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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3570**

February 28, 2008

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to human services; prohibiting personal liability for certain persons with
1.3 mental illness; amending Minnesota Statutes 2006, section 246.51, subdivision 1.

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

1.5 Section 1. Minnesota Statutes 2006, section 246.51, subdivision 1, is amended to read:

1.6 Subdivision 1. **Procedures.** (a) The commissioner shall make investigation as
1.7 necessary to determine, and as circumstances require redetermine, what part of the cost
1.8 of care, if any, the client is able to pay. If the client is unable to pay the full cost of care
1.9 the commissioner shall make a determination as to the ability of the relatives to pay.
1.10 The client and relatives shall provide the commissioner documents and proofs necessary
1.11 to determine their ability to pay. Failure to provide the commissioner with sufficient
1.12 information to determine ability to pay may make the client or relatives liable for the full
1.13 cost of care until the time when sufficient information is provided. No parent shall be
1.14 liable for the cost of care given a client at a regional treatment center after the client has
1.15 reached the age of 18 years. The commissioner's determination shall be conclusive in any
1.16 action to enforce payment of the cost of care unless appealed from as provided in section
1.17 246.55. A client who has been diagnosed with a mental illness, who is admitted to a
1.18 community behavioral health hospital or the Anoka Regional Treatment Center, who prior
1.19 to admission was on or eligible for medical assistance, medical assistance spenddown, or
1.20 was on or eligible for MinnesotaCare and exhausted the \$10,000 hospital benefit cap, shall
1.21 not be personally liable for their cost of care.

1.22 (b) All money received, except for chemical dependency receipts, shall be paid to
1.23 the commissioner of finance and placed in the general fund of the state and a separate
1.24 account kept of it. Except for services provided under chapter 254B, responsibility under

- 2.1 this section shall not apply to those relatives having gross earnings of less than \$11,000
- 2.2 per year.