subd. 4. "Drug abuse or abuse of drugs" is the use of any psychoactive or mood altering chemical substance, without compelling medical reason, in such a manner as to induce mental, emotional or physical impairment and cause socially dysfunctional or socially disordering behavior and which results in psychological or physiological dependency as a function of continued use.

Subd. 5. "Drug dependent person" means any inebriate person or any person incapable of managing himself or his affairs or unable to function physically or mentally in an effective manner because of the abuse of a drug, including alcohol.

Subd. 6. "Facility" means any treatment facility administered under an approved treatment program established under Laws 1973, Chapter 572.

Subd. 7. "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol, or other drugs.

Subd. 8. "Other drugs" means any psychoactive chemical other than alcohol.

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Subd. 9. "Program director" means the director of any approved treatment program responsible under this act for the examination, treatment or making of recommendations with respect to care and treatment of any person subject to the provisions of Laws 1973, Chapter 572.

Subd. 10. "State authority" is a division established within the department of public welfare for the purpose of relating the authority of state government in the area of alcohol and drug abuse to the alcohol and drug abuse activities within the state.

[1973 c 572 s 2]

### 254A.03 State authority on alcohol and drug abuse

There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director who shall be in the unclassified service. The section shall:

- (a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;
- (b) coordinate all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;
- (c) develop and demonstrate new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;
- (d) gather and disseminate facts and information about alcoholism and other drug dependency and abuse to public and private agencies and the courts so requesting such information for guidance to and assistance in prevention, treatment and rehabilitation;
- (e) inform and educate the general public on alcohol and other drug dependency and abuse problems;
- (f) serve as the state authority concerning alcohol and other drug dependency and abuse;
- (g) establish a state plan which shall set forth goals and priorities within a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All governmental units operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities and allocate funds in accordance with the comprehensive state plan;
- (h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals for the provision of comprehensive program services;
- (i) solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source.

[1973 c 572 s 3]

### 254A.04 Citizens advisory council

There is hereby created an alcohol and other drug abuse advisory council to advise the department of public welfare concerning the problems of alcohol and other drug dependency and abuse, composed of 11 members appointed by the governor for a term of two years as of January 1, 1974: Six members shall be appointed for a two year term and five members shall be appointed for a one year term; thereafter all appointments shall be for two year terms. At least five members shall be individuals whose interests or training are in the field of alcohol dependency and abuse; and at least five members whose interests or training are in the field of dependency and abuse of drugs other than alcohol.

[1973 c 572 s 4]

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## 254A.05 ALCOHOL AND DRUG ABUSE

### 254A.05 Duties of advisory council

Subdivision 1. (a) The council shall assist in the formulation of policies and guidelines for the implementation of the commissioner's responsibilities in the area of alcohol and drug abuse.

(b) The council shall advise the commissioner and director on policies, goals, and the operation of the comprehensive state plan for alcohol and drug abuse program services in the state and other matters as directed by the commissioner and director, and shall encourage public understanding and support of the alcohol and drug abuse programs.

(c) The council shall make recommendations to the commissioner regarding grants to community mental health boards under section 254A.07.

Subd. 2. Members shall receive no compensation but shall be reimbursed for their necessary travel and other expenses as provided for state employees.

[1973 c 572 s 5]

### 254A.06 Transfer of personnel

All individuals employed by the commission on alcohol problems and the drug abuse section of the state planning agency are transferred to the department of public welfare.

[1973 c 572 s 6]

### 254A.07 Comprehensive programs; coordination of local programs

Subdivision 1. The commissioner of public welfare shall designate the community mental health boards to (a) coordinate all alcohol and other drug abuse services conducted by local agencies, and to (b) review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by any such local agencies for funding from any local, state or federal governmental sources.

Subd. 2. The department of public welfare may make grants to community mental health boards for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants may be made for the cost of these comprehensive programs and services whether provided directly by community mental health boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Subd. 3. The expense of administration, operation and maintenance of comprehensive programs shall be financed by equal shares of state and local matching funds except as provided by Laws 1973, Chapter 572 and Minnesota Statutes 1971, Section 245.65, Subdivision 1, Clause (g).

[1973 c 572 s 7]

### 254A.08 Detoxification centers

Subdivision 1. Every community mental health board shall provide a detoxification program for drug dependent persons within its area; the board may utilize existing treatment programs and other agencies to meet this responsibility.

Subd. 2. For the purpose of this section, a detoxification program means a social rehabilitation program established for the purpose of facilitating access into care and treatment by detoxifying and evaluating the person and providing entrance into a comprehensive program. Such a program shall have available the services of a licensed physician for medical emergencies and routine medical surveillance.

Subd. 3. The expense of administration, operation and maintenance of detoxification programs throughout the state shall be financed as follows:

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Services provided and clients served qualifying for federal reimbursement shall be financed totally out of state and federal matching funds; services provided and clients served not qualifying for federal reimbursement shall be financed one half from state revenues and one half from local revenues appropriated from the county funds. All clients shall purchase services in accordance with the regulations promulgated by the department of public welfare.

[1973 c 572 s 8]

### 254A.09 Confidentiality of records

The department of public welfare shall assure confidentiality to individuals who are the subject of research by the state authority or treatment by an approved treatment program. The commissioner shall withhold from all persons not connected with the conduct of such research or treatment the names or other identifying characteristics of such individual unless the individual gives written permission that information relative to his treatment and recovery may be discussed with a prospective employer by either an approved treatment program staff member or a qualified employment counselor. Persons so authorized to protect the privacy of such individuals may not be compelled in any federal, state or local, civil, criminal, administrative or other proceeding to identify or disclose other confidential information about such individuals.

[1973 c 572 s 16]

### 254A.10 Rules and regulations

The commissioner of public welfare, pursuant to the administrative procedures act, shall promulgate rules to implement Laws 1973, Chapter 572.

[1973 c 572 s 17]

## CHAPTER 256. PUBLIC WELFARE

Sec.	COMMISSION FOR THE HANDICAPPED
256.01	Commissioner of public welfare; powers, duties.
256.11	Repealed.
256.12	Definitions.
256.13 to 256.23	Repealed.
256.26 to 256.30	Repealed.
256.32 to 256.36	Repealed.
256.38 to 256.43	Repealed.
	AID TO DISABLED PERSONS
256.451 to 256.459	Repealed.
256.461	Repealed.
256.462	Applicability of other laws; recovery for assistance furnished; transfer of assistance; change of residence; individual consideration.
256.463 to 256.475	Repealed.
	AID TO NEEDY BLIND
256.49 to 256.71	Repealed.
256.73	Assistance, recipients.
256.873	Employer's duty; remittance of amount withheld.
256.935	Funeral expenses, payment by county agency; prepaid funeral contracts, effect upon eligibility for public assistance.
256.976	Foster grandparents program.
256.98	Wrongfully obtaining assistance; theft.

### 256.01 Commissioner of public welfare; powers, duties

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

**Subd. 2. Specific powers.** Subject to the provisions of Minnesota Statutes 1967, Section 241.021, Subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance provided for by state law and such other welfare activities or services as may from time to time be vested in the commissioner. Nothing herein shall transfer from the veterans home board any of its present rights, powers, or duties, all of which shall continue to be exercised by said board.