

# Bulletin

December 29, 2006

Minnesota Department of Human Services ■ P.O. Box 64941 ■ St. Paul, MN 55164-0941

**OF INTEREST TO**

- County Directors
- Social Services Supervisors and Staff
- County Attorneys
- Count and District Court Administrators
- State Public Defender
- County Probation Officers
- Pre-petition Screening Jail Administrators
- Minnesota DOC

**ACTION**

Please review this bulletin and implement changes as specified.

**EXPIRATION DATE**

December 29, 2008

**State Operated Forensic Services –  
Forensic Network Adult & Adolescent  
Examinations & Billing Procedures****TOPIC**

State Operated Forensic Services is a consolidation of administrative and clinical functions relating to forensic services provided during criminal or civil court processes. This has resulted in a statewide fee structure for services provided by the Forensic Network of State Operated Services. This bulletin replaces Bulletin #01-76-02.

**PURPOSE**

- Review the process to access the Forensic Network and for what types of examinations
- Differentiate inpatient examinations versus outpatient examinations
- Differentiate inpatient billing rates versus outpatient billing rates

**CONTACT**

For billing questions:

Steve Grams  
State Operated Services  
Fiscal Services Supervisor  
507-931-7167

For clinical questions:

Kaye Zarn  
State Operated Forensic Services  
Forensic Coordinator  
[Kaye.Zarn@state.mn.us](mailto:Kaye.Zarn@state.mn.us)  
Toll Free: 877-931-7007

**SIGNED**

MICHAEL L. TESSNEER  
Chief Executive Officer  
State Operated Services

### **ACCESS & TYPES OF EXAMINATIONS**

The Forensic Network is structured with a centralized access and referral point. All requests are to be referred to:

Kaye Zarn – Forensic Coordinator  
State Operated Forensic Services  
100 Freeman Drive  
St. Peter, MN 56082  
Phone: Toll Free: (877) 931-7007  
Or (507) 931-7007  
Fax: (507) 931-7720

Types of court ordered examinations available include: Capacity To Proceed (Rule 20.01), Criminal Responsibility (20.02), Mandatory Repeat Sex Offender Assessments (Minnesota Statute, section 609.3457) and Rule 27.03 examinations. General forensic consultative services are also available upon request, and with approval of the Forensic Medical Director. The rules that are referred to in this bulletin are the Minnesota Rules of Criminal Procedure.

(\*State Operated Forensic Services has created sample court orders for Rule 20 and Repeat Sex Offender Assessments. These formats are recommended only when State Operated Forensic Services is ordered to complete an exam, as they contain specific authorities that only pertain to State Operated Forensic Services staff. Copies are available by contacting the Forensic Coordinator.\*)

### **INPATIENT vs. OUTPATIENT RULE 20 EXAMINATIONS**

**All Rule 20 examinations are initially referred as an outpatient examination, regardless of the defendant's location. The term "outpatient" examination includes 2 scenarios:**

When a defendant is in custody, the defendant is transported by a law enforcement agency from jail to a location determined by the Forensic Coordinator, most often the St. Peter Regional Treatment Center campus. The defendant is examined by a State Operated Forensic Services examiner while remaining under the supervision of the law enforcement agent throughout the exam. At the conclusion of the exam, the defendant is returned to jail. The examination may range from 2-7 hours depending on the type and whether or not psychological testing is required and a variety of other factors.

When a defendant is not in custody, the Forensic Coordinator will provide the defense attorney with all the details of the scheduled examination and will fax and mail an appointment letter and area maps. The defense attorney is responsible to inform the defendant of the appointment. The defendant is responsible to make necessary arrangements to be present at the scheduled examination.

With the inception of the outpatient examination model, a substantial shift has occurred with over 90% of examinations being completed on an outpatient basis. This is a significant change

from the previous traditional in-patient model of patients being admitted to the Minnesota Security Hospital. Only on rare occasions, when clinically indicated, are defendants admitted to Minnesota Security Hospital for an in-patient examination.

### **REPEAT SEX OFFENDER ASSESSMENT & RULE 27.03 EXAMINATIONS**

Mandatory Repeat Sex Offender assessments and Rule 27.03 evaluations are completed on an outpatient basis, and are not considered for inpatient admission to the Minnesota Security Hospital.

### **BILLING PROCEDURES AND RATES**

#### **Rates for Outpatient Examination Adult and Adolescent:**

- ❑ Rule 20.01 Capacity to Proceed - \$1,500.00 package rate for first 10 hours.
- ❑ Rule 20.02 Criminal Responsibility - \$1,500.00 package rate for first 10 hours
- ❑ Rule 20.01 and 20.02 - \$1,500.00 package rate for the first 10 hours
- ❑ Rule 27.03 Pre-Sentence Evaluations - \$1,500.00 package rate for first 10 hours
- ❑ Mandatory Repeat Sex Offender Assessment - \$1,500.00 package rate for first 10 hours

*All package rate examinations exceeding 10 hours will be billed an additional hourly rate based upon the type of clinician involved in the examination. The discipline of the examiner is determined by State Operated Forensic Services and is based upon the specific case and the availability of examiners.*

Psychiatrist - \$200.00/hour  
Licensed Psychologist - \$125.00/hour

The courts are responsible to cover all costs associated with interpreter services, if needed. Court Administration can either arrange directly for the interpreter, or inquire with State Operated Forensics Services about State Operated Forensic Services coordinating an interpreter and having the court reimburse State Operated Forensic Services for all interpreter costs.

#### **Rates for Adult In-patient Examinations (Only available at Minnesota Security Hospital):**

In-patient examinations include 2 billing components:

- Professional assessment and evaluation rate based upon the Level of Care required, and
- Room and board rate

The Level of Care rate for professional assessment and evaluation services for in-patient examinations described in this bulletin is \$235.00 per day. This cost will be billed directly to the County Court Administration that ordered the examination. (Minnesota Statute, section 480.182)

The room and board rate for in-patient examinations is \$353.00 per day. This cost will be billed directly to the County Human Services agency where the order originated. (Minnesota Statute, section 253b.045)

If a defendant is referred and admitted to the Minnesota Security Hospital exclusively for an inpatient examination, the county will be billed according to the Adult In-patient examination procedure noted above. However, if a patient is already admitted to the Minnesota Security Hospital pursuant to Minnesota Statute, section 253B and a subsequent Rule 20 examination is ordered, the examination will be billed as an outpatient examination.

**Rates for Neuropsychological Testing:**

Neuropsychological testing is available for a \$1,500.00 package rate for the first 10 hours. Additional hours will be billed at \$125.00 per hour.

A court order is required to ensure the court authorized payment. The courts are also responsible to cover all costs associated with interpreter services, if needed. Court Administration can arrange for the interpreter or request that State Operated Forensics Services coordinate an interpreter and reimburse State Operated Forensic Services for all interpreter costs.

**Special Needs**

This information is available in other forms to persons with disabilities by calling 1 (877) 931-7007, or contact us through the Minnesota Relay Service at 1 (800) 627-3529 (TTY) or 1 (877) 627-3848 (speech-to-speech relay service).