125A.59 INTERAGENCY AGREEMENT TO PURCHASE USED ASSISTIVE TECHNOLOGY DEVICES.

Subdivision 1. **Option to purchase by Department of Employment and Economic Development.** (a) When a child with a disability transitions into a work environment or enrolls in a postsecondary course or program, the Department of Employment and Economic Development may purchase any assistive technology device that the child's former district purchased on the child's behalf.

(b) The Department of Employment and Economic Development may purchase an assistive technology device initially purchased by a district for a child who is currently a recipient of rehabilitation services and who needs the identical assistive technology device as stated on the recipient's individual written rehabilitation plan. The purchase may be made not more than three months before the child exits the district.

Subd. 2. **Liability for used equipment.** The Department of Employment and Economic Development and the Department of Education are not liable for any nonconformities in the equipment after it is purchased by the Department of Employment and Economic Development, or for injuries arising out of the use of the assistive technology device. This section does not foreclose the child's right to bring suit against the manufacturer, assistive device lessor, or assistive device dealer for nonconformities in or injuries arising out of the use of the assistive technology device.

Subd. 3. **Third-party payor.** Nothing contained in this section may be construed as decreasing the obligation of an insurance company or other third-party payor to provide coverage for assistive technology.

History: *1996 c 412 art 3 s 8; 1998 c 397 art 2 s 71,164; 2003 c 130 s 12; 2004 c 206 s 52*