

**252.50 STATE-OPERATED PROGRAMS.**

Subdivision 1. MS 2022 [Repealed, 2024 c 79 art 10 s 5]

Subd. 2. [Renumbered 246C.16, subd 5]

Subd. 2a. **Use of enhanced waived services funds.** The commissioner may, within the limits of appropriations made available for this purpose, use enhanced waived services funds under the home and community-based waiver for persons with developmental disabilities to move to state-operated community programs and to private facilities.

Subd. 3. **Alternative funding mechanisms.** To the extent possible, the commissioner may amend the medical assistance home and community-based waiver and, as appropriate, develop special waiver procedures for targeting services to persons currently in state regional treatment centers.

Subd. 4. [Renumbered 246C.11, subd 6]

Subd. 5. **Location of programs.** (a) In determining the location of state-operated, community-based programs, the needs of the individual client shall be paramount. The executive board shall also take into account:

(1) prioritization of beds in state-operated, community-based programs for individuals with complex behavioral needs that cannot be met by private community-based providers;

(2) choices made by individuals who chose to move to a more integrated setting, and shall coordinate with the lead agency to ensure that appropriate person-centered transition plans are created;

(3) the personal preferences of the persons being served and their families as determined by Minnesota Rules, parts 9525.0004 to 9525.0036;

(4) the location of the support services established by the individual service plans of the persons being served;

(5) the appropriate grouping of the persons served;

(6) the availability of qualified staff;

(7) the need for state-operated, community-based programs in the geographical region of the state; and

(8) a reasonable commuting distance from a regional treatment center or the residences of the program staff.

(b) The executive board must locate state-operated, community-based programs in coordination with the commissioner of human services according to section 252.28.

Subd. 6. [Renumbered 246.65]

Subd. 7. [Renumbered 246.585]

Subd. 8. [Renumbered 246.588]

Subd. 9. MS 2022 [Repealed, 2024 c 79 art 10 s 5]

Subd. 10. [Renumbered 246.611]

Subd. 11. MS 2022 [Repealed, 2024 c 79 art 10 s 5]

**History:** *1988 c 689 art 2 s 109; 1989 c 282 art 6 s 21; 1Sp1993 c 1 art 7 s 34; 2005 c 56 s 1; 2024 c 79 art 4 s 2*