

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

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Attorney General

John H. Daniels
Special Assistant
Attorney General
Department of Welfare

Sept. 7, 1976

Michael B. Miller
Special Assistant
Attorney General

296-4692

Department of Welfare Rules 160-210

John,

The above-captioned rules and related documents were taken back by a member of your department, Bob Hamper, today.

Rule 202 is being filed separately and will be returned to you; it was submitted without a clear indication of which version was the adopted rule.

MBM/mb

MINN. RULE DPW 207 - Protective Services to Children

(I) Introduction

(a) This rule governs the administration and provision of protective services to children through local social service agencies.

(b) The purpose of a child protective service system is to carry out community responsibility for safeguarding the rights and welfare of children whose parents are unable or unwilling to do so.

(c) Local Social Service Agency: Local agency under the authority of the county welfare or human services board which is responsible for social services.

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

(e) Any child in Minnesota who is in need of protection is to receive such service in the county in which the child lives or is found, irrespective of family income and legal or poor relief settlement of the child or family.

(II) Administration and Organization of Protective Services Program

(a) Local Social Service Agency Responsibility in Assessing Child Abuse or Neglect Reports

(1) The local social service agency must accept all complaints alleging that a child has been abused or neglected.

(2) Every report alleging maltreatment of a child shall be assessed at the time of its receipt to determine the agency's initial response to the allegations.

(3) An initial contact with the family must be made based on the following assessments of the report.

(A) A child in need of immediate care by virture of being abandoned, life threatened, or likely to experience physical injury due to abuse, requires an immediate contact with the family to determine the harm or threatened harm to the children involved and the risk to such children if they continue to remain in the existing home environment or return to such environment.

(i) if the protective service worker determines that the child is in need of immediate care

(aa) the parents or caretakers must be given the opportunity to voluntarily place the child or seek an alternative that assures the safety of the child and is agreeable with the protective service worker.

(bb) if the parents or caretakers are unwilling or unable to cooperate in the protection of the child, the protective service worker shall

(i.) petition the juvenile court for the immediate custody of the child.

or

(ii.) seek the assistance of a peace officer in taking a child into custody that such peace officer reasonably believes is in danger.

(ii) if the protective service worker determines that the child is not in need of immediate care and neglect or abuse is present

(aa) the parents or caretakers shall be given the opportunity to voluntarily cooperate in resolving the problem

(bb) and the parents or caretakers are unwilling or unable to cooperate, the worker shall seek the authority of the court to intervene.

(iii) if the protective service worker determines that the child is not in need of immediate care and neglect or abuse is not present the protective worker may

(aa) offer other services appropriate to need or seek to refer family to other community agency

(bb) inform the family of the agency's availability and willingness to work with the family in the future.

(B) A child not in need of immediate care but allegedly physically or sexually abused requires a contact with the family within 24 hours.

(C) A child not in need of immediate care but allegedly neglected requires a contact with the family within 72 hours.

(D) Reports for which no response is required include those which do not fall within the parameters of child maltreatment (although a referral to a more appropriate agency may be made), those which do not contain enough information to be investigated, or those which concern a situation that has recently been investigated and determined to be unsubstantiated.

(4) The local social service agency shall assess the need for protective intervention in each case in which a report is filed and shall develop a plan which meets the needs of the child and family. In assessing the propriety of intervention, the local social service agench shall consider:

(A) Family composition, including the names, addresses, ages and sexes of the child or children named in the report.

(B) The physical or emotional harm to the children involved. A determination of the present condition of the children should be made as well as an assessment of prior injuries, abuse, or maltreatment. In addition, the local social service agency should attempt to identify the person or persons responsible for the maltreatment, evaluate the home environment and assess the risk of such children if they continue to remain in the existing home environment. Finally, there should be a determination of the nature, extent, and cause of any other condition enumerated in the report.

(C) The protective treatment and ameliorative services that may prevent further maltreatment and improve the home environment as well as the parent's ability to adequately care for the children.

(5) The local social service agency shall document in the record whether the report is substantiated or unsubstantiated not more than ninety days after receipt of the initial report. At the conclusion of the investigation, the subjects of the report shall be notified in writing of the local social service agency's determination whether the report has been substantiated or unsubstantiated. The subjects of the report shall be notified of right to review the report pursuant to applicable Minnesota Law.

(A) Records Relating to Substantiated Reports

(i) Records relating to reports made pursuant to Minnesota Statutes 626.556, which is supported by evidence obtained during the local social service agency's investigation shall be destroyed seven years after the date of the final entry in the case record.

(ii) The name of the individual submitting the report shall be disclosed only upon court order, or with the knowledge and consent of the individual making the report.

(B) Records Relating to Unsubstantiated Reports

(i) Records relating to reports made pursuant to Minnesota Statutes 626.556 shall be destroyed immediately and the name of the individual submitting the report shall be disclosed upon request of the subjects of the report.

(ii) Records relating to reports which upon initial investigation cannot be substantiated to the satisfaction of the local social service agency may be kept for one year. As the reports are clearly not unsubstantiated, the name of the individual submitting the report shall not be disclosed unless the report is found to be unsubstantiated, or one year passes, or with the knowledge and consent of the individual submitting the report.

(C) Reports to the State Agency

(i) Every incident of suspected physical or sexual abuse reported to the local social service agency shall be reported to the state agency on forms provided by the state agency.

(aa) All reported incidents of physical or sexual abuse, shall be sent to the state agency within 20 days after receipt of the report, except for the reports which are required to be sent to the state agency within 24 hours as defined in Section (II)(a)(5)(C)(i)(bb).

(bb) The form must be submitted to the state agency within 24 hours for reports alleging that the perpetrator is a local staff person or for incidences occurring in a facility supervised or evaluated for licensing by the local social service agency. The report will be reviewed by state agency personnel for assurance that the child is being protected.

(cc) An amended report shall be forwarded to the state agency whenever reports are either substantiated or unsubstantiated.

(ii) Reports to the state agency are summary data to be used for statistical purposes only. Identifying information about the child or its family or the individual suspected of perpetrating an incident of physical or sexual abuse should not be furnished to the state agency.

(iii) The local social service agency must provide its county number as a prefix and the case number to all reports containing statistical data pertaining to physical or sexual abuse. This number will be used by the state agency to communicate with the local social service agency when it is necessary to amend previously submitted reports or identify those reports needing additional statistical data.

(6) The agency shall offer the family services best adapted to need as determined by the investigation and evaluation.

(A) The family shall be informed of its right to accept or reject services.

(B) The local social service agency shall provide services to the family to help correct or alleviate the conditions of abuse or neglect.

(C) The local social service agency shall provide services that preserve the child within his own family unit and assure the child a safe environment.

(D) The family shall be informed of the agency's statutory authorization to seek court intervention when services are rejected and the child appears to need care or protection.

(E) When the need for removal of the child from his home is not emergent, the local social service agency should request permission of the juvenile court for sufficient time to place the child in an orderly fashion.

(i) When the child is removed from his home, the local social service agency shall obtain the consent of the child's parents for major decisions affecting the child. If the parents fail to consent, a court order may be obtained.

(ii) The local social service agency shall attempt to obtain consent of the child's parents and juvenile court if a child under legal custody is to be placed in a facility outside of the state. If the parents refuse or fail to give consent, a juvenile court order is itself sufficient.

