

9055.0160 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Acute medical condition.** "Acute medical condition" means a diagnosis, illness, or injury of abrupt onset, or when the clinical effects of an existing medical condition are most intense. An acute medical condition is accompanied by distinct symptoms requiring urgent or short-term care but tend to get better once treated and are generally curable. An acute medical condition includes severe recurrences of chronic medical conditions and invasive medical procedures and treatments that require a period of recovery.

Subp. 3. **Addendum.** "Addendum" means a modification of an item or expense that the commissioner has approved and is part of a veteran's relief grant.

Subp. 4. **Adult child.** "Adult child" means a child of a veteran who:

A. is a biological child of a veteran, was legally adopted before the age of 18 years, or is a stepchild who acquired that status before the age of 18 years;

B. is a member of the veteran's household or was a member of the veteran's household at the time of the veteran's death;

C. is over the age of 18 years;

D. before reaching the age of 18 years, becomes permanently incapable of self support or who after reaching the age of 18 years and until completion of education or training, but not after reaching the age of 23 years, is pursuing a course of instruction at an education institution; and

E. is unmarried.

Subp. 5. **Appeal.** "Appeal" means a written statement from an applicant or a recipient who is expressing disagreement with a decision made by the commissioner and is requesting to have the decision re-evaluated by the commissioner.

Subp. 6. **Applicant.** "Applicant" means a person who has submitted an application for benefits from the state soldiers assistance program to the commissioner and whose application has not been approved, denied, or voluntarily withdrawn.

Subp. 7. **Armed forces.** "Armed forces" means the United States Army, Navy, Marine Corps, Air Force, Space Force, and Coast Guard, including the reserve components.

Subp. 8. **Authorized representative.** "Authorized representative" means a person who is legally authorized to act on another person's behalf in matters involving assistance from the commissioner.

Subp. 9. **Basic needs.** "Basic needs" means the minimum requirements of personal sustenance to include food, clothing, shelter, utilities, transportation costs, and other items of which the loss, or lack of, is determined by the commissioner to pose a direct, immediate threat to the health or safety of the applicant or recipient.

Subp. 10. **Business records.** "Business records" means copies of daily, weekly, or monthly ledgers, income and expense statements, invoices, itemized receipts, purchase orders, copies of customer receipts, transportation logs, canceled checks, copies of business savings and checking account statements, federal and state tax filings, and a completed monthly self-employment worksheet.

Subp. 11. **Child.** "Child" means a child of a veteran who:

A. is a biological child of a veteran, was legally adopted before the age of 18 years, or is a stepchild who acquired that status before the age of 18 years;

B. is a member of the veteran's household or was a member of the veteran's household at the time of the veteran's death;

C. is under the age of 18 years; and

D. is unmarried.

Subp. 12. **Chronic medical condition.** "Chronic medical condition" means a diagnosis, illness, or condition that develops slowly and may progress in severity over an extended period with frequent recurrences.

Subp. 13. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Veterans Affairs or another department employee who has delegated authority from the commissioner.

Subp. 14. **Contingency operations.** "Contingency operations" means a military operation designated by the United States Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force outside of the United States.

Subp. 15. **County veterans service officer.** "County veterans service officer" means a veteran who meets the qualifications of Minnesota Statutes, section 197.601, and is appointed by a county in Minnesota to assist persons in applying for veterans benefits. County veterans service officer also includes assistant county veterans service officers.

Subp. 16. **Date of application.** "Date of application" means either the day the application for a benefit is signed by the applicant or the day the application is received by the commissioner if the application is received more than 30 days after it is signed by the applicant.

Subp. 17. **Department.** "Department" means the Minnesota Department of Veterans Affairs.

Subp. 18. **Dependent.** "Dependent" means any of the following household members of a living or deceased veteran:

A. the veteran's spouse;

B. a child;

C. an adult child; or

D. a parent who is financially dependent upon the veteran or veteran's spouse and is residing with the household or was residing with the household at the time of the veteran's death.

