

**176.541 STATE DEPARTMENTS.**

Subdivision 1. **Application of chapter to state employees.** This chapter applies to the employees of any department of this state as defined in section 3.732, subdivision 1, clause (1).

Subd. 2. **Defense of claim against state.** When the commissioner of administration believes that a claim against the state for compensation should be contested, the commissioner shall defend the state claim.

Subd. 3. **Duties of attorney general.** At any stage in such a compensation proceeding, the attorney general may assume the duty of defending the state. When the commissioner of administration or a department of this state requests the attorney general to assume the defense, the attorney general shall do so.

Subd. 4. **Medical examination of employee; witnesses; conduct of defense.** In conducting a defense against a claim for compensation, the commissioner of administration or the attorney general, as the case may be, may require that an employee submit to a medical examination, procure the attendance of expert and other witnesses at a hearing, and do any other act necessary to conduct a proper defense.

Subd. 5. **Expenses of conducting defense.** The expenses of conducting a defense shall be charged to the department which employs the employee involved. These expenses shall be paid from the state compensation revolving fund.

Subd. 6. **Legal and clerical help.** The commissioner of administration may employ legal and clerical help. The salaries of these persons shall be paid from the state compensation revolving fund, but shall be apportioned among the several departments of the state in relation to the amount of compensation paid to employees of any department as against the total amount of compensation paid to employees of all departments.

Subd. 7. [Repealed, 2017 c 94 art 3 s 10]

Subd. 7a. **Exceptions.** This section does not apply to the University of Minnesota.

Subd. 8. **State may insure.** The state of Minnesota may elect to insure its liability under the workers' compensation law for persons employed under the federal Workforce Innovation and Opportunity Act, and similar programs, with an insurer properly licensed in Minnesota.

**History:** 1953 c 755 s 71; 1967 c 8 s 1; 1971 c 422 s 10; 1973 c 388 s 130-133; 1975 c 2 s 2; 1975 c 359 s 23; 1986 c 444; 1987 c 332 s 100-103; 2008 c 204 s 28-31; 2017 c 94 art 3 s 6-8