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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 2588

February 12, 2008

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The bill was read for the first time and Interim introduction, referred to Health and Human Services

1.1 A bill for an act
1.2 relating to human services; requiring authorization before relocating regional
1.3 treatment centers or state-operated nursing homes; amending Minnesota Statutes
1.4 2006, section 246.0135.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 246.0135, is amended to read:

1.7 **246.0135 OPERATION OF REGIONAL TREATMENT CENTERS.**

1.8 (a) The commissioner of human services is prohibited from closing or relocating
1.9 any regional treatment center or state-operated nursing home or any program at any of the
1.10 regional treatment centers or state-operated nursing homes, without specific legislative
1.11 authorization. For persons with developmental disabilities who move from one regional
1.12 treatment center to another regional treatment center, the provisions of section 256B.092,
1.13 subdivision 10, must be followed for both the discharge from one regional treatment
1.14 center and admission to another regional treatment center, except that the move is not
1.15 subject to the consensus requirement of section 256B.092, subdivision 10, paragraph (b).

1.16 (b) Prior to closing or downsizing a regional treatment center, the commissioner
1.17 of human services shall be responsible for assuring that community-based alternatives
1.18 developed in response are adequate to meet the program needs identified by each county
1.19 within the catchment area and do not require additional local county property tax
1.20 expenditures.

1.21 (c) The nonfederal share of the cost of alternative treatment or care developed
1.22 as the result of the closure of a regional treatment center, including costs associated
1.23 with fulfillment of responsibilities under chapter 253B shall be paid from state funds
1.24 appropriated for purposes specified in section 246.013.

2.1 (d) Counties in the catchment area of a regional treatment center which has been
2.2 closed or downsized may not at any time be required to pay a greater cost of care for
2.3 alternative care and treatment than the county share set by the commissioner for the cost
2.4 of care provided by regional treatment centers.

2.5 (e) The commissioner may not divert state funds used for providing for care or
2.6 treatment of persons residing in a regional treatment center for purposes unrelated to the
2.7 care and treatment of such persons.