

PUBLIC INSTITUTIONS 246.51

(1) injuries or property damage caused or sustained by foster children in their home; and

(2) actions arising out of alienation of affections sustained by the natural parents of a foster child.

Coverage shall apply to all foster boarding homes licensed by the department of public welfare, or established by the juvenile court and certified by the commissioner of corrections pursuant to section 260.185, subdivision 1, clause (c) (5), to the extent that the liability is not covered by the provisions of the standard homeowner's or automobile insurance policy. The insurance shall not cover property owned by the foster parents, damage caused intentionally by a child over 12 years of age, or property damage arising out of business pursuits or the operation of any vehicle, machinery, or equipment.

[1977 c 360 s 1]

CHAPTER 246. PUBLIC INSTITUTIONS

Sec.
246.02 Executive officers.
246.43 Sex offenders.

Sec.
246.51 Payment for care and treatment; determination.

246.02 Executive officers.

[For text of subd 1, see M.S.1976]

Subd. 2. The commissioner of public welfare shall act with the advice of the medical policy directional committee on mental health in the appointment and removal of the chief executive officers of the following institutions: Anoka State Hospital, Ah-Gwah-Ching Nursing Home, Fergus Falls State Hospital, Hastings State Hospital, Moose Lake State Hospital, Oak Terrace Nursing Home, Rochester State Hospital, St. Peter State Hospital, Willmar State Hospital, Faribault State Hospital, Cambridge State Hospital, and Brainerd State Hospital.

[For text of subd 4, see M.S.1976]

[1977 c 347 s 37]

246.43 Sex offenders.

Subdivision 1. **Conviction of specified offenses; presentence examinations.** If a person who is 18 years of age or older at the time of his apprehension is convicted under sections 609.342, 609.343, 609.344, 609.345, or 609.365, or is convicted under section 609.17 of an attempt to commit an act proscribed by sections 609.342 or 609.344, or is convicted of an act otherwise within the scope of one of these provisions occurring prior to its effective date, the court shall commit him to the commissioner of public welfare of the department of public welfare or shall order any other state, local, or private agency that the court may deem adequate to make said examination for a presentence social, physical and mental examination. The court and all public officials shall make available to the examining person, agency or commissioner upon his request all pertinent data in their possession in respect to the case.

[For text of subds 2 to 19, see M.S.1976]

[1977 c 130 s 1]

246.51 Payment for care and treatment; determination.

The commissioner shall make investigation as necessary to determine, and as circumstances require redetermine, what part of the cost of care, if any, the patient is able to pay. If the patient is unable to pay the full cost of care the commissioner shall make a determination as to the ability of the relatives to pay. However, in no case shall the relatives, unless they reside outside the state, be ordered to pay more

MINNESOTA STATUTES 1977 SUPPLEMENT

246.51 PUBLIC INSTITUTIONS

than ten percent of the cost of care for each patient not to exceed \$125 per month. Voluntary payments in excess of \$125 per month may be accepted by the commissioner. The commissioner may require payment of the full per capita cost of care in state hospitals for children whose parents or guardians do not reside in Minnesota. No parent shall be liable for the cost of care given a patient at a state hospital after the patient has reached the age of 18 years. The commissioner's determination shall be conclusive in any action to enforce payment of the cost of care unless appealed from as provided in section 246.55. All money received shall be paid to the state treasurer and placed in the general fund of the state and a separate account kept of it. Responsibility under this section shall not apply to those relatives having gross earnings of less than \$11,000 per year.

[1977 c 331 s 1]

CHAPTER 250. GILLETTE HOSPITAL BOARD

Sec.
250.05 Creation; administration; powers and duties.

250.05 Creation; administration; powers and duties.

[For text of subd 1, see M.S.1976]

Subd. 2. The Gillette hospital board shall be governed by a board of directors consisting of seven members, not more than three of whom shall be residents of Ramsey county. One member shall be the commissioner of public welfare or designee of the commissioner. One member shall be the commissioner of health or designee of the commissioner. Five members, at least three of whom shall be consumers as defined in section 145.72, shall be appointed by the governor with the advice and consent of the senate.

[For text of subds 2a to 6, see M.S.1976]

[1977 c 10 s 1]

NOTE: Subdivision 2 is effective December 31, 1978 pursuant to Laws 1977, Chapter 10, Section 2.

CHAPTER 252. MENTALLY RETARDED AND EPILEPTIC; STATE HOSPITALS

Sec.
252.03 Repealed.
252.21 Commissioner of public welfare may make grants for developmental achievement centers for the mentally retarded and cerebral palsied.
252.22 Applicants for assistance; tax levy.

Sec.
252.23 Eligibility requirements.
252.24 Commissioner's duties.
252.25 Board of directors.
252.26 Duties of board of directors.
252.261 Existence. [New]
252.27 Cost of boarding care outside of home or institution.

252.03 [Repealed, 1977 c 415 s 5]

252.21 Commissioner of public welfare may make grants for developmental achievement centers for the mentally retarded and cerebral palsied.

In order to assist in the establishment of developmental achievement centers for the mentally retarded and cerebral palsied, the commissioner of public welfare is hereby authorized and directed to make grants, within the limits of the money appropriated, to those developmental achievement centers for the mentally retarded and cerebral palsied that he shall select.

[1977 c 337 s 2]

252.22 Applicants for assistance; tax levy.

Any city, 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 developmental achievement center and program for mentally retarded and cerebral palsied persons. Application for such assistance shall be on forms sup-