

1 Department of Human Services

2

3 Adopted Permanent Rules Relating to General Assistance

4 Eligibility; Work Readiness

5

6 Rules as Adopted

7 9500.1200 PURPOSE AND APPLICABILITY.

8 Subpart 1. Purpose. Parts 9500.1200 to 9500.1270

9 establish the rights and responsibilities of the Department of
10 Human Services, local agencies, and recipients of general
11 assistance as they pertain to the administration of the general
12 assistance program.

13 Subp. 2. [Unchanged.]

14 9500.1206 DEFINITIONS.

15 Subpart 1. Scope. As used in parts 9500.1200 to 9500.1270
16 and 9500.1300 to 9500.1320, the following terms have the
17 meanings given them.

18 Subp. 2. to 19. [Unchanged.]

19 Subp. 19a. Local labor market. "Local labor market" means
20 the geographic area in which a registrant can reasonably be
21 expected to search for suitable employment. The geographic area
22 must be limited to an area within two hours' round trip of the
23 registrant's residence, exclusive of time needed to transport
24 his or her children to and from child care.

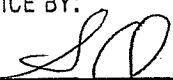
25 Subp. 20. to 31. [Unchanged.]

26 Subp. 32. Suitable employment. "Suitable employment"
27 means a job within the local labor market that:

28 A. and B. [Unchanged.]

29 C. pays at least the minimum wage prescribed by state
30 or federal law and provides more-than-80-hours-of-work a gross
31 income of at least \$268 per month; and

32 D. includes employment offered through the Job
33 Training Partnership Act, Minnesota Employment and Economic
34 Development Act, and other employment and training options, but
35 does not include temporary day labor.



1 Subp. 33. [Unchanged.]

2 9500.1209 ELIGIBILITY DETERMINATION.

3 Subpart 1. and 2. [Unchanged.]

4 Subp. 3. Assistance unit composition. The local agency
5 must determine the composition of an applicant's or recipient's
6 assistance unit as provided in items A and B.

7 A. The local agency must assess the categorical
8 eligibility of each applicant or recipient under ~~parts-9500-1102~~
9 ~~{Emergency}-and-9500-1220-{Emergency}~~ part 9500.1258, unless the
10 applicant or recipient informs the local agency of his or her
11 election not to receive general assistance. If an applicant or
12 recipient does not meet the conditions of a category of
13 eligibility, under part ~~9500-1102-{Emergency}-or-9500-1220~~
14 ~~{Emergency}~~ 9500.1258, or the applicant or recipient is
15 disqualified under parts ~~9500-1105~~ 9500.1264 to ~~9500-1107~~
16 ~~{Emergency}~~ 9500.1268, or 9500.1254, subpart 5, the local agency
17 must inform the applicant or recipient of his or her
18 ineligibility for general assistance. The local agency may use
19 one form per filing unit to inform the ineligible members of a
20 filing unit of their ineligibility for general assistance.

21 B. [Unchanged.]

22 Subp. 4. [Unchanged.]

23 9500.1216 FULL STANDARDS.

24 Except as provided by parts 9500.1218 to 9500.1222, the
25 full standards of assistance must be used to determine the
26 eligibility of an assistance unit under part 9500.1209, subpart
27 4, and the minimum monthly payment to an assistance unit under
28 part 9500.1229, subpart 4. The full standard must be based on
29 the number of individuals in the assistance unit and must be
30 computed as follows:

31 A. to C. [Unchanged.]

32 D. When an assistance unit contains no adult because
33 a parent or parents are disqualified from receiving general
34 assistance under parts ~~9500-1105~~ 9500.1264 to ~~9500-1107~~
35 ~~{Emergency}~~ 9500.1268 or 9500.1254, subpart 5, and the parent or

1 parents do not have countable income in an amount equal to or in
 2 excess of their own needs, the full standard applicable to the
 3 assistance unit is the special child standard provided by this
 4 item. The parent's or parents' needs are equal to the full
 5 standard for adults as specified in item B. The special child
 6 standard must be determined as follows:

7 (1) and (2) [Unchanged.]

8 9500.1222 REDUCED STANDARD FOR AN ASSISTANCE UNIT SHARING A
 9 RESIDENCE WITH A RESPONSIBLE RELATIVE WHO HAS INCOME OTHER THAN
 10 GENERAL ASSISTANCE OR AFDC.

11 Subpart 1. **Applicability of reduced standards.** The
 12 reduced standards in this part must be applied to determine the
 13 eligibility of an assistance unit under part 9500.1209, subpart
 14 4, and the minimum monthly payment to an assistance unit under
 15 part 9500.1229, subpart 4, when the conditions in items A to C
 16 apply to the assistance unit.

