

CHAPTER 254A

TREATMENT FOR ALCOHOL AND DRUG ABUSE

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254A.03 STATE AUTHORITY ON ALCOHOL AND DRUG ABUSE.

Subdivision 1. There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director who shall be in the unclassified service. The section shall:

(a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;

(b) coordinate all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;

(c) develop and demonstrate new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;

(d) gather and disseminate facts and information about alcoholism and other drug dependency and abuse to public and private agencies and the courts so requesting such information for guidance to and assistance in prevention, treatment and rehabilitation;

(e) inform and educate the general public on alcohol and other drug dependency and abuse problems;

(f) serve as the state authority concerning alcohol and other drug dependency and abuse;

(g) establish a state plan which shall set forth goals and priorities within a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All governmental units operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities;

(h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals, using federal funds, and state funds as authorized to pay for costs of state administration, including evaluation, statewide programs and services, research and demonstration projects, and American Indian programs;

(i) solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source;

(j) with respect to alcohol and other drug abuse programs serving the American Indian community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the American Indian community.

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

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Subd. 3. The commissioner of public welfare shall establish criteria to be used in determining the appropriate level of chemical dependency care, whether outpatient, inpatient or short-term treatment programs, for each recipient of public assistance seeking treatment for alcohol or other drug dependency and abuse problems. The criteria shall address, at least, the family relationship, past treatment history, medical or physical problems, arrest record, and employment situation.

History: 1981 c 355 s 30; 1981 c 360 art 2 s 18

254A.05 DUTIES OF ADVISORY COUNCIL.

Subdivision 1. (a) The council shall assist in the formulation of policies and guidelines for the implementation of the commissioner's responsibilities in the area of alcohol and drug abuse.

(b) The council shall advise the commissioner and director on policies, goals, and the operation of the comprehensive state plan for alcohol and drug abuse program services in the state and other matters as directed by the commissioner and director, and shall encourage public understanding and support of the alcohol and drug abuse programs.

(c) The council shall make recommendations to the commissioner regarding grants and contracts which use federal funds, and state funds as authorized under section 254A.03, subdivision 1, clause (h), and for American Indian chemical dependency programs authorized by section 254A.031.

History: 1981 c 355 s 31

254A.06 [Repealed, 1981 c 356 s 247]

254A.07 COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.

[For text of subd 1, see M.S.1980]

Subd. 2. The county boards may make grants for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants made for programs serving the American Indian community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these comprehensive programs and services whether provided directly by county boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs. With the approval of the county board, the state authority may make grants or contracts for research or demonstration projects specific to needs within that county.

History: 1981 c 355 s 32

254A.08 DETOXIFICATION CENTERS.

Subdivision 1. Every county board shall provide detoxification services for drug dependent persons. The board may utilize existing treatment programs and other agencies to meet this responsibility.

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

History: 1981 c 355 s 33

254A.09 CONFIDENTIALITY OF RECORDS.

The department of public welfare shall assure confidentiality to individuals who are the subject of research by the state authority or treatment by an approved treatment program. The commissioner shall withhold from all persons not connected with the conduct of the research or treatment the names or other identifying characteristics of the individual unless the individual gives written permission that information relative to his treatment and recovery may be discussed with a prospective employer by either an approved treatment program staff member or a qualified employment counselor. Persons authorized to protect the privacy of these individuals may not be compelled in any federal, state or local, civil, criminal, administrative or other proceeding to identify or disclose other confidential information about the individuals. However, a person may be compelled to identify or disclose confidential information in civil investigations or proceedings related to neglect or termination of parental rights if the court determines good cause exists to believe that the person can disclose information that is relevant to the findings which the court is being asked to make. In determining whether to compel disclosure, the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the treatment relationship, and to the treatment services if disclosure occurs.

History: 1981 c 240 s 1