

252.41 DEFINITIONS.

Subdivision 1. **Scope.** The definitions in this section apply to sections 252.41 to 252.46.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of the Department of Human Services.

Subd. 3. **Day training and habilitation services for adults with developmental disabilities.** (a) "Day training and habilitation services for adults with developmental disabilities" means services that:

(1) include supervision, training, assistance, center-based work-related activities, or other community-integrated activities designed and implemented in accordance with the individual service and individual habilitation plans required under Minnesota Rules, parts 9525.0004 to 9525.0036, to help an adult reach and maintain the highest possible level of independence, productivity, and integration into the community; and

(2) are provided by a vendor licensed under sections 245A.01 to 245A.16 and 252.28, subdivision 2, to provide day training and habilitation services.

(b) Day training and habilitation services reimbursable under this section do not include special education and related services as defined in the Education of the Individuals with Disabilities Act, United States Code, title 20, chapter 33, section 1401, clauses (6) and (17), or vocational services funded under section 110 of the Rehabilitation Act of 1973, United States Code, title 29, section 720, as amended.

(c) Day training and habilitation services do not include employment exploration, employment development, or employment support services as defined in the home and community-based services waivers for people with disabilities authorized under sections 256B.092 and 256B.49.

[See Note.]

Subd. 4. **Independence.** "Independence" means the extent to which persons with developmental disabilities exert control and choice over their own lives.

Subd. 5. **Integration.** "Integration" means that persons with developmental disabilities:

- (1) use the same community resources that are used by and available to individuals who are not disabled;
- (2) participate in the same community activities in which nondisabled individuals participate; and
- (3) regularly interact and have contact with nondisabled individuals.

Subd. 6. **Productivity.** "Productivity" means that persons with developmental disabilities:

- (1) engage in income-producing work designed to improve their income level, employment status, or job advancement; or
- (2) engage in activities that contribute to a business, household, or community.

Subd. 7. **Regional center.** "Regional center" means any state-operated facility under the direct administrative authority of the commissioner that serves persons with developmental disabilities.

Subd. 8. **Supported employment.** "Supported employment" means employment of a person with a disability so severe that the person needs ongoing training and support to get and keep a job in which:

- (1) the person engages in paid work at a work site where individuals without disabilities who do not require public subsidies also may be employed;

(2) public funds are necessary to provide ongoing training and support services throughout the period of the person's employment; and

(3) the person has the opportunity for social interaction with individuals who do not have disabilities and who are not paid caregivers.

Subd. 9. **Vendor.** "Vendor" means a nonprofit legal entity that:

(1) is licensed under sections 245A.01 to 245A.16 and 252.28, subdivision 2, to provide day training and habilitation services to adults with developmental disabilities; and

(2) does not have a financial interest in the legal entity that provides residential services to the same person or persons to whom it provides day training and habilitation services. This clause does not apply to regional treatment centers, state-operated, community-based programs operating according to section 252.50 until July 1, 2000, or vendors licensed prior to April 15, 1983.

History: 1987 c 403 art 5 s 9; 1988 c 532 s 2; 1989 c 209 art 2 s 1; 1989 c 282 art 6 s 20; 1Sp1993 c 1 art 4 s 3; 1997 c 7 art 1 s 97; 1Sp2003 c 14 art 3 s 9; 2005 c 56 s 1; 2013 c 59 art 2 s 11; 2013 c 108 art 13 s 1; 2014 c 275 art 1 s 54; 2016 c 158 art 1 s 214; 1Sp2017 c 6 art 1 s 3

NOTE: The amendment to subdivision 3 by Laws 2017, First Special Session chapter 6, article 1, section 3, received federal approval and is effective March 8, 2018. Laws 2017, First Special Session chapter 6, article 1, section 3, the effective date.