17 A. The applicant's or recipient's filing unit and
 18 assistance unit are composed of only one individual, the
 19 individual is an adult, and the individual does not meet an
 20 eligibility category under part ~~9500.1102~~~~-Emergency~~-item-A,
 21 ~~B, H, I, J, O,~~ 9500.1258, subpart 1, item A, B, H, I, J, O,
 22 or P.

23 B. and C. [Unchanged.]

24 Subp. 2. **Reduced standard.** The reduced standard
 25 applicable to an assistance unit provided for in subpart 1 must
 26 be determined as follows:

27 A. [Unchanged.]

28 B. Calculate the amount of the parent's or parents'
 29 countable income. In this part "parent's or parents' countable
 30 income" means the parent's or parents' monthly gross income
 31 minus the following deductions:

32 (1) to (3) [Unchanged.]

33 (4) benefits received from the social security
 34 retirement program if the parent was receiving benefits under
 35 the social security disability or supplemental security income

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1 program at the time he or she became eligible for the social
 2 security retirement program or if the parent meets a category of
 3 eligibility under part 9500.1258-~~1102-[Emergency]~~-~~item-A7-B7-H7-or-J~~
 4 9500.1258, subpart 1, item A, B, H, or J;

5 (5) and (6) [Unchanged.]

6 C. to E. [Unchanged.]

7 9500.1258 CATEGORIES OF ELIGIBILITY.

8 Subpart 1. Categories of ongoing eligibility. When the
 9 local agency determines the composition of an applicant's or
 10 recipient's assistance unit under part 9500.1209, subpart 3, as
 11 ~~proposed at State Register, Volume 10, Number 36, pages~~
 12 ~~1803-1804-(March 3, 1986)~~ the local agency must determine
 13 whether the applicant or recipient meets the conditions of one
 14 or more of the categories of eligibility under the following
 15 items:

16 A. The applicant or recipient suffers from a
 17 permanent illness, injury, or incapacity that is medically
 18 certified and prevents the applicant or recipient from obtaining
 19 or retaining suitable employment.

20 B. The applicant or recipient suffers from a
 21 temporary illness, injury, or incapacity that is medically
 22 certified and prevents the applicant or recipient from obtaining
 23 or retaining suitable employment for a period of at least 15
 24 days and, if a rehabilitation plan is specified in the medical
 25 certification, the applicant or recipient is following the
 26 rehabilitation plan. An applicant or recipient is eligible
 27 under this item only for the period of the illness, injury, or
 28 incapacity.

29 C. The applicant or recipient is needed at home on a
 30 substantially continuous basis because another individual who
 31 resides with the applicant or recipient requires care due to the
 32 age or medically certified illness, injury, or incapacity of the
 33 other individual. The medical certification of illness, injury,
 34 or incapacity must state that the individual requiring care is
 35 unable to care for himself or herself.

1 D. The applicant or recipient is residing in a
2 facility licensed under Minnesota Statutes, sections 245.781 to
3 245.812 and certified under Minnesota Statutes, chapter 144 for
4 purposes of physical or mental health or rehabilitation, or in a
5 chemical dependency domiciliary facility licensed under parts
6 9530.2600 to 9530.4000 or 4625.0100 to 4625.2300. Residence in
7 the facility must be due to illness or incapacity and based on a
8 plan developed or approved by the director of the local agency.

9 E. The applicant or recipient resides in a shelter
10 facility for battered women as described in Minnesota Statutes,
11 section 256D.05, subdivision 3.

12 F. The applicant or recipient is enrolled as a
13 full-time student and is or may be eligible for displaced
14 homemaker services, programs, or assistance under Minnesota
15 Statutes, section 4.40.

16 G. The applicant or recipient is unable to
17 communicate in the English language as assessed by an English as
18 a second language specialist, a vocational specialist, or the
19 local agency.

20 H. The applicant or recipient does not meet the
21 condition in item A, B, or D but is medically certified as
22 having mental retardation or mental illness.

23 I. The applicant or recipient has an application
24 pending for the social security disability program or the
25 supplemental security income program, or a pending appeal of the
26 denial of an application or termination from those programs.

27 J. The applicant or recipient is unable to obtain or
28 retain suitable employment due to advanced age.

29 K. The applicant or recipient is completing high
30 school.

31 L. The applicant or recipient is a minor child who
32 resides with his or her parent or stepparent, or an adult who
33 resides with one or more of his or her minor children or the
34 minor children of his or her spouse.

