

Minnesota Attorney General: Administrative Rules Proceedings

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MINN. RULE DPW 160 - Administration of Minnesota Public Social Services

(I) Introduction

(a) This rule governs the administration of publicly funded social services in Minnesota. The authority for the administration of social services is found in Minnesota Statutes, Chapter 256, and other applicable state laws. Authority is also found in Public Law 93-647, as implemented by Title 45 of the Code of Federal Regulations, Part 228. The delivery of public social services in Minnesota is state supervised and locally administered. The authority for this method of delivery is given in Minnesota Statutes, Chapters 393 and 402.

(b) The Commissioner of Public Welfare may issue policy bulletins and manual material to local social service agencies and other service providers to clarify the provisions of this rule and may prescribe forms to be used in the administration of social services.

(c) Social services shall be administered in a manner to ensure the individual and civil rights of applicants and clients. Information regarding individuals shall not be disclosed, except as provided under applicable state law and/or official departmental rules and regulations.

(d) This rule is binding on all county welfare boards and human service boards (hereinafter referred to as local social service agencies) in the State of Minnesota administering and providing social services or other service providers through contractual agreement, applicants and clients of social services, and on the state agency.

(e) Definitions

(1) Applicant: An individual who has directly, or through someone acting in his behalf, made application for social services.

(2) Application: The action by which and individual indicates to an agency in writing his desire to receive social services.

(3) Approved vendors: Providers of social services which are licensed, approved as meeting state licensing standards, or where licensing is not required, meet standards or criteria established by the state agency or local agency.

(4) Categories of individuals: Grouping of persons on the basis of common characteristics such as recipient status (Aid to Families with Dependent Children, Supplemental Security Income, Minnesota Supplemental Aid), income level, age and physical or mental condition.

(5) Documentation: Written evidence, in addition to signed application and income declaration forms, of income maintenance status or family monthly gross income.

(6) Federal financial participation (hereinafter FFP): Federal monies available through Title XX of the Social Security Act to be used in payment for social services.

(7) Fees: Monies billed and/or collected for the services provided.

(8) Geographic area: Locally identified political subdivision of the state covered by a social service plan.

(9) Gross income: Income, prior to any exemptions, received from wages or salary; net income from self-employment; net farm income; Social Security payments; dividends, interest, rent received, or royalties; General Assistance payments; pensions and annuities; unemployment compensation; worker's compensation; alimony; child support; veteran's pensions; or any combination of the above sources of income.

(10) Host county contract: Contractual agreement between a purchase of service vendor and the local social service agency (the host county) where the vendor is located. All other social service agencies wishing to purchase from the vendor are bound by the terms of the host county contract.

(11) Household: An individual, or two or more persons related by blood, marriage, or adoption, and residing in the same domicile.

(12) Income Eligible Client: An individual who receives social services on the basis of income only, and who is not receiving Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), or Minnesota Supplemental Assistance (MSA).

(13) Income maintenance status: An individual whose eligibility for Title XX federal financial participation in services received is based on his receipt of Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), or Minnesota Supplemental Assistance (MSA).

(14) Letter of Contract Certification: Local social service agency notification to the state agency of county welfare or human service board approval of a purchase of service contract, name of contractor, contract control number, date of effect, services to be provided, gross amount, and unit costs per service.

(15) Local social service agency: Local agency under the authority of the county welfare or human service board which is responsible for social services.

(16) Mandatory services: Services required in state law or federal regulation.

(17) Optional services: Services the availability of which are at the discretion of the county welfare or human service board.

(18) Priority services: Services the state agency strongly recommends be made available by the local social service agencies, but are within the discretion of the county welfare or human service board.

(19) Provider: Agency or individual delivering services.

(20) Social Services: Those services which are included in the Minnesota Annual Comprehensive Services Program Plan.

(21) Source Document: An original written statement such as a pay check stub or birth certificate used to verify income, age, etc.

(22) State Agency: Minnesota Department of Public Welfare

(23) Vendor: Agency or individual from whom services are purchased.

(II) State and Local Social Service Planning

(a) The social service plan year shall be October 1 through September 30.

(b) On or before a date stipulated by the state agency, each local social service agency shall submit to the state agency a plan for service delivery and a budget to support that plan. The plan and budget shall be in accordance with the Local Social Service Plan Guidelines and budget forms prescribed by the state agency.

(c) The political entity covered by a local social service plan shall be known as the geographic area. The following criteria shall be followed in establishing geographic areas:

(1) A county may designate itself as a geographic area.

(2) No political subdivision smaller than a county shall be designated as a geographic area.

(3) Political subdivision larger than one county may be designated a geographic area if one of the following conditions is met:

(A) Counties have combined for administrative purposes under a joint powers agreement, executed pursuant to Minn. Stat. 393.01, subd. 7.

(B) Counties have combined under provision of the Human Services Act, or

(C) Contiguous counties within the same Governor's Economic Region or counties within two or more regions have elected by board action to submit a multi-county plan that provides the same services to the same eligibility groups in all counties in that geographic area.

(D) There is a state contract for a service, and that service is available state-wide.

(d) Services provided may differ among geographic areas, except for mandatory services, which must be available on a state-wide basis.

(e) Priority and optional services included in geographic area plans shall be available to all persons in eligible categories specified in the plan.

(f) On July 1st of each year the state agency shall make available to the general public a proposed Comprehensive Annual Service Program Plan for the delivery of public social services. A copy of the proposed plan shall be available to any individual on request.

(1) There shall be a forty-five day period, beginning July 1st, for public review and comment on the proposed plan.

(2) Open meetings shall be held throughout the state to answer questions and receive public comment on the proposed annual plan.

(g) On October 1st of each year the state agency shall publish the final Comprehensive Annual Service Program Plan. A copy of the final plan shall be available to any individual on request.

(III) Local Agency Duties and Responsibilities

(a) The local social service agency has the responsibility for provision of social services as required by law and the local social service plan. These services may be provided directly by the agency, purchased, or arranged for at no cost to the local social service agency.

(1) Mandatory services shall be provided in accordance with the individual service plan to all persons who need them.

(2) Priority and optional services shall be provided to persons requesting them in accordance with the individual service plan. The local agency's obligation to provide priority and optional services is limited to the amount specified in the annual local social service plan.

(b) The following services or components of services are mandatory and must be provided by the local social service agency to all persons in each geographic area who need or request them.

(1) Adoption Services

(A) Adoptive home studies on court referred adoption petitions.

(B) Adoptive home studies for applicants wishing to adopt minority or handicapped children.

(C) Placement and follow-up for all children placed under agency auspices.

(2) Day Care Services for Children

(A) Daytime Activity Center (DAC) services.

(B) Day care service for children receiving Aid to Families with Dependent Children (AFDC) whose parents are employed or in training for employment.

(3) Family Planning Services

(A) Education or counseling for individuals receiving AFDC.

(4) Foster Care Services for Children.

(5) Health Related Services, including services required under the Minnesota Hospitalization and Commitment Act.

(A) For individuals needing institutional treatment; community alternatives to institutional care for mental illness, chemical dependency or mental retardation; and management of individualized service plans on release from state institutions.

(6) Protective Services for Adults

(A) Subacute detoxification services.

(B) Mental Retardation Guardianship and Conservatorship services.

(7) Protective Services for Children

(8) Residential Treatment Services

(A) For emotionally disturbed children in licensed residential treatment centers or group homes.

(B) For mentally retarded children.

(9) Employability Services

(A) For individuals receiving AFDC.

(c) The following services, or components of services, are priority services. Each local social service agency shall make every effort to provide for these services.

(1) Chore Services

(A) For individuals receiving Supplemental Security Income (SSI).

(2) Day Care Services for Adults

(A) DAC Services.

(3) Day Care Service for Children

(A) For children of working parents in income eligible categories.

(4) Family Planning Services

(A) Education or counseling for individuals in the income eligible categories.

(B) Medical services and supplies for individuals in the income eligible categories.

(5) Health Related Services

(A) Other than those required by the Minnesota Hospitalization and Commitment Act.

(6) Home Delivered and Congregate Meals

(A) For individuals receiving SSI.

(B) For individuals who are in the income eligible categories.

(7) Homemaking Services

(A) For all adults.

(C) For children during the temporary absence of the parent responsible for their care.

(8) Information and Referral Services

(9) Protective Services for Adults

(A) Other than subacute detoxification services and Mental Retardation Guardianship services.

(10) Residential Treatment Services

(A) Primary treatment for individuals who are chemically dependent.

(B) Halfway house for individuals who are chemically dependent and mentally ill.

(11) Transportation Services

(A) For individuals receiving SSI.

(12) Employability Services

(A) For SSI-MSA recipients

(B) For low-income persons who are income eligible.

(d) The following services or components of services shall be made available at the option of the local social service agency.

(1) Day Care for Children

(A) For families who are in the income eligible categories.

(B) For families on a fee basis who are not in the income eligible categories.

(2) Day Care for Adults

(A) Other than DAC.

(3) Education Assistance.

(4) Foster Care for Adults

(5) Home Delivered and Congregate Meals

(A) For individuals receiving AFDC.

(B) For individuals on a fee basis who are not in the income eligible categories.

(6) Housing Services.

(7) Legal Services.

(8) Social and Recreational Services.

(9) Transportation Services

(A) Other than SSI.