Subp. 19. **Determination of eligibility.** "Determination of eligibility" means the process of collecting and reviewing information to determine an applicant's or a recipient's eligibility for assistance.

Subp. 20. **Documentation.** "Documentation" means a written or printed presentation of information provided by a third party.

Subp. 21. **Extended federal active duty.** "Extended federal active duty" means active duty that is expected to last more than 30 days and is in support of contingency operations.

Subp. 22. **Financially dependent.** "Financially dependent" means the income and assets of a dependent parent or dependent parents are less than the limits provided in the schedule of maximum monthly allowances.

Subp. 23. **Financial self-sufficiency.** "Financial self-sufficiency" means an applicant's or a recipient's current or projected monthly household income or household assets are or will be sufficient to afford the applicant's or recipient's basic needs.

Subp. 24. **Health insurance.** "Health insurance" means medical, dental, optical, and prescription drug insurance.

Subp. 25. **Household.** "Household" means an applicant and the applicant's dependents or a recipient and the recipient's dependents who as a group are eligible to receive benefits from a state soldiers assistance program activity and whose collective needs and combined income and assets are considered when determining eligibility for benefits and calculating benefit amounts.

Subp. 26. **Joint liability.** "Joint liability" means two or more persons are responsible for the cost of an item or expense and each person is responsible for up to the full amount of the item or expense.

Subp. 27. **Long-term disability benefit.**

A. "Long-term disability benefit" means any public or private benefit or entitlement that provides income on a regular recurring basis to a person due to a medical condition and has a benefit duration of more than one year or is designated by the entity administering the benefit or entitlement as being a long-term benefit or entitlement.

B. Long-term disability benefits include:

- (1) pension benefits from the United States Department of Veterans Affairs;
- (2) Social Security Disability Insurance;
- (3) public or private long-term disability insurance;
- (4) Supplemental Security Income;
- (5) workers' compensation paid to the recipient as a cash benefit;

(6) disability compensation from the United States Department of Veterans Affairs for a 100 percent service-connected disability rating or disability compensation paid for individual unemployability;

(7) military disability benefits from the United States Department of Defense for a 100 percent service-connected disability rating;

(8) state, local, and federal government disability benefits; and

(9) other long-term sources of income paid to a person due to a medical condition.

Subp. 28. Long-term maintenance benefit.

A. "Long-term maintenance benefit" means any public or private benefit or entitlement that provides income on a regular recurring basis to a person and has a benefit duration of more than one year or is designated by the entity administering the benefit or entitlement as being a long-term benefit or entitlement.

B. Long-term maintenance benefits include:

(1) long-term disability benefits;

(2) disability compensation for a less than 100 percent service-connected disability rating, dependent indemnity compensation, and survivors pension from the United States Department of Veterans Affairs;

(3) military disability benefits from the United States Department of Defense for a less than 100 percent service-connected disability rating;

(4) Social Security retirement and survivor benefits;

(5) railroad retirement and survivor benefits;

(6) state, local, and federal government retirement and survivor benefits;

(7) private retirement and survivor benefits; and

(8) other long-term sources of income paid to a person as a public or private benefit or entitlement.

Subp. 29. **Medical condition.** "Medical condition" means a diagnosis, illness, injury, medical procedure, or treatment that is documented by a licensed provider. Medical conditions are either acute or chronic.

Subp. 30. Military discharge papers; or equivalent.

A. "Military discharge papers" means any form or document issued to a person by the United States Department of Defense at the time of the person's release from active duty, separation from the armed forces, or discharge from the armed forces.

B. "Or equivalent" means documentation from the National Archives (Form 13038) that certifies a person's military service and discharge from the armed forces.

Subp. 31. **Nontraditional housing agreement.** "Nontraditional housing agreement" means an arrangement for shelter between persons in which the living space provided for shelter is within the primary residence of one of the persons.

