

## CHAPTER 250

## STATE HOSPITAL, CRIPPLED CHILDREN

Sec.

250.05 Creation; administration; powers and duties

**250.01** [Repealed, 1973 c 540 s 5]**250.02** [Repealed, 1973 c 540 s 5]**250.03** [Repealed, 1973 c 540 s 5]**250.04** [Repealed, 1973 c 540 s 5]

**250.05. CREATION; ADMINISTRATION; POWERS AND DUTIES.** Subdivision 1. There is hereby established as a public corporation in the executive branch of state government and a political subdivision of the state, a Gillette hospital authority. The purpose of the authority shall be to govern the operation of Gillette children's hospital in conjunction with the Ramsey county hospital in such manner as to obtain a maximum of efficiency and economy in the performance of and training in medical and surgical care of crippled children.

Subd. 2. The Gillette hospital authority shall be governed by a board of directors consisting of seven members, not more than three of whom shall be residents of Ramsey county. One member shall be the commissioner of public welfare or designee of the commissioner. Six members, at least half of whom shall be consumers as defined in section 145.72, shall be appointed by the governor with the advice and consent of the senate, for terms of six years and until their successors are appointed and qualified; provided, however, that initial appointments shall be made so that the terms of two members expire on December 31, 1974, two on December 31, 1976, and two on December 31, 1978.

Subd. 3. Members of the board shall serve without compensation, but shall be entitled to reimbursement for actual and necessary expenses. The board shall organize by electing a chairman and such other officers as may be required. In addition the board may employ an administrator and such other professional, technical, and clerical personnel as may be required.

The authority may contract for the services of individuals who perform medical, technical, or other services of a professional nature, and may contract for the purchase of necessary supplies, services, and equipment. Except as it determines, the authority shall not be subject to the provisions of chapter 16, concerning personnel, budgeting, payroll, or the purchase of goods or services. Any department of state government is authorized, within the limits of its functions and appropriations, to assist the authority upon request.

Subd. 3a. All employees of the Gillette children's hospital who are in the classified service of the state on March 28, 1974, shall be continued as employees of the authority without loss of status, seniority, or benefits. The departments of administration and personnel shall endeavor to assist in the transfer elsewhere within state service of any classified employee who desires such assistance. Classified personnel may, with their individual approval and the approval of the authority, enter the unclassified service. Employees who remain in the classified service of the state under the provisions of this section, may do so as long as they continue to occupy the position occupied on March 28, 1974. If such an employee at a subsequent date is appointed, transferred, promoted, or demoted to a different position under the authority, that position and employee shall be in the unclassified service. All other employees of the authority shall be in the unclassified service. The authority may prescribe all terms and conditions of employment of unclassified employees, including but not limited to the fixing of classification and compensation, without regard to the provisions of chapter 15A. Full time employees of the authority shall be members of the Minnesota state retirement system for classified employees, to which the authority shall make employer's contributions.

Subd. 4. The authority, acting through its board of directors, may contract with the governing body and the owners of the Ramsey county hospital and of any other hospital or institution, for the joint maintenance and operation of the Gillette chil-

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dren's hospital in conjunction with existing or contemplated facilities at the Ramsey county hospital. Contracts may include agreements for the joint employment and utilization of personnel, the joint purchase of supplies and equipment, and joint construction, acquisition, or leasing of space for offices, outpatient facilities, operating rooms, and other medical facilities for use in training in the care and treatment of crippled and handicapped children, the operation of a brace shop, and the conduct of patient education programs. No contract shall however, provide for the expenditure of funds for additional patient bed capacity. The authority shall be subject to the certificate of need act provided in sections 145.71 to 145.83. In any case wherein a certificate of need is required, the authority shall, at the time of application, notify the house committee on appropriations and the senate finance committee, whose opinion shall be advisory only.

Subd. 5. In the exercise of the powers granted pursuant to Laws 1973, Chapter 540 the authority shall have the power to accept gifts and grants, to sue and be sued, and to establish a schedule of charges for medical, hospital, and rehabilitative services furnished. All funds received by the authority from any source are hereby annually appropriated to the authority, which shall be responsible for their management and control. Annual audited financial statements shall be submitted to the legislature through the department of public welfare and a biennial report shall be submitted to the legislature by the authority not later than November 15 of each even-numbered year.

Subd. 6. The Gillette children's hospital shall seek reimbursement for costs of care and treatment provided, from parents to the extent of their ability to pay, from insurance policies covering care and treatment, and from other sources, including any federally financed medical aids for which the child is eligible. To the extent of appropriations available therefor, the department of public welfare shall continue to provide financial assistance to the authority to pay for costs of care otherwise unmet which are beyond the ability of parents to provide. Children from other states who can benefit from the services of the hospital may be accepted upon the referral of a medical doctor. Reimbursement for full costs for care provided non-resident patients shall be obtained from parents, from insurance policies covering care and treatment, or from any sources other than the state of Minnesota which may be available to the child and his family.

[1973 c 540 s 1; 1974 c 277 s 1, 2; 1974 c 581 s 4]