

CHAPTER 246

PUBLIC INSTITUTIONS

246.151 Compensation paid to patient.
246.511 Relative responsibility.

246.53 Claim against estate of deceased patient.
246.54 Liability of county; reimbursement.

246.151 COMPENSATION PAID TO PATIENT.

Subdivision 1. **Compensation.** Notwithstanding any law to the contrary, the commissioner of public welfare is authorized to provide for the payment to patients or residents of state institutions under his management and control of such pecuniary compensation as he may deem proper, the amount of compensation to depend upon the quality and character of the work performed as determined by the commissioner and the chief executive officer, but in no case less than 25 percent of the minimum wage established pursuant to section 177.24.

Subd. 2. **Imprest cash fund.** The commissioner of public welfare may establish an imprest cash fund at each of the state operated residential facilities to be utilized for payment to residents participating in on-campus work programs.

History: 1981 c 360 art 1 s 21

246.511 RELATIVE RESPONSIBILITY.

Notwithstanding the provisions of Laws 1981, Chapter 360, Article I, Section 2, Subdivision 5, the commissioner of public welfare shall determine what part of the cost of care for state hospital treatment a patient or his relatives are able to pay. In no case, shall a patient's relatives, pursuant to the commissioner's authority under section 246.51, be ordered to pay more than ten percent of the cost of care, unless they reside outside the state.

History: 1Sp1981 c 2 s 17

246.53 CLAIM AGAINST ESTATE OF DECEASED PATIENT.

Upon the death of a patient, or a former patient, the total cost of care given to that patient, less the amount actually paid toward the cost of the care by the patient and the patient's relatives, shall be filed by the commissioner as a claim against the estate of the patient with the court having jurisdiction to probate the estate and all proceeds collected by the state in the case shall be divided between the state and county in proportion to the cost of care each has borne. If the commissioner of public welfare shall determine that the property or estate of any patient is not sufficient to care for and maintain the spouse and minor or dependent children of the deceased patient, he shall have the power to compromise the claim of the state in a manner as he, in his judgment and upon investigation, may deem just and proper. Any statute of limitations which limits the commissioner in recovering the cost of care obligation incurred by a patient or former patient shall not apply to any claim against an estate made hereunder to recover cost of care.

History: 1981 c 31 s 5

246.54 LIABILITY OF COUNTY; REIMBURSEMENT.

The patient's county shall pay to the state of Minnesota a portion of the cost of care provided in a state hospital to a patient legally settled in that county. A county's payment shall be made from the county's own sources of revenue and

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payments shall be paid as follows: payments to the state from the county shall equal ten percent of the per capita rate, as determined by the commissioner, for each day, or the portion thereof, that the patient spends at a state hospital. If payments received by the state under sections 246.50 to 246.53 exceed 90 percent of the per capita rate, the county shall be responsible for paying the state only the remaining amount. The county shall not be entitled to reimbursement from the patient, the patient's estate, or from the patient's relatives, except as provided in section 246.53. No such payments shall be made for any patient who was last committed prior to July 1, 1947.

History: 1981 c 360 art 2 s 17