(10) Counseling Service for Families and Individuals

(IV) Client Information for Social Services

(a) Information gathered on clients shall be used for the provision of services and the management of the program and shall be limited to the information necessary for these purposes.

(b) Clients shall be informed that information on them that is collected, used, stored and disseminated.

(c) Clients shall have access to information about themselves pursuant to applicable state and federal laws.

(d) Officials directly related to the provision of service and administration of the program shall have access to client information. These officials may include those of the agency to which the client applies, those of the agency providing service, federal and state auditors, evaluators, and researchers with the authorization of the Commissioner of Public Welfare.

(V) Application

(a) Each individual wishing to apply for social services shall be given the opportunity to do so without delay. Applications are not to be required for information and referral services.

(b) Each application shall be completed, signed, and dated by the applicant or by a responsible individual acting on behalf of the applicant on an application form prescribed by the state agency. If for reason of age, incompetence, noncooperation or any other valid reason the applicant cannot sign the application, the following may sign in descending order of priority:

(1) Legal guardian of the applicant.

(2) Relative of the applicant.

(3) Friend of the applicant.

(4) Agency representative.

(c) Each applicant shall be given a written statement of his rights and responsibilities on the form prescribed by the state agency. For those individuals who cannot make use of/or understand the written statement for reasons such as disability, age, education, the agency representative shall read out loud or interpret the written statement to the individual

or to a responsible person acting on behalf of the individual.

(d) Each applicant or his representative must declare his income on a form prescribed by the state agency, and must sign and date the form. This form need not be completed if:

(1) The applicant may receive services without regard to income; or

(2) The agency does not intend to claim Title XX Federal Financial Participation (FFP) for the services to be provided.

(e) The agency shall act promptly on the application. In no instance shall the agency take longer than 30 calendar days to notify the applicant in writing that his application has been approved or denied. If the application is denied, the individual shall be notified in writing of the reason for denial and of his right to appeal to the state agency.

(VI) Client Social Service Plan

(a) Whether services are provided directly by the local social service agency or through a contract with another provider, there shall be a plan for the provision of services for each family or individual receiving services.

(1) The service plan shall be developed with the person receiving service. If the client is unable to participate in developing the plan, the plan is to be developed with the person(s) responsible for him.

(2) The plan must identify the needs for service (reasons for agency involvement); the specific services to be provided; and the goals to be achieved.

(3) The plan is to specify the frequency (weekly, every other week, monthly, etc.) and purpose of contacts between worker and client.

(4) The plan is to state the anticipated time necessary to accomplish the identified goals.

(5) The plan shall specify mutually agreed upon times for review of the plan, to assess progress and revise, as necessary. The plan shall be reviewed at least annually.

(VII) Implementation of Title XX of the Social Security Act

(a) Goals: Federal Financial Participation (FFP) under Title XX of the Social Security Act is available for eligible individuals and services as specified in the local social service plan for services related to the following goals:

(1) Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;

(2) Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;

(3) Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests;

(4) Preserving, rehabilitating, or reuniting families;

(5) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; or

(6) Securing referral or admission for institutional care when other forms of care are not appropriate or providing services to individuals in institutions.

(b) Administrative Requirements:

(1) The Minnesota Department of Public Welfare shall be the designated state agency for Title XX.

(2) State and local funds shall be included in meeting the cost of the program.

(3) Personnel administration shall be governed by rules of the State Merit System or respective county civil service system.

(4) The use and disclosure of information on applicants and clients shall be safeguarded.

(5) There shall be no requirements as to residency or citizenship in respect to eligibility for Title XX federal financial participation in costs of services provided.

(6) Standards for institutions and foster homes shall be established by state licensing rules.

(7) Standards for child day care services shall be established by state licensing rules.

(8) A system of fair hearings shall be established under which an applicant may appeal denial, reduction, or termination of service.

(9) The plan shall be amended when necessary.

(10) Amendments to the State Plan shall be submitted to the Social and Rehabilitation Service of the Department of Health, Education, and Welfare by the State Department of Public Welfare.

(11) Records shall be maintained and reports made to the federal agency as required by federal regulations.

(12) The aggregate state expenditures for social services shall not be reduced below the aggregate expenditures for the fiscal year ending June 30, 1973.

(c) Federal social service funds shall be apportioned to the local social service agencies on the basis of a formula developed by the Commissioner of Public Welfare.

(d) Title XX shall be available for all mandatory, priority, and optional services provided to eligible categories of individuals and families, when these services are included in the local social service plan.

(e) FFP is available for services provided to the following categories of

individuals, for services included in the local social service plan:

(1) Income Maintenance Eligible Categories:

(A) Current recipients of Aid to Families with Dependent Children (AFDC).

(B) All individuals, not in the AFDC grant, including stepfathers, but excluding foster parents, who are adult caretakers of children receiving AFDC.

(C) Recipients of Supplemental Security Income (SSI) or Minnesota Supplemental Assistance (MSA).

(2) Income Eligible Categories:

(A) Individuals and families eligible without a fee.

(B) Individuals and families eligible with a fee.

(3) Eligible Without Regard to Income:

(A) Individuals receiving information and referral services.

(B) Individuals receiving services as stated in 45 CFR 228.65 directed toward the goal of protection.

(f) Determination of Eligibility for Title XX FFP

(1) Documentation of Income

(A) FFP is available only to meet the cost of services provided to clients whose income maintenance status or family monthly gross income has been documented.

(B) Adequate documentation shall include written evidence of income maintenance status or family monthly gross income in addition to the signed application and income declaration forms. This written evidence shall include either:

(i) A copy of a source document (original written statement such as a pay check stub used to verify income) filed in the case record; or

(ii) A written statement by the worker which specifies the content of the source document.

(C) Failure on the part of an applicant to cooperate in documenting income shall be acceptable grounds for delay beyond 30 days in processing an application or denial of eligibility for Title XX FFP in services requested.

(D) Contact with other individuals or agencies shall not be made without the prior written permission of the applicant and shall only be made when there is no other way to document income.

(E) If an applicant declares that income is received as cash without a receipt, the client shall be requested to secure a receipt from the employer.

(F) If documentation cannot be obtained in any other manner, contact with the employer by the agency is required, after gaining the written permission of the applicant.

(2) Applicant declaration of household size shall be accepted without documenting evidence, unless there is reason to question the declaration, in which case birth certificates or other documentation is required.

(3) Time Period for Determination of Eligibility for Title XX FFP:

(A) Income maintenance status shall be verified for the month of application for services or the month prior to application for services.

(B) Family monthly gross income shall be based on either:

(i) Prospective monthly gross income for the month in which application for services is made; or

(ii) An average monthly amount estimated over any six (6) consecutive month period in which the month of application is included.

(4) An individual shall remain eligible for six (6) months from the date eligibility was initially established. However, eligibility may be reassessed at any time by the local social service agency.

(g) Household Size and Family Monthly Gross Income

For the purposes of determining household size and family monthly gross income, the following definitions apply:

(1) Household means two or more persons related by blood, marriage, or adoption, and residing in the same domicile. Family members temporarily absent from the household, for whom the family claims financial responsibility for tax purposes, are considered members of the household. Where related individuals, other than spouses, reside together but are not dependent on the income of only one of the individuals, each shall be considered a separate household. An individual living alone or with unrelated persons only is considered a one-person household.

(2) Monthly gross income means the total monthly income before deductions received by all family members age 14 or over. Sources of monthly gross income and definitions are as follows:

(A) Money Wages or Salary - i.e., total money earnings received for work performed as an employee, including wages, salary, Armed Forces pay, commissions, tips, piece-rate payments, cash bonuses earned, before deductions are made for taxes, bonds, pensions, union dues, and similar purposes.

(B) Net Income from Self-Employment - i.e., gross receipts minus expenses from one's own business, professional enterprise, or partnership. Gross receipts include the value of all goods sold and services rendered. Expenses include costs of goods purchased, rent, heat, light, power, depreciation charges, wages and salaries paid, business taxes (not personal income taxes), and similar costs. The value of salable merchandise consumed by the proprietors of retail stores is not included as part of net income.

(C) Net Farm Income - i.e., gross receipts minus operating expenses from the operation of a farm by a person on his/her own account, as an owner, renter, or sharecropper. Gross receipts include the value of all products sold, government crop loans, money received from rental of farm equipment to others, and incidental receipts from the sale of wood, sand, gravel, and similar items. Operating expenses include cost of feed, fertilizer, seed, and other farming supplies, cash wages paid to farmhands, depreciation charges, cash rent, interest on farm mortgages, farm building repairs, farm taxes (not state and Federal income taxes), and similar expenses. The value of fuel, food, or other farm products used for family living is not included as part of net income. Form DPW-21 may be used to document farm income.

(D) Social Security - includes Social Security pensions and survivors' benefits, and permanent disability insurance payments by the Social Security Administration prior to deductions for medical insurance and railroad retirement insurance checks from the U.S. Government.

(E) Dividends, Interest (on Savings or Bonds), Income from Estates or Trusts, Net Rental Income or Royalties - include dividends from stockholdings or membership in associations, interest on savings or bonds, periodic receipts from estates or trust funds, net income from rental of a house, store, or other property to others, receipts from boarders or lodgers, and net royalties.

(F) General Assistance - means a state and locally administered maintenance program for persons who cannot qualify for AFDC, SSI, or other income maintenance programs.

