

STATE OF MINNESOTA
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF REPEALING ADOPTED
RULES OF THE DEPARTMENT OF HUMAN
SERVICES GOVERNING THE COUNTY
WELFARE BOARD AND ITS ASSISTANCE
TO PATIENTS RELEASED FROM STATE
HOSPITALS FOR THE MENTALLY ILL,
MINNESOTA RULES, PARTS 9520.0300
TO 9520.0320

STATEMENT OF NEED
AND REASONABLENESS

INTRODUCTION

The adopted rule parts 9520.0300 to 9520.0320 had provided methods and procedures for county welfare boards to follow in their assistance to patients released from state hospitals for the mentally ill. The authority for the establishment of this rule is Minnesota Statutes, section 253B.20, subd. 2.

Rule parts 9520.0310 to 9520.0320 also described the procedures of the release plan for patients with and without relatives. These procedures include: 1) construction of sound release plans by the patient's hospital 2) financial assistance to discharged patients 3) collaboration between hospitals and county welfare boards to assist patients in finding suitable employment and shelter, and 4) maintenance of records by county welfare boards.

The above entitled rule repeal is necessary since rule parts 9520.0300 to 9520.0320 have been incorporated into Minnesota Rules, parts 9550.0010 to 9550.0092 (Rule 160), Minnesota Rules, parts 9525.0015 to 9525.0165 (Rule 185), the Comprehensive Adult Mental Health Act, Minnesota Statutes, sections 245.461 to 245.486, and the Comprehensive Children's Mental Health Act, Minnesota Statutes, sections 245.487 to 245.4887.

RULE PROVISIONS

The above entitled rules are affirmatively presented by the department in the following narrative in accordance with the provisions of the Minnesota Administrative Procedure Act, Minnesota Statutes, chapter 14, and the rules of the Attorney General's Office.

The repeal of rule parts 9520.0300 to 9520.0320 is necessary and reasonable since the rule parts are incorporated into Minnesota Rules, parts 9550.0010 to 9550.0092 (Rule 160), Minnesota Rules, parts 9525.0015 to 9525.0165 (Rule 185), the Comprehensive Adult Mental Health Act, Minnesota Statutes, sections 245.461 to 245.486, and the Comprehensive Children's Mental Health Act, Minnesota Statutes, sections 245.487 to 245.4887. The authority for

establishment of rule parts 9550.0010 to 9550.0092 is Minnesota Statutes, Chapter 256E and the authority for establishment of rule parts 9525.0015 to 9525.0165 is Minnesota Statutes, Chapter 256B. Additionally, recent amendments to the mental health acts per Minnesota Laws 1989, chapter 282, article 4, sections 19, 21, and 49, further clarify the provisions of discharge from regional treatment centers to the community.

EXPERT WITNESSES

If this rule should go to public hearing, the Department does not plan to have outside expert witnesses testify on its behalf.

SMALL BUSINESS

The proposed rule amendments do not affect small businesses as defined in Minnesota Statutes, section 14.115.

4-17-90

Date



ANN WYNIA
Commissioner