

CHAPTER 147—S.F.No. 501

An act relating to human services; expanding the definition of services available under medical assistance for disabled children's services; amending Minnesota Statutes 2008, section 252.27, subdivision 1a.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 252.27, subdivision 1a, is amended to read:

Subd. 1a. **Definitions.** A "related condition" is a condition: (1) that is found to be closely related to a developmental disability, including, but not limited to, cerebral palsy, epilepsy, autism, fetal alcohol spectrum disorder, and Prader-Willi syndrome; and (2) that meets all of the following criteria:

~~(1)~~ (i) is severe and chronic;

~~(2)~~ (ii) results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with developmental disabilities;

~~(3)~~ (iii) requires treatment or services similar to those required for persons with developmental disabilities;

~~(4)~~ (iv) is manifested before the person reaches 22 years of age;

~~(5)~~ (v) is likely to continue indefinitely;

~~(6)~~ (vi) results in substantial functional limitations in three or more of the following areas of major life activity: ~~(i)~~ (A) self-care, ~~(ii)~~ (B) understanding and use of language, ~~(iii)~~ (C) learning, ~~(iv)~~ (D) mobility, ~~(v)~~ (E) self-direction, ~~(vi)~~ (F) capacity for independent living; and

~~(7)~~ (vii) is not attributable to mental illness as defined in section 245.462, subdivision 20, or an emotional disturbance as defined in section 245.4871, subdivision 15.

For purposes of ~~clause (7)~~ item (vii), notwithstanding section 245.462, subdivision 20, or 245.4871, subdivision 15, "mental illness" does not include autism or other pervasive developmental disorders.

Presented to the governor May 20, 2009

Signed by the governor May 21, 2009, 5:07 p.m.