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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **2995**

February 16, 2010

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

1.1 A bill for an act
1.2 relating to special education; expanding who is qualified to make a diagnosis of
1.3 attention deficit disorder or attention deficit hyperactivity disorder; amending
1.4 Minnesota Statutes 2009 Supplement, section 125A.02, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2009 Supplement, section 125A.02, subdivision 1,
1.7 is amended to read:

1.8 Subdivision 1. **Child with a disability.** "Child with a disability" means a child
1.9 identified under federal and state special education law as having a hearing impairment,
1.10 blindness, visual disability, speech or language impairment, physical disability, other
1.11 health impairment, mental disability, emotional/behavioral disorder, specific learning
1.12 disability, autism, traumatic brain injury, multiple disabilities, or deafblind disability
1.13 who needs special education and related services, as determined by the rules of the
1.14 commissioner, is a child with a disability. A licensed physician, an advanced practice
1.15 nurse, ~~or~~ a licensed psychologist, or a mental health professional under section 245.4871,
1.16 subdivision 27, is qualified to make a diagnosis and determination of attention deficit
1.17 disorder or attention deficit hyperactivity disorder for purposes of identifying a child
1.18 with a disability.