35 M. The applicant or recipient meets one or more of
36 the following:

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1 (1) ~~lives more than two hours round trip from a~~
 2 in a local labor market with no potential suitable employment,
 3 ~~not including time needed to transport his or her children to~~
 4 ~~and from child care;~~

5 (2) is involved with protective or court-ordered
 6 services that prevent the applicant or recipient from working at
 7 least four hours per day;

8 (3) is in the last trimester of pregnancy;

9 (4) is evaluated by a vocational specialist or a
 10 vocational advisor and is found to be unable to obtain or retain
 11 suitable employment;

12 (5) exhibits severe symptoms of chemical
 13 dependency but refuses evaluation or treatment;

14 (6) exhibits evidence of severely diminished
 15 functioning in areas of daily living such as social skills or
 16 personal relations;

17 (7) shows circumstances, at the time of
 18 application for general assistance, that indicate the need for
 19 general assistance will not exceed 30 days because of impending
 20 employment, an impending move to another state, or anticipated
 21 receipt of income, and the applicant has not received general
 22 assistance under this condition for at least 60 days; or

23 (8) is completing regularly attending a GED
 24 ~~program, the time commitment of which precludes participation in~~
 25 work readiness with a minimum of six hours of classroom
 26 instruction per week.

27 N. The applicant or recipient is certified under part
 28 3320.0025 [Emergency] by the commissioner of the Department of
 29 Economic Security before August 1, 1985, as lacking work skills
 30 or training or as being unable to obtain work skills or training
 31 necessary to secure employment.

32 O. The applicant or recipient is medically certified
 33 as being learning disabled. For purposes of this item,
 34 "learning disabled" means the individual has a disorder in one
 35 or more of the psychological processes involved in perceiving,
 36 understanding, or using concepts through verbal language or

1 nonverbal means. It does not include learning problems that are
2 primarily the result of visual, hearing, or motor handicaps; of
3 mental retardation; of emotional disturbance; or of
4 environmental, cultural, or economic disadvantage. The
5 condition must severely limit the individual in obtaining,
6 performing, or maintaining suitable employment.

7 P. The applicant or recipient is functionally
8 illiterate. For purposes of this item, "functionally
9 illiterate" means the individual is unable to read at or above
10 the eighth grade level. An applicant or recipient shall be
11 determined functionally illiterate according to subitems (1) to
12 (3):

13 (1) The local agency may determine that the
14 applicant or recipient is obviously functionally illiterate
15 based on personal observations and or information in the
16 applicant's or recipient's case file.

17 (2) If an applicant or recipient is not
18 determined to be functionally illiterate as provided in subitem
19 (1), but the local agency believes that the applicant or
20 recipient may be functionally illiterate, or if the applicant or
21 recipient asserts or presents evidence that he or she may be
22 functionally illiterate, the local agency shall offer the
23 applicant or recipient the opportunity to take a standardized
24 literacy test approved by the commissioner. The test must be
25 offered in the county at no expense to the applicant or
26 recipient and in time to allow a determination of eligibility
27 within the time limits prescribed under Minnesota Statutes,
28 section 256D.07, that takes into account the results of the
29 test. The local agency shall either administer the test or
30 offer to make the arrangements for the test. If the applicant
31 or recipient attains a score lower than the eighth grade, he or
32 she shall be considered functionally illiterate unless the local
33 agency determines, through compelling evidence documented in the
34 applicant's or recipient's case file, that there is a
35 substantial likelihood that the test result is inaccurately low.

36 (3) If, in accordance with subitem (2), the local

1 agency determines that an applicant's or recipient's
2 standardized test score is inaccurately low, the local agency
3 shall inform the applicant or recipient that he or she may seek
4 certification of the functional illiteracy from a licensed
5 psychologist, or an individual licensed under parts 8700.3800,
6 8700.5300, 8700.5406, 8700.5500, 8700.5800, 8700.6300, or
7 8700.6310, or an individual with the equivalent or higher
8 qualifications. The local agency shall provide the applicant or
9 recipient with a list of individuals or agencies in the county
10 who are qualified to make the certification. The applicant or
11 recipient is considered functionally illiterate if the
12 certification specifies that he or she cannot read at or above
13 the eighth grade level.

14 Subp. 2. Categories providing for six months of
15 eligibility. An applicant who is not eligible for general
16 assistance under subpart 1, but who meets the conditions of part
17 9500.1209, subpart 4, ~~as proposed at State Register, Volume 10,~~
18 ~~Number 36, pages 1803-1804 (March 3, 1986)~~ and who has received
19 six months of work readiness services and payments is eligible
20 to receive general assistance for a maximum of six months during
21 any consecutive 12-calendar month period if the conditions in
22 item A or B are met:

23 A. the individual is medically certified as having
24 borderline mental retardation, as defined in part 9500.1302,
25 subpart 2; or

26 B. the individual is certified by a qualified
27 professional, as defined in part 9500.1302, subpart 6, as
28 exhibiting perceptible symptoms of mental illness and the mental
29 illness interferes with medical certification of the
30 individual's condition.