(iii) The local social service agency shall provide the juvenile court written reports and recommendations at such times as the court may direct or prior to the expiration of any order giving them responsibility for a child.

(b) Administrative Requirements

(1) The local social service agency must provide for the availability of protective services 24 hours per day, seven days a week, for response to emergencies.

(2) Every local social service agency shall designate a member of its staff to be responsible for the protective services program.

(3) Each agency shall designate a licensed facility which can be available seven days a week for the emergency care of abused or neglected children.

(A) The local social service agency must designate a staff member to be responsible for placements in such facility under such conditions as it deems necessary.

(B) Emergency placements shall not exceed 30 days.

(4) Every local social service agency shall coordinate its child protection activities with other agencies involved with the child's family, and may:

(A) Participate as a member of a team utilizing a multidisciplinary approach.

(B) Not assign its primary statutory responsibility to another agency.

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 pm

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 1 - 1976

Joan Anderson Growe
Secretary of State

MINN. RULE DPW 207 - Protective Services to Children

(I) Introduction

(a) This rule governs the administration and provision of protective services to children through local social service agencies.

(b) The purpose of a child protective service system is to carry out community responsibility for safeguarding the rights and welfare of children whose parents are unable or unwilling to do so.

(c) Local Social Service Agency: Local agency under the authority of the county welfare or human services board which is responsible for social services.

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

(e) Any child in Minnesota who is in need of protection is to receive such service in the county in which he lives, irrespective of family income and legal or poor relief settlement of the child or family.

(II) Administration and Organization of Protective Services Program

(a) Local Social Service Agency Responsibility in Assessing Child Abuse or Neglect Reports

(1) The local social service agency must accept all complaints of neglect and abuse. It must take necessary action to safeguard the child while a complete investigation is made and offer protective social services to protect the health and welfare of children.

(2) Every report alleging maltreatment of a child shall be assessed at the time of its receipt by the local social service agency.

(A) Reports that constitute an emergency situation require the immediate intervention of the agency.

(B) Reports of physical or sexual abuse are to be responded to within 24 hours.

(C) Reports of neglect are to be responded to within 72 hours.

(D) Reports for which no response is required include: those which do not fall within the parameters of child maltreatment (although a referral to a more appropriate agency may be made), those which do not contain enough information to be investigated, or those which concern a situation that has recently been investigated and determined to be unsubstantiated.

(E) An initial contact with the family must be made to determine the harm or threatened harm to the children involved and the risk to such children if they continue to remain in the existing home environment.

(3) The local social service agency shall assess the need for protective intervention in each case in which a report is filed and shall develop a plan which meets the needs of the child and family. In assessing the propriety of intervention, the local social service agency shall consider:

(A) Family composition, including the names, addresses, ages and sexes of the child or children named in the report.

(B) The physical or emotional harm to the children involved. A determination of the present condition of the children should be made as well as an assessment of prior injuries, abuse, or maltreatment. In addition, the local social service agency should attempt to identify the person or persons responsible for the maltreatment, evaluate the home environment and assess the risk to such children if they continue to remain in the existing home environment. Finally, there should be a determination of the nature, extent, and cause of any other condition enumerated in the report.

(C) The protective treatment and ameliorative services that may prevent further maltreatment and improve the home environment as well as the parent's ability to adequately care for the children.

(4) The local social service agency shall document in the record whether the report is substantiated or unsubstantiated not more than ninety days after receipt of the initial report. At the conclusion of the investigation, the subjects of the report shall be notified in writing of the local social service agency's determination whether the report has been substantiated or unsubstantiated. The subjects of the report shall be notified of right to review the report pursuant to applicable Minnesota Law.

(A) Records Relating to Substantiated Reports

(i) Records relating to reports made pursuant to Minnesota Statutes 626.556, which is supported by evidence obtained during the local social service agency's investigation shall be destroyed seven years after the date of the final entry in the case record.

(ii) The name of the individual submitting the report shall be disclosed only upon court order, or with the knowledge and consent of the individual making the report.

(B) Records Relating to Unsubstantiated Reports

(i) Records relating to reports made pursuant to Minnesota Statutes 626.556 shall be destroyed immediately and the name of the individual submitting the report shall be disclosed upon request of the subjects of the report.

(ii) Records relating to reports which upon initial investigation cannot be substantiated to the satisfaction of the local social service agency may be kept for one year. As the reports are clearly not unsubstantiated, the name of the individual submitting the report shall not be disclosed unless the report is found to be unsubstantiated, or one year passes, or with the knowledge and consent of the individual submitting the report.

(C) Reports to the State Agency

(i) Every incident of suspected physical or sexual abuse reported to the local social service agency shall be reported to the state agency on forms provided by the state agency.

(aa) All reported incidents of physical or sexual abuse, except those related to agency personnel, shall be sent to the state agency within 20 days after receipt of the report.

(bb) The form must be submitted to the state agency within 24 hours for reports of incidents involving local agency personnel, licensed or unlicensed foster homes, or other agency related personnel or facility.

(cc) An amended report shall be forwarded to the state agency whenever reports are either substantiated or unsubstantiated.

(ii) Reports to the state agency are summary data to be used for statistical purposes only. Identifying information about the child or its family or the individual suspected of perpetrating an incident of physical or sexual abuse should not be furnished to the state agency.

(iii) The local social service agency must provide its county number as a prefix and the case number to all reports containing statistical data pertaining to physical or sexual abuse. This number will be used by the state agency to communicate with the local social service agency when it is necessary to amend previously submitted reports or identify those reports needing additional statistical data.

(5) The agency shall offer the family services best adapted to need as determined by the investigation and evaluation.

(A) The family shall be informed of its right to accept or reject services.

(B) The local social service agency shall provide services to the family to help correct or alleviate the conditions of abuse or neglect.

(C) The local social service agency shall provide services that preserve the child within his own family unit and assure the child a safe environment.

(D) The family shall be informed of the agency's statutory authorization to seek court intervention when services are rejected and the child appears to need care or protection.

(E) When the need for removal of the child from his home is not emergent, the local social service agency should request permission of the juvenile court for sufficient time to place the child in an orderly fashion.

(i) When the child is removed from his home, the local social service agency shall obtain the consent of the child's parents for major decisions affecting the child. If the parents fail to consent, a court order may be obtained.

(ii) The local social service agency shall attempt to obtain consent of the child's parents and juvenile court if a child under legal custody is to be placed in a facility outside of the state. If the parents refuse or fail to give consent, a juvenile court order is itself sufficient.

(iii) The local social service agency shall provide the juvenile court written reports and recommendations at such times as the court may direct or prior to the expiration of any order giving them responsibility for a child.

(b) Administrative Requirements

(1) The local social service agency must provide for the availability of protective services 24 hours per day, seven days a week, for response to emergencies.

(2) Every local social service agency shall designate a member of its staff to be responsible for the protective services program.

(3) Each agency shall designate a licensed facility which can be available seven days a week for the emergency care of abused or neglected children.

(A) The local social service agency must designate a staff member to be responsible for placements in such facility under such conditions as it deems necessary.

(B) Emergency placements shall not exceed 30 days.

(4) Every local social service agency shall coordinate its child protection activities with other agencies involved with the child's family, and may:

(A) Participate as a member of a team utilizing a multidisciplinary approach.

(B) Not assign its primary statutory responsibility to another agency.

ADMENDMENT

The Commissioner submits the following amendment to proposed Rule DPW 207.

