

1 Department of Human Services

2

3 Adopted Rules Relating to Reimbursement for Cost of Care of
4 Patients in a State Hospital

5

6 Rules as Adopted

7 9515.1200 DEFINITIONS.

8 Subpart 1. to 6. [Unchanged.]

9 Subp. 7. **Gross income or gross earnings.** "Gross income"
10 or "gross earnings" means all income received except dividends
11 and interest.

12 Subp. 8. **Homestead.** "Homestead" means the house owned and
13 occupied by the patient as his or her dwelling place, together
14 with the land upon which it is situated as limited by Minnesota
15 Statutes, section 510.02.

16 Subp. 9. [See Repealer.]

17 Subp. 10. to 16. [Unchanged.]

18 Subp. 17. **Personal property.** "Personal property" means
19 all property which is not real property including dividends and
20 interest.

21 Subp. 18. to 20. [Unchanged.]

22 Subp. 21. **Responsible relative.** "Responsible relative"
23 means the spouse and the parents of minor children in that order
24 of liability for cost of care.

25 Subp. 22. [Unchanged.]

26 9515.1300 TIME OF DETERMINATION.

27 Ability to pay the cost of care shall be determined when
28 the patient is admitted, when there is a change in the person's
29 financial status, when a patient, responsible relative,
30 guardian, conservator or representative payee reports a change
31 in the financial status used in determining ability to pay, when
32 the patient has been hospitalized for 120 days or more, when the
33 patient is being discharged, and when the responsible relative's
34 financial status has not been reviewed for one year.

35 Within the six-year period after the date of a patient's

1 discharge from the hospital, the department from time to time
2 may, and upon request of the patient shall, reevaluate the
3 patient's ability to pay any balance of the charge for cost of
4 care.

5 9515.1400 PERSONS INTERVIEWED TO DETERMINE ABILITY TO PAY.

6 In all instances the patient shall be present at the
7 interview to determine ability to pay unless the patient is a
8 minor or the treatment staff of the state hospital attests the
9 patient's presence is medically contraindicated. When the
10 patient cannot be present at the interview, the reason shall be
11 noted in the patient's financial information file.

12 The patient shall be the source of financial information to
13 determine ability to pay except when the management of the
14 patient's financial affairs is in the hands of another person.
15 When the patient is not the source of financial information the
16 reason shall be noted in the patient's financial information
17 file.

18 When the patient is not able to act on his own behalf, the
19 person interviewed shall be the patient's legal guardian, the
20 conservator, the parents of a minor child, a spouse, a relative
21 of the patient, a trustee, a representative payee, the patient's
22 legal representative, or a county social worker.

23 If the patient is unable to pay the full cost of the per
24 diem, the responsible relative shall be interviewed.

25 9515.1600 VERIFICATION REQUIRED.

26 This process shall be used to substantiate information
27 entered on the signed financial information form. The
28 department shall verify: the person's income, insurance
29 benefits, property, deductions allowed to pay previously
30 incurred debts, and the number of dependents claimed.

31 9515.1700 CONSENT FORMS.

32 The person shall provide the department with a separate
33 signed consent form for each verification which must be obtained
34 from a third party. The name, date, and the information
35 authorized shall be on the consent form prior to the person's

1 signature. A blanket authorization may be used for a group of
2 related agencies such as banks or insurance companies.

3 9515.2200 SOURCES OF INCOME CONSIDERED TO BE PATIENT RESOURCES.

4 Subpart 1. and 2. [Unchanged.]

5 Subp. 3. Net income. The patient's entire net income
6 remaining after the deductions from gross income have been made
7 in accordance with part 9515.2300, subpart 4 shall be available
8 to pay the cost of care.

9 Subp. 4. [Unchanged.]

10 9515.2300 NET INCOME OF PATIENT.

11 Subpart 1. [See Repealer.]

12 Subp. 2. Lump sums. Lump sums, other than excluded
13 property, shall be treated as income in the month received and
14 thereafter shall be treated as property, except that retroactive
15 awards of social security or veterans' benefits shall be treated
16 as income during the months to which such benefits are
17 attributable. The patient shall report the lump sum to the
18 department within ten working days.