(G) Pensions and Annuities - include pensions or retirement benefits paid to a retired person or his/her survivors by a former employer or by a union, either directly or through an insurance company, periodic receipts from annuities or insurance.

(H) Unemployment Compensation - means compensation received from government unemployment insurance agencies or private companies during periods of unemployment and any strike benefits received from union funds.

(I) Worker's Compensation - means compensation received periodically from private or public insurance companies for injuries incurred at work. The cost of this insurance must have been paid by the employer and not by the person.

(J) Alimony.

(K) Child support.

(L) Veterans' Pensions - means money paid periodically by the Veterans' Administration to disabled members of the Armed Forces or to survivors of deceased veterans, subsistence allowances paid to veterans for education and on-the-job training, as well as so-called "refunds" paid to exservicemen as GI insurance premiums.

(3) Exclusions from Monthly Gross Income - Excluded from computation of monthly gross income are the following:

(A) Per capita payments to or funds held in trust for any individual in satisfaction of a judgment of the Indian Claims Commission or the Court of Claims;

(B) Payments made pursuant to the Alaska Native Claims Settlement Act to the extent such payments are exempt from taxation under section 21(a) of the Act;

(C) Money received from sale of property, such as stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property, in which case the net proceeds would be counted as income from self-employment);

(D) Withdrawals of bank deposits;

(E) Money borrowed;

(F) Tax refunds;

(G) Gifts;

(H) Lump sum inheritances or insurance payments;

(I) Capital gains;

(J) The value of the coupon allotment under the Food Stamp Act of 1964, as amended, in excess of the amount paid for the coupons;

(K) The value of USDA donated foods;

(L) The value of supplemental food assistance under the Child Nutrition Act of 1966 and the special food service program for children under the National School Lunch Act, as amended;

(M) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(N) Earnings of a child under 14 years of age (no inquiry shall be made);

(O) Loans and grants, such as scholarships, obtained and used under conditions that preclude their use for current living costs;

(P) Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the Commissioner of Education under the Higher Education Act; and

(Q) Home produce utilized for household consumption.

(h) Social Service Fee

(1) When Title XX FFP is claimed for service provided to individuals and families who are income eligible without a fee, no social service fee shall be charged.

(2) When a social service agency wishes to claim FFP for services provided to individuals and families who are income eligible with a fee, a social service fee shall be charged according to the state-wide fee schedule in the Comprehenisve Annual Services Plan.

(3) Local social service agencies shall make a reasonable effort to collect fees charged. Evidence of a reasonable effort exists if the local social service agency documents that at least 90% of the fees imposed have been collected. If this test cannot be documented, then a reasonable effort exists if the following conditions are met and documented:

(A) A bill is rendered or notice given to the client at the time of eligibility determination of the fee amounts and dates due; and

(B) At least three collection notices are given in person or by mail to the client, usually at 30 day intervals.

(4) The fee charged shall be the amount indicated on the state-wide fee schedule, except that no fee shall exceed the actual cost of all the services in the service plan.

(A) No fee for residential services for emotionally disturbed and mentally retarded children shall exceed $60 per month. (See Rules DPW 30 and DPW 33).

(B) When services are being provided in addition to residential services for emotionally disturbed and mentally retarded children, two fees shall be computed and imposed, one for residential services and one for all other services received.

(i) Purchase of Service Contracting

(1) General Provisions

(A) The local social service agency shall deliver social services subject to FFP under Title XX by direct delivery, by purchase, or by arranging the services at no cost to the agency.

(B) As an alternative to providing such services directly and if not available without cost to the agency, the local social service agency may purchase services from public, nonprofit or proprietary agencies, or from individuals who have been designated as approved vendors.

(C) Services purchased with the intention of claiming FFP must be listed in the Comprehensive Annual Services Program Plan.

(D) At the option of the local social service agency, these same policies and procedures may be utilized for purchased services not subject to FFP.

(2) Administrative Requirements

(A) The local social service agency shall:

(i) Claim FFP only for service purchased through a written contract. Every purchase of service contract, whether major or limited contract, shall be completed, signed and approved by the county welfare or human service board prior to the provision of services.

(ii) Submit to the state agency a Letter of Contract Certification which includes a statement of board approval, name of contractor, contract control number, date of effect, services to be provided, gross amount, and unit costs per service. This letter shall be submitted on all approved major and limited contracts negotiated with agencies and facilities by the local social service agency. It is not necessary to submit information on services purchased from individuals.

(iii) Be responsible for client eligibility for purchased services; however, the local agency may make provision in the contract for the provider to make a determination of eligibility.

(iv) Be responsible for the development of a client service plan based on the needs of the individual and the ability of the provider to meet those needs.

(v) Be responsible for monitoring purchased services and evaluating contract performance.

(vi) Purchase only from approved vendors.

(B) Case record requirements for direct services shall apply to purchased services.

(C) The local social service agency shall maintain an administrative file for each contract which contains:

(i) A copy of the signed and completed contract and Letter of Contract Certification.

(ii) Copies of correspondence between the provider and the local agency.

(iii) A list of reimbursement eligible persons served to date under the terms of the contract.

(iv) Evidence that the certification of reimbursement eligibility and authorization of approval of service plan have been made.

(v) Copies for monitoring and evaluation reports.

(vi) Copies of correspondence between the local agency and the state agency related to the contract.

(vii) Copies of fair hearings, complaints, grievances, and inquiries related to contract performance.

(viii) Financial, statistical, and social service reports specified in the contract.

(3) Host County Contracting

(A) The local social service agency of the county in which an approved provider is located shall negotiate and administer host county purchase of service contracts on behalf of any other local social service agency wishing to purchase services.

(B) All local social service agencies shall abide by the terms of the host county contract.

(C) The host county shall assume responsibility for monitoring and evaluation of the contract.

(D) The host county shall make available, on the request of other public social service agencies, copies of the host county contract.

(E) The following exceptions apply:

(i) The host county need not enter a contract unless there is at least one other local agency wishing to purchase from the provider; and

(ii) Each local social service agency within the area served by an Area Mental Health Board may contract directly with the Area Board; however, if a local social service agency outside of the geographic area served by the Area Board wished to purchase services, the host county policy applies.

(4) Technical Assistance

(A) The local social service agency shall provide technical assistance and information to potential providers, draft contracts for purposes of negotiation, and assist providers in matters of record keeping, statistical reporting, and determination of rates of payment.

APPROVED AS TO FORM AND LEGALITY
SEP 1 1976 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

4:10 P.M.
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 1 - 1976
Joan Anderson Growe
Secretary of State

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(9) Gross income: Income, prior to any exemptions, received from wages or salary; net income from self-employment; net farm income; Social Security payments; dividends, interest, rent received, or royalties; General Assistance payments; pensions and annuities; unemployment compensation; worker's compensation; alimony; child support; veteran's pensions; or any combination of the above sources of income.

(10) Host county contract: Contractual agreement between a purchase of service vendor and the local social service agency (the host county) where the vendor is located. All other social service agencies wishing to purchase from the vendor are bound by the terms of the host county contract.

(11) Household: An individual, or two or more persons related by blood, marriage, or adoption, and residing in the same domicile.

(12) Income Eligible Client: An individual who receives social services on the basis of income only, and who is not receiving Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), or Minnesota Supplemental Assistance (MSA).

(13) Income maintenance status: An individual whose eligibility for Title XX federal financial participation in services received is based on his receipt of Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), or Minnesota Supplemental Assistance (MSA).

(14) Letter of Contract Certification: Local social service agency notification to the state agency of county welfare or human service board approval of a purchase of service contract, name of contractor, contract control number, date of effect, services to be provided, gross amount, and unit costs per service.

(15) Limited contract: Contracts used when annual purchases from a provider do not exceed $10,000.

(16) Local social service agency: Local agency under the authority of the county welfare or human service board which is responsible for social services.

(17) Major contract: Contract used when the annual purchases from an approved vendor exceeds $10,000.

(18) Mandatory services: Services required in state law or federal regulation.

(19) Optional services: Services the availability of which are at the discretion of the county welfare or human service board.

(20) Priority services: Services the state agency strongly recommends be made available by the local social service agencies, but are within the discretion of the county welfare or human service board.

(21) Provider: Agency or individual delivering services.

(22) Service plan: Written statement by the social worker and client describing the services to be provided, goals to be accomplished, and estimated time necessary to achieve goals.

(23) Social Services: Those services which are included in the Minnesota Annual Comprehensive Services Program Plan.

(24) Source Document: An original written statement such as a pay check stub or birth certificate used to verify income, age, etc.

(25) State Agency: Minnesota Department of Public Welfare.

(26) Vendor: Agency or individual from whom services are purchased.

(II) State and Local Social Service Planning

(a) The social service plan year shall be October 1 through September 30.

(b) On or before April 1st of each year each local social service agency shall submit to the state agency a plan for service delivery and a budget to support that plan. The plan and budget shall be in accordance with the Local Social Service Plan Guidelines and budget forms prescribed by the state agency.

(c) The political entity covered by a local social service plan shall be known as the geographic area. The following criteria shall be followed in establishing geographic areas:

(1) A county may designate itself as a geographic area.

(2) No political subdivision smaller than a county shall be designated as a geographic area.

