

**EXECUTIVE ORDER 94-4
ESTABLISHING THE GOVERNOR'S OMBUDSMAN COMMITTEE
FOR MENTAL HEALTH AND MENTAL RETARDATION**

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, the Ombudsman Committee for Mental Health and Mental Retardation and the medical review subcommittee, established in Minnesota Statutes 1992, Section 245.97, are scheduled to expire on June 30, 1994; and

WHEREAS, the Ombudsman Committee and medical review subcommittee have provided the State of Minnesota with valuable expertise in quality assurance, organizational development, law, consumer rights, medical practice, psychology, and psychiatry; and

WHEREAS, the Ombudsman for Mental Health and Mental Retardation relies on the advice and assistance of the Ombudsman Committee and medical review subcommittee to carry out his or her statutory duties;


NOW, THEREFORE, I hereby order that:

1. A Governor's Ombudsman Committee for Mental Health and Mental Retardation is established.
2. The Governor's Ombudsman Committee for Mental Health and Mental Retardation shall consist of 15 members appointed by the Governor. Members shall be appointed on the basis of their knowledge of and interest in the health and human services system subject to the Ombudsman's authority. Overall membership shall reflect the agencies, facilities and programs within the Ombudsman's authority. Members shall include consumer representatives, including clients, former clients, and relatives of present or former clients; representatives of advocacy organizations for clients and other individuals served by an agency, facility, or program; human services and health care professionals, including specialists in psychiatry, psychology, internal medicine, and forensic pathology; and other providers of services or treatment to clients.
3. The Governor shall designate one member of the committee to serve as its chair. The chair shall serve at the pleasure of the Governor.
4. The committee shall advise and assist the Ombudsman in selecting matters for attention; developing policies, plans, and programs to carry out the Ombudsman's functions and powers; and making reports and recommendations for changes designed to improve standards of competence, efficiency, justice, and protection of rights. The committee shall function as an advisory body.
5. A medical review subcommittee shall be established. The medical review subcommittee shall consist of at least five members of the committee and shall be appointed by the Governor. The subcommittee shall include at least three physicians, one of whom is a psychiatrist. The Governor shall designate one member of the subcommittee to serve as its chair. Members do not receive compensation, but are entitled to receive reimbursement for reasonable and necessary expenses incurred.
6. The medical review subcommittee may:
 - (a) Make a preliminary determination of whether the death of a client that has been brought to its attention is unusual or reasonably appears to have resulted from causes other than natural causes and warrants investigation;
 - (b) Review the causes of and circumstances surrounding the death;
 - (c) Request the county coroner or medical examiner to conduct an autopsy;
 - (d) Assist an agency in its investigations of unusual deaths and deaths from causes other than natural causes; and

- (e) Submit a report regarding the death of a client to the Ombudsman Committee, the Ombudsman, the client's next-of-kin, the facility where the death occurred and, where appropriate, make recommendations to prevent recurrence of similar deaths to the head of each affected agency or facility.
7. The membership terms, compensation, and removal of members of the committee and the filling of membership vacancies are governed by Minnesota Statutes 1992, Section 15.0593.

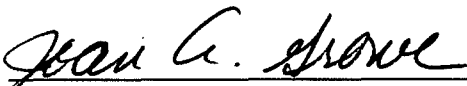
Pursuant to Minnesota Statutes 1992, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the State Register and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes 1992, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this 23rd day of June, 1994.



ARNE H. CARLSON
Governor

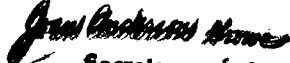
Filed According to Law:



JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN 24 1994


Secretary of State