

Prepared by Minnesota Department
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SUMMARY OF 1963 WELFARE LEGISLATION

PUBLIC ASSISTANCE

1. Medical Assistance for the Aged

Chapter 595

This is Minnesota's version of the federal Kerr-Mills law. It becomes effective July 1, 1964. This law provides the full range of recognized and licensed health care services for any person meeting the following eligibility requirements:

- a. Resides in Minnesota. (This may be for any period of time; no 1-year residence required as in OAA.)
- b. Is 65 years of age or over.
- c. Has an equity in real property not exceeding \$15,000.
- d. Does not have more than \$750.00 in cash or other liquid assets, if single, or \$1,000 if married.
- e. Has gross income not exceeding \$1800 annually, if single, or \$2400 if married.
- f. Has spent or become obligated to spend not less than \$200 for medical care (including premiums on health insurance) during the 12 months preceding his application. This requirement may be waived if applicant and spouse do not have sufficient resources or income to make this expenditure.

2. Aid to Dependent Children

Chapter 794

In compliance with federal legislation enacted in 1962, the following amendments are made to the Minnesota ADC Act:

- a. ADC is available to children placed temporarily in a licensed foster home or private children's institution, provided they are removed from their own home by a court order during a month in which the family is receiving ADC.

- b. A child in an ADC family, in the discretion of the county agency, is permitted to save his earnings for some future purpose approved by the county agency. (Such as obtaining college education;)
- c. In not to exceed 5% of the cases in any month the ADC payment may be made to an individual other than the parent or relative with whom the dependent child is living. This would involve situations where the mother and children should remain together but where the mother is inadequate to manage the household budget in the best interests of the children.

3. Liberalization of Aid to Blind Program

Chapter 752 In addition to the existing exemption of earned monthly income, this chapter provides that for a period not in excess of 12 months, such additional amounts of other income and resources as may be necessary for an individual to achieve self-support may be disregarded in determining the amount of the AB grant. The plan for self-support must be approved by the state agency. (This amendment of the AB law is mandatory under recent federal legislation.)

4. ADC Applications

Chapter 296 Even though the child is not residing within the state at the time of application, if he is eligible for assistance the application may be made to the agency of the county where the child is living and forwarded to the agency of the county in Minnesota where the child last resided. (This is an amendment of M.S. Sec. 256.74, Subd. 2.)

5. Administration of Poor Relief in Township System Counties

Chapter 310 A city of the third or fourth class and a village or town may by resolution of its governing body contract with the county board of the county in which it is situated for the administration of general relief by the county--where the county operates under the township system of relief. (Any contract of this kind entered into before the effective date of this act is also declared valid.)

6. Minneapolis General Hospital Becomes a County Hospital

Chapter 738 This chapter transfers from the city of Minneapolis to the county board of Hennepin county the responsibility for providing hospital and medical care for the indigent of that county, and using Minneapolis General for that purpose. For other poor relief purposes, however, Hennepin county will continue to operate under the township system.

7. Work Relief Programs

Chapters 326 The counties of Koochiching, St. Louis, Mahnomen and Clear-
 626 water are given the authority to contract with the federal
 644 government or with any department, agency, subdivision or
 instrumentality of the state, or with any political sub-
 division within the county for the services of work relief
 recipients on such terms and conditions as may be agreed
 upon.

8. Welfare Board Given Lien for Medical Expenses

Chapter 480 Where the county board or the county welfare board, as a
 part of its public assistance program, has paid medical
 expenses because of injuries sustained by the person
 incurring the expenses, it is given a lien against any funds
 subsequently recovered from a third party who is held re-
 sponsible for the injuries. This lien is similar to the lien
 now given a hospital for providing hospital care and is
 enforced in the same manner. (See M.S. Secs. 514.69 to
 514.71.)

MEDICAL SERVICES AND MENTAL HEALTH

1. Day-Time Activity Centers for Mentally Retarded

Chapter 830 This law provides for state grants-in-aid to assist local
 communities and non-profit corporations in establishing and
 operating day-time activity centers for the mentally re-
 tardated. In effect, it places on a permanent basis what has
 been done during the past two years on a demonstration basis.
 In 1961 the Legislature provided \$36,000 to carry out a
 pilot project. The appropriation for the coming biennium is
 \$155,000. Nine centers were established and received state
 aid under the demonstration project. They served 125
 children. With the new appropriation several additional
 centers can be approved for 50% state aid, and it is expected
 the total number of children served will be about 350.