(3) Political subdivisions larger than one county may be designated a geographic area if one of the following conditions is met:

(A) Counties have combined for administrative purposes under a joint powers agreement, executed pursuant to Minn. Stat. 393.01, subd. 7.

(B) Counties have combined under provisions of the Human Services Act, or

(C) Contiguous counties within the same Governor's Economic Region or counties within two or more regions have elected by board action to submit a multi-county plan that provides the same services to the same eligibility groups in all counties in that geographic area.

(D) There is a state contract for a service, and that service is available state-wide.

(d) Services provided may differ among geographic areas, except for mandatory services, which must be available on a state-wide basis.

(e) Priority and optional services included in geographic area plans shall be available to all persons in eligible categories specified in the plan.

(f) On July 1st of each year the state agency shall make available to the general public a proposed Comprehensive Annual Service Program Plan for the delivery of public social services. A copy of the proposed plan shall be available to any individual on request.

(1) There shall be a forty-five day period, beginning July 1st, for public review and comment on the proposed plan.

(2) Open meetings shall be held throughout the state to answer questions and receive public comment on the proposed annual plan.

(g) On October 1st of each year the state agency shall publish the final Comprehensive Annual Service Program Plan. A copy of the final plan shall be available to any individual on request.

(III) Local Agency Duties and Responsibilities

(a) The local social service agency has the responsibility for provision of social services as required by law and the local social service plan. These services may be provided directly by the agency, purchased, or arranged for at no cost to the local social service agency.

(1) Mandatory services shall be provided in accordance with the individual service plan to all persons who need them.

(2) Priority and optional services shall be provided to persons requesting them in accordance with the individual service plan. The local agency's obligation to provide priority and optional services is limited to the amount specified in the annual local social service plan.

(b) The following services or components of services are mandatory and must be provided by the local social service agency to all persons in each grographic area who need them.

Charge

or Request

(1) Adoption Services

(A) Adoptive home studies on court referred adoption petitions.

(B) Adoptive home studies for applicants wishing to adopt minority or handicapped children.

(C) Placement and follow-up for all children placed under agency auspices.

(2) Day Care Services for Children

(A) Daytime Activity Center (DAC) services.

(B) Day care services for children receiving Aid to Families with Dependent Children (AFDC) whose parents are employed or in training for employment.

(3) Family Planning Services

(A) Education or counseling for individuals receiving AFDC.

(4) Foster Care Services for Children.

(5) Health Related Services, including services required under the Minnesota Hospitalization and Commitment Act.

(A) For individuals needing institutional treatment; community alternatives to institutional care for mental illness, chemical dependency or mental retardation; and management of individualized service plans on release from state institutions.

(6) Protective Services for Adults

(A) Subacute detoxification services.

(B) Mental Retardation Guardianship services.

(7) Protective Services for Children

(8) Residential Treatment Services

(A) For emotionally disturbed children in licensed residential treatment centers or group homes.

(B) For mentally retarded children.

(9) Employability Services

(A) For individuals receiving AFDC.

(c) The following services, or components of services, are priority services. Each local social service agency shall make every effort to provide for these services.

(1) Chore Services

(A) For individuals receiving Supplemental Security Income (SSI).

(2) Day Care Services for Adults

(A) DAC Services.

(3) Day Care Services for Children

(A) For children of working parents in income eligible categories.

(4) Family Planning Services

(A) Education or counseling for individuals in the income eligible categories.

(B) Medical services and supplies for individuals in the income eligible categories.

(5) Health Related Services

(A) Other than those required by the Minnesota Hospitalization and Commitment Act.

(6) Home Delivered and Congregate Meals

(A) For individuals receiving SSI.

(B) For individuals who are in the income eligible categories.

(7) Homemaking Services

Change II (A) For all adults.

(B) For families receiving AFDC.

(8) Information and Referral Services

(9) Protective Services for Adults

(A) Other than subacute detoxification services and Mental Retardation Guardianship services.

(10) Residential Treatment Services

(A) Primary treatment for individuals who are chemically dependent.

(B) Halfway house for individuals who are chemically dependent and mentally ill.

(11) Transportation Services

(A) For individuals receiving SSI.

(d) The following services or components of services shall be made available at the option of the local social service agency.

Changed #10 (1) Day Care for Children

(A) For families who are in the income eligible categories.

(B) For families on a fee basis who are not in the income eligible categories.

(2) Day Care for Adults

(A) Other than DAC.

(3) Education Assistance.

(4) Foster Care for Adults

(5) Home Delivered and Congregate Meals

(A) For individuals receiving AFDC.

(B) For individuals on a fee basis who are not in the income eligible categories.

(6) Housing Services.

(7) Legal Services

(8) Social and Recreational Services

(9) Transportation Services

(A) Other than SSI.

(IV) Client Information for Social Services

(a) Information gathered on clients shall be used for the provision of services and the management of the program and shall be limited to the information necessary for these purposes.

(b) Clients shall be informed of any information on them that is collected, used, stored and disseminated.

(c) Clients shall have access to information about themselves pursuant to applicable state and federal laws.

(d) Officials directly related to the provision of service and administration of the program shall have access to client information. These officials may include those of the agency to which the client applies, those of the agency providing service, federal and state auditors, evaluators, and researchers with the authorization of the Commissioner of Public Welfare.

(V) Application

(a) Each individual wishing to apply for social services shall be given the opportunity to do so without delay. Applications are not to be required for information and referral services.

(b) Each application shall be completed, signed, and dated by the applicant or by a responsible individual acting on behalf of the applicant on an application form prescribed by the state agency. If for reason of age, incompetence, noncooperation or any other valid reason the applicant cannot sign the application, the following may sign in descending order of priority:

(1) Legal guardian of the applicant.

(2) Relative of the applicant.

(3) Friend of the applicant.

(4) Agency representative.

(c) Each applicant shall be given a written statement of his rights and responsibilities on the form prescribed by the state agency.

(d) Each applicant or his representative must declare his income on a form prescribed by the state agency, and must sign and date the form. This form need not be completed if:

(1) The applicant may receive services without regard to income; or

(2) The agency does not intend to claim Title XX Federal Financial Participation (FFP) for the services to be provided.

(e) The agency shall act promptly on the application. In no instance shall the agency take longer than 30 calendar days to notify the applicant in writing that his application has been approved or denied. If the application is denied, the individual shall be notified in writing of the reason for denial and of his right to appeal to the state agency.

(VI) Client Social Service Plan

(a) Whether services are provided directly by the local social service agency or through a contract with another provider, there shall be a plan for the provision of services for each family or individual receiving services.

(1) The service plan shall be developed with the person receiving service. If the client is unable to participate in developing the plan, the plan is to be developed with the person(s) responsible for him.

(2) The plan must identify the needs for service (reasons for agency involvement); the specific services to be provided; and the goals to be achieved.

(3) The plan is to specify the frequency (weekly, every other week, monthly, etc.) and purpose of contacts between worker and client.

(4) The plan is to state the anticipated time necessary to accomplish the identified goals.

(5) The plan shall specify mutually agreed upon times for review of the plan, to assess progress and revise, as necessary.

(VII) County of Financial Responsibility for Services

(a) The county providing the direct services shall be financially responsible for staff costs of providing the services, regardless of the residency of the client.

(b) In all matters involving purchase of services, the "county of financial responsibility" means:

(1) The county in which an individual resides. An individual shall be held to reside in a particular county if he has established a home there and has not established a home elsewhere.

(2) If, at the time of making application, the applicant is a patient in a hospital, nursing home, or boarding care home, as defined in Minnesota Statutes, Section 144.50, or is placed in a county as a result of correctional program or treatment plan for health, rehabilitation, foster care, child care or training, and immediately prior thereto he had resided in another county in an established abode that was not such a like care facility, the county of financial responsibility is in the former county.

(3) The above provisions not withstanding, the county of financial responsibility shall not change as a result of successive placements in one or more counties pursuant to a plan of treatment for health, rehabilitation, foster care, child care or training nor as a result of placement in any correctional program.

(4) The county providing the service shall pay for purchase of services for all persons residing within the county.

(c) An unemancipated child under age 18 retains the residence of his parents.

(d) In those situations in which the county of financial responsibility is other than the county providing the service, the county of financial responsibility shall make 100% reimbursement of all purchased services to the county providing the service.

(VIII) Implementation of Title XX of the Social Security Act

(a) Goals: Federal Financial Participation (FFP) under Title XX of the Social Security Act is available for eligible individuals and services as specified in the local social service plan for services related to the following goals:

(1) Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;

(2) Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;

(3) Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests;

(4) Preserving, rehabilitating, or reuniting families;

(5) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; or

(6) Securing referral or admission for institutional care when other forms of care are not appropriate or providing services to individuals in institutions.

(b) Administrative Requirements:

(1) The Minnesota Department of Public Welfare shall be the designated state agency for Title XX.

(2) State and local funds shall be included in meeting the cost of the program.

(3) Personnel administration shall be governed by rules of the State Merit System or respective county civil service system.

(4) The use and disclosure of information on applicants and clients shall be safeguarded.

(5) There shall be no requirements as to residency or citizenship in respect to eligibility for Title XX federal financial participation in costs of services provided.

(6) Standards for institutions and foster homes shall be established by state licensing rules.

(7) Standards for child day care services shall be established by state licensing rules.

(8) A system of fair hearings shall be established under which an applicant may appeal denial, reduction, or termination of service.

(9) The plan shall be amended when necessary.