Citation: Page 3, item (C).

(C) Reports to the State Agency

(i) Every incident of suspected physical or sexual abuse reported to the local social service agency shall be reported to the state agency on forms provided by the state agency.

(aa) All reported incidents of physical or sexual abuse, except those ~~related to~~ agency ~~personnel~~ related, shall be sent to the state agency within 20 days after receipt of the report.

(bb) The form must be submitted to the state agency within 24 hours for reports ~~of incidents involving local agency personnel, licensed or unlicensed foster homes, or other agency related personnel or facility.~~ alleging that the perpetrator is a local agency staff person or for incidences occurring in a facility supervised or evaluated for licensing by the local social service agency. The report will be reviewed by state agency personnel for assurance that the child is being protected.

(cc) ~~An amended report shall be forwarded to the state agency whenever reports are either substantiated or unsubstantiated.~~

(ii) Reports to the state agency are ~~summary data~~ to be used for statistical purposes only, except for reports involving local agency personnel or facilities supervised or evaluated for licensing by the local social service agency. ~~Identifying information about the child or its family or the individual suspected of perpetrating an incident of physical or sexual abuse should not be furnished to the state agency.~~

(iii) The local social service agency must provide its county number as a prefix and the case number to all reports containing statistical data pertaining to physical or sexual abuse. This number will be used by the state agency to communicate with the local social service agency when it is necessary to: ~~amend previously submitted reports or identify those reports needing additional statistical data.~~

(aa) amend previously submitted reports, or

(bb) identify those reports needing additional statistical data, or

(cc) determine if the child is being protected when the incident involves local agency personnel or facilities supervised or evaluated for licensing by the local social service agency.

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

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

BEFORE VERA J. LIKINS

COUNTY OF RAMSEY

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 Dixon

PUBLIC WELFARE

Allin, Kent, Welfare Advocacy Unit, 370 Selby Ave., St. Paul 55102
Blade, Joe -Mpls Star, 425 Portland Ave., Mpls. 55488

Community Mental Health Board of the Northern Pines Mental Health Center, 103-105 1st St. S.E., Little Falls 56345
Curtis, Dr. E.Louis, Prof.Education, U of M., Morris 56267

Deephaven Montessori School, Inc. 188 So. Circle A Drive, Wayzata 55391

Goldberg, Paula, 5315 James Ave. S., Mpls. 55419

Kurtz, Mrs. Kirsten, Mn. Nurses' Assn., 1821 Univ. Ave.,St. Paul 55104

Legal Aid Society, 501 Park Ave., Mpls. 55415

Local #34, AFSC & ME, Box 2016, Commerce Sta., Mpls.55415

Lutheran Soc.Service,Attn.H.L.Paulsen, 2414 Park Ave S.,Mpls. 55404

Minneapolis & Hennepin County Mental Health Clinic,619 S. 5th St.,MPls., 55415
Minn.Ass'n for Ed. Young Children,373 So.Griggs-MidwayBldg,1821 Univ.St.Paul55104
Minnesota Legislative Comm. of Blind, 1605 Eustis, St. Paul 55108

Minn. State Pharmaceutical Ass'n., 2388 Univ. Ave. St.Paul 55104

Moratzka, Timothy, 1304 Vermillion St., Hastings 55033

Neff, Dr. Walter S., Virginia 55792

Northland Mental Health Center, 415 S. Pokegema, Grand Rapids 55744

Public Relief, BD. of Public Welfare, Attn.Dir.Jensen, 250 S. 4th St.,Mpls.5541

Sister Letitia M. Close, B.V.M., 415 Summit Ave., St.Paul 55102

Southwestern Mental Health Center, 306 N. McKenzie St., Luverne 56156
Upper Mississippi Mental Health Center, Attn: Dr. Howard C.Reid,510Beltrami Av Bemidji

Veterans' Affairs, Veterans Service Bldg., St. Paul 55155

Welfare Rights Organization,% Stephen Parsons, 1118 Newton Av.No.Mpls.55411

West Central Mental Health Center, 323 W. 6th St., Willmar 56201

708 1ST ST SO PO BX 818
WILLMAR MN
56201

2142 CAMPBELL AVE
ST PAUL MN
55[illegible]

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SHELL OIL CO. W.A. ROQUET
ONE SHELL PLAZA BX 2463.
HOUSTON TX
77001

SITE ENGINEERS INC
900 REDWELL LANE
APPLE VALLEY MN
55124

SMITH MICHAEL
1423 NEWTON AVE N
MPLS MN
55411

SNELL LYN
BOX 314
EDEN VALLEY MN
55329

SODERMAN ANTHONY
152 S PLAZA BLDG
MPLS MN
55416

STANSFIELD ARLENE LAND CLKS
PO BOX 116
MPLS MN
55440

STD AM LIFE & ANNUITY CO
3801 W 80TH ST
MPLS MN
55410

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SULLIVAN J KIRK
PO BOX 200
BOISE ID
83701

SWANSON BURT E
W-2162 1ST NATL BK BLDG
ST PAUL MN
55101

SWANSON DALE
P O BOX 339
FOREST LAKE MN
55025

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

TIMESAVERS INC ATT R S VOLD
5270 HANSON COURT
MPLS MN
55422

TOUCHE ROSS & CO K H STOCKE
780 NORTHSTAR CNTR
MPLS MN
55402

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

700 TORREY BLDG
DULUTH MN
55802

VOSS REV GORDON O
11120 NE 7TH ST
BLAINE MN
55434

WELLINGTON R R SKELLY OIL
PO BOX 1650
TULSA OK
75102

WILCOX J PATRICK
1220 NORTHERN FED BLDG
ST PAUL MN
55102

WIS FEEDER PIG MARKET CO-OP

FRANCIS CREEK WI

DEPT SECRETARY ED OOP M
DULUTH MN
55812

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

WALTERS THOS H
451C W 77TH ST STE 235
MPLS MN
55435

WESTIN CHAS W
220 MEDICAL ARTS BLDG
DULUTH MN
55802

WM.MITCHEL COLLEGE LAW LIB.
2100 SUMMIT AVE.
ST.PAUL MN
55105

WOLKERSTORFER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

220 GRAIN EX 100 S 4TH
MPLS MN
55415

ST PAUL MN
55101

ANCHOR BLOCK COMPANY
PO BOX 3360
ST PAUL MN
55165

ANDERSON GRAHAM
951 E HENN
MPLS MN
55414

ANDERSON JAMES
7703 NORMANDALE RD
MPLS MN
55435

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ARROWHEAD REGIONAL DEV COMM
900 ALWORTH BLDG
DULUTH MN
55802

ARVER JOHN A
2467 COHANCY
ST PAUL MN
55113

ASSOCIATED INDUST OF MPLS
NATIONAL BLDG
MPLS MN
55402

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

BABCOCK LOCHER NELSON ET
118 E MAIN ST
ANOKA MN
55303

BARTHOLOW HAROLD E FIRE CHF
2600 109 AVE N W
COON RAPIDS MN
55433

BECK PAT
953 HYACINTH AVE
ST PAUL MN
55106

BEMIDJI STATE COLLEGE
PLACEMENT BUR.J.C.BRADY
BEMIDJI MN
56601

BENSONI PETER USW OF AM.
609 PROVIDENCE BLDG.
DULUTH MN

BEST FLANAGAN ET AL
4040 IDS CENTER
MPLS MN
55402

BEUTEL ROBERT
2200 SILVER LAKE RD
NEW BRIGHTON MN
55112

BREHL JAMES W
332 HAMM BLDG
ST PAUL MN
55102

BRIGGS & MORGAN - B F FRI
2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BROOKS WILLIAM F JR
854 MIDLAND BK BLDG
MPLS MN
55401