31 ~~After issuing the monthly general assistance payment during~~
32 ~~the sixth and final month~~ Unless the local agency has
33 information that a recipient meets one or more of the categories
34 of eligibility under subpart 1, the local agency shall provide
35 the recipient with written notice of his or her termination from
36 general assistance, after issuing the monthly general assistance

1 payment during the sixth and final month. The notice must
2 inform the recipient of the right to appeal as specified in part
3 9500.1260, and ~~notice~~ that the recipient may be eligible for
4 work readiness services and payments if he or she meets the
5 criteria of part 9500.1306, subpart 3.

6 9500.1260 GENERAL ASSISTANCE INELIGIBILITY; WORK READINESS
7 NOTICE.

8 Subpart 1. Determination of ineligibility and right to
9 appeal. Upon determining that an applicant or recipient is
10 ineligible for general assistance, the local agency shall inform
11 the applicant or recipient of the determination and of the right
12 to appeal the determination under Minnesota Statutes, section
13 256.045.

14 Subp. 2. Work readiness notice. Upon determining that an
15 applicant or recipient is not eligible for general assistance
16 because he or she does not meet a category of eligibility under
17 part 9500.1258, the local agency shall inform the individual of
18 the availability of its work readiness program and shall
19 determine the individual's eligibility for services and payments
20 under part 9500.1306, subpart 3. If an applicant or recipient
21 is eligible for work readiness services and payments, he or she
22 shall be informed that an appeal of the general assistance
23 determination of ineligibility may be made under Minnesota
24 Statutes, section 256.045 while receiving work readiness
25 services and payments. The local agency shall also inform the
26 individual that eligibility for work readiness services and
27 payments is time limited.

28 If the applicant or recipient subsequently wins the appeal,
29 the assistance received under the work readiness program pending
30 appeal must be considered general assistance. ~~The local agency~~
31 ~~shall also inform the individual that eligibility for work~~
32 ~~readiness services and payments is time limited.~~ If a recipient
33 files an appeal before the effective date of the termination of
34 his or her general assistance, continues to receive general
35 assistance pending the appeal in accordance with part 9500.1268,

1 and does not prevail in the appeal, the assistance received
2 pending the appeal shall be considered general assistance and
3 not work readiness payments, and the recipient's participation
4 in work readiness services pending the outcome of the appeal
5 shall not be counted toward the two- or six-month limitation on
6 eligibility for the work readiness program. If a recipient
7 files an appeal after the effective date of the termination of
8 his or her general assistance, receives work readiness services
9 and payments pending the appeal, and does not prevail in the
10 appeal, the assistance received pending the appeal shall be
11 considered work readiness assistance and shall be counted toward
12 the two- or six-month limitation on eligibility for the work
13 readiness program.

14 9500.1262 REQUIREMENTS FOR CONTINUED ELIGIBILITY.

15 Subpart 1. Requirements for continued eligibility for
16 specific categories of ongoing eligibility. A recipient of
17 general assistance whose eligibility is based on part 9500.1258,
18 subpart 1, item G or L, and who is not eligible under another
19 category of eligibility under part 9500.1258, must comply with
20 the following requirements as conditions for continued
21 eligibility.

22 A. Recipients who are eligible under part 9500.1258,
23 subpart 1, item G shall participate in an English language
24 skills program if assigned to a program by the local agency and
25 if the program is available in the recipient's local labor
26 market. If the recipient ~~does-not~~ fails, without good cause, to
27 participate in the assigned English language skills program, the
28 recipient must be disqualified from receiving general assistance
29 as prescribed in part 9500.1266.

30 B. Adult recipients who are eligible for general
31 assistance under part 9500.1258, subpart 1, item L, must comply
32 with the following:

33 (1) If all of the minor children are six years of
34 age or older, the adults must participate in and comply with the
35 work readiness program.

1 (2) If one or more of the minor children are
2 under the age of six and two adults are eligible under part
3 9500.1258, subpart 1, item L, one adult must participate in and
4 comply with the work readiness program.

5 (3) An adult who is required to participate in
6 and comply with the work readiness program under subitem (1) or
7 (2) who ~~does-not~~ fails, without good cause, to participate in
8 and comply with the requirements of the work readiness program
9 must be disqualified from general assistance as provided in part
10 9500.1266. The standard of assistance applicable to the
11 disqualified member's assistance unit must be based on the
12 number of remaining eligible members of the assistance unit.

13 Subp. 2. Requirements for continued eligibility under
14 categories of six-month eligibility. A recipient of general
15 assistance whose eligibility is based on part 9500.1258, subpart
16 2 must comply with the following requirements to remain eligible
17 for general assistance:

18 A. A recipient certified as exhibiting perceptible
19 symptoms of mental illness as provided by part 9500.1258,
20 subpart 2, item B must cooperate with social services,
21 treatment, or other reasonable plans developed by the local
22 agency to address the illness. If the local agency determines
23 that the recipient has failed, without good cause, to comply
24 with the plan, the recipient shall be disqualified from
25 receiving general assistance as prescribed in part 9500.1266.