(10) Amendments to the State Plan shall be submitted to the Social and Rehabilitation Service of the Department of Health, Education, and Welfare by the State Department of Public Welfare.

(11) Records shall be maintained and reports made to the federal agency as required by federal regulations.

(12) The aggregate state expenditures for social services shall not be reduced below the aggregate expenditures for the fiscal year ending June 30, 1973.

(b) Federal social service funds shall be apportioned to the local social service agencies on the basis of a formula developed by the Commissioner of Public Welfare.

(c) Title XX shall be available for all mandatory, priority, and optional services provided to eligible categories of individuals and families, when these services are included in the local social service plan.

(d) FFP is available for services provided to the following categories of individuals, for services included in the local social service plan:

(1) Income Maintenance Eligible Categories:

(A) Current recipients of Aid to Families with Dependent Children (AFDC).

(B) All individuals, not in the AFDC grant, including stepfathers, but excluding foster parents, who are adult caretakers of children receiving AFDC.

(C) Recipients of Supplemental Security Income (SSI) or Minnesota Supplemental Assistance (MSA).

(2) Income Eligible Categories:

(A) Individuals and families with incomes below 60% of the state median income -- eligible without fee.

(B) Individuals and families with incomes between 60% and 115% of the state median income -- eligible with a fee.

(3) Eligible Without Regard to Income:

(A) Individuals receiving information and referral services.

Change

(B) Individuals receiving services directed toward the goal of protection.

(e) Determination of Eligibility for Title XX FFP

(1) Documentation of Income

(A) FFP is available only to meet the cost of services provided to clients whose income maintenance status or family monthly gross income has been documented.

(B) Adequate documentation shall include written evidence of income maintenance status or family monthly gross income in addition to the signed application and income declaration forms. This written evidence shall include either:

(i) A copy of a source document (original written statement such as a pay check stub used to verify income) filed in the case record; or

(ii) A written statement by the worker which specifies the content of the source document.

(C) Failure on the part of an applicant to cooperate in documenting income shall be acceptable grounds for delay beyond 30 days in processing an application or denial of eligibility for Title XX FFP in services requested.

(D) Contact with other individuals or agencies shall not be made without the prior written permission of the applicant and shall only be made when there is no other way to document income.

(E) If an applicant declares that income is received as cash without a receipt, the client shall be requested to secure a receipt from the employer.

(F) If documentation cannot be obtained in any other manner, contact with the employer by the agency is required, after gaining the written permission of the applicant.

(2) Applicant declaration of household size shall be accepted without documenting evidence, unless there is reason to question the declaration, in which case birth certificates or other documentation is required.

(3) Time Period for Determination of Eligibility for Title XX FFP:

(A) Income maintenance status shall be verified for the month of application for services or the month prior to application for services.

(B) Family monthly gross income shall be based on either:

(i) Prospective monthly gross income for the month in which application for services is made; or

(ii) An average monthly amount estimated over any six (6) consecutive month period in which the month of application is included.

(4) An individual shall remain eligible for six (6) months from the date eligibility was initially established. However, eligibility may be reassessed at any time by the local social service agency.

(f) Household Size and Family Monthly Gross Income

For the purposes of determining household size and family monthly gross income, the following definitions apply:

(1) Household means two or more persons related by blood, marriage, or adoption, and residing in the same domicile. Family members temporarily absent from the household, for whom the family claims financial responsibility for tax purposes, are considered members of the household. Where related individuals, other than spouses, reside together but are not dependent on the income of only one of the individuals, each shall be considered a separate household. An individual living alone or with unrelated persons only is considered a one-person household.

(2) Monthly gross income means the total monthly income before deductions received by all family members age 14 or over. Sources of monthly gross income and definitions are as follows:

(A) Money Wages or Salary - i.e., total money earnings received for work performed as an employee, including wages, salary, Armed Forces pay, commissions, tips, piece-rate payments, cash bonuses earned, before deductions are made for taxes, bonds, pensions, union dues, and similar purposes.

(B) Net Income from Self-Employment - i.e., gross receipts minus expenses from one's own business, professional enterprise, or partnership. Gross receipts include the value of all goods sold and services rendered. Expenses include costs of goods purchased, rent, heat, light, power, depreciation charges, wages and salaries paid, business taxes (not personal income taxes), and similar costs. The value of salable merchandise consumed by the proprietors of retail stores is not included as part of net income.

(C) Net Farm Income - i.e., gross receipts minus operating expenses from the operation of a farm by a person on his/her own account, as an owner, renter, or sharecropper. Gross receipts include the value of all products sold, government crop loans, money received from rental of farm equipment to others, and incidental receipts from the sale of wood, sand, gravel, and similar items. Operating expenses include cost of feed, fertilizer, seed, and

other farming supplies, cash wages paid to farmhands, depreciation charges, cash rent, interest on farm mortgages, farm building repairs, farm taxes (not state and Federal income taxes), and similar expenses. The value of fuel, food, or other farm products used for family living is not included as part of net income. Form DPW-21 may be used to document farm income.

(D) Social Security - includes Social Security pensions and survivors' benefits, and permanent disability insurance payments by the Social Security Administration prior to deductions for medical insurance and railroad retirement insurance checks from the U. S. Government.

(E) Dividends, Interest (on Savings or Bonds), Income from Estates or Trusts, Net Rental Income or Royalties - include dividends from stockholdings or membership in associations, interest on savings or bonds, periodic receipts from estates or trust funds, net income from rental of a house, store, or other property to others, receipts from boarders or lodgers, and net royalties.

(F) General Assistance - means a state and locally administered maintenance program for persons who cannot qualify for AFDC, SSI or other income maintenance programs.

(G) Pensions and Annuities - include pensions or retirement benefits paid to a retired person or his/her survivors by a former employer or by a union, either directly or through an insurance company, periodic receipts from annuities or insurance.

(H) Unemployment Compensation - means compensation received from government unemployment insurance agencies or private companies during periods of unemployment and any strike benefits received from union funds.

(I) Worker's Compensation - means compensation received periodically from private or public insurance companies for injuries incurred at work. The cost of this insurance must have been paid by the employer and not by the person.

(J) Alimony.

(K) Child support.

(L) Veterans' Pensions - means money paid periodically by the Veterans' Administration to disabled members of the Armed Forces or to survivors of deceased veterans, subsistence allowances paid to veterans for education and on-the-job training, as well as so-called "refunds" paid to exservicemen as GI insurance premiums.

(3) Exclusions from Monthly Gross Income - Excluded from computation of monthly gross income are the following:

(A) Per capita payments to or funds held in trust for any individual in satisfaction of a judgment of the Indian Claims Commission or the Court of Claims;

(B) Payments made pursuant to the Alaska Native Claims Settlement Act to the extent such payments are exempt from taxation under section 21(a) of the Act;

(C) Money received from sale of property, such as stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property, in which case the net proceeds would be counted as income from self-employment);

(D) Withdrawals of bank deposits;

(E) Money borrowed;

(F) Tax refunds;

(G) Gifts;

(H) Lump sum inheritances or insurance payments;

(I) Capital gains;

(J) The value of the coupon allotment under the Food Stamp Act of 1964, as amended, in excess of the amount paid for the coupons;

(K) The value of USDA donated foods;

(L) The value of supplemental food assistance under the Child Nutrition Act of 1966 and the special food service program for children under the National School Lunch Act, as amended;

(M) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(N) Earnings of a child under 14 years of age (no inquiry shall be made);

(O) Loans and grants, such as scholarships, obtained and used under conditions that preclude their use for current living costs;

(P) Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the Commissioner of Education under the Higher Education Act; and

(Q) Home produce utilized for household consumption.

(g) Social Service Fee

(1) When Title XX FFP is claimed for services provided to individuals and families with family income (adjusted to family size) less than 60% of the Minnesota median income as published annually by the Department of Health, Education, and Welfare, no social service fee shall be charged.

(2) When a social service agency wishes to claim FFP for services provided to individuals and families with incomes between 60% and 115% of the state median income, a social service fee shall be charged according to the state-wide fee schedule.