BROWN D M GOODRIDGE PUB S
IND DIST #561
GOODRIDGE MN
56725

55455

55075

BUR NATL AFFAIRS INC
1231 25TH ST NW
WASHINGTON DC
20037

BUSCH NOEL
3131 FERNBROOK LANE N
MPLS MN
55441

CAIRNS JOHN A
47TH FLR IDS CENTER
MPLS MN
55402

CARLSON CARL L
7516 80TH ST S
COTTAGE GROVE MN
55016

CENTRAL BUSINESS DATA
BENSON RADIO ARCADE BLD
BENSON MN
56215

CENTRAL MN REGIONAL DEV C
1139 FRANKLIN AVE
SAUK RAPIDS MN
56379

CHERCHES CHRIS CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

CHRISTIAN SCI COMM ON PUB
1821 UNIV AVE SUITE 271
ST PAUL MN
55104

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

CITIZENS LEAGUE
530 SYNDICATE BLDG
MPLS MN
55402

COLEMAN NICHOLAS D
700 LINWOOD AVE
ST PAUL MN
55105

COLLIN LAURENCE
RT 2
ISANTI MN
55040

CONSUMER SERVICES DEPT COMM
5TH FLR METRO SQ BLDG
ST PAUL MN
55101

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
ST PAUL MN
55103

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DANKERS, KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DICKINSON MRS JOANNE
BOX 1065
MARSHALL MN
56258

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

ST PAUL MN
55102

MIDLAND MI
48640

DUNN CLIVER PLUMBERS LOC 15
708 SO 10TH ST
MPLS MN
55404

DZUGAN KEN ST PAUL PLANNI
421 WABASHA ST
ST PAUL MN
55102

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ENNIS A F BOISE CASCADE
PO BOX 713
INTL FALLS MN
56649

ENV SERV-GEN RESOURCE COR
6340 INDUSTRIAL DR
HOPKINS MN
55343

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

ETHICS COMM
RM 410 STATE OFF BLDG
ST PAUL MN
55155

EWALD DOUGLAS MINN HOSP ASSN
2333 UNIV AVE SE
MPLS MN
55414

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FARMERS ELEVATOR ASSN
852 GRAIN EXCH BLDG
MPLS MN
55415

FARRELL FRANK BUR NOR
RM 1180 176 E 5TH ST
ST PAUL MN
55101

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLADLAND CLINTON MN L&P B
796 RAYMOND AVE
ST PAUL MN
55114

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FORSBERG AGR SERV
518 SUMMIT AVE
NEW ULM MN
56073

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

FREDRIKSON BYRON ET AL
47TH FLR ICS CENTER M
PLS MN
55402

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

AUSTIN MN
55912
GEO A HORMEL & CO LAW DEPT.

ST PAUL MN
55104
GEORGE K GRAUSE CO.

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GREATER MET AREA HOSPITALITY
5152 CEDAR AVE S
MPLS MN
55417

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GUSTAFSON DAN-LABOR TEMPLE
312 CENTRAL
MPLS MN
55414

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HANFT PHILIP M
1200 ALWORTH BLDG
DULUTH MN
55802

HANSON ETHEL
2813 85TH AVE N
MPLS MN
55444

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HAUN DR J W GEN MILLS
PO BOX 1113
MPLS MN
55440

HENTHORN GARY WOODSTOCK
7365 LANDAU DR
BLOOMINGTON MN
55438

HART PATRICK V
112 E LIBERTY BOX 3271
MANKATO MN
56001

HEIM PAUL
1320 SOO LINE BLDG
MPLS MN
55402

HEINTZ MARY ELLEN
PO BOX 599
CINCINNATI OH
45201

HILL JIM ASSOC.MILK PROD.
7850 METRO PARKWAY
MINNEAPOLIS MN
55420

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HOUSE ED STANDING SUB COM
RM 109 STATE CAPITOL
ST PAUL MN
55101

C/C BARBAROSSA RD
OSSEO MN
55369

ST PAUL MN
55101

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

INGVALSON VERN MN.FARM BUR.
3110 WOODDALE DR PO 337
OST PAUL MN
55165

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON LEAGUE MN DI
106 TIMES BLDG. 57 S 4TH
MPLS MN
55401

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JOHNSON CLARENCE IBEW LU 292
3615 37TH AVE S
MPLS MN
55406

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

KABLE RICHARD W

BETHEL MN
55006

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KEILY DANILE
3549 V2 PLEASANT AVE
MPLS MN
55408

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KNUDSON ROBT
4375 BROWNDALE AVE
MPLS MN
55424

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

55316

55101

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT AS
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MERRITT GRANT POLLUTION CONT
1935 W CO RD 32
ROSEVILLE MN
55113

MET TFR MEN ASSN A ROSENT
1821 UNIV AVE
ST PAUL MN
55104

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MN. ASN.C&IND H.D.PETERSO
480 CEDAR ST.
ST.PAUL MN
55101

ST PAUL MN
55103

MINN AUTOMOBILE DEALERS ASSN
GRIGGS MIDWAY BLDG
ST PAUL MN
55104

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINN FARMERS UNION PRES OFF
1275 UNIV AVE
ST PAUL MN
55104

MINN HOUSING INST N T CARTER
7801 METRO PKWY
MPLS MN
55420

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN SOCIETY ARCHITECTS AIA
NW NATL BK BLDG
ST PAUL MN
55101

MINN STATE CAPITOL EMP UNION
PO BOX 3215
ST PAUL MN
55165

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MPLS MN
55435

MINN COMM FOR HANDICAPPED
METRO SQ 452 7TH & ROBT
ST PAUL MN
55101

MINN DENTAL HYGIENISTS
5041 YVONNE TERRACE
MPLS MN
55436

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN HWYS MANAGEMENT SERV
407 HWY BLDG
ST PAUL MN
55101

MINN.MTR.TRANSP. .J.N.D
1821 UNIV.
ST.PAUL MN
55104

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN 55
104

MINN SOC CERTIFIED PUB AC
1102 WESLEY TEMPLE BLDG
MPLS MN
55403

MINN STATE MED ASSN
375 JACKSON ST
ST PAUL MN
55101

MINN.TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MUELLER SHIRLEY A
787 W COTTAGE AVE
ST PAUL MN
55117

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NEDELL HAROLD - MEINEKE
6300 W LOOP S SUITE 200
BELLAIRE TX
77401

NIELSEN STOCK & BLACKBURN
415 730 BLDG
MPLS MN

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OSTRUM DONALD E
PO BOX 33163
COON RAPIDS MN
55433

PAYNE COL ALVIN

DEGRAFF MN
56233

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NO SUB MONTESSORI-S SADDL
2487 HELEN COURT
NO ST PAUL MN
55109

NUTTER JULIA
743 W MONTANA
ST PAUL MN
55117

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PHAR MFGRS ASSN WM D PATT
1155 15TH ST NW
WASHINGTON DC DC
20005

PORTER LYLE O

TRACY MN
56175

BROCKLYN CTR MN
55430

FERGUS FALLS MN
56357

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RANALLO CLARENCE
800 CENTRAL AVE N E
MPLS MN
55413

