

# MINNESOTA RULES 1988

321    **GENERAL ADMINISTRATION OF SOCIAL SERVICES 9550.0310**

## CHAPTER 9550

### DEPARTMENT OF HUMAN SERVICES

### GENERAL ADMINISTRATION OF SOCIAL SERVICES

<b>TITLE IV-E FUNDING ALLOCATION</b>	
9550 0300 PURPOSE	9550 0350 DISALLOWANCES
9550 0310 DEFINITIONS	9550 0360 HOLD HARMLESS CLAUSE
9550 0320 TITLE IV-E REIMBURSEMENT	9550 0370 PRIOR PERIOD ADJUSTMENT
9550 0330 TITLE XIX REIMBURSEMENT	9550 6210 DEFINITIONS
9550 0340 REPORTING REQUIREMENTS	9550 6220 DETERMINATION OF PARENTAL FEE

#### **TITLE IV-E FUNDING ALLOCATION**

##### **9550.0300 PURPOSE.**

The purpose of parts 9550.0300 to 9550.0370 is to establish the methods to be used in distributing to local agencies the dollars received by the Department of Human Services from the federal government for administrative and training costs incurred in providing social services under Title IV-E and Title XIX.

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** *12 SR 827*

##### **9550.0310 DEFINITIONS.**

**Subpart 1. Scope.** For the purpose of parts 9550.0300 to 9550.0370, the following terms have the meanings given them.

**Subp. 2. Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Human Services or the commissioner's designated representative.

**Subp. 3. County board.** "County board" means the county board of commissioners in each county. When a human services board or welfare board has been established under Minnesota Statutes, sections 402.02 to 402.10, it shall be considered to be the county board for the purposes of parts 9550.0300 to 9550.0370.

**Subp. 4. Department.** "Department" means the Minnesota Department of Human Services.

**Subp. 5. Local agency.** "Local agency" means the social services agency authorized by the county board to provide community social services.

**Subp. 6. Social service cost pool.** "Social service cost pool" means all direct and indirect costs incurred by local agencies in providing community social services as defined in part 9550.0010, subpart 4, except costs that are not allocated through the use of the social service time study.

**Subp. 7. Social service time study.** "Social service time study" means the study conducted by the department that measures the portion of local agency staff time spent on various social service activities for the purpose of determining the percentage of administrative costs attributable to social service expenditures that are federally reimbursable.

**Subp. 8. Substitute care.** "Substitute care" means placement in a group home, family foster home, or other publicly supported out-of-home residential facility, including any out-of-home residential facility under contract with the state, county, other political subdivision, or any of their agencies, to provide those services.

**Subp. 9. Title IV-E.** "Title IV-E" means the federal program that reimburses

administrative and training costs incurred in providing services under Public Law Number 96-272 as amended through June 17, 1980.

**Subp. 10. Title IV-E money.** "Title IV-E money" means the federal dollars claimed and received by the department as reimbursement for administrative and training costs incurred by the local agencies under Title IV-E.

**Subp. 11. Title XIX.** "Title XIX" means the federal program that reimburses the costs incurred in providing health care to eligible persons under United States Code, title 42, sections 1396 to 1396p.

**Subp. 12. Title XIX money.** "Title XIX money" means the federal dollars claimed and received by the department under Title XIX as reimbursement for administrative costs incurred by the local agencies in providing social services to medical assistance program recipients.

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** *12 SR 827*

#### 9550.0320 TITLE IV-E REIMBURSEMENT.

The following equation shall be used to calculate the local agency's share of the Title IV-E money received by the department each quarter of the federal fiscal year:

$$A_i = B \frac{C_i \left( \frac{D_i + F}{E_i + 10} \right)}{\sum_{i=1}^{87} C_i \left( \frac{D_i + F}{E_i + 10} \right)}$$

where:

$A_i$  = the  $i$ th local agency's share of Title IV-E money received by the department

$B$  = the total amount of Title IV-E money received by the department to be distributed for the quarter

$C_i$  = the social service cost pool reported by the  $i$ th local agency during the quarter

$D_i$  = the average monthly number of IV-E eligible children on the  $i$ th local agency's caseload for the quarter

$E_i$  = the average monthly number of children in substitute care on the  $i$ th local agency's caseload for the quarter

$F$  = a stabilizing factor, equal to the statewide ratio of children eligible under Title IV-E to all children in substitute care, multiplied by ten

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** *12 SR 827*

#### 9550.0330 TITLE XIX REIMBURSEMENT.

The following equation shall be used to calculate the local agency's share of the Title XIX money received by the department:

# MINNESOTA RULES 1988

323 GENERAL ADMINISTRATION OF SOCIAL SERVICES 9550.0340

$$A_i = B \frac{\sqrt{C_i * D_i}}{\sum_{i=1}^{87} \sqrt{C_i * D_i}}$$

where:

$A_i$  = the  $i$ th local agency's share of the Title XIX money to be distributed by the department

$B$  = the total amount of Title XIX money received for distribution by the department

$C_i$  = the social service cost pool reported by the  $i$ th local agency for the quarter

$D_i$  = the average monthly number of persons receiving medical assistance in the  $i$ th local agency during the quarter for whom the local agency is financially responsible

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** 12 SR 827

## 9550.0340 REPORTING REQUIREMENTS.

**Subpart 1. Information required.** To receive reimbursement under parts 9550.0300 to 9550.0370, the local agency must:

A. provide the information required by the department to conduct the social service time studies on which the state's federal reimbursement claims for administrative costs under Title IV-E and Title XIX are based; and

B. submit quarterly reports to the department no later than 20 calendar days after the end of the quarter on forms specified by the commissioner. The quarterly reports must provide the information needed to make the calculations specified in parts 9550.0320 and 9550.0330, including:

(1) the local agency's social service cost pool for the quarter;

(2) the average monthly number of children in the county who are eligible under Title IV-E during the quarter; and

(3) the average monthly number of children in substitute care in the county during the quarter.

