

9525.0004 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 9525.0004 to 9525.0036 have the meanings given them in this part.

Subp. 2. **Advocate.** "Advocate" means an individual who has been authorized, in a written statement by the person or the person's legal representative, to speak on the person's behalf and help the person understand and make informed choices in matters related to identification of needs and choice of services and supports.

Subp. 3. **Case management.** "Case management" means the administrative activities under part 9525.0016 and the service activities under part 9525.0024 provided to or arranged for a person.

Subp. 4. **Case manager.** "Case manager" means the person designated by the county board under part 9525.0012 or by contract to work on behalf of the person needing case management.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Department of Human Services or the commissioner's designated representative.

Subp. 6. **County board.** "County board" means the county board of commissioners for the county of financial responsibility or its designated representative. When a human service board has been established under Minnesota Statutes, sections 402.01 to 402.10, it shall be considered the county board for purposes of parts 9525.0004 to 9525.0036.

Subp. 7. **County of financial responsibility.** "County of financial responsibility" has the meaning given it in Minnesota Statutes, section 256G.02, subdivision 4.

Subp. 8. **Department.** "Department" means the Department of Human Services.

Subp. 9. **Home and community-based waived services.** "Home and community-based waived services" means services authorized under Minnesota Statutes, section 256B.092, subdivision 4.

Subp. 10. **Host county.** "Host county" means the county in which the services described in a person's individual service plan are provided. If supported employment or community integration services are provided in a setting outside the county where the license holder is located, the county where supported employment services are provided is not considered the host county for purposes of parts 9525.0004 to 9525.0036.

Subp. 11. **Individual program plan or IPP.** "Individual program plan" or "IPP" means the integrated, coordinated, and comprehensive written plan to provide services to the person that is developed:

- A. consistent with all aspects of the person's individual service plan;

B. in compliance with applicable state and federal law and regulations governing services to persons with developmental disabilities; and

C. by the provider in consultation with the interdisciplinary team.

Subp. 12. **Individual service plan.** "Individual service plan" means the written plan developed by the service planning team, containing the components required under Minnesota Statutes, section 256B.092, designed to achieve specified outcomes for the person based on assessed needs and preferences.

Subp. 13. **Informed choice.** "Informed choice" means a voluntary decision made by the person or the person's legal representative, after becoming familiarized with the alternatives, to:

A. select a preferred alternative from a number of feasible alternatives;

B. select an alternative which may be developed in the future; and

C. refuse any or all alternatives.

Subp. 14. **Interdisciplinary team.** "Interdisciplinary team" means a team composed of the case manager, the person, the person's legal representative and advocate, if any, and representatives of providers of the service areas relevant to the needs of the persons as described in the individual service plan.

Subp. 15. **Intermediate care facility for persons with developmental disability or ICF/DD.** "Intermediate care facility for persons with developmental disability" or "ICF/DD" has the meaning given it in part 9525.0225, subpart 18.

Subp. 16. **Least restrictive environment.** "Least restrictive environment" means an environment where services:

A. are delivered with minimum limitation, intrusion, disruption, or departure from typical patterns of living available to persons without disabilities;

B. do not subject the person or others to unnecessary risks to health or safety; and

C. maximize the person's level of independence, productivity, and inclusion in the community.

Subp. 17. **Legal representative.** "Legal representative" means the parent or parents of a person who is under 18 years of age, or a guardian or conservator, or guardian ad litem who is authorized by the court to make decisions about services for a person. Parents or private guardians or conservators who are unable to make decisions about services due to temporary unavailability may delegate their powers according to Minnesota Statutes, section 524.5-211.

Subp. 18. **Overriding health care needs.** "Overriding health care needs" means a health care condition that affects the service options available to the person because the condition requires:

A. specialized or intensive medical or nursing supervision; and

B. nonmedical service providers to adapt their services to accommodate the health and safety needs of the person.

Subp. 19. **Person.** "Person" means a person with developmental disability or a child under the age of five who has been determined to be eligible for case management under parts 9525.0004 to 9525.0036.

Subp. 20. **Provider.** "Provider" means a corporation, governmental unit, partnership, individual, or individuals licensed by the state if a license is required, or approved by the county board if a license is not required, to provide one or more services to persons with developmental disabilities.

Subp. 21. **Public guardian.** "Public guardian" has the meaning given it in Minnesota Statutes, section 252A.02, subdivision 7.

Subp. 22. **Qualified developmental disability professional.** "Qualified developmental disability professional" means a person who meets the qualifications in Code of Federal Regulations, title 42, section 483.430.

Subp. 23. **Residential program.** "Residential program" has the meaning given it in Minnesota Statutes, section 245A.02, subdivision 14.

Subp. 24. **Screening team or service planning team.** "Screening team" or "service planning team" means the team established under Minnesota Statutes, section 256B.092, which must consist of the person, the person's case manager, the legal representative, if any, and a qualified developmental disability professional. The case manager may also act as the qualified developmental disability professional if the case manager meets the definition under subpart 22. The provisions of Minnesota Statutes, section 260C.201, shall also apply. Screening members must have no direct or indirect service provider interest with the person. For purposes of the screening team or service planning team, the case manager shall not be deemed to have a direct or indirect service provider interest.

Subp. 25. **Semi-independent living services.** "Semi-independent living services" has the meaning given it in Minnesota Statutes, section 252.275, subdivision 1.

Subp. 26. **Training and habilitation services.** "Training and habilitation services" has the meaning given it in part 9525.1500, subpart 36.

Statutory Authority: *MS s 256B.092*

History: *18 SR 2244; L 1999 c 139 art 4 s 2; L 2005 c 56 s 2; L 2013 c 59 art 3 s 21*

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