RAMSEY CO MEDICAL SOCIETY
1500 LOWRY MEDICAL BLDG
ST PAUL MN
55102

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REID DAVID H
5633 WASHBURN AVE S
MPLS MN
55410

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROBERTS DAVID E
1260 NW NATL BK BLDG
ST PAUL MN
55101

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
PAYNESVILLE MN

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

ST PAUL ASSN PLBG HTG MEC
614 AM NATL BK
ST PAUL MN

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHLICHT REV ROBT
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHWINN ROBT.P.
1400 SOO LINE BLDG.
MPLS. MN
55402

STATE CAPITOL
ST PAUL MN
55101

113 STATE CAPITOL
ST PAUL MN
55101

SHARP BOB
4125 HIGHWOOD RD
ST LOUIS PK MN
55416

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SLOCUM CHARLES A
1203 IDS TOWER
MPLS MN
55402

SMERIKA WM.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

SNYDER ROBERT W
248 CG B U OF M
ST PAUL MN
55101

SODERBERG HAROLD J
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

STATE BD.BARBER EXAMINERS
555 WABASHA
ST PAUL MN
55102

STATE BD VETERINARY EXAMI
C/O DR A C SPANNAUS DVM
WACONIA MN

STENSLAND M.E. PRES. MVMA
203 NW 22ND ST.
AUSTIN MN
55912

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

SUMMIT NATL BANK D L MORRILL
205 AURORA AVE
ST PAUL MN
55103

SUSSEL CO.ATTN:TED SCHWEN
1850 COMO AVE.
ST PAUL MN
55108

SWANSON GERALD H
212 CITY HALL
ROCHESTER MN
55901

SWEITZER R L HONEYWELL IN
2701 4TH AVE S
MPLS MN
55408

THOMPSON CONRAD
1107 23RD ST NW
ROCHESTER MN
55901

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

TWIN CITY RETAIL DRUGGIST AS
2388 UNIV AVE
ST PAUL MN
55104

VAN CLEVE JOHN H
2101 HENN AVE
MPLS MN
55405

VAN DRAKE STEPHEN R
BOX 353
PELICAN RAPID MN
56572

561 TOWER DRIVE
NEWPORT MN
55055

IDS 8TH & MARQUETTE
MPLS MN
55402

WALD JEAN
5746 SANDER DR
MPLS MN
55417

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WELK G V NORTHERN STATES
414 NICOLLET MALL
MPLS MN
55401

WHITING RALPH
555 WABASHA SUITE 204
ST PAUL MN
55102

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WILEY ENTERPRISES
101 5TH AVE SE
CSSEO MN
55369

WILSON R GARY PPG INDUST
1 GATEWAY CENTER
PITTSBURGH PA
15222

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

WYANT CLINTON W ATTY

ATKIN MN
56431

ST PAUL MN
55101

AM CAMPING ASSN MRS LEACOCK
1235 BRIGHTON SQ
NEW BRIGHTON MN
55112

AM INST PROF GEOLOGISTS
2201 PRINCETON AVE
ST PAUL MN
55105

ANDERSON HERBERT
418 8TH ST. SO.
VIRGINIA MN
55792

ANDERSON HAROLD
BOX 3047
MANKATO MN
56001

ANTHONY DICK WDSM RADIO
230 E SUPR ST
DULUTH MN
55102

ARNOLD ROBERT MESPA
41 SHERBURNE
ST PAUL MN
55103

ASMUSSEN,DENNIS,MPIRG
3036 UNIV AVE SE
MPLS MN
55414

ASSOCIATED GEN CONTROF MN
48 E 8TH STREET
ST PAUL MN
55101

ASSN RESIDENCES FOR RETARDED
459 RICE SUITE 301
ST PAUL MN
55103

AUTOMOBILE MFRS ASSN INC
55 SHERBURNE AVE
ST PAUL MN
55103

BADALICH JOHN P
2025 THOMPSON AVE
SO ST PAUL MN
55075

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BECKLIN ROBERT C
447 N W 4TH
CAMBRIDGE MN
55008

BEECHER EVERETT
10 10 1ST ST SO
HOPKINS MN

BERGERUD ALF
300 ROANOKE BLDG
MPLS MN
55402

BERGSETH THOMAS
1011 NICOLLET MALL
MPLS MN
55403

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BLOOMINGTON CITY CLERK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

BRIGHAM E M III
RR4
RED WING MN
55066

BROEKER JOHN
2850METRO DR. SUITE 504
BLOOMINGTON MN
55420

4961 KINGSBERRY LANE
MINNETONKA MN
55343

208 ADM BLDG
ST PAUL MN
55101

BURGER ALBERT
600 DEGREE OF HONOR BLD
ST PAUL MN
55101

BUR.ENGR.IND.DIV. MR.KIEIGER
219 N. 2ND ST.
MPLS. MN

CAIN RUTH
730 E 38TH ST
MPLS MN
55407

CARLSON VERNE E
BOX 755 CITY HALL
WILLMAR MN
56201

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CHAMBER OF COMMERCE
30 SO 1ST AVE EAST
ELY MN
55731

CHAMBERLAIN JOHN L.
PO BOX 241
MPLS MN
55440

CHRISTIANSEN FREDRIK
RM 505 CAPITOL SQ BLDG
ST PAUL MN
55155

CHRYSALIS CENTER FOR WOMEN
2104 STEVENS AVE S
MPLS MN
55404

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

CLAUSEN PHILLIP
2307 STANDISH ST
ST PAUL MN
55108

COMMUNITY DESIGN CENTER
118 E 26TH ST
MPLS MN
55404

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CRAVEN NORMAN
10637 THOMAS AVE S
BLOOMINGTON MN
55431

DAILEY THOMAS ECONOMICS LAB
370 WABASHA ST
ST PAUL MN
55102

DAYTON CHAS SIERRA CLUB
800 MIDLAND BANK BLDG
MPLS MN
55401

DEVELOP DISABILITIES PROGRAM
STATE PLAN 101 CAP SQ
ST PAUL MN
55155

PRESS RM STATE CAPITOL
ST PAUL MN
55101

2400 1ST NATL BANK BLDG
MPLS MN
55402

DOYTON MAURICE, MET SEWER BD
350 METRO SQ BLDG
ST PAUL MN
55101

DUDLEY E F
RT 7 BOX 122
EXCELSIOR MN
55331

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

EMERICK RICHARD A
1900 IDS CENTER
MPLS MN
55402

ERDMAN ROGER TENNANT CO.
701 N LILAC DR
MPLS MN
55441

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EVERETT JERRY NW PETRO ASSN
512 NICOLLET MALL RM917
MPLS MN
55402

FAEGRE & BENSON ATTN LIBR
1300 NW BANK BLDG
MPLS MN
55402

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

FURLONG DR JOHN
RT 1
BOVEY MN
55709

F W MCCLURTH CO
3316 W 66TH ST
EDINA MN
55424

515 WASHINGTON AVE N
MPLS MN
55401

220 GRAIN EXCH
MPLS MN
55415

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GLEESON MICHAEL
909 SOC SC BLDG U OF M
MPLS MN
55455

GRAHAM THOS H
854 MIDLAND BK BLDG
MPLS MN
55401

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREEN GARY J
41 SHERBURNE AVE
ST PAUL MN
55102

