

9520.0909 DETERMINATION OF SERIOUS AND PERSISTENT MENTAL ILLNESS OR SEVERE EMOTIONAL DISTURBANCE; ASSISTANCE IN ARRANGING DIAGNOSTIC ASSESSMENT.

Subpart 1. **General requirement.** Except as specified in subpart 2, a diagnostic assessment is required to determine whether a child or an adult is eligible for case management services under parts 9520.0900 to 9520.0926. If the child's or adult's diagnostic assessment was completed no earlier than 180 days before the referral or request for case management services for the child or adult, only updating is necessary unless the child's or adult's mental health status has changed markedly since the child's or adult's most recent diagnostic assessment. If the child or adult has not had a diagnostic assessment within 180 days before the request or referral for case management services for the child or adult or if the child's or adult's mental health status has changed markedly, the child or the adult must obtain a new diagnostic assessment.

Subp. 2. **Eligibility if child or adult does not have a current diagnostic assessment.** Notwithstanding the requirement of subpart 1, a child or an adult is eligible for case management services if all of the following criteria are met:

- A. the person requests or is referred for and accepts case management services;
- B. a diagnostic assessment is refused at the time of the person's referral or request for case management services by:
 - (1) the parent or legal representative of a child;
 - (2) a child who meets a criterion specified in part 9520.0907, item A, and whose refusal is for reasons related to the child's emotional disturbance; or
 - (3) an adult for reasons related to the adult's mental illness;
- C. the case manager determines that:
 - (1) the person is a child with severe emotional disturbance according to Minnesota Statutes, section 245.4871, subdivision 6, clause (1), (2), or (4); or
 - (2) the person is an adult with serious and persistent mental illness according to Minnesota Statutes, section 245.462, subdivision 20, paragraph (c), clause (1), (2), or (4); and
- D. the person obtains a new or updated diagnostic assessment within four months of the day the person first receives case management services.

Subp. 3. **Assistance in obtaining diagnostic assessment.** If the child's parent or legal representative, the child as described in part 9520.0907, or the adult consents to the child's or adult's assessment for eligibility for case management services, the local agency must offer, within ten working days of the consent, to assist the child and the child's parent or legal

representative or the adult in obtaining an appointment with a mental health professional chosen by the child's parent or legal representative or the child or the adult to conduct a diagnostic assessment. The local agency must request, in the case of a child, authorization as required under Minnesota Statutes, section 245.4876, subdivision 5, paragraph (6), or must request the authorization of the adult for the mental health professional conducting the diagnostic assessment to release the results of the diagnostic assessment to the local agency.

Subp. 4. **Diagnostic assessment of child of a minority race or minority ethnic heritage.** If a mental health professional conducts a diagnostic assessment of a child of a minority race or minority ethnic heritage, the mental health professional also must be skilled in and knowledgeable about the child's minority racial and minority ethnic heritage. If the mental health professional is not skilled and knowledgeable in conducting the diagnostic assessment of a child of a minority race or minority ethnic heritage, the mental health professional conducting the diagnostic assessment must consult a special mental health consultant to assure that the diagnostic assessment is relevant, culturally specific, and sensitive to the child's cultural and ethnic needs.

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

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