The statewide fee schedule, adjusted to family size, is as follows:

SOCIAL SERVICE INCOME ELIGIBILITY AND FEE SCHEDULE

Households of 1

60% = $4,652; 115% = $8,917

Annual Gross	Monthly Gross	Monthly Fee
0 - 4,652	0 - 387	–0–
$ 4,653 - 5,553	$ 388 - 462	$10
5,554 - 6,454	463 - 537	17
6,455 - 7,355	538 - 612	26
7,356 - 8,256	613 - 688	37
8,257 - 8,917	689 - 743	50

Households of 2

60% = $6,083; 115% = $11,660

Annual Gross	Monthly Gross	Monthly Fee
0 - 6,083	0 - 507	–0–
$ 6,084 - 6,984	$ 508 - 582	$10
6,985 - 7,885	583 - 657	17
7,886 - 8,786	658 - 732	26
8,787 - 9,687	733 - 807	37
9,688 - 10,588	808 - 882	50
10,589 - 11,489	883 - 957	65
11,490 - 11,660	948 - 972	82

Households of 3

60% = $7,515; 115% = $14,404

Annual Gross	Monthly Gross	Monthly Fee
0 - 7,515	0 - 626	–0–
$ 7,516 - 8,416	$ 627 - 701	$10
8,417 - 9,317	702 - 776	17
9,318 - 10,218	777 - 851	26
10,219 - 11,119	852 - 926	37
11,120 - 12,020	927 - 1,001	50
12,021 - 12,921	1,002 - 1,076	65
12,922 - 13,822	1,077 - 1,151	82
13,823 - 14,404	1,152 - 1,200	101

Households of 4

60% = $8,947; 115% = $17,148

Annual Gross	Monthly Gross	Monthly Fee
0 - 8,947	0 - 745	–0–
$ 8,948 - 9,848	$ 746 - 820	$10
9,849 - 10,749	821 - 895	17
10,750 - 11,650	896 - 970	26
11,651 - 12,551	971 - 1,045	37
12,552 - 13,452	1,046 - 1,121	50
13,453 - 14,353	1,122 - 1,196	65
14,354 - 15,254	1,197 - 1,271	82
15,255 - 16,155	1,272 - 1,346	101
16,156 - 17,056	1,347 - 1,421	122
17,057 - 17,148	1,422 - 1,429	145

Households of 5

60% = $10,378 115% = $19,892

Annual Gross	Monthly Gross	Monthly Fee
0 - 10,378	0 - 865	–0–
$10,379 - 11,279	866 - 939	$10
11,280 - 12,180	940 - 1,015	17
12,181 - 13,081	1,016 - 1,090	26
13,082 - 13,982	1,091 - 1,165	37
13,983 - 14,883	1,166 - 1,240	50
14,884 - 15,784	1,241 - 1,315	65
15,785 - 16,685	1,316 - 1,390	82
16,686 - 17,586	1,391 - 1,465	101
17,587 - 18,487	1,466 - 1,540	122
18,488 - 19,388	1,541 - 1,615	145
19,389 - 19,892	1,616 - 1,657	170

Households of 6

60% = $11,810; 115% = $22,635

Annual Gross	Monthly Gross	Monthly Fee
0 - 11,810	0 - 984	–0–
$11,811 - 12,711	$ 985 - 1,059	$10
12,712 - 13,612	1,060 - 1,134	17
13,613 - 14,513	1,135 - 1,209	26
14,514 - 15,414	1,210 - 1,284	37
15,415 - 16,315	1,285 - 1,359	50
16,316 - 17,216	1,360 - 1,434	65
17,217 - 18,117	1,435 - 1,509	82
18,118 - 19,018	1,510 - 1,584	101
19,019 - 19,919	1,585 - 1,659	122
19,920 - 20,820	1,660 - 1,735	145
20,821 - 21,721	1,736 - 1,810	170
21,722 - 22,622	1,811 - 1,884	197
22,623 - 22,635	1,885 - 1,886	226

Households of 7

60% = $12,078; 115% = $23,150

Annual Gross	Monthly Gross	Monthly Fee
0 - 12,078	0 - 1,006	–0–
$12,079 - 12,979	$1,007 - 1,081	$10
12,980 - 13,880	1,082 - 1,157	17
13,881 - 14,781	1,157 - 1,231	26
14,782 - 15,682	1,232 - 1,306	37
15,683 - 16,583	1,307 - 1,381	50
16,584 - 17,484	1,382 - 1,457	65
17,485 - 18,385	1,458 - 1,532	82
18,386 - 19,286	1,533 - 1,607	101
19,287 - 20,187	1,608 - 1,682	122
20,188 - 21,088	1,683 - 1,757	145
21,089 - 21,989	1,758 - 1,832	170
21,990 - 22,890	1,833 - 1,907	197
22,891 - 23,150	1,908 - 1,929	226

Households of 8

60% = $12,346; 115% = $23,664

Annual Gross	Monthly Gross	Monthly Fee
0 - 12,346	0 - 1,029	–0–
$12,347 - 13,247	$1,030 - 1,103	$10
13,248 - 14,148	1,104 - 1,179	17
14,149 - 15,049	1,180 - 1,254	26
15,050 - 15,950	1,255 - 1,329	37
15,951 - 16,851	1,330 - 1,404	50
16,852 - 17,752	1,405 - 1,479	65
17,753 - 18,653	1,480 - 1,554	82
18,654 - 19,554	1,555 - 1,629	101
19,555 - 20,455	1,630 - 1,704	122
20,456 - 21,356	1,705 - 1,779	145
21,357 - 22,257	1,780 - 1,854	170
22,258 - 23,158	1,855 - 1,929	197
23,159 - 23,664	1,930 - 1,972	226

Households of 9

60% = $12,615; 115% = $24,179

Annual Gross	Monthly Gross	Monthly Fee
0 - 12,615	0 - 1,051	–0–
$12,616 - 13,516	$1,052 - 1,126	$10
13,517 - 14,417	1,127 - 1,201	17
14,418 - 15,318	1,202 - 1,276	26
15,319 - 16,219	1,277 - 1,351	37
16,220 - 17,120	1,352 - 1,426	50
17,121 - 18,021	1,427 - 1,501	65
18,022 - 18,922	1,502 - 1,576	82
18,923 - 19,823	1,577 - 1,651	101
19,824 - 20,724	1,652 - 1,727	122
20,725 - 21,625	1,728 - 1,802	145
21,626 - 22,526	1,803 - 1,877	170
22,527 - 23,427	1,878 - 1,952	197
23,428 - 24,179	1,953 - 2,015	226

Households of 10

60% = $12,883; 115% - $24,693

Annual Gross	Monthly Gross	Monthly Fee
0 - 12,883	0 - 1,073	–0–
$12,884 - 13,784	$1,074 - 1,148	$10
13,785 - 14,685	1,149 - 1,223	17
14,686 - 15,586	1,224 - 1,298	26
15,587 - 16,487	1,299 - 1,373	37
16,488 - 17,388	1,374 - 1,449	50
17,389 - 18,289	1,450 - 1,524	65
18,290 - 19,190	1,525 - 1,599	82
$19,191 - 20,091	$1,600 - 1,674	$101
20,092 - 20,992	1,675 - 1,749	122
20,993 - 21,893	1,750 - 1,824	145
21,894 - 22,794	1,825 - 1,899	170
22,795 - 23,695	1,900 - 1,974	197
23,696 - 24,596	1,975 - 2,049	226
24,597 - 24,693	2,050 - 2,057	257

(3) Local social service agencies shall make a reasonable effort to collect fees charged. Evidence of a reasonable effort exists if the local social service agency documents that as least 90% of the fees imposed have been collected. If this test cannot be documented, then a reasonable effort exists if the following conditions are met and documented:

(A) A bill is rendered or notice given to the client at the time of eligibility determination of the fee amounts and dates due; and

(B) At least three collection notices are given in person or by mail to the client, usually at 30 day intervals.

(4) The fee charged shall be the amount indicated on the state-wide fee schedule, except that no fee shall exceed the actual cost of all the services in the service plan.

(A) No fee for residential services for emotionally disturbed and mentally retarded children shall exceed $60 per month. (See Rules DPW 30 and DPW 33).

(B) When services are being provided in addition to residential services for emotionally disturbed and mentally retarded children, two fees shall be computed and imposed, one for residential services and one for all other services received.

(h) Purchase of Service Contracting

(1) General Provisions:

(A) The local social service agency shall deliver social services subject to FFP under Title XX by direct delivery, by purchase, or by arranging the services at no cost to the agency.

(B) As an alternative to providing such services directly and if not available without cost to the agency, the local social service agency may purchase services from public, nonprofit or proprietary agencies, or from individuals who have been designated as approved vendors.

(C) Services purchased with the intention of claiming FFP must be listed in the Comprehensive Annual Services Program Plan.

(D) At the option of the local social service agency, these same policies and procedures may be utilized for purchased services not subject to FFP.

(2) Administrative Requirements

(A) The local social service agency shall:

(i) Claim FFP only for services purchased through a written contract. Every purchase of service contract, whether major or limited contract, shall be completed, signed and approved by the county welfare or human service board prior to the provision of services.

(ii) Submit to the state agency a Letter of Contract Certification which includes a statement of board approval, name of contractor, contract control number, date of effect, services to be provided, gross amount, and unit costs per service. This letter shall be submitted on all approved major and limited contracts negotiated with agencies and facilities by the local social service agency. It is not necessary to submit information on services purchased from individuals.

(iii) Be responsible for client eligibility for purchased services; however, the local agency may make provision in the contract for the provider to make a determination of eligibility.

(iv) Be responsible for the development of a client service plan based on the needs of the individual and the ability of the provider to meet those needs.

(v) Be responsible for monitoring purchased services and evaluating contract performance.

(vi) Purchase only from approved vendors.

(B) Case record requirements for direct services shall apply to purchased services.

(C) The local social service agency shall maintain an administrative file for each contract which contains:

(i) A copy of the signed and completed contract and Letter of Contract Certification.

(ii) Copies of correspondence between the provider and the local agency.

(iii) A list of reimbursement eligible persons served to date under the terms of the contract.

(iv) Evidence that the certification of remibursement eligibility and authorization of approval of service plan have been made.

(v) Copies of monitoring and evaluation reports.

(vi) Copies of correspondence between the local agency and the state agency related to the contract.

(vii) Copies of fair hearings, complaints, grievances, and inquiries related to contract performance.

(viii) Financial, statistical, and social service reports specified in the contract.

