

by the court having jurisdiction to probate the estate. All proceeds collected by the state in such case shall be divided between the state and county in proportion to the cost of care each has borne. *Any statute of limitations which limits the commissioner in recovering the cost of care obligation incurred by a patient or former patient shall not apply to any claim against an estate made hereunder to recover cost of care.*

There is appropriated from the general revenue fund, or from the fund or account in the state treasury to which the money was credited, to the counties as provided by this section, an amount sufficient to make the necessary payments as are provided herein.

Sec. 4. *Minnesota Statutes 1967, Section 252.047, is repealed.*

Approved April 28, 1969.

CHAPTER 205—S. F. No. 736

An act relating to mentally ill persons; providing for costs of their care in state institutions; amending Minnesota Statutes 1967, Sections 246.50, Subdivision 5; and 246.53.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 246.50, Subdivision 5, is amended to read:

Subd. 5. **Mentally ill; cost of care.** "Cost of care" means the commissioner's determination of the average per capita cost of all maintenance, treatment and expense; other than that paid from the Minnesota state building fund, at all of the state hospitals for the mentally ill during the fiscal year previous to the period for which billing is being made. "Cost of care" for outpatient or day-care patients shall not exceed 50 percent of the total average per capita cost for resident patients as determined by the commissioner of public welfare.

For purposes of this subdivision "resident patient" means a person who occupies a bed while housed in a hospital for observation, care, diagnosis, or treatment.

For purposes of this subdivision "outpatient" or "day-care" patient means a person who makes use of diagnostic or therapeutic service but does not occupy a regular hospital bed.

For the purposes of collecting from the federal government for the care of those patients eligible for medical care under the social se-

Changes or additions indicated by italics, deletions by ~~strikeout~~.

curity act "cost of care" shall be determined as set forth in the rules and regulations of the Department of Health, Education, and Welfare.

Sec. 2. Minnesota Statutes 1967, Section 246.53, is amended to read:

246.53 Claim against estate of deceased patient. Upon the death of a patient, or a former patient, the total cost of care given him, less the amount actually paid toward the cost of such care by the patient and his relatives, shall be filed by the commissioner as a claim against the estate of such patient with the court having jurisdiction to probate the estate and all proceeds collected by the state in such case shall be divided between the state and county in proportion to the cost of care each has borne. If the commissioner of public welfare shall determine that the property or estate of any such patient is not to more than care for and maintain the wife and minor or dependent children of such deceased patient, he shall have the power to compromise the claim of the state in such manner as he, in his judgment and upon investigation, may deem just and proper. *Any statute of limitations which limits the commissioner in recovering the cost of care obligation incurred by a patient or former patient shall not apply to any claim against an estate made hereunder to recover cost of care.*

Approved April 28, 1969.

CHAPTER 206—S. F. No. 802

[Not Coded]

An act relating to the town of White Bear; fixing the compensation of certain officers thereof.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. White Bear, town of; compensation of officers. Notwithstanding any law to the contrary, in the town of White Bear, Ramsey County, the electors of the town by a majority vote at any annual or special town meeting, may fix the salaries of the chairman of the town board, the supervisors, the town clerk and the town treasurer without limitation as to amount.

Sec. 2. This act is effective when approved by the town board of supervisors of the town of White Bear, and upon compliance with Minnesota Statutes, Section 645.021.

Approved April 28, 1969.

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