GREEN JANET
9773 N SHORE DR
DULUTH MN
55804

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HAROLD J WESTIN CONSTRUCTORS
45 E 8TH ST
ST PAUL MN
55101

HARVEY MICHAEL
1350 W M HAHA PKWY
MPLS MN
55409

HAYES, THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

HARTFELDT WILL
434 HAMM BLDG
ST PAUL MN
55102

HEAD & TRUEN
1007 SOO LINE BLDG
MPLS MN
55402

HEISENFELT WM
BOX 516
BEMIDJI MN
56601

HICHINGER-MARK PLANNING
421 NABASHA ST
ST PAUL MN
55102

HOLDAHL SCOTT
380 N BLDG GRAIN EXCH
MPLS MN
55415

HOLEY GEC AERONAUTICS
DOWNTOWN AIRPORT
ST PAUL MN
55107

HORNER WALDORF - KAZIUKEWICZ
PO BOX 3260
ST PAUL MN
55165

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

ST PAUL MN
55155

WILLMAR MN
56201

HUNT JAMES P JR
11470 GALTIER DR
BURNSVILLE MN
55378

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

ILLINGWORTH ROBT C
6750 FRANCE AVE S
MPLS MN
55435

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

JACKMAN DONALD G
4023 E LAKE ST
MPLS MN
55406

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KEABLE MIKE
905 61H AVE N
ST CLOUD MN
56301

KIMBALL ROBERT
647 CAPITOL SQ BLDG
ST PAUL MN
55101

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KNUTSON DR KEITH, BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
56301

KNUTSON R A GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRAMER ERNEST K
717 DELAWARE ST SE
MPLS MN
55440

DULUTH MN
55802

ST PAUL MN
55101

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LOOS CALVIN J
6809 LYNDALE AVE SO
MPLS MN
55423

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MALONE E I COMM LABOR & INDU
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANTHEY T J PICKANDS MATHER
1100 SUPERIOR AVE
CLEVELAND OH
44114

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MECCA
867 GRAND AVE
ST PAUL MN
55105

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

METROPOLITAN COUNCIL LIBRARY
300 METRO SQUARE
ST PAUL MN
55155

MIDLAND GLASS- HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MPLS CHAMBER COMM TRANSP DPT
15 S 5TH ST
MPLS MN
55402

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MIDLAND GLASS-HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER PAUL J PHARMACY SERV
ST MARYS HOSP
ROCHESTER MN
55901

MINN AFL-CIO, L C LA SPOMB
414 AUDITORIUM ST
ST PAUL MN
55102

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN ELECTRICAL ASSN INC
525 SO 7TH
MPLS MN
55415

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

MINN LAND USE COMMITTEE
4344 ICS CENTER
MPLS MN
55402

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN RETAIL FEDERATION
7600 PARKLAWN STE 457
MPLS MN
55435

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MINN COUNCIL STATE EMP NO 6
475 RICE ST
ST PAUL MN
55103

MINN ENV LAW INST INC
PO BOX 15076 COMM STA
MPLS MN
55415

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINN POULTRY & HATCHERY ASSN
BOX 156
MADELIA MN
56062

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN TEAMSTERS CREDIT UNION
2021 HENN AVE E
MPLS MN
55413

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN

RM 301 M MPLS CITYHALL
MPLS MN
55415

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

NASS GEO V HENN CO GEN HOSP
5TH AND PORTLAND AVE.
MPLS MN
55415

NAT'L SOLID WASTES-R. GRASSO
1730 RHODE ISLAND AV.NW
WASHINGTON DC
20036

NESBITT JOHN
7851 METRO PKWY S 118
MPLS MN
55420

NORTH CENTRAL ELEC ASSN
PO BOX 202
BATTLE LAKE MN
56515

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

OLD COLONY GAS & OIL COMPANY
17TH AVE N AT 2ND ST
MPLS MN
55411

PETERSON JOHN W
510 NW BK BLDG
ST PAUL MN
55101

PHILLIPS LEGISLATIVE SERVICE
459 RICE ST
ST PAUL MN
55103

10200 PENN SO
BLOOMINGTON MN
55[illegible]1

MUCK THOS R
160 STATE OFF BLDG
ST PAUL MN
55155

NATL CAR RENTAL ATT D MITZEL
5501 GREEN VALLEY DR
MPLS MN
55437

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PINNETTI NICK M HALEY & ASS.
40 CENTRAL PARK S
NEW YORK NY
10019

330 MINNESOTA BLDG
ST PAUL MN
55101

PRAUSE JOS.C.
2220 105TH AVE.N.W.
CLON RAPICS MN
55433

RAUENHORST CORP-C ANDERSON
7900 XERXES S. S-2200
MPLS MN
55431

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RICHARDS MONTGOMERY ET AL
1430 RAND TOWER
MPLS MN
55402

ROSS ALFRED
6356 WARE RD
LINO LAKES MN
55014

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

ST PAUL BUR HLTH DR P CCX
555 CEDAR ST
ST PAUL MN
55101

SCHMIDT D R MN ASSN REALTORS
6101 WAYZATA BLVD
MPLS MN
55416

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

MPLS MN
55[illegible]7

PROCTOR&GAMBLE L THECHARCUS
IVORYDALE TECH CENTER
CINCINNATI OH
45217

RADMAN RICHARD-LABOR TEMPLE
418 AUDITORIUM
ST PAUL MN
55102

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

RENNER R.H. ST PAUL AREA CC
300 OSBORN BLDG.
ST PAUL MN
55102

REE DAVID
175 AURORA
ST PAUL MN
55103

RUDY FLOYD
118 AVE C
CLOQUET MN
55720

SATHRE, HARVEY
375 MARION STREET
ST PAUL MN
55103

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SCHMIDT H W TCHRS RETIREMEN
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

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

COUNTY OF RAMSEY

BEFORE VERA J. LIKINS

COMMISSIONER OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rule 207 of the Minnesota Department of Public Welfare Relating to Protective Services to Children.

STATEMENT OF NEED

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

The rule governs the administration and provision of protective services to children and their families by the local social service agency.

This rule is being promulgated because of the need to establish practice direction and standards for local social service agencies aimed at ensuring that all reports of physical or sexual abuse of children receive a prompt response and assessment of the need for protective intervention, to provide protective services adapted to the needs of the family, that records pertaining to reports provide the subjects with appropriate notice and access, and to ensure that each local social service agency has resources available to respond to emergency child protection needs.

This rule implements statutory provisions by:

1. Providing guidelines on the receipt, assessment, and investigation of all reports alleging the physical or sexual or neglect of children.

2. Assessing the need for protective intervention and developing a plan to meet the needs of the child and family.

3. Establishing record keeping procedures.

4. Requiring that every local social service agency provide resources to meet the needs oof children considered in emergent situations.

Dated: December 12, 1975

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

Vera J. Likins

VERA J. LIKINS
Commissioner

STATE OF MINNESOTA

COUNTY OF

BEFORE THE MINNESOTA

STATE DEPARTMENT OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rule 207 Relating to the Administration and Provision of Protective Services to Children

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Minnesota State Department of Public Welfare on the 16th day of December, 1975, at 10:40 A.M. in the Auditorium of the State Office Building, Wabasha Street, St. Paul, Minnesota 55155, after proper notice required by Minn. Stat. Section 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, and having heard and considered all of the testimony and evidence adduced and upon the records, files and proceedings herein, the Department makes and enters the following findings:

1. Authority to adopt the regulation establishing standards for the Administration and Provision of Protective Services to Children is contained in Minnesota Statutes 393.07.