2. Admissions to Owatonna State School

Chapter 600 The Commissioner of Public Welfare may transfer or admit
 directly to the Owatonna State School any mentally deficient
 person under age 21 who in his opinion will benefit from the
 services available at the school. (It is no longer required
 that to be admitted to Owatonna the person must be committed
 as mentally deficient.)

3. Community Mental Health Centers

Chapter 796 This chapter makes one major change in the present law. In a
 "distressed" county, as defined by the equalization aid law,
 the county may levy a special tax of not to exceed 2 mills to
 raise its share of the cost of operating the center. In all
 other counties there is a limitation of one mill.

3. Community Mental Health Centers - Chapter 796 (continued)

Some changes are made in the composition of the community mental health boards. The law previously required a nine member board, but as amended this number may vary, depending upon the number of counties which have combined to establish the mental health center.

4. Voluntary Patients at State Mental Hospitals

Chapter 258 The present law on voluntary admissions is amended in these two respects:

- a. If the voluntary patient demands his release in writing, the superintendent of the hospital may detain him for 3 days, exclusive of Sundays and legal holidays, (the underlined material is new), if within that period he files a petition for the commitment of such person. This petition is filed in the probate court of the county where the hospital is located but (and this is new language) upon motion of the patient the venue of the petition shall be changed to the probate court of the county of the patient's residence, if he is a resident of the state of Minnesota.
- b. After discharge from a state hospital, the patient who entered voluntarily shall have the same right to the services of the county welfare department as one who was committed.

5. Annex for Defective Delinquents Abolished

Chapter 214 This chapter repeals the law passed in 1945 which designated a portion of the State Reformatory for the care of mentally deficient persons. Since 1945 the Annex, as it was called, has been used for so-called defective delinquents who could not get along in the community nor at the institutions for the mentally retarded. After June 30, 1963, the Annex at the State Reformatory is no longer available.

6. Employment of Home Aides

Chapter 27 This amends M.S. Sec. 145.08, Subd. 4 to provide that a Board of County Commissioners, which employs public health nurses, may also employ home aides who, under the supervision of the public health nurse, will give home nursing care service.

7. Free Fishing Licenses

Chapter 466 Any ward of the Commissioner of Public Welfare who is residing in an institution under the control of the commissioner, may receive without cost, a fishing license from the Commissioner of Conservation.

8. Reports Furnished by Physicians

Chapter 150 This chapter provides that no letter, report or other communication (either oral or written) furnished by a physician "or other professional man" to any agency of the state of Minnesota for use in connection with an application for vocational rehabilitation shall be made the basis for any suit for slander or libel.

9. Tuberculosis Control Program

Chapter 756 The State Board of Health is authorized to make grants to counties to assist them in the establishment and operation of local tuberculosis control programs, including out-patient diagnostic and treatment services. The sum of \$30,000 for each of the next two fiscal years is made available for this purpose.

10. Financial Responsibility for Non-settled Tuberculous Patients

Chapter 703 Amends statutes relating to commitment of public health menaces and to voluntary admissions. Defines county residence. Provides for care of non-settled persons (federal transients) at Glen Lake State Sanatorium or, if so committed, at the security facility of Anoka State hospital and states that the "county of commitment shall pay an amount not to exceed 20 percent of the cost of such care." The latter statement is made concerning both committed and voluntary patients, and clarification will be required relating to voluntary admissions.

CHILD WELFARE

1. Reporting "Battered Child" Cases

Chapter 49 Every person now required by law (physicians, surgeons, nurses, pharmacists, superintendents of hospitals, etc.) to report gunshot wounds, shall report injuries appearing to arise from a beating or other maltreatment of any minor under the age of 16 years which comes to his attention. This report is made to the police authorities, and cannot be made the subject of any suit for slander or libel. This act takes effect June 30, 1963.

2. Locating Deserting Parents

Chapter 401 Upon request from county welfare departments or other appropriate agencies or public officials, the commissioner of public welfare may ask for and receive information from any state department, board or bureau which might assist in locating fathers and mothers who have, or appear to have, deserted their children. The purpose of this law is to enable the appropriate official or agency to contact the deserting parent and enforce liability for support of the deserted children.

3. Free Tuition at State Colleges for Wards of the Commissioner of Public Welfare

Chapter 846 Any state college board may waive the payment of tuition for any person under the guardianship of the Commissioner who is qualified for admission to a state college, provided that such person shall contribute toward his own college expenses by gainful employment if he is physically able to work.

4. Inheritance by Illegitimate Child

Chapter 649 This is an amendment of Sec. 525.172 and merely provides that an illegitimate child may inherit from his admitted father, provided such admission is in writing and this document or an authenticated copy thereof is produced in the proceeding in which it is asserted.

