

**246C.11 STATE-OPERATED, COMMUNITY-BASED PROGRAMS.**

Subdivision 1. **State-operated, community-based programs established.** The executive board shall establish and maintain a system of state-operated, community-based programs for persons with developmental disabilities.

Subd. 2. **State-operated, community-based program definition.** For purposes of this section, "state-operated, community-based program" means a program administered by the state to provide treatment and habilitation in noninstitutional community settings to a person with a developmental disability.

Subd. 3. **Comprehensive system of services.** The establishment of state-operated, community-based programs must be within the context of a comprehensive definition of the role of state-operated services in the state. The role of state-operated services must be defined within the context of a comprehensive system of services for persons with developmental disability.

Subd. 4. **Types of state-operated, community-based programs.** State-operated, community-based programs may include but are not limited to community group homes, foster care, supportive living services, day training and habilitation programs, and respite care arrangements.

Subd. 4a. **Location of programs.** (a) In determining the location of state-operated, community-based programs, the needs of the individual client shall be paramount. The executive board shall also take into account:

(1) prioritization of services in state-operated, community-based programs for individuals with complex behavioral needs that cannot be met by private community-based providers;

(2) choices made by individuals who chose to move to a more integrated setting, and shall coordinate with the lead agency to ensure that appropriate person-centered transition plans are created;

(3) the personal preferences of the persons being served and their families as determined by Minnesota Rules, parts 9525.0004 to 9525.0036;

(4) the location of the support services established by the individual service plans of the persons being served;

(5) the appropriate grouping of the persons served;

(6) the availability of qualified staff;

(7) the need for state-operated, community-based programs in the geographical region of the state; and

(8) a reasonable commuting distance from a regional treatment center or the residences of the program staff.

(b) The executive board must locate state-operated, community-based programs in coordination with the commissioner of human services according to section 252.28.

Subd. 5. **Technical training; community-based programs.** (a) In conjunction with the discharge of persons from regional treatment centers and their admission to state-controlled and privately operated community-based programs, the executive board may provide technical training assistance to the community-based programs. The executive board may apply for and accept money from any source including reimbursement charges from the community-based programs for reasonable costs of training. Money received

must be deposited in the general fund and is appropriated annually to the executive board for training under this section.

(b) The executive board must coordinate with the commissioner of human services to provide technical training assistance to community-based programs under this section and section 245.073.

Subd. 6. **Authority to develop services with counties.** (a) State-operated, community-based programs may be developed in conjunction with existing county responsibilities and authorities for persons with developmental disabilities. Assessment, placement, screening, case management responsibilities, and determination of need procedures must be consistent with county responsibilities established under law and rule.

(b) Counties may enter into shared service agreements with state-operated programs.

**History:** 1988 c 689 art 2 s 109; 1989 c 282 art 6 s 21; 2005 c 56 s 1; 2024 c 79 art 1 s 25,29; art 10 s 1; 2024 c 125 art 5 s 37,38; 2024 c 127 art 50 s 37,38; 1Sp1993 c 1 art 7 s 34; 2024 c 79 art 4 s 2; 2025 c 38 art 3 s 38,86