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DHS - Letter to Mary
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MEMORANDUM
STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE
CENTENNIAL OFFICE BUILDING
ST. PAUL, MINNESOTA

DATE: January 7, 1970

TO: DFW Cabinet

All Medical Services Division Institutions
ATTENTION: Medical Director ✓
ATTENTION: Administrator ✓
ATTENTION: Director of Social Services

Community Programs
ATTENTION: Board Chairman
ATTENTION: Program Director

Daytime Activity Centers
ATTENTION: Board Chairman
ATTENTION: Program Director

Mental Health Medical Policy Committee

Genetics Counseling Service, Health Department

Medical Services Division Staff

FROM: David J. Vail, M.D., Director
Medical Services Division

SUBJECT: Policy on Sterilization

I am writing to obtain your recommendations concerning the Minnesota Department of Public Welfare's sterilization policy.

As you know, the Department of Public Welfare has very clear and explicit options and responsibilities under law with respect to sterilization. Minnesota Statutes 256.07 authorizes the Commissioner to cause committed mentally retarded persons to be sterilized under certain conditions which are spelled out in the statute. Minnesota Statutes 256.08 likewise authorizes sterilization to be performed on committed mentally ill persons under certain conditions.

In years gone by sterilizations were done rather often, especially on retarded persons, including males. In the past decade we have adopted a very conservative approach, and sterilizations are now quite infrequent.

There are those who believe that the present policy is too strict, especially in the light of new knowledge about genetics and other recent developments.

I think it is probably time to re-explore the question and examine the possibility of modifying the policy if a study indicates that this would be desirable.

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I would very much welcome your views on this matter. If possible I would like to bring it before the Mental Health Medical Policy Committee on February 4, 1970.

Thank you.

DJV:mhv

Chapter 256.07 Sterilization of feeble-minded persons; consent to operation.

When any person has lawfully been committed as feeble-minded to the guardianship of the commissioner of public welfare the commissioner of public welfare, after consultation with the superintendent of the state school for feeble-minded, a reputable physician, and a psychologist selected by the commissioner of public welfare, and after a careful investigation of all the circumstances of the case, may, with the written consent of the spouse or nearest kin of such feeble-minded person, cause such person to be sterilized by the operation of vasectomy or tubectomy. If no spouse or near relative can be found, the commissioner of public welfare, as the legal guardian of such feeble-minded person, may give his consent.

(1925 c. 154 s.1) (4422-1)