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State of Minnesota
HOUSE OF REPRESENTATIVES
First Division Engrossment

NINETY-SECOND SESSION

H. F. No. 2733

01/31/2022 Authored by Bahner and Edelson
The bill was read for the first time and referred to the Committee on Human Services Finance and Policy

Division Action

02/03/2022 *Referred by Chair to the Behavioral Health Policy Division*
02/16/2022 *Returned to the Committee on Human Services Finance and Policy as Amended*

1.1 A bill for an act
1.2 relating to human services; modifying intensive residential treatment services;
1.3 appropriating money; amending Minnesota Statutes 2021 Supplement, section
1.4 245I.23, subdivision 19.

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

1.6 Section 1. Minnesota Statutes 2021 Supplement, section 245I.23, subdivision 19, is
1.7 amended to read:

1.8 Subd. 19. **Program facility.** (a) The license holder must be licensed or certified as a
1.9 board and lodging facility, supervised living facility, or a boarding care home by the
1.10 Department of Health.

1.11 (b) The license holder must have a capacity of five to 16 beds and the program must not
1.12 be declared as an institution for mental disease.

1.13 (c) The license holder must furnish each program location to meet the psychological,
1.14 emotional, and developmental needs of clients.

1.15 (d) The license holder must provide one living room or lounge area per program location.
1.16 There must be space available to provide services according to each client's treatment plan,
1.17 such as an area for learning recreation time skills and areas for learning independent living
1.18 skills, such as laundering clothes and preparing meals.

1.19 (e) The license holder must ensure that each program location allows each client to have
1.20 privacy. Each client must have privacy during assessment interviews and counseling sessions.
1.21 Each client must have a space designated for the client to see outside visitors at the program
1.22 facility.

2.1 (f) Notwithstanding any other provision of law, the license holder may operate a locked
2.2 facility to provide treatment for patients who have been transferred from a jail or have been
2.3 deemed incompetent to stand trial and a judge determines that the patient needs to be in a
2.4 secure facility. The locked facility must meet building and fire code requirements. The
2.5 commissioner may, within available appropriations, disburse grant funding to counties,
2.6 Tribes, or mental health service providers to establish new locked facilities.

2.7 **EFFECTIVE DATE.** This section is effective July 1, 2022, or upon federal approval,
2.8 whichever is later. The commissioner of human services shall notify the revisor of statutes
2.9 when federal approval is obtained.

2.10 Sec. 2. **APPROPRIATION; INTENSIVE RESIDENTIAL TREATMENT SERVICES.**

2.11 \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of
2.12 human services to provide start-up funds to intensive residential treatment service providers
2.13 to provide treatment in locked facilities for patients who have been transferred from a jail
2.14 or who have been deemed incompetent to stand trial and a judge has determined that the
2.15 patient needs to be in a secure facility. This is a onetime appropriation.