5. Public Defender for Juveniles

Chapter 506 In any county having a population of 300,000 or over where the judges of the district court have appointed a public defender to appear for persons charged with felonies, the public defender may also appear for and represent any minor appearing in juvenile court in the county who is unable, by reason of poverty, to employ counsel.

6. Amendments of Juvenile Court Act

Chapter 516 This chapter contains a number of amendments of the juvenile court statutes. The major items are as follows:

- a. When a child 14 years of age or over is referred by the juvenile court for prosecution for a violation of law, the prosecuting authority shall, within 90 days, file with the juvenile court notice of intent to prosecute or not to do so.
- b. Where a petition in dependency, neglect or delinquency is filed in juvenile court, it is made the duty of the county attorney (unless there is an order of the court to the contrary) to draft the petition upon a showing of reasonable grounds for such petition.
- c. Provision is made under Sec. 260.141 for service of the summons (upon the person who has custody of the minor) outside the state, by delivering a copy to him personally, if service cannot well be made within the state.
- d. Sec. 260.161, Subd. 1 is amended to provide that the juvenile judge need not keep Minutes of all proceedings in each case, but only such Minutes as he deems necessary and proper.

MISCELLANEOUS

1. Printing of State Publications

Chapter 100 In any annual report or other publication intended for general distribution issued by any elected, administrative, or executive officer of the state, there may appear no pictorial device or an official's name, "calculated to----- attribute the publication to an individual instead of the department of state government from which it emanates." No such report or publication shall contain any notice that it is sent "with the compliments" and shall not carry any letter of personal greeting from a state official.

2. Time-off for Voting

Chapter 680 Every employee who is entitled to vote at any statewide general election or at any election to fill a vacancy in the office of representative in Congress, may absent himself from his work for the purpose of voting during the forenoon of election day without any deduction from his salary on account of such absence.

3. Use of Public Buildings by Handicapped and Aged Persons

Chapter 813 When any building is built by the state of Minnesota, the state fire marshal shall prescribe specifications which make the building accessible to and usable by physically handicapped persons. "Physically handicapped" is defined as involving sight or hearing disabilities, disabilities of aging or any other disability that significantly reduces mobility, flexibility, coordination or perceptiveness.

4. Commission on Indian Affairs

Chapter 888 A state commission on Indian Affairs is created, to consist of the following members: the Governor or a member of his staff, the Commissioner of Education, the Commissioner of Public Welfare, the Commissioner of Conservation, and the Commissioner of Business Development--as ex-officio members; 3 persons who are of at least one-fourth Indian ancestry, such members to be appointed by the Governor after consultation with the Red Lake, Chippewa and Sioux Tribal Councils; two members of the House of Representatives; two members of the State Senate; and 3 members at large, appointed by the Governor. The primary function of the commission is to provide information for and direction to a program designed to assist Indian citizens to assume all the rights, privileges and duties of full citizenship. The commission will concern itself with the fields of employment, housing, civil rights, education, health, welfare, and law and order, to the end that plans and programs may be worked out to provide assistance to Indians in these areas.

5. Interim Study Committee

Chapter 887 It is provided that each standing committee or subcommittee of the Senate and House shall be continued during the interval between Legislative sessions to make studies and investigations within the general jurisdiction of each such committee. (Such standing committees will make the interim studies and perform the functions usually performed by specially constituted interim committees.)

6. Filing of Rules and Regulations

Chapter 822 Henceforth any rules and regulations promulgated by a state officer, board, commission or department, shall not become effective until they are filed in the office of the Commissioner of Administration. Rules and regulations heretofore issued must also be filed in the office of the Commissioner of Administration (in the manner prescribed by him) on or before July 1, 1964.

7. Employment of Assistant County Attorney by Welfare Board

Chapter 324 These two chapters give authority to Olmsted and Blue Earth
617 counties to pay the salary, clerk hire and expenses of an assistant county attorney to handle county welfare matters. The amount of his salary to be paid for this purpose shall be proportionate to the time he spends on county welfare board matters as compared with other county matters.

8. DPW Appropriation Bill

Chapter 764 Following are the significant appropriations made to the department:

There is an increase in mental health research from \$200,000 for the current biennium to \$280,000 for the next biennium; in training funds from \$200,000 to \$350,000; in state aid for community mental health centers from \$1,400,000 to \$1,900,000.

Thirty-seven new positions were approved for the 7 state mental hospitals; 62 positions for Faribault, Cambridge and Owatonna; 100 positions for the four new buildings being constructed at the Brainerd State School & Hospital; and 75 positions for that part of the Lino Lakes program operated by DPW.
