

CHAPTER 252

MENTALLY RETARDED AND EPILEPTIC;
STATE HOSPITALS

252.21	County boards may make grants for developmental achievement center services for the mentally retarded and cerebral palsied.	252.26	Repealed.
252.24	Duties of county boards.	252.27	Cost of boarding care outside of home or institution.

252.21 COUNTY BOARDS MAY MAKE GRANTS FOR DEVELOPMENTAL ACHIEVEMENT CENTER SERVICES FOR THE MENTALLY RETARDED AND CEREBRAL PALSIED.

In order to assist county boards in carrying out responsibilities for the provision of daytime developmental achievement center services for eligible persons, the county board or boards are hereby authorized to make grants, within the limits of the money appropriated, to developmental achievement centers for services to mentally retarded and cerebral palsied persons. In order to fulfill its responsibilities to the mentally retarded and cerebral palsied as required by section 256E.08, subdivision 1, a county board may, beginning January 1, 1983, contract with developmental achievement centers or other providers.

History: 1981 c 355 s 24

252.24 DUTIES OF COUNTY BOARDS.

Subdivision 1. **Selection of developmental achievement centers.** The county board shall administer developmental achievement services. The county board shall ensure that transportation is provided for persons who fulfill the eligibility requirements of section 252.23, clause (1), utilizing the most efficient and reasonable means available. The county board may contract for developmental achievement services and transportation from a center which is licensed under the provisions of sections 245.781 to 245.813, 252.28, and 257.175, and in the board's opinion, best provides daytime developmental achievement services for mentally retarded and cerebral palsied persons within the appropriation made available for this purpose. Daytime developmental achievement services administered by the county board shall comply with standards established by the commissioner pursuant to subdivision 2.

[For text of subd 2, see M.S.1980]

Subd. 3. **Payment procedure.** The board at the beginning of each year, shall allocate available money for developmental achievement services for disbursement during the year to those centers that have been selected to receive grants and whose plans and budgets have been approved. The board shall, from time to time during the fiscal year, review the budgets, expenditures and programs of the various centers and if it determines that any amount of funds are not needed for any particular center to which they were allocated, it may, after 30 days' notice, withdraw such funds as are unencumbered and reallocate them to other centers. It may withdraw all funds from any center upon 90 days' notice whose program is not being administered in accordance with its approved plan and budget.

Subd. 4. **Fees.** The county board may, with the approval of the commissioner, establish a schedule of fees for daytime developmental achievement services as provided in section 256E.08, subdivision 6. No mentally retarded or cerebral

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palsied person shall be denied daytime developmental achievement services because of an inability to pay such a fee.

History: 1981 c 355 s 25-27

252.26 [Repealed, 1981 c 355 s 34]

252.27 COST OF BOARDING CARE OUTSIDE OF HOME OR INSTITUTION.

Subdivision 1. Whenever any child who is mentally retarded, epileptic or emotionally handicapped is in 24 hour care outside the home and outside the state institutions, in a facility licensed by the commissioner of public welfare, the cost of care shall be paid by the county of financial responsibility determined pursuant to section 256E.08, subdivision 7. If the child's parents or guardians do not reside in this state, the cost shall be paid by the county in which the child is found. For the purposes of this section an "emotionally handicapped child" means any child having a psychiatric or other emotional disorder which substantially impairs his mental health and who requires 24 hour treatment or supervision.

Subd. 2. The commissioner of public welfare shall promulgate rules to determine the responsibility of the parents and the child to contribute to the cost of care and treatment based upon ability to pay. Responsibility of the parents and of the child for the cost of care shall be up to a maximum of ten percent of the cost of care per month. Responsibility of the child for the cost of care shall be up to the maximum amount of the total income and resources attributed to the child except for the clothing and personal needs allowance as provided in section 256B.35, subdivision 1. Reimbursement by the parents and child shall be made to the county making any payments for care and treatment. The county board may require payment of the full cost of caring for children whose parents or guardians do not reside in this state. The commissioner's determination shall be conclusive in any action to enforce payment of the cost of care. Any appeals from the commissioner's determination shall be made pursuant to section 256.045, subdivisions 2 and 3.

[For text of subds 3 and 4, see M.S.1980]

History: 1981 c 355 s 28,29

NOTE: The amendment to subdivision 1 by Laws 1981, Chapter 355, Section 28 is effective January 1, 1983. See Laws 1981, Chapter 355, Section 35.