

254A.19 CHEMICAL USE ASSESSMENTS.

Subdivision 1. **Persons arrested outside of home county.** When a chemical use assessment is required for a person who is arrested and taken into custody by a peace officer outside of the person's county of residence, the county where the person is detained must give access to an assessor qualified under section 254A.19, subdivision 3. The county of financial responsibility is determined under chapter 256G.

Subd. 1a. MS 2022 [Repealed, 2023 c 50 art 2 s 63]

Subd. 2. MS 2022 [Repealed, 2023 c 50 art 2 s 63]

Subd. 3. **Comprehensive assessments.** An eligible vendor under section 254B.05 conducting a comprehensive assessment for an individual seeking treatment shall approve the nature, intensity level, and duration of treatment service if a need for services is indicated, but the individual assessed can access any enrolled provider that is licensed to provide the level of service authorized, including the provider or program that completed the assessment. If an individual is enrolled in a prepaid health plan, the individual must comply with any provider network requirements or limitations.

Subd. 4. **Civil commitments.** For the purposes of determining level of care, a comprehensive assessment does not need to be completed for an individual being committed as a chemically dependent person, as defined in section 253B.02, and for the duration of a civil commitment under section 253B.09 or 253B.095 in order for a county to access the behavioral health fund under section 254B.04. The county must determine if the individual meets the financial eligibility requirements for the behavioral health fund under section 254B.04.

Subd. 5. MS 2022 [Repealed, 2023 c 50 art 2 s 63]

Subd. 6. **Assessments for detoxification programs.** For detoxification programs licensed under chapter 245A according to Minnesota Rules, parts 9530.6510 to 9530.6590, a "chemical use assessment" is a comprehensive assessment completed according to the requirements of section 245G.05 and a "chemical dependency assessor" or "assessor" is an individual who meets the qualifications of section 245G.11, subdivisions 1 and 5.

Subd. 7. **Assessments for children's residential facilities.** For children's residential facilities licensed under chapter 245A according to Minnesota Rules, parts 2960.0010 to 2960.0220 and 2960.0430 to 2960.0490, a "chemical use assessment" is a comprehensive assessment completed according to the requirements of section 245G.05 and must be completed by an individual who meets the qualifications of section 245G.11, subdivisions 1 and 5.

History: 2007 c 147 art 12 s 10; 2008 c 234 s 2,3; 2012 c 247 art 5 s 3; 1Sp2017 c 6 art 8 s 52; 1Sp2019 c 9 art 6 s 41; 2021 c 30 art 13 s 83; 1Sp2021 c 7 art 6 s 7; 2023 c 25 s 131; 2023 c 50 art 2 s 23-27

NOTE: The amendment to subdivision 5 by Laws 2021, First Special Session chapter 7, article 6, section 7, is effective upon federal approval. The commissioner of human services shall notify the revisor of statutes when federal approval is obtained. Laws 2021, First Special Session chapter 7, article 6, section 7, the effective date.