26 B. The local agency may assign a recipient who is
27 eligible for general assistance under part 9500.1258, subpart 2
28 to the work readiness program for work readiness services. A
29 recipient so assigned must comply with the work readiness
30 program requirements established determined by the local agency
31 to be applicable to the recipient. If the local agency
32 determines that the recipient has failed, without good cause, to
33 comply with work readiness requirements, the recipient is
34 disqualified from receiving general assistance as provided in
35 part 9500.1266.

1 9500.1264 NOTICE OF DISQUALIFICATION.

2 If the local agency determines that a recipient must be
3 disqualified for failing to comply with the requirements of part
4 9500.1262, the local agency shall notify the recipient of the
5 determination. The notice must:

6 A. be in writing on a form prescribed by the
7 commissioner;

8 B. be mailed or given to the recipient not later than
9 ten days before reducing, suspending, or terminating the monthly
10 payment; and

11 C. clearly state what action the local agency intends
12 to take, the reasons for the action, the right to appeal the
13 action, and the conditions under which assistance can be
14 continued pending an appeal.

15 9500.1266 DISQUALIFICATION.

16 A recipient who fails, without good cause, to comply with
17 the requirements of part 9500.1262, is disqualified from
18 receiving general assistance as provided in items A to D.

19 A. The period of disqualification is two months for
20 each occurrence.

21 B. The disqualification period begins on the first
22 calendar day of the month following the month in which the
23 recipient is finally determined to have failed to comply. If
24 the determination is made so late in a month that prior notice
25 under part 9500.1264 cannot be given, the disqualification
26 period begins on the first calendar day of the second month
27 following the finding of noncompliance.

28 If the recipient appeals on or before the proposed
29 disqualification date, the disqualification process must stop
30 and assistance will continue under part 9500.1268 until a final
31 decision is made. If the final decision is that the recipient
32 is disqualified, the disqualification period begins on the first
33 day of the month following the final decision.

34 C. If an individual who is disqualified applies for
35 general assistance during the period of disqualification, the

1 individual is considered a recipient and the application shall
2 be denied unless the individual is eligible for general
3 assistance on the basis of a category of eligibility other than
4 the categories in part 9500.1258, subpart 1, item G or L.

5 D. If a recipient who received a notice of
6 disqualification complies with the requirements of part
7 9500.1262, on or before the effective-date commencement of the
8 disqualification period, assistance must be continued without a
9 period of disqualification.

10 9500.1268 APPEAL OF DISQUALIFICATION.

11 A recipient who is disqualified from receiving general
12 assistance under part 9500.1266 may appeal the decision. The
13 appeal must be a written request for a hearing submitted to the
14 department or the local agency under Minnesota Statutes, section
15 256.045. If appeal is made on or before the effective-date
16 commencement of the disqualification period and the recipient is
17 otherwise eligible, he or she shall continue to receive general
18 assistance while the appeal is pending, unless the recipient
19 requests in writing that assistance be discontinued pending a
20 hearing decision.

21 9500.1270 SPECIAL VOUCHER OR VENDOR PAYMENT PROVISIONS.

22 The local agency may provide general assistance, emergency
23 general assistance, or work readiness payments in the form of
24 vouchers or vendor payments if the applicant, recipient, or
25 registrant does not have a residence address. The local agency
26 may provide separate vouchers or vendor payments for food,
27 shelter, and other needs and may divide the monthly assistance
28 standard into daily or weekly payments, whether in cash or by
29 voucher or vendor payment, until the applicant, recipient, or
30 registrant has secured an address at which he or she resides.
31 If the local agency elects to use these provisions, the local
32 agency shall either provide for the individual's needs through
33 placement in a negotiated rate facility, or provide for all of
34 the individual's food, shelter, or other daily needs, regardless
35 of the standard of assistance. For purposes of this part,

1 "address" includes migrant labor camp as defined in part
2 4630.4800, subpart 3.

3 9500.1300 PURPOSE AND APPLICABILITY.

4 Subpart 1. Purpose. The purpose of parts 9500.1300 to
5 9500.1318 is to establish standards for the work readiness
6 program provided to eligible registrants by local agencies.

7 Subp. 2. Applicability. Parts 9500.1300 to 9500.1318
8 apply to applicants and registrants in the work readiness
9 program, to applicants and recipients of general assistance, and
10 to local agencies that are required to administer the work
11 readiness and general assistance programs under Minnesota
12 Statutes, sections 256D.051, 256D.09, subdivision 4, 256D.101,
13 and 256D.111, subdivision 5. Parts 9500.1300 to 9500.1318 must
14 be read together with parts 9500.1200 to 9500.1270. When parts
15 9500.1300 to 9500.1318 conflict with parts 9500.1200 to
16 9500.1270, parts 9500.1300 to 9500.1318 prevail.

