

## CHAPTER 383B

## HENNEPIN COUNTY

383B.217 Medical center and HMO.  
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**383B.217 MEDICAL CENTER AND HMO.**

*[For text of subs 1 to 6, see M.S.2002]*

Subd. 7. **Purchases and marketing.** (a) Contracting and purchasing made on behalf of the Hennepin County Medical Center and its health maintenance organization (HMO) of goods, materials, supplies, equipment, and services that are incidental to or that are included as part of a contract for the purchase of goods, materials, supplies, or equipment are specifically exempted from sections 383B.141 to 383B.151 and 471.345 or other applicable laws related to public procurement. Contracting and purchasing of services shall comply with sections 383B.141 to 383B.151 or other applicable laws related to public procurement.

(b) Notwithstanding chapter 13D, the county board on behalf of the medical center and HMO may meet in closed session to discuss and take action on specific products or services that are in direct competition with other providers of goods or services in the public or private sector, if disclosure of information pertaining to those matters would clearly harm the competitive position of the medical center or HMO.

(c) The medical center and HMO shall inform the county board when there are matters that are appropriate for discussion or action under paragraph (b). The county administrator or the administrator's designee shall give the board an opinion on the propriety of discussion or action under paragraph (b) for each of the matters. The county board may, by a majority vote in a public meeting, decide to hold a closed meeting under paragraph (b). The purpose, time, and place of the meeting must be announced at a public meeting. A written roll of members present at a closed meeting must be made available to the public after the closed meeting. The proceedings of a closed meeting must be tape recorded at the expense of the county board and be preserved for not less than five years after the meeting. The data on the tape are nonpublic data under section 13.02, subdivision 9, until two years after the meeting. A contract entered into by the county board at a meeting held on behalf of the medical center or HMO is subject to section 471.345. All bids and any related materials that are considered at the meeting must be retained for a period of not less than five years. After the expiration of the term of any contract entered into pursuant to this subdivision or a period of two years, whichever is less, the contract, the bids, and any related materials are public data. The contract, the bids, and any related materials are subject to review by the state auditor at any time.

(d) Data concerning specific products or services that are in direct competition with other providers of goods or services in the public or private sector are trade secret information for purposes of section 13.37, to the extent disclosure of information pertaining to the matters would clearly harm the competitive position of the medical center or HMO. The data are trade secret information for the term of the contract or a two-year period, whichever is less.

(e) Notwithstanding section 471.345 or other applicable law, the county board on behalf of the medical center, HMO, ambulatory health center, or other clinics authorized under section 383B.219, may contract, except for services, by any means that the county board or at its direction the medical center or HMO may determine. When contracting for services, the county board must comply with sections 383B.141 to 383B.151 and other applicable law, except that the board may contract with a private or public cooperative purchasing organization if it can be established that the purchasing

organization's services that are purchased have been awarded through a competitive or request for proposal process.

(f) This subdivision applies to the medical center, HMO, ambulatory health centers, or other clinics authorized under section 383B.219, as well as any other organization, association, partnership, or corporation authorized by Hennepin County under section 144.581.

*[For text of subd 8, see M.S.2002]*

**History:** 2003 c 98 s 1

### **383B.221 EMERGENCY MEDICAL SERVICE.**

*[For text of subd 1, see M.S.2002]*

Subd. 2. **Compliance with state laws.** Emergency medical service established under subdivision 1 shall comply with applicable provisions of sections 144E.001 to 144E.35, 145A.09 to 145A.131, and 383B.56. The county board may also establish and operate a communications system in connection with emergency medical services, may contract with other units of government or private entities and may exercise the authority provided in section 471.59 in the establishment, operation and maintenance of the system.