2. Written comment was received concerned with the lack of reference to the Juvenile Court Act as it relates to the process of intervention into the lives of children.

Department of Public Welfare Rule 207 is based on various Statutes including the Juvenile Court Act Minn. Stat. Ch. 260 (1974). The provisions in the Juvenile Court Act stand alone, and need no further amplification by rule making in their present state.

3. Written comment was received on Section (I)(c) questioning the definition of local social service agency.

The definition provided gives necessary recognition to Minnesota Statutes which recognize that either the county welfare or human services board may have the responsibility for providing services. It should also be noted that the definition is consistent with other Rules provided by the Commissioner.

4. Written comment was received recommending that Section (I)(e) be expanded to include situations in which the child lives or is found.

Based upon this recommendation, the Commissioner has amended Section (I)(e) to read: "Any child in Minnesota who is in need of protection is to receive such service in the county in which the child lives or is found, irrespective of family income and legal or poor relief settlement of the child or family."

5. Written comment was received indicating that as a whole, Section (II)(a)(2) was poorly organized and consequently confusing. It was suggested that reorganization in the form of emergency procedures with specific definitions could perhaps clarify the section.

The Commissioner agrees with the concerns expressed in the written comments for the reorganization and clarification of Section (II)(a)(2). Section (II)(a)(2) has been revised in accordance with this recommendation. These changes necessitated deleting part of Section (II)(a)(1) and Section (II)(a)(2), and all of Section (II)(a)(3). Therefore Sections (II)(a)(1), (II)(a)(2), and (II)(a)(3) are amended to read:

(1) The local social service agency must accept all complaints alleging that a child has been abused or neglected.

(2) Every report alleging maltreatment of a child shall be assessed at the time of its receipt to determine the agency's initial response to the allegations.

(3) An initial contact with the family must be made based on the following assessments of the report.

(A) A child in need of immediate care by virture of being abandoned, life threatened, or likely to experience physical injury due to abuse, requires an immediate contact with the family to determine the harm or threatened harm to the children involved and the risk to such children if they continue to remain in the existing home environment or return to such environment.

(i) if the protective service worker determines that the child is in need of immediate care

(aa) the parents or caretakers must be given the opportunity to voluntarily place the child or seek an alternative that assures the safety of the child and is agreeable with the protective service worker.

(bb) if the parents or caretakers are unwilling or unable to cooperate in the protection of the child, the protective service worker shall

(i.) petition the juvenile court for the immediate custody of the child.

or

(ii.) seek the assistance of a peace officer in taking a child into custody that such peace officer reasonably believes is in danger.

(ii) if the protective service worker determines that the child is not in need of immediate care and neglect or abuse is present

(aa) the parents or caretakers shall be given the opportunity to voluntarily cooperate in resolving the problem

(bb) and the parents or caretakers are unwilling or unable to cooperate, the worker shall seek the authority of the court to intervene.

(iii) if the protective service worker determines that the child is not in need of immediate care and neglect or abuse is not present the protective worker may

(aa) offer other services appropriate to need or seek to refer family to other community agency

(bb) inform the family of the agency's availability and willingness to work with the family in the future.

(B) A child not in need of immediate care but allegedly physically or sexually abused requires a contact with the family within 24 hours.

(C) A child not in need of immediate care but allegedly neglected requires a contact with the family within 72 hours.

(D) Reports for which no response is required include those which do not fall within the parameters of child maltreatment (although a referral to a more appropriate agency may be made), those which do not contain enough information to be investigated, or those which concern a situation that has recently been investigated and determined to be unsubstantiated.

The Commissioner considers these changes as necessary to avoid redundance, add clarity, and responsive to a number of concerns and questions in the written comments.

6. Written comment was received suggesting the need to clarify "necessary action" in Section (II)(a)(1) in order to protect the family from being subjected to arbitrary action.

The Commissioner agrees that the phrase "necessary action" in Section (I)(a)(1) is ambiguous and the entire sentence is deleted.

7. Written comment was received indicating Section (II)(a)(2) should contain criteria for the assessment of reports of maltreatment, including guidelines as to the nature, source, and amount of corroboration of reports. Additionally, a procedure for substantiation of reports should be specified.

The Commissioner agrees that criteria for the assessment of reports be developed. Such criteria have been developed in response to the written comment and are expressed in the rule by adding Section (II)(a)(3) which reads:

(3) An initial contact with the family must be made based on the following assessments of the report.

(A) A child in need of immediate care by virture of being abandoned, life threatened, or likely to experience physical injury due to abuse, requires an immediate contact with the family to determine the harm or threatened harm to the children involved and the risk to such children if they continue to remain in the existing home environment or return to such environment.

(i) if the protective service worker determines that the child is in need of immediate care

(aa) the parents or caretakers must be given the opportunity to voluntarily place the child or seek an alternative that assures the safety of the child and is agreeable with the protective service worker.

(bb) if the parents or caretakers are unwilling or unable to cooperate in the protection of the child, the protective service worker shall

(i.) petition the juvenile court for the immediate custody of the child.

or

(ii) seek the assistance of a peace officer in taking a child into custody that such peace officer reasonably believes is in danger.

(ii) if the protective service worker determines that the child is not in need of immediate care and neglect or abuse is present

(aa) the parents or caretakers shall be given the opportunity to voluntarily cooperate in resolving the problem

(bb) and the parents or caretakers are unwilling or unable to cooperate, the worker shall seek the authority of the court to intervene.

(iii) if the protective service worker determines that the child is not in need of immediate care and neglect or abuse is not present the protective worker may

(aa) offer other services appropriate to need or seek to refer family to other community agency

(bb) inform the family of the agency's availability and willingness to work with the family in the future.

Additional criteria intended to avoid unnecessary infringement upon the family is established in Section (II)(a)(3)(D) which reads: "Reports for which no response is required include those which do not fall within the parameters of child maltreatment (although a referral to a more appropriate agency may be made), those which do not contain enough information to be investigated, or those which concern a situation that has recently been investigated and determined to be unsubstantiated."

All other reports must be investigated since Minnesota Statutes 626.556, Subd. 10. DUTIES OF LOCAL WELFARE AGENCY UPON RECEIPT OF A REPORT, provides that the local welfare agency shall immediately investigate and offer protective social services for purposes of preventing further abuses, safeguarding and enhancing the welfare of the abused of neglected minor, and preserving family life whenever possible. The Statutory requirement that all reports received by the local welfare agency be investigated limits the Commissioner's authority to develop guidelines that seek to inhibit an agency's response to the report based on the reports nature, source, or amount of corroboration. Therefore, the Commissioner cannot adopt the guidelines as provided in the written comment.

The procedure for the substantiation of reports requested in written comment is provided in Section (II)(a)(5).

8. Written comment was received concerned with the need to define "emergency situation" and "immediate intervention" in Section (II)(a)(2)(A).

The Commissioner agrees the phrases "emergency situation" and "immediate intervention" in Section (II)(a)(2)(A) need definition. The phrases are so ambiguous that Section (II)(a)(2)(A) as proposed has been deleted and the presenting condition and agency response on behalf of the child is enumerated in Section (II)(a)(3)(A)(i).

