

enter a consent judgment or decree without the finding of illegality. In any action brought by the attorney general pursuant to this section, the court may award any of the remedies allowable under this subdivision.

Sec. 8. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 3b, is amended to read:

Subd. 3b. **ORDERS AND JUDGMENTS PRIMA FACIE EVIDENCE.** Any permanent injunction, judgment or order of the court made pursuant to subdivision 3 shall be prima facie evidence in an action brought under subdivision 3a that the defendant used or employed an act or practice in violation of the laws referred to in subdivision 1, provided that this subdivision shall not apply to consent judgments or decrees where the court makes no finding of illegality, including assurances of discontinuance pursuant to subdivision 2b.

Sec. 9. **EFFECTIVE DATE.** This act shall be effective the day next following its final enactment.

Approved April 11, 1974.

CHAPTER 525—H.F.No.3029
[Coded in Part]

An act relating to public welfare; eligibility requirements for medical assistance for needy persons; defining county of financial responsibility in medical assistance; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

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

Section 1. Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1, is amended to read:

256B.06 PUBLIC WELFARE; NEEDY PERSONS; MEDICAL ASSISTANCE; ELIGIBILITY REQUIREMENTS. Subdivision 1. Medical assistance may be paid for any person:

(1) Who is eligible for or receiving public assistance under the aid to families with dependent children program; or

(2) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

~~(2)-(3)~~ Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and dis-

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abled, or aid to families with dependent children and is in need of medical assistance; or

~~(3)~~(4) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

~~(4)~~(5) Who is residing in a hospital for treatment of mental disease or tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

~~(5)~~(6) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

~~(6)~~(7) Who alone, or together with his spouse, does not have equity in real property in excess of \$15,000; and

~~(7)~~(8) Who, if single, does not have more than \$750 in cash or liquid assets or, if married, whose cash or liquid assets do not exceed \$1,000 plus \$150 for each additional legal dependent; and

~~(8)~~(9) Who has or anticipates receiving an annual income not in excess of ~~\$1,740~~\$2,600 for a single person, or ~~\$2,424~~\$3,250 for two family members (man and wife, parent and child, or two siblings), plus ~~\$516~~\$625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application (or during the three months prior to the month of application) incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In such excess income cases, eligibility shall be limited to a period of six months beginning with the first of the month in which these medical obligations are first incurred.

Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may be made to cover the monthly unmet medical need. In licensed nursing home and state hospital cases, both excess income and income over and above that required for justified needs are to be applied to the cost of institutional care; and

~~(9)~~(10) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from health and accident insurance policies on the costs of medical care for himself, his spouse, and children.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 256B.06, is amended by adding a subdivision to read:

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Subd. 3. Notwithstanding any law to the contrary, a migrant agricultural worker who meets all of the eligibility requirements of this section other than that he has a permanent place of abode in another state, shall be eligible for medical assistance and shall have his medical needs met by the county in which he resides at the time of making application.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2, is repealed.

Sec. 4. Except for section 1, which is effective retroactive to January 1, 1974, this act is effective the day following its final enactment.

Approved April 11, 1974.

CHAPTER 526—H.F.No.3030

An act relating to public health; requiring employees of school districts, private or parochial schools, day care centers and nursery schools to show freedom from tuberculosis; amending Minnesota Statutes 1971, Section 123.69.

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

Section 1. Minnesota Statutes 1971, Section 123.69, is amended to read:

123.69 PUBLIC HEALTH; SCHOOLS AND SCHOOL DISTRICTS; SCHOOL EMPLOYEES, TUBERCULOSIS. Subdivision 1. **ANNUAL TESTS.** The employees of all school districts, as defined in section 120.02, and the employees of all private or parochial schools, day care centers and nursery schools shall, prior to employment and annually thereafter, show freedom from tuberculosis ~~by a report of a tuberculin test or chest x-ray examination. Such test or x-ray examination may be conducted by a physician of the school employee's own choice or at such other approved facility as may be available. If such tuberculin test indicates a reaction, such test shall be followed by a chest x-ray examination.~~ The report of such test or tests shall be confidential except that such report or reports shall be made to such authority of the school district as the school board shall designate and shall be made at such time as the school board may designate in accordance with rules and regulations promulgated by the state board of health. The school district, private or parochial school, day care center or nursery school shall assume the payment of the cost of the services necessary for ~~such~~ the diagnosis and report but ~~such~~ the obligation ~~on the part of the school district~~ shall be limited to the actual examination and diagnosis and shall not include travel or incidental expenses. ~~Such~~ The physical examinations, chest x-rays or tuberculin tests shall not be required of

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