

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 761

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DATE	D-PG	OFFICIAL STATUS
02/08/2021	285	Introduction and first reading Referred to Human Services Reform Finance and Policy
03/17/2021	947a	Comm report: To pass as amended
	954	Second reading
	4795	Rule 47, returned to Human Services Reform Finance and Policy See HF2128, Art. 7, Sec. 1-4; Art. 8, Sec. 2

1.1 A bill for an act

1.2 relating to human services; amending public assistance provisions by making

1.3 permanent certain temporary modifications made in response to the COVID-19

1.4 pandemic; permitting county agencies to obtain information by phone or written

1.5 communication to complete MFIP household report forms; amending Minnesota

1.6 Statutes 2020, sections 256J.08, subdivision 21; 256J.09, subdivision 3; 256J.30,

1.7 subdivision 8; 256J.45, subdivision 1; 256J.95, subdivision 5.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2020, section 256J.08, subdivision 21, is amended to read:

1.10 Subd. 21. **Date of application.** "Date of application" means the date on which the county

1.11 agency receives an applicant's ~~signed~~ application as a signed written application, an

1.12 application submitted by telephone, or an application submitted through Internet telepresence.

1.13 Sec. 2. Minnesota Statutes 2020, section 256J.09, subdivision 3, is amended to read:

1.14 Subd. 3. **Submitting application form.** (a) A county agency must offer, in person or

1.15 by mail, the application forms prescribed by the commissioner as soon as a person makes

1.16 a written or oral inquiry. At that time, the county agency must:

1.17 (1) inform the person that assistance begins ~~with~~ on the date ~~that~~ the signed application

1.18 is received by the county agency either as a signed written application; an application

1.19 submitted by telephone; or an application submitted through Internet telepresence; or on

1.20 the date that all eligibility criteria are met, whichever is later;

1.21 (2) inform a person that the person may submit the application by telephone or through

1.22 Internet telepresence;

2.1 (3) inform a person that when the person submits the application by telephone or through
 2.2 Internet telepresence, the county agency must receive a signed written application within
 2.3 30 days of the date that the person submitted the application by telephone or through Internet
 2.4 telepresence;

2.5 ~~(2)~~ (4) inform the person that any delay in submitting the application will reduce the
 2.6 amount of assistance paid for the month of application;

2.7 ~~(3)~~ (5) inform a person that the person may submit the application before an interview;

2.8 ~~(4)~~ (6) explain the information that will be verified during the application process by
 2.9 the county agency as provided in section 256J.32;

2.10 ~~(5)~~ (7) inform a person about the county agency's average application processing time
 2.11 and explain how the application will be processed under subdivision 5;

2.12 ~~(6)~~ (8) explain how to contact the county agency if a person's application information
 2.13 changes and how to withdraw the application;

2.14 ~~(7)~~ (9) inform a person that the next step in the application process is an interview and
 2.15 what a person must do if the application is approved including, but not limited to, attending
 2.16 orientation under section 256J.45 and complying with employment and training services
 2.17 requirements in sections 256J.515 to 256J.57;

2.18 ~~(8)~~ (10) inform the person that ~~the~~ an interview must be conducted. The interview may
 2.19 be conducted face-to-face in the county office or at a location mutually agreed upon, through
 2.20 Internet telepresence, or at a location mutually agreed upon by telephone;

2.21 ~~(9) inform a person who has received MFIP or DWP in the past 12 months of the option~~
 2.22 ~~to have a face-to-face, Internet telepresence, or telephone interview;~~

2.23 ~~(10)~~ (11) explain the child care and transportation services that are available under
 2.24 paragraph (c) to enable caregivers to attend the interview, screening, and orientation; and

2.25 ~~(11)~~ (12) identify any language barriers and arrange for translation assistance during
 2.26 appointments, including, but not limited to, screening under subdivision 3a, orientation
 2.27 under section 256J.45, and assessment under section 256J.521.

2.28 (b) Upon receipt of a signed application, the county agency must stamp the date of receipt
 2.29 on the face of the application. The county agency must process the application within the
 2.30 time period required under subdivision 5. An applicant may withdraw the application at
 2.31 any time by giving written or oral notice to the county agency. The county agency must
 2.32 issue a written notice confirming the withdrawal. The notice must inform the applicant of

3.1 the county agency's understanding that the applicant has withdrawn the application and no
3.2 longer wants to pursue it. When, within ten days of the date of the agency's notice, an
3.3 applicant informs a county agency, in writing, that the applicant does not wish to withdraw
3.4 the application, the county agency must reinstate the application and finish processing the
3.5 application.