**Subp. 2. Penalty.** A local agency shall not receive its Title IV-E or Title XIX reimbursement until the agency has provided the information required under subpart 1. If the local agency does not meet the reporting requirements of subpart 1, the commissioner shall send a written notice of noncompliance to the local agency. If a local agency does not comply with subpart 1 within 30 days of the date written notice was sent, the commissioner shall certify a reduction in the local agency's reimbursement by 20 percent for the quarter of noncompliance. When a local agency is notified of this action, it may make an appeal under Minnesota Statutes, section 256E.06, subdivision 10. Money received or retained by the department as a result of the penalty must be distributed to all local agencies that were not penalized. The percentage of penalty money received by each local agency must be equal to the percentage of Title IV-E money received by the local agency for the quarter.

# MINNESOTA RULES 1988

## 9550.0340 GENERAL ADMINISTRATION OF SOCIAL SERVICES 324

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** *12 SR 827*

### 9550.0350 DISALLOWANCES.

Any disallowances due to audits of federal claims for administrative reimbursement must be shared by all local agencies. A local agency's percentage share of a disallowance must be equal to the percentage of the federal administrative reimbursement received by the local agency for the quarter and program to which the disallowance applies. The commissioner shall notify each county of the action to be taken and the reasons for the action.

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** *12 SR 827*

### 9550.0360 HOLD HARMLESS CLAUSE.

**Subpart 1. Effect.** For the federal fiscal year 1986, each county shall receive as reimbursement under part 9550.0320 no less than the amount of Title IV-E reimbursement received by the county as of April 1, 1987, for federal fiscal year 1985. The funds needed to satisfy the requirements of this part must be obtained by deducting an equal percentage from the federal fiscal year 1986 Title IV-E allocation to each local agency that did not submit a Title IV-E claim in federal fiscal year 1985.

**Subp. 2. Applicability.** This part applies only to allocations for federal fiscal year 1986.

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** *12 SR 827*

### 9550.0370 PRIOR PERIOD ADJUSTMENT.

**Subpart 1. Prior adjustments permitted.** A local agency may provide the department with amended reports to correct inaccuracies in data provided for previous quarters. Additional federal revenue obtained as a result of corrections in data for previous quarters must be distributed to all local agencies in accordance with the formulas in parts 9550.0320 and 9550.0330. Any money owed to the federal government because of amended local agency reports under this part must be billed to all local agencies in accordance with the formulas in parts 9550.0320 and 9550.0330.

**Subp. 2. Limitation on prior adjustments.** An amended report must be received by the department no later than 12 months after the reporting deadline for the quarter being amended.

**Statutory Authority:** *MS s 256.01 subd 2 cl (2); 256.011 subd 1; 393.07 subd 4*

**History:** *12 SR 827*

### 9550.6210 DEFINITIONS.

*[For text of subps 1 to 13, see M.R. 1987]*

**Subp. 13a. Respite care.** "Respite care" means short-term supervision and care provided to a child due to temporary absence or need for relief of the child's parents and involving the out-of-home care of a child for a minimum of a continuous 24 hour period of time. For purposes of this subpart, "short term" means a cumulative total of less than 2,160 hours in a year.

*[For text of subp 14, see M.R. 1987]*

# MINNESOTA RULES 1988

## 325 GENERAL ADMINISTRATION OF SOCIAL SERVICES 9550.6220

**Statutory Authority:** *MS s 252.27*

**History:** *12 SR 102*

### **9550.6220 DETERMINATION OF PARENTAL FEE.**

*[For text of subps 1 to 9, see M.R. 1987]*

**Subp. 10. Discharge.** Except as provided in subpart 10a, the full monthly parental fee must be assessed unless the child is discharged and spends less than a full month in 24 hour out-of-home care. In this case, the full fee must be reduced only if the actual cost of care during that month is less than the regular fee.

**Subp. 10a. Parental fee for respite care.** When a child is placed in 24 hour out-of-home respite care, the parental fee must be a per diem fee multiplied by the number of days the child is in 24 hour out-of-home respite care. The per diem fee must be determined in the following manner:

- A. Household size must be determined as specified in subpart 2.
- B. Income must be determined as specified in subpart 3.
- C. Using the household size and income figures in items A and B, the percentage schedule supplied by the department in subpart 4 must be used to determine the applicable percent to be applied to the parent's income.
- D. Determine the per diem fee by multiplying the income from item B by the percent from item C and divide the product by 365.
- E. Any part of a day spent in 24 hour out-of-home respite care must be counted as a full day for purposes of this fee.
- F. The parental fee must be determined at the end of a month when respite care is used.

*[For text of subps 11 to 14, see M.R. 1987]*

**Statutory Authority:** *MS s 252.27*

**History:** *12 SR 102*