17 9500.1302 DEFINITIONS.

18 Subpart 1. Scope. As used in parts 9500.1300 to
19 9500.1318, the following terms have the meanings given them.

20 Subp. 2. Borderline mental retardation. "Borderline
21 mental retardation" means the condition of an individual who has
22 demonstrated deficits in adaptive behavior and intellectual
23 functioning that is at least one but less than two standard
24 deviations below the mean of a professionally-recognized
25 standardized test. The condition must limit the individual in
26 obtaining, performing, or maintaining suitable employment.

27 Subp. 3. Distressed county. "Distressed county" means a
28 county or a designated portion of a county with an average
29 unemployment rate of ten percent or more as determined annually
30 by the commissioner of the Department of Jobs and Training.

31 Subp. 4. Employment assistance programs. "Employment
32 assistance programs" means the Minnesota employment and economic
33 development (MEED) program and other programs offered by public
34 or private agencies that provide services to develop, enhance,
35 or promote an individual's employability, job placement, and

1 training.

2 Subp. 5. **Misconduct.** "Misconduct" means conduct that
3 would result in the disqualification of a claimant for
4 unemployment insurance benefits under Minnesota Statutes,
5 section 268.09, subdivision 1, clauses (2) and (3).

6 Subp. 6. **Program month.** "Program month" means a 30-day
7 period of eligibility for work readiness assistance beginning
8 with the first date for which a work readiness payment is made
9 to the registrant, and each subsequent 30-day period in which
10 the registrant is eligible for work readiness assistance and for
11 which the registrant is provided with work readiness payments.

12 Subp. 7. **Qualified professional.** "Qualified professional"
13 means a social worker employed by the local agency, a social
14 worker with a master's degree in social work, a licensed
15 consulting psychologist, a licensed psychologist, a licensed
16 physician or psychiatrist, or a public health nurse.

17 Subp. 7 8. **Registrant.** "Registrant" means an individual
18 who has applied for work readiness services and payments, who
19 has been determined eligible for those services and payments by
20 the local agency, and who has elected to begin receiving those
21 services and payments. "Registrant" also means a recipient who
22 is required to participate in the work readiness program under
23 part 9500.1262.

24 Subp. 8 9. **Vocational advisor.** "Vocational advisor" means
25 an individual employed by or under contract with the local
26 agency who has sufficient education, training, or experience to
27 identify the types of available suitable employment in a
28 registrant's local labor market and the qualifications required
29 for that employment; to identify the registrant's physical,
30 social, vocational, and educational barriers to obtaining
31 available suitable employment; and to identify the types of
32 services and activities necessary to enable the registrant to
33 overcome the barriers and obtain suitable employment.

34 9500.1304 LOCAL AGENCY RESPONSIBILITY TO PROVIDE WORK READINESS
35 PROGRAM AND PROGRAM DESCRIPTION.

1 Subpart 1. Requirement to provide a work readiness program.

2 Each local agency shall provide a work readiness program. The
3 program must provide work readiness services and payments to all
4 applicants residing within the local agency's jurisdiction who
5 meet the eligibility conditions of part 9500.1306, and must
6 provide work readiness services to adult recipients of general
7 assistance who are eligible under part 9500.1258, subpart 1,
8 item L. The local agency may continue to provide work readiness
9 services to recipients of general assistance who are
10 categorically eligible under part 9500.1258, subpart 2.

11 Subp. 2. Preparation of work readiness program description.

12 Each local agency shall develop a written description of its
13 work readiness program. The description must:

14 A. meet the standards established in part 9500.1252;

15 B. identify the work readiness program's purpose,
16 service components, operating procedures, and service provider;

17 C. contain a summary of work readiness program
18 requirements including a registrant's responsibility to
19 cooperate when the local agency assesses the registrant's
20 employability and prepares the registrant's employability
21 development plan, and the responsibility to comply with job
22 registration, work search, and employment acceptance and
23 retention requirements as conditions for continuing eligibility;
24 and

25 D. state that a period of disqualification will be
26 imposed for failure to comply with work readiness requirements.

27 Subp. 3. Distribution of work readiness program

28 description. The local agency must give a copy of the work
29 readiness program description to an applicant at the time he or
30 she applies for general assistance or work readiness, and to any
31 individual upon request.

32 Subp. 4. Filing of program description. The local agency

33 must file a copy of its work readiness program description with
34 the commissioner annually, on January 1. The local agency must
35 also file a copy of amendments to its work readiness program
36 description with the commissioner at the time it makes the

1 amendments.

2 Subp. 5. Retention of documents in case files. The local
3 agency shall retain copies of all work readiness program
4 notices, assessments, plans, and other documents given to or
5 completed by an applicant or registrant, in accordance with
6 parts 9500.1300 to 9500.1318, in the applicant's or registrant's
7 case file.

