

**9520.0907 PERSONS TO RECEIVE INFORMATION AND PLAN CHILD'S CASE MANAGEMENT SERVICES.**

Subpart 1. **Person to receive information and plan child's services.** Except as specified in subparts 3 and 4, when case management services are requested for a child or the child is referred for case management services, the child's parent or legal representative, if any, has the right to receive the notices and information specified under parts 9520.0900 to 9520.0926 to make the decision whether to accept case management services for the child and to be included in planning the case management services available to the child under parts 9520.0900 to 9520.0926.

Subp. 2. **Child's receipt of information and inclusion in planning services.** A child who is at least 12 years of age has the right to and a child who is less than 12 years of age may receive the notices and information specified under parts 9520.0900 to 9520.0926 and be included in planning the case management services available to the child under parts 9520.0900 to 9520.0926 unless these actions are determined by a mental health professional to be clinically inappropriate to the child's mental health needs. If the mental health professional determines that it is clinically inappropriate to the child's mental health needs, the reasons for the determination must be documented in the child's case record.

Subp. 3. **Child only to receive information, plan, and decide on child's case management services.** If one of the circumstances in item A or B applies, the child only has the right to receive the required notices, make the decision whether to accept case management and other mental health services, and be included in planning case management services.

A. The parent or legal representative is hindering or impeding the child's access to mental health services and the child is at least 16 years of age.

B. The child:

(1) has been married or has borne a child as specified in Minnesota Statutes, section 144.342;

(2) is living separate and apart from the child's parents or legal guardian and is managing the child's own financial affairs as specified in Minnesota Statutes, section 144.341;

(3) is at least 16, but under 18 years old, and has consented to treatment as specified in Minnesota Statutes, section 253B.03, subdivision 6, paragraph (d); or

(4) is at least 16, but under 18 years old and has been authorized by a county board for independent living pursuant to a court order as specified in Minnesota Statutes, section 260C.201, subdivision 1, paragraph (a), clause (4).

Subp. 4. **Petition filed or court order issued.** If a petition has been filed under Minnesota Statutes, chapter 260, or a court order has been issued under Minnesota Statutes, section 260C.148 or 260C.151 and a guardian ad litem appointed and if consent for case management services has not been otherwise obtained from the child's parent or legal representative or the child, the local agency may request a court order under Minnesota Statutes, chapter 260, to authorize case management services for the child.

**Statutory Authority:** *MS s 245.484; 256B.04; 256B.0625*

**History:** *17 SR 1448; L 1999 c 139 art 4 s 2*

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