

**Subject** Department of Human Services Policy Bill – Direct Care and Treatment  
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## Overview

This bill modifies provisions governing transfer or discharge from and return to secure state-operated treatment facilities and expands the definition of assault against an employee in a secure treatment facility.

## Summary

Section	Description
1	<p><b>Classifications.</b></p> <p>Amends § 13.69 subd. 1.</p> <p>Provides exception to private data classification for social security numbers, requiring the last four digits to be provided to DHS for recovery of Minnesota health care program benefits paid.</p> <p>Makes this section effective July 1, 2019.</p>
2	<p><b>Transfer; voluntary readmission to secure treatment facility.</b></p> <p>Amends § 253B.18 by adding subd. 6a.</p> <p>Paragraph (a) allows a patient who has been transferred to forensic transition services to return to a secure treatment facility for up to 60 days, with the medical director's consent.</p> <p>Paragraph (b) specifies that a patient who does not return to the transition services facility within 60 days of readmission to a secure treatment facility must remain in the secure treatment facility.</p> <p>Paragraph (c) specifies that within 15 days of the transfer revocation in paragraph (b), the patient may petition the special review board for a review of the transfer revocation.</p> <p>Paragraph (d) specifies that no action is required by the commissioner or the special review board if the patient returns to the transition facility with no substantive change to the conditions of the transfer.</p>

Section	Description
3	<p>Makes this section effective the day following final enactment, and specifies that this section applies to any patient who is or has been transferred out of a secure treatment facility.</p> <p><b>Transfer; revocation.</b> Amends § 253B.18 by adding subd. 6b.</p> <p>Paragraph (a) allows the medical director to revoke a transfer and require a patient to return to a secure treatment facility under specified circumstances.</p> <p>Paragraph (b) requires the patient’s immediate return to a secure treatment facility when a transfer is revoked. Requires the medical director to issue a report documenting the reasons for revocation within seven days after the patient returns to the secure facility.</p> <p>Paragraph (c) requires the medical director to provide a copy of the report to the patient and inform the patient of the patient’s rights. Requires the report to be served upon the patient and patient’s counsel. Requires the report to outline the specific reasons for revocation.</p> <p>Paragraph (d) allows a patient to re-petition for transfer, if a transfer is revoked.</p> <p>Paragraph (e) allows a patient to petition the special review board within seven days for review of a transfer revocation. Specifies procedures for review.</p> <p>Makes this section effective the day following final enactment, and specifies that this section applies to any patient who is or has been transferred out of a secure treatment facility.</p>
4	<p><b>Appeal.</b> Amends § 253B.18, subd. 13.</p> <p>Adds provisional discharge revocation to appeals subdivision and defines “holidays” with a cross-reference to existing statute.</p> <p>Makes this section effective the day following final enactment.</p>
5	<p><b>Decision.</b> Amends § 253D.28, subd. 3.</p> <p>Extends the length of automatic stay of a discharge or provisional discharge order to 30 days.</p> <p>Makes this section effective the day following final enactment, and specifies that this section applies to any order granting provisional discharge or discharge issued on or after the effective date.</p>

Section	Description
6	<p data-bbox="349 262 795 304"><b>Secure treatment facility personnel.</b></p> <p data-bbox="349 304 714 346">Amends § 609.2231, subd. 3a.</p> <p data-bbox="349 378 1427 487">Expands the definition of fourth degree assault against an employee at a secure treatment facility to include all bodily fluids intentionally thrown or transferred at another person.</p>



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