(3) Host County Contracting

(A) The local social service agency of the county in which an approved provider is located shall negotiate and administer host county purchase of service contracts on behalf of any other local social service agency wishing to purchase services.

(B) All local social service agencies shall abide by the terms of the host county contract.

(C) The host county shall assume responsibility for monitoring and evaluation of the contract.

(D) The host county shall make available, on the request of other public social service agencies, copies of the host county contract.

(E) The following exceptions apply:

(i) The host county need not enter a contract unless there is at least one other local agency wishing to purchase from the provider; and

(ii) Each local social service agency within the area served by an Area Mental Health Board may contract directly with the Area Board; however, if a local social service agency outside of the geographic area served by the Area Board wishes to purchase services, the host county policy applies.

(4) Technical Assistance

(A) The local social service agency shall provide technical assistance and information to potential providers, draft contracts for purposes of negotiation, and assist providers in matters of record keeping, statistical reporting, and determination of rates of payment.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE VERA J. LIKINS

COMMISSIONER OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rule 160 of the Minnesota Department of Public Welfare Governing the Administration of Publicly Funded Social Services by Local Social Service Agencies.

FINDINGS OF FACT

The above entitled matter came on for hearing before the Minnesota Department of Public Welfare on the 15th day of December, 1975, at 9:45 a.m., in the Auditorium of the State Office Building, Wabasha Street, St. Paul, Minnesota 55155, after proper notice required by Minn. Stat. § 15.0412 (1975 Supp.) was served upon all persons, associations and other interested groups registered with the Secretary of State for such purposes.

After affording all interested persons an opportunity to present written and oral data, statements, and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files, and proceedings herein, the Department makes and enters the following findings:

1. Authority to adopt standards governing the administration of publicly funded social service programs is set forth at Minn. Stat. § § 256.01, Subd. 4 and 393.07, Subd. 4 (1974).

2. Modification of Social Security Act provisions relating to the administration and provision of social services by the various states, and promulgation of federal regulations governing such programs have created new substantive requirements which, in turn, must be applied to the various county social service agencies charged with the administration of social service programs. See, Pub. L. 93-647, codified at 42 U.S.C. § 1397 et seq., hereinafter referred to as "Title XX", and 45 C.F.R. § § 228.0 et seq.

3. Written comment was received requesting that the term "providers of social services" contained at Section I (e)(3) be changed to read "providers of human service", to enable the provision of services by other than local governmental social service agencies.

The Department finds that the proposed change is unnecessary to accomplish the objective sought by the commentator. Rule 160 provides for the purchase of service from both public and private agencies so long as service providers are licenced on merit standards or criteria established by welfare agencies. See, Transcript at 3-4, Section I(e)(19), and 45 C.F.R. § 228.70(a).

4. Written comment was received recommending that Section II of the above proposed rule be revised to specify in greater detail requirements relating to the development of

annual plans governing state and local social service programs. The commentator specifically requested that the rule provide that the annual planning process be open to citizens and interested governmental agencies.

The Department finds that Section II adequately specifies standards necessary to govern the annual planning process. Federal regulations governing the administration of social service programs contain comprehensive regulations governing the promulgation of annual social service plans. See, 45 C.F.R. § 228.20 et seq.

The Department further finds that participation in the development of annual social service plans is addressed by Section II(f) of the proposed rule. In addition, 45 C.F.R. § 228.33 contains provisions governing methods of providing notice to interested citizens of the planning process, and governing citizen participation in the development of state and local plans. Each of the above cited federal regulations govern state and local social service programs.

5. Written comment was received requesting that Section II(b) be modified by deleting the requirement that proposed local social service plans be submitted to the state welfare agency by April 1 of each year.

The Department agrees that the April 1st submittal date may be unrealistic in many instances. Accordingly, an amendment to Section II(b) was offered at the hearing in this matter

deleting the April 1st submission date and requiring submission of local plans on "a date stipulated by the state agency." The language thus contained in the rule permits flexibility necessary to accommodate the planning needs of local committees. Transcript at 4.

6. Written comment was received which noted that previous unofficial departmental policy required implementation of a 60-day public comment period prior to the amendment of Minnesota's state social service plan. The commentator questioned why the 60-day notification period for plan amendment was not included in the proposed rule.

Federal Regulations, at 45 C.F.R. § 228.35, provide for a 30-day public notification period. During this time amendments must be made available to the general public.

7. Written comment was received which requested that better, more comprehensive service definitions be included in Section II of the proposed rule.

The services described in Section II of the proposed rule constitute a mere listing of social services. The Department takes administrative notice of the fact that definitions and standards governing each program listed in Section II have been, or presently are, the subject of the rulemaking by the Department.

8. Written comment was received which recommended that the definition of employability services contained in proposed Rule 160 be made compatible with definitions contained in Minn. Rule DPW 202 governing employability services.

The Department accepts the recommendation, and has modified the rule to conform to the definition for employability services contained in Rule 202.

9. Written comment was received recommending that state and federal provisions governing the use and dissemination of data pertaining to individuals be specifically cited in Section IV.

The Department rejects the proposed amendment to Section IV as specific rules governing the use and dissemination of data on individuals are currently being promulgated by the Department of Administration, State of Minnesota.

10. Section V(c) provides that applicants for social services be given a written recitation of their rights and responsibilities under the social service program. Written comment was received which recommended that the proposed rule be amended to require that the recitation of rights and responsibilities be read to non-sighted or illiterate persons.

The Department finds this recommendation valid and reasonable but perhaps too narrow in its application to clients

who cannot make use of written material. Therefore, in the spirit of the recommendation, the following sentence is added to Section V(c): "For those individuals who cannot make use of or understand the written statement for reasons such a disability, age, education, the agency representative shall read out loud or interpret the written statement to the individual or to a responsible person acting on behalf of the individual."

11. Section V(e) requires that applicants for social services be notified in writing of the approval or disapproval of their application. Written comment was received recommending that written notice be waived where verbal "face to face" notification has been made.

The Department cannot accept this recommendation. Federal regulations at 45 C.F.R. § 228.60 require that written notice be given applicants indicating whether they have been found eligible or ineligible.

12. Written comment was received recommending that the provisions governing the individual service plan contained at Section VI of the proposed rule be amended to include a health assessment for each participant.

The Department cannot accept the proposed amendment to Section VI. This section is designed to generally define the components of an individual service plan. Transcript at 3. Specific components, such as provision of health services

are governed by Section III of the proposed rule. Transcript at 2 to 3.

13. Section VII of the proposed rule governs the allocation of financial liability for services provided non-resident recipients liying among the various Minnesota counties. This section was inconsistent with Minn. Stat. § 256D.18 (1974), and has been deleted.

14. Section VIII(c) of the proposed rule provides for the allocation of federal social service funds among the various Minnesota counties. Transcript at 3. Written comments received suggest that the procedures and criteria for arriving at a formula should be specified in the rule.

Pursuant to the United States District Court Order in the matter of County of Blue Earth, et al. vs. Vera J. Likins, et al., Civ. No. 2-75-171, (D.Minn. July 2, 1976), the Department must continue to work toward the development of an equitable statewide method of allocation of federal social service funds among the counties of the State of Minnesota. However, under the terms of the Court's Order the exact components of any allocation formula may remain flexible to accommodate the changing needs and interests of Minnesota counties.

15. Section VIII(e) of the proposed rule requires applicants to provide documentation and verification of income reported on application forms. Written comment was

received recommending that no verification or documentation be required where no income is reported.

The Department finds that existing language adequately governs this eventuality.

16. Section VIII(f) of the proposed rule requires that the income of family members be considered in assessing eligibility for social services. Written comment was received recommending that the income of a family member who refuses to cooperate in the eligibility process be disregarded.

The Department cannot accept this recommendation as 45 C.F.R. § 228.60 provides that eligibility must be based on family income.

17. Section VIII(g) of the proposed rule governs fees charged for social services. Written comment asked for clarification of Departmental authority to establish social service fees.

Authority to establish and charge fees for social services furnished a family or individual is contained at Minn. Stat. § 393.12 (1975 Supp.). Pursuant to that section fees may be charged by local welfare agencies for services furnished recipients. The fees are subject to the approval of the Commissioner of Public Welfare.

18. Due to the fact that Minn. Stat. § 393.12 (1975 Supp.) provides that fee schedules shall be adopted by local welfare boards, subject to the approval of the Commissioner of Public Welfare, fee schedules have been deleted from proposed Rule 160.

19. Written comment was received protesting the initiation of this rulemaking process prior to January 1, 1976.

The Department finds that the 1975 Amendments to the Administrative Procedures Act were binding on the State Agency on July 1, 1975. The Department had the general duty to promulgate rules as quickly as possible to comply with the law.

Dated: July 27, 1976.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

Vera J. Likins

VERA J. LIKINS
COMMISSIONER

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE VERA J. LIKINS

COMMISSIONER OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rules 39, 160, 161, 170, 176, 177, 178, 179, 185, 200, 201, 202, 203, 204, 205, 206, 207 and 208 of the Minnesota Department of Public Welfare Governing Administration and Delivery of Social Services.

ORDER FOR HEARING

The Commissioner of the Minnesota Department of Public Welfare deems it necessary to consider adoption of the above captioned rules pursuant to the authority vested in her by Minnesota Statutes 1974, as amended.