3.6 (c) Upon a participant's request, the county agency must arrange for transportation and
3.7 child care or reimburse the participant for transportation and child care expenses necessary
3.8 to enable participants to attend the screening under subdivision 3a and orientation under
3.9 section 256J.45.

3.10 Sec. 3. Minnesota Statutes 2020, section 256J.30, subdivision 8, is amended to read:

3.11 Subd. 8. **Late MFIP household report forms.** (a) Paragraphs (b) to (e) apply to the
3.12 reporting requirements in subdivision 7.

3.13 (b) When the county agency receives an incomplete MFIP household report form, the
3.14 county agency must immediately ~~return the incomplete form and clearly state what the~~
3.15 ~~caregiver must do for the form to be complete~~ contact the caregiver by phone or in writing
3.16 to acquire the necessary information to complete the form.

3.17 (c) The automated eligibility system must send a notice of proposed termination of
3.18 assistance to the assistance unit if a complete MFIP household report form is not received
3.19 by a county agency. The automated notice must be mailed to the caregiver by approximately
3.20 the 16th of the month. When a caregiver submits an incomplete form on or after the date a
3.21 notice of proposed termination has been sent, the termination is valid unless the caregiver
3.22 submits a complete form before the end of the month.

3.23 (d) An assistance unit required to submit an MFIP household report form is considered
3.24 to have continued its application for assistance if a complete MFIP household report form
3.25 is received within a calendar month after the month in which the form was due and assistance
3.26 shall be paid for the period beginning with the first day of that calendar month.

3.27 (e) A county agency must allow good cause exemptions from the reporting requirements
3.28 under subdivision 5 when any of the following factors cause a caregiver to fail to provide
3.29 the county agency with a completed MFIP household report form before the end of the
3.30 month in which the form is due:

3.31 (1) an employer delays completion of employment verification;

3.32 (2) a county agency does not help a caregiver complete the MFIP household report form
3.33 when the caregiver asks for help;

4.1 (3) a caregiver does not receive an MFIP household report form due to mistake on the
4.2 part of the department or the county agency or due to a reported change in address;

4.3 (4) a caregiver is ill, or physically or mentally incapacitated; or

4.4 (5) some other circumstance occurs that a caregiver could not avoid with reasonable
4.5 care which prevents the caregiver from providing a completed MFIP household report form
4.6 before the end of the month in which the form is due.

4.7 **EFFECTIVE DATE.** This section is effective September 1, 2021.

4.8 Sec. 4. Minnesota Statutes 2020, section 256J.45, subdivision 1, is amended to read:

4.9 Subdivision 1. **County agency to provide orientation.** A county agency must provide
4.10 ~~a face-to-face~~ an orientation to each MFIP caregiver unless the caregiver is:

4.11 (1) a single parent, or one parent in a two-parent family, employed at least 35 hours per
4.12 week; or

4.13 (2) a second parent in a two-parent family who is employed for 20 or more hours per
4.14 week provided the first parent is employed at least 35 hours per week.

4.15 The county agency must inform caregivers who are not exempt under clause (1) or (2) that
4.16 failure to attend the orientation is considered an occurrence of noncompliance with program
4.17 requirements, and will result in the imposition of a sanction under section 256J.46. If the
4.18 client complies with the orientation requirement prior to the first day of the month in which
4.19 the grant reduction is proposed to occur, the orientation sanction shall be lifted.

4.20 Sec. 5. Minnesota Statutes 2020, section 256J.95, subdivision 5, is amended to read:

4.21 Subd. 5. **Submitting application form.** The eligibility date for the diversionary work
4.22 program begins ~~with~~ on the date that the signed combined application form (CAF) is received
4.23 by the county agency either as a signed written application; an application submitted by
4.24 telephone; or an application submitted through Internet telepresence; or on the date that
4.25 diversionary work program eligibility criteria are met, whichever is later. The county agency
4.26 must inform an applicant that when the applicant submits the application by telephone or
4.27 through Internet telepresence, the county agency must receive a signed written application
4.28 within 30 days of the date that the applicant submitted the application by telephone or
4.29 through Internet telepresence. The county agency must inform the applicant that any delay
4.30 in submitting the application will reduce the benefits paid for the month of application. The
4.31 county agency must inform a person that an application may be submitted before the person
4.32 has an interview appointment. Upon receipt of a signed application, the county agency must

- 5.1 stamp the date of receipt on the face of the application. The applicant may withdraw the
- 5.2 application at any time prior to approval by giving written or oral notice to the county
- 5.3 agency. The county agency must follow the notice requirements in section 256J.09,
- 5.4 subdivision 3, when issuing a notice confirming the withdrawal.