8 9500.1306 APPLICATION PROCESS AND ELIGIBILITY CRITERIA.

9 Subpart 1. Assessment of general assistance eligibility.

10 Before determining an applicant's eligibility for work readiness
11 services and payments, the local agency must determine the
12 applicant's need for emergency general assistance under
13 Minnesota Statutes, section 256D.07, and the applicant's
14 eligibility for the general assistance program under part
15 9500.1209 ~~as proposed at State Register, Volume 107, Number 367,~~
16 ~~pages 1803-1804 (March 31, 1986).~~ If the applicant is eligible
17 for general assistance, the applicant is ineligible for work
18 readiness services and payments except as provided in part
19 9500.1262, subparts 1, item B, and 2. If the applicant is
20 ineligible for general assistance, the local agency shall notify
21 the applicant of the determination and of the right to appeal
22 the decision as provided under part 9500.1260.

23 Subp. 2. Work readiness application. A completed
24 application for general assistance is considered to be a
25 completed application for the work readiness program effective
26 on the date that the local agency determines the applicant
27 ineligible for general assistance. A registrant shall not be
28 required to complete a new application for general assistance
29 when the local agency is determining the registrant's
30 eligibility for general assistance under part 9500.1316, subpart
31 2, or 9500.1258, subpart 2.

32 Subp. 3. Eligibility criteria. If the local agency
33 determines that the applicant is ineligible for general
34 assistance, it must determine the applicant's eligibility for
35 the work readiness program. An applicant or registrant is

1 eligible for the work readiness program if the applicant or
2 registrant meets the conditions in items A to D:

3 A. The applicant or registrant is not categorically
4 eligible for general assistance under part 9500.1209, subpart 3,
5 item A ~~as-proposed-at-State-Register-Volume-107-Number-367~~
6 ~~pages-1803-1804-(March-37-1986)~~.

7 B. The applicant or registrant meets the eligibility
8 requirements under part 9500.1209, subpart 4 ~~as-proposed-at~~
9 ~~State-Register-Volume-107-Number-367-pages-1803-1804-(March-37-~~
10 ~~1986)~~. If the applicant or registrant is married and resides
11 with his or her spouse, the income and property of the applicant
12 or registrant and his or her spouse shall be considered in
13 accordance with part 9500.1209, subpart 4 ~~as-proposed-at-State~~
14 ~~Register-Volume-107-Number-367-pages-1803-1804-(March-37-1986)~~.

15 C. The applicant or registrant has not exhausted his
16 or her eligibility period as provided by part 9500.1312.

17 D. The applicant or registrant is not in a
18 disqualification period under part 9500.1254, 9500.1266, or
19 9500.1316.

20 9500.1308 REQUIREMENT TO INFORM APPLICANTS.

21 Subpart 1. Duty to inform applicants of ineligibility for
22 the work readiness program. Upon determining an applicant
23 ineligible for the work readiness program, the local agency must
24 inform the applicant of the determination and the right to
25 appeal as provided in part 9500.1318.

26 Subp. 2. Duty to inform eligible applicants of work
27 readiness requirements. At the time the local agency determines
28 that an applicant is eligible for the work readiness program,
29 the local agency must provide the applicant with a notice of the
30 determination on a form prescribed by the commissioner, a copy
31 of the program description prescribed under part 9500.1304,
32 subpart 2, and a written notice meeting the standards
33 established in part 9500.1252, which informs the applicant of:

34 A. the limited time during which the applicant may be
35 eligible for work readiness services and payments;

1 B. the applicant's right to choose the months in
2 which he or she will receive work readiness services and
3 payments, including the option to elect to receive work
4 readiness services and payments immediately; and

5 C. the disqualification that will be imposed if a
6 registrant is terminated from suitable employment for
7 misconduct, quits suitable employment without good cause,
8 refuses without good cause to accept an offer of suitable
9 employment, or fails, without good cause, to comply with other
10 work readiness program requirements; and

11 D. that an assessment of continuing eligibility for
12 work readiness services and payments will be conducted during
13 the registrant's second program month.

14 9500.1310 WORK READINESS SERVICES AND PAYMENTS.

15 Subpart 1. Requirement of concurrent services and
16 payments. In order for ~~a-monthly-work-readiness-payment-or a~~
17 ~~program month of-work-readiness-services~~ to count toward the two
18 or six program month limitation on eligibility for the work
19 readiness program, as provided by part 9500.1312, the registrant
20 must receive work readiness services during the program month
21 ~~that for which a work readiness payments-are payment is~~ made.
22 Upon an eligible applicant's election to begin receiving work
23 readiness services and payments, the local agency shall provide
24 the services and payments to the registrant. ~~If~~ A program month
25 preceding the program month in which the written employability
26 assessment and the employability development plan are ~~not~~
27 ~~completed within-the-first-month-of-an-election-to-receive-work~~
28 ~~readiness-services-or-payments,-that-month,~~ in accordance with
29 subpart 2, items A and B, must not be counted against a
30 registrant's total program months of work readiness eligibility,
31 provided the registrant did not fail, without good cause, to
32 cooperate with the assessment and plan development. A program
33 month during which a registrant fails, without good cause, to
34 comply with the requirements of the work readiness program but
35 for which the registrant receives a work readiness payment shall

1 be considered a program month during which work readiness
2 services and payments were received.