NOW, THEREFORE, IT IS ORDERED this 10th day of November, 1975, that a public hearing on the proposed rules captioned above be held in the State Office Building Auditorium, St. Paul, Minnesota, on December 15, 16 and 17, 1975, commencing at 8:30 a.m. each day, and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning rules scheduled each day.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

by _____
VERA J. LIKINS
COMMISSIONER, MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

Dated: November 10, 1975

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE VERA J. LIKINS

COMMISSIONER OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rules 39, 160, 161, 170, 176, 177, 178, 179, 185, 200, 201, 202, 203, 204, 205, 206, 207 and 208 of the Minnesota Department of Public Welfare Governing Administration and Delivery of Social Services

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minnesota Statutes 15.0412, subd. 4 (1974), as amended, regarding the above-entitled matter, in the State Office Building Auditorium (Room 83), Wabasha Street (between Aurora and Fuller), St. Paul, Minnesota on Monday, Tuesday and Wednesday, December 15, 16 and 17, 1975, commencing at 8 30 A.M. each day, and continuing until all representatives or other interested groups or persons have had an opportunity to be heard concerning adoption of the proposed rules scheduled each day, by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

Attached hereto and expressly incorporated by reference is a schedule giving a summary of the specific rules (number, title and description) to be heard each day. The proposed rules will be heard in the order they are listed.

Under Minnesota Statutes 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as promulgation of these rules, must register with the State Ethics Commission as a lobbyist within five (5) days of the commencement of such activity by the individual. (The State Ethics Commission is located at Room 410, State Office Building, St. Paul, Minnesota 55155.)

Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand and may be presented either orally or in writing at the public hearing or by mailing a statement to Commissioner Vera J. Likins, Minnesota Department of Public Welfare, Fourth Floor, Centennial Office Building, St. Paul, Minnesota 55155, within 20 days following conclusion of the hearing. If the person submitting a written document cannot be present to read his statement at the hearing, the document will be entered into the record. For those persons wishing to submit written statements or exhibits, it is requested that at least three (3) copies of each statement, exhibit or summary be furnished at the hearing. It is suggested that to save time and avoid duplication, those organizations or associations sharing common viewpoints or interests in these proceedings join together where possible and present a single statement on behalf of such interests. All statements submitted should clearly identify the rule number to which the statement pertains.

Copies of the proposed rules are now available and may be obtained by writing: Cindy Westbrook, Minnesota Department of Public Welfare, Social Service Division, Fourth Floor, Centennial Office Building, St. Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

Vera J. Likins

VERA J. LIKINS
Commissioner

Dated: November 7, 1975.

THE FOLLOWING PROPOSED RULES WILL BE HEARD ON MONDAY, DECEMBER 15, 1975.

1. Minn. Rule DPW 160 relates to the administration of public social services under the authority of county welfare and human service boards. It addresses state and local social service planning, local responsibility for provision of service, establishment of county of financial responsibility, client application for social services, provisions relating to the development of client service plans, and implementation of Title XX of the Social Security Act.

2. Minn. Rule DPW 161 relates to procedures for the interstate placement of children for foster care or adoption.

3. Minn. Rule DPW 185 relates to Area Board and County Welfare and Human Service Board responsibilities to individuals who are mentally retarded.

4. Minn. Rule DPW 202 relates to the provision of employability services.

THE FOLLOWING PROPOSED RULES WILL BE HEARD ON TUESDAY, DECEMBER 16, 1975.

1. Minn. Rule DPW 170 governs the provision of services to unmarried parents by local public social service agencies.

2. Minn. Rule DPW 200 relates to the provision of adoption services. The rule addresses pre-adoption placement, adoptive placement, legalization of placement, post-legal adoption services, and maintenance of adoption reocrds.

3. Minn. Rule DPW 201 relates to the provision of chore services by local public social service agencies.

4. Minn. Rule DPW 203 relates to the provision of services by pulic social service agencies to adults in foster homes.

5. Minn. Rule DPW 204 relates to the administration of foster care services to children and their families by local public social service agencies.

6. Minn. Rule DPW 205 relates to the provision of home delivered and congregate meals through local public social service agencies.

7. Minn. Rule DPW 206 relates to the provision of homemaking services by local public social service agencies.

8. Minn. Rule DPW 207 relates to the administration of child protective services through local public social service agencies.

9. Minn. Rule DPW 208 governs the provision of family planning services as provided by local public social service agencies.

THE FOLLOWING PROPOSED RULES WILL BE HEARD ON WEDNESDAY, DECEMBER 17, 1975.

1. Minn. Rule DPW 176 relates to the provision of services to individuals who are blind and visually handicapped.

2. Minn. Rule DPW 177 relates to admissions and cost of attendance at the Minnesota Braille and Sight Saving School.

3. Minn. Rule DPW 178 relates to the provision of services to deaf and hearing impaired individuals.

4. Minn. Rule DPW 179 relates to admissions and cost of attendance at the Minnesota School for the Deaf.

5. Minn. Rule DPW 39 relates to standards for the utilization of aversive therapeutic procedures in agencies, hospitals, schools, and programs funded by or under the supervision, control, and sponsorship of the Department of Public Welfare. The rule also relates to the responsibilities, authority, and composition of local review committees and the role of the State Agency.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

CAROL R. WATKINS, being duly sworn on oath deposes and states:

1. That she is an employee of the Department of Public Welfare of the State of Minnesota.

2. That on the 6th day of November, 1975, she went to the Minnesota Secretary of State's office and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn. Stat. § 15.0412 (1974), as amended.

3. That on the 6th day of November, 1975, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Carol R. Watkins
CAROL R. WATKINS

Subscribed and sworn to before me
this 6th day of November, 1975.

Margaret A. Holt
Margaret A. Holt

RULES AND REGULATIONS

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the matter of the Proposed Adoption of Rules 39, 160, 161, 170, 176, 177, 178, 179, 185, 200. 201, 202, 203, 204, 205, 206, 207 and 208, of the Minnesota Department of Public Welfare Governing Administration and Delivery of Social Services

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I hereby certify that the attached 439 labels and one sheets constitute the complete list of persons, associations, and other interested groups who as of 10:30 o'clock A.M., this 6th day of May, 1975, have requested pursuant to M.S. 1974, Section 15.0412, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Secretary of State

Joan Anderson Growe

By Cecil Davis

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

In the Matter of the Proposed Adoption of Rules 39, 160, 161, 170, 176, 177, 178, 179, 185, 200, 201, 202, 203, 204, 205, 206, 207 and 208 of the Minnesota Department of Public Welfare Governing Administration and Delivery of Social Services

AFFIDAVIT OF MAILING

CAROL R. WATKINS, being first duly sworn, deposes and says:

That on the 10th day of November, 1975, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons listed on the attached sheet as presently being members of the Minnesota Legislature.

Carol R. Watkins
CAROL R. WATKINS

Subscribed and sworn to before me
this 10th day of November, 1975.

Margaret A. Holt
Margaret A. Holt

STATE OF MINNESOTA

BEFORE VERA J. LIKINS

COUNTY OF RAMSEY

COMMISSIONER OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rule 160 of the Minnesota Department of Public Welfare Governing the Administration of Publicly Funded Social Services by Local Social Service Agencies.

STATEMENT OF NEED

The above captioned rule is a new administrative rule of the Minnesota Department of Public Welfare.

The need to adopt this rule arises because:

There exists a need for administrative regularity and uniform standards for the planning, funding and implementation of State and local public service programs.

Public Law 93-649, Title XX of the Social Security Act and 45 Code of Federal Regulations Part 228 substantially revise the provision for social services and places new substantive requirements on the State which, in turn, must be applied to the various county agencies which administer social service programs.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

Dated: December 10, 1975

James J. Hiniker
Deputy Commissioner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE VERA J. LIKINS

COMMISSIONER OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rule 160 of the Minnesota Department of Public Welfare Governing the Administration of Publicly Funded Social Services by Local Social Service Agencies.

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before a duly appointed hearing officer of the Commissioner of Public Welfare at the State of Minnesota on the 15th day of December, 1975, at 9:45 a.m., in the Auditorium of the State Office Building, Wabasha Street, St. Paul, Minnesota 55155, after proper notice required by Minnesota Statutes § 15.0412 (1975 Supp.) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards of criteria, and having confirmed the need for the above-captioned rules;

NOW, THEREFORE, IT IS ORDERED that this rule, identified as Minn. Rule DPW 160 is adopted this 27th day of July, 1976, pursuant to the authority vested in me by Minnesota Statutes § 256.01 subds. 2 and 4 (1974).

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

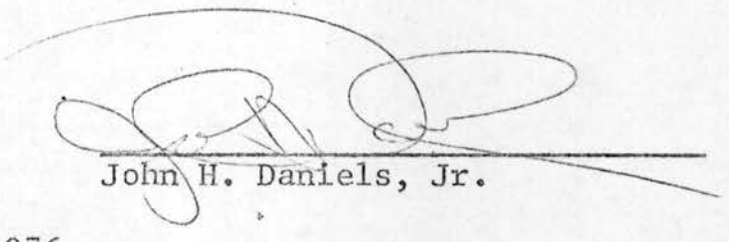
Vera J. Likins

VERA J. LIKINS
COMMISSIONER

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General John H. Daniels, Jr., do hereby declare that I have examined proposed rule 160 and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.



John H. Daniels, Jr.

DATED: July 27 , 1976.