19 Subp. 3. [Unchanged.]

20 Subp. 4. Deductions from gross income to arrive at net
21 income. The following items shall be deducted from the
22 patient's monthly gross income:

23 A. to J. [Unchanged.]

24 K. A personal needs and clothing allowance of the
25 inpatient in the amount determined in accordance with Minnesota
26 Statutes, section 256B.35 for persons receiving public
27 assistance grants. In addition, a special personal allowance
28 drawn solely from earnings from any productive employment under
29 an individual plan of rehabilitation or work therapy shall be
30 given to all patients in state hospitals. The special personal
31 allowance shall not exceed 50 percent of net monthly income.

32 L. [Unchanged.]

33 M. An inpatient without dependents living in his or
34 her home shall be allowed the actual cost of his or her housing
35 and utilities in the community for the month of admission and a

1 period of three months of continuous hospitalization subsequent
 2 to that admission. An inpatient with dependents living in his
 3 or her home shall be allowed a pro rata share of his or her
 4 household's total actual housing costs during the month of
 5 admission and for a period of three months of continuous
 6 hospitalization subsequent to that admission. This housing
 7 allowance shall be available to the inpatient only twice in any
 8 one calendar year regardless of the number of times the patient
 9 is admitted to a state hospital in that calendar year. An
 10 outpatient or former patient shall be allowed the actual cost of
 11 his or her housing and utilities.

12 N. [Unchanged.]

13 9515.2400 MONTHLY HOUSEHOLD LIVING ALLOWANCE SCHEDULE.

| 14 | 15 | 16 | 17 |
|----|---------------------|-------------------|------------------|
| | Number in Household | Monthly Household | Living Allowance |
| 18 | 1 | \$ | 419 |
| 19 | 2 | \$ | 628 |
| 20 | 3 | \$ | 838 |
| 21 | 4 | \$1,047 | |
| 22 | 5 | \$1,256 | |
| 23 | 6 | \$1,466 | |
| 24 | over 6 | \$1,466 plus | |
| 25 | | \$209 for each | |
| 26 | | additional person | |
| 27 | | | |

28 The number in household of an inpatient shall be the number
 29 of dependents the patient claims. The number in household of an
 30 outpatient or former patient shall be the patient plus the
 31 number of dependents the patient claims. The gross monthly
 32 income of a patient's spouse, if any, shall be deducted from the
 33 housing allowances shown above.

34 By July 1 of each year, the department shall adjust the
 35 monthly household living allowance to reflect the annual
 36 percentage change reported in the most recent Consumer Price
 37 Index, for all urban consumers in the Minneapolis-Saint Paul
 38 area. The Consumer Price Index shall be as published by the
 39 Bureau of Labor Statistics, U.S. Department of Labor. The year
 40 1967 is the standard reference base period.

41 9515.2500 PROPERTY OF PATIENT.

42 Subpart 1. [Unchanged.]

1 Subp. 2. Real property. The value of the patient's
2 homestead shall be excluded from consideration as a resource.

3 The value of real property owned by the patient which
4 produces a net income shall be excluded from consideration as a
5 resource. Real property which the patient is selling on a
6 contract for deed and for which the patient receives payments
7 shall be considered income producing property.

8 Subp. 3. to 7. [Unchanged.]

9 9515.2600 RESPONSIBLE RELATIVE'S ABILITY TO PAY.

10 Subpart 1. [Unchanged.]

11 Subp. 2. Interview. The responsible relative shall be
12 contacted to obtain and verify financial information.

13 Subp. 3. [Unchanged.]

14 Subp. 4. Liability of responsible relatives. When the sum
15 of the benefits described in subpart 3 and the patient's other
16 resources pay less than the full cost of care, the ability of
17 each responsible relative to pay shall be determined in the
18 statutory order of liability for cost of care. When two
19 responsible relatives have the same order of liability for cost
20 of care, a determination shall be made for each one except that
21 a joint determination shall be made for parents who reside in
22 the same household.

23 Subp. 5. Limitations on relative's ability to pay. The
24 ability of a responsible relative to pay shall be determined
25 from the annual gross earnings of the responsible relative
26 subject to the following limitations:

27 A. to F. [Unchanged.]

28 G. The liability of parents for cost of care provided
29 to minor children shall be determined according to Minnesota
30 Statutes, section 252.27, subdivision 2, and rules adopted under
31 that section.

32 Subp. 6. to 11. [Unchanged.]

33

34 REPEALER. Minnesota Rules, parts 9515.1200, subpart 9; and
35 9515.2300, subpart 1, are repealed.