Subp. 32. **Once-per-lifetime basis.** "Once-per-lifetime basis" means that the benefit is used only once in a person's lifetime regardless of the benefit amount expended when the benefit is used.

Subp. 33. **Parent.** "Parent" means a person who is a biological, adoptive, or stepparent of a veteran or veteran's spouse.

Subp. 34. **Recipient.** "Recipient" means a person who is approved for a benefit from a state soldiers assistance program activity.

Subp. 35. **Schedule of maximum monthly allowances.** "Schedule of maximum monthly allowances" means:

A. the maximum monthly household income limits and maximum household asset limits for a state soldiers assistance program activity; and

B. the benefit amounts provided under a state soldiers assistance program activity.

Subp. 36. **Shared expense.** "Shared expense" means an expense that is shared between a person who is eligible to receive benefits from the state soldiers assistance program and a person who is not eligible to receive benefits.

Subp. 37. **Shared household.** "Shared household" means a household, plus other persons residing with the household, who are not eligible to receive benefits from the state soldiers assistance program.

Subp. 38. **Shared item.** "Shared item" means an item for which the cost of the item is shared between a person who is eligible to receive benefits from the state soldiers assistance program and a person who is not eligible to receive benefits.

Subp. 39. **Short-term disability benefit.**

A. "Short-term disability benefit" means any public or private benefit or entitlement that provides income on a regular recurring basis to a person due to a medical condition and that has a benefit duration of not more than one year or is designated by the entity administering the benefit or entitlement as being a short-term benefit or entitlement.

B. Short-term disability benefits include:

- (1) short-term disability insurance of any type;
- (2) workers' compensation paid to the recipient as a cash benefit that is expected to last less than one year; and
- (3) other short-term sources of income paid to a person due to a medical condition.

Subp. 40. **Spouse.** "Spouse" means a person legally married to a veteran, as recognized by the state of Minnesota.

Subp. 41. **State soldiers assistance funding.** "State soldiers assistance funding" means money appropriated by law for the purposes of Minnesota Statutes, sections 197.03 to 197.07, and includes other money as designated pursuant to Minnesota Statutes, section 196.05, subdivision 1, clause (5).

Subp. 42. **State soldiers assistance program.** "State soldiers assistance program" means a group of individual program activities established under this part and administered by the commissioner to provide benefits to an eligible person and members of the eligible person's household.

Subp. 43. **State soldiers assistance program activity.** "State soldiers assistance program activity" means an individual program within the state soldiers assistance program that provides a specific type of benefit.

Subp. 44. **Surviving dependent.** "Surviving dependent" means a dependent of a deceased veteran.

Subp. 45. **Surviving spouse.** "Surviving spouse" means a person who was legally married, as recognized by the state of Minnesota, to a veteran at the time of the veteran's death and who has not remarried.

Subp. 46. **United States Department of Defense.** "United States Department of Defense" means the executive branch department of the federal government of the United States charged with coordinating and supervising all agencies and functions of the government concerned directly with national security and the United States armed forces.

Subp. 47. **United States Department of Veterans Affairs.** "United States Department of Veterans Affairs" means the federal executive branch agency that administers federal benefits under United States Code, title 38, for veterans, veterans' dependents, and veterans' survivors.

Subp. 48. **Utilities.** "Utilities" means natural gas and electric charges, landline or cellular telephone service, Internet service, bulk fuel charges, water and sewer charges, and sanitation charges for a recipient and members of the recipient's household.

Subp. 49. **Vendor and contractor.** "Vendor and contractor" means a provider of goods or services.

Subp. 50. **Veteran.** "Veteran" means a person who has met the requirements as provided in Minnesota Statutes, section 197.447.

Statutory Authority: *MS s 14.06; 196.04; 196.05; 197.03; 197.05; 197.06; 197.75*

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