**History:** 1Sp2003 c 14 art 8 s 31

### **383B.49 SUPPLEMENTAL RETIREMENT BENEFITS; REDEMPTION OF SHARES.**

When requested to do so, in writing, on forms provided by the county, by a participant, surviving spouse, a guardian of a surviving child or a personal representative, whichever is applicable, the county of Hennepin shall redeem shares in the accounts of the Minnesota supplemental investment fund standing in a participant's share account record under the following circumstances and in accordance with the laws and regulations governing the Minnesota supplemental investment fund:

(1) A participant who is no longer employed by the county of Hennepin is entitled to receive the cash realized on the redemption of the shares to the credit of the participant's share account record of the person. The participant may request the redemption of all or a portion of the shares in the participant's share account record of the person, but may not request more than one redemption in any one calendar year. If only a portion of the shares in the participant's share account record is requested to be redeemed the person may request to redeem not less than 20 percent of the shares in any one calendar year and the redemption must be completed in no more than five years. An election is irrevocable except that a participant may request an amendment of the election to redeem all of the person's remaining shares. All requests under this paragraph are subject to application to and approval of the Hennepin County administrator, in the sole discretion of the administrator.

(2) In the event of the death of a participant leaving a surviving spouse, the surviving spouse is entitled to receive the cash realized on the redemption of all or a portion of the shares in the participant's share account record of the deceased spouse, but in no event may the spouse request more than one redemption in each calendar year. If only a portion of the shares in the participant's share account record is requested to be redeemed, the surviving spouse may request the redemption of not less than 20 percent of the shares in any one calendar year. Redemption must be completed in no more than five years. An election is irrevocable except that the surviving spouse may request an amendment of the election to redeem all of the participant's remaining shares. All requests under this paragraph are subject to application to and approval of the Hennepin County administrator, in the sole discretion of the administrator. Upon the death of the surviving spouse, any shares remaining in the participant's share account record must be redeemed by the county of Hennepin and the cash realized from the redemption distributed to the estate of the surviving spouse.

(3) In the event of the death of a participant leaving no surviving spouse, but leaving a minor surviving child or minor surviving children, the guardianship estate of the minor child is, or the guardianship estates of the minor children are, entitled to receive the cash realized on the redemption of all shares to the credit of the participant's share account record of the deceased participant. In the event of minor surviving children, the cash realized must be paid in equal shares to the guardianship estates of the minor surviving children.

(4) In the event of the death of a participant leaving no surviving spouse and no minor surviving children, the estate of the deceased participant is entitled to receive the cash realized on the redemption of all shares to the credit of the participant's share account record of the deceased participant.

**History:** *1Sp2003 c 12 art 10 s 1*

**NOTE:** Based on a certificate of local approval filed with the secretary of state on July 14, 2003, this section is effective July 15, 2003. Laws 2003, First Special Session chapter 12, article 10, section 4, and Minnesota Statutes, section 645.02.

### **383B.493 WITHDRAWAL FROM PARTICIPATION.**

Notwithstanding Laws 1982, chapter 450, or any other law to the contrary, a Hennepin County employee participating in the Hennepin County supplemental retirement program pursuant to Laws 1982, chapter 450 may, in the event of an unforeseeable emergency, apply to the county to discontinue participation in the program. Employees who are no longer participating in the program may apply for the redemption of all shares credited to their share account record. Applications are subject to approval of the Hennepin County Board of Commissioners in its sole discretion. For the purposes of this section, the term "unforeseeable emergency" shall mean a severe financial hardship to the participant resulting from a sudden and unexpected illness or accident of the participant or a person dependent upon the participant, loss of participant's property due to casualty, or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the participant. Applications based on foreseeable expenditures normally budgetable shall not be approved. A participant exercising the option provided by this section shall be ineligible for further participation in the supplemental retirement program.

**History:** *1Sp2003 c 12 art 10 s 2*

**NOTE:** As of September 20, 2003, the Hennepin County Board of Commissioners had not filed with the secretary of state a certificate of approval of an amendment to this section made by Laws 2003, First Special Session chapter 12, article 10, section 2. Accordingly, the amendment is not included in the text here. If the certificate is filed before January 4, 2005, the amendment is effective the day after its filing. If not filed before that date, the amendment is disapproved. Minnesota Statutes, section 645.021, subdivision 3. The current filing status may be confirmed with the secretary of state's office.

### **383B.81 ENVIRONMENTAL RESPONSE FUND.**

*[For text of subs 1 and 2, see M.S.2002]*

Subd. 3. **Matching funds.** In expending funds under this section the county shall seek matching funds from contamination cleanup funds administered by the commissioners of the Department of Employment and Economic Development, the Metropolitan Council, the federal government, the private sector and any other source.

*[For text of subs 4 to 8, see M.S.2002]*

**History:** *1Sp2003 c 4 s 1*