9. Written comment was received on Section (II)(a)(2)(E) questioning when an initial contact should be made and what risks to the child justify placement outside of the home.

The Commissioner agrees with the written comment questioning when an initial contact with the family should be made in Section (II)(a)(2)(E). In response to the written comment, Section (II)(a)(2)(E) as proposed has been deleted and definite time limitations for contacting the family is established in revised Section (II)(a)(3).

The question of what risks to the child justify placement outside of the home is answered in Section (II)(a)(3)(A)(i)(aa) and (bb).

10. Written comment was received on Section (II)(a)(3) indicating that development of a plan to assist the family in staying together should be emphasized. Documentation of contacts with teachers, social service agencies involved with the family, church, physician, and anyone else suggested by the parents should be required prior to the removal of children in non-emergency situations and within 72 hours of removal in emergency situations.

The Commissioner agrees that services be provided to keep the family intact and this has been addressed in this Rule in Section (II)(a)(4)(C) and in Section (II)(a)(6)(C). In addition, Minnesota Statutes 626.556 advocates that children remain with their families whenever possible and the need to provide services that make this possible.

The Commissioner does not consider the documentation of contacts in this Rule as necessary since Minnesota Statutes 626.556, Subd. 10 requires that the local welfare agency maintain appropriate records and since the authority for the removal of a child is granted by the court, the parents have the opportunity to present such evidence at proceedings concerning such approval.

11. Written comment was received on Section (II)(a)(4)(A)(ii) recommending "The name of the person making the report should be disclosed to the parents if the matter goes to court."

The Commissioner cannot adopt this recommendation since the local welfare agency is permitted to disclose the name of the reporter only in accordance with Minnesota Statutes 626.556 Subd. 11.

12. Written comment was received indicating that Section (II)(a)(4)(C)(i)(aa) is unclear. The comments specifically pointed out the lack of clarity with regard to the exceptions referred to in Section (II)(a)(4)(C)(i)(aa).

In response to the written testimony the Commissioner is amending Section (II)(a)(5)(C)(i)(aa) to read:

> (aa) All reported incidents of physical or sexual abuse shall be sent to the state agency within 20 days after receipt of the report, except for the reports which are requred to be sent to the state agency within 24 hours as defined in Section (II)(a)(5)(C)(i)(bb).

Additions made to previous sections in response to written comment necessitate the renumbering of this part from Section (II)(a)(4)(C)(i)(aa) to Section (II)(a)(5)(C)(i)(aa).

13. Written comment was received indicating that in Section (II)(a)(4)(C)(i)(bb) "agency placements should be included here."

The Commissioner recognized a lack of clarity of the type expressed in the written comment and an amendment was introduced at the hearing to change Section (II)(a)(4)(C)(i)(bb) to read:

> (bb) The form must be submitted to the state agency within 24 hours for reports alleging that the perpetrator is a local staff person or for incidences occurring in a facility supervised or evaluated for licensing by the local social service agency. The report will be reviewed by state agency personnel for assurance that the child is being protected.

The Commissioner finds the amendment offered at the hearing to be reponsive to the written testimony. Additions made to previous sections in response to written comment necessitate the renumbering of this part from Section (II)(a)(4)(C)(i)(bb) to Section (II)(a)(5)(C)(i)(bb).

14. Written comment was received on Section (II)(a)(5) indicating that agency personnel be directed to inform the family during the initial contact of their right to seek legal counsel and the availability of such services.

The Commissioner does not deem such a provision necessary since Minnesota Statutes 260.155, Subd. 2 provides for the appointment of counsel.

15. Written comment was received concerning Section (II)(a)(5)(B) in that Section (B) should make clear that the purpose of services should be to allow the family to stay together without continued harm to the children.

The Commissioner agrees with the need to preserve the family and Section (II)(a)(6)(C), "The local social service agency shall provide services that preserve the child within his own family unit and assure the child a safe environment" sufficiently answers this concern.

16. Written comment was received on Section (II)(a)(5)(E)(ii) concerned with the placement of the child out of the state without consent of the parents should not be allowed unless a court hearing has been held and it is determined that such placement is essential to the well being of the child.

The rule provices that the local social service agency wishing to place a child in its custody out of the state must, as a minimum, have the consent of the court having jurisdiction over the child. The Commissioner cannot prescribe the process the court will use in determining consent and, therefore, cannot adopt this recommendation.

17. Written comment was received on Section (II)(b) concerned with the lack of procedures for emergency placements, that such placements should not exceed 72 hours without factual determination and suggestions were made on hearing options if such placements were necessary.

The Commissioner considers the authority needed for emergency placement procedure as described in the written comment is provided in Minnesota Statutes 260.171.

The Rule speaks to the maximum time a child may be held in an emergency placement when the local social service agency has been given custody of the child. Such a requirement insures expeditious long range planning by the local social service agency. The Commissioner considers the provision necessary, reasonable and in the best interest of the child.

18. Written comment was received protesting the initiation of this rule-making process prior to January 1, 1976.

Nothing in the Administrative Procedures Act prohibits the initiation of the rule making process prior to January 1, 1976. Indeed, amendments to the Administrative Procedures Act, effective July 1, 1975, place an affirmative obligation on Minnesota Department of Public Welfare to promulgate rules as quickly as possible in order to comply with the expanded definition of "rule" presently contained in the law.

19. Other provisions of the regulations not specifically referred to herein are found to be reasonable and necessary to establish practice direction and standards for local social service agencies to provide protective services to children and their families and supported by the Transcript.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

Dated: June 15, 1976



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
Rule 207 Relating to
the Administration
and Provision of
Protective Services
to Children

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before a duly appointed hearing officer of the Commissioner of Public Welfare of the State of Minnesota on the 16th day of December, 1975, at 10:40 A.M. in the Auditorium of the State Office Building, Wabasha Street, St. Paul, Minnesota 55155, after proper notice required by Minnesota Statute § 15.0412, subd. 4(1974), as amended, 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 rule;

NOW, THEREFORE, IT IS ORDERED that this rule, identified as Minn. Rule DPW 207 is adopted this 15th day of June, 1976, pursuant to the authority vested in me by Minnesota Statutes § 256.01 subds. 2 and 4 (1974).

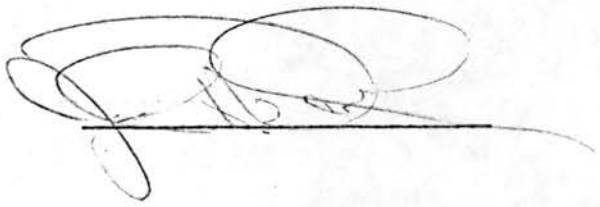
STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

Vera J. Likins
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 207 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.



Dated: June 15, 1976

STATE OF MINNESOTA

BEFORE VERA J. LIKINS

COUNTY OF RAMSEY

COMMISSIONER OF PUBLIC WELFARE

In the Matter of the
Designation of Hearing
Officer.

APPOINTMENT OF
HEARING OFFICER

I hereby designate Gary Haselhuhn as hearing officer for public hearings on proposed Minnesota Rule DPW 170, 200, 201, 203, 204, 205, 206, 207, and 208, which will be held on December 16, 1975.

Dated: December 9, 1975

Vera J. Likins

VERA J. LIKINS
Commissioner of Public Welfare