3 Subp. 2. Work readiness services. The following services
4 must be provided to a work readiness registrant;

5 A. In consultation with the registrant, a vocational
6 advisor shall complete a written employability assessment. The
7 assessment must include an examination of the registrant's
8 education, training, prior work experience, and suitable
9 employment that is or may become available, and must identify
10 barriers to the registrant successfully seeking and securing
11 suitable employment.

12 B. The vocational advisor shall develop a written
13 employability development plan for each registrant within the
14 registrant's first 30-days-that-work-readiness-services-are
15 provided-to-a-registrant program month. The plan must be based
16 on the assessment provided under item A and the vocational
17 advisor's knowledge of the level of competition for employment
18 that is or may become available, and must be designed to address
19 the registrant's barriers to employment and prepare the
20 registrant for suitable employment. The registrant must be
21 given a copy of his or her plan and the plan must:

22 (1) include an estimation of the length of time
23 it will take the registrant to obtain suitable employment;

24 (2) require the registrant to accept any offer of
25 suitable employment;

26 (3) provide for referral to appropriate
27 employment assistance programs;

28 (4) require a registrant to spend at least eight
29 but no more than 32 hours per week in job search or other work
30 readiness activities;

31 (5) specify ~~that~~ the registrant's job search
32 requirements, which must be limited to the local labor market,
33 must be reasonable, and must be based upon the assessment
34 performed under item A;

35 (6) specify any other reasonable activities
36 designed to prepare the registrant for permanent suitable

1 employment that are required of the registrant; and

2 (7) include provisions for assessing the
3 registrant's progress in securing suitable employment.

4 C. No work readiness program shall require a
5 registrant to travel to a potential job, training, or other
6 activity site unless the local agency provides funds in advance
7 to the registrant, in addition to the monthly program payment,
8 to cover the cost of the transportation or unless transportation
9 is otherwise available to the registrant without cost, or is
10 unnecessary.

11 D. A registrant who is categorically eligible under
12 part 9500.1258, subpart 1, item L, and who is the sole parent or
13 stepparent residing with one or more children under the age of
14 12 shall not be required to participate in any work readiness
15 program activities during hours in which the child is at home
16 unless the local agency provides funds in advance to the
17 registrant, in addition to the monthly program payment, to cover
18 the cost of child care, ~~or unless child care is otherwise~~
19 ~~available to the individual without cost.~~

20 E. A local agency that requires a registrant to
21 participate in any type of employment experience program shall
22 require that the employment experience program meet the
23 standards established in Minnesota Statutes, section 256D.113,
24 and that the work to be done is not work ordinarily performed by
25 a regular public employee.

26 F. A local agency may contract with a public or
27 private entity to perform any or all of the services prescribed
28 by this subpart if the entity can document that it has the
29 resources and expertise necessary to perform the services. A
30 contract entered into under this item must contain a description
31 of the services to be performed under the contract. The local
32 agency must monitor the entity to ensure that it is performing
33 the services required under this subpart and specified in the
34 contract. Upon request, the local agency shall provide the
35 department with a copy of the contract and a description of the
36 resources and expertise of the entity under contract with the

1 local agency.

2 Subp. 3. Work readiness payments. A registrant who meets
3 the eligibility conditions of part 9500.1306, subpart 3, shall
4 receive work readiness payments during the applicable period of
5 work readiness eligibility. If the registrant is married and
6 lives with his or her spouse, the couple is considered a filing
7 unit comprised of two individuals. If the registrant's spouse
8 is also a registrant, the couple shall be considered one
9 assistance unit composed of two persons for purposes of
10 determining the applicable standard of assistance, the amount of
11 countable income, the amount of real and personal property, and
12 the monthly work readiness payment amount.

13 The payment amount must be equal to the amount of
14 assistance that would be paid to the registrant's assistance
15 unit if the assistance unit was eligible for general assistance
16 under part 9500.1209 ~~as-proposed-at-State-Register, Volume-10,~~
17 ~~Number-367, pages-1803-1804-(March-3, 1986)~~. If the registrant
18 resides with his or her spouse and the spouse receives general
19 assistance, the monthly work readiness payment to the registrant
20 under this part must be equal to the amount the general
21 assistance monthly payment made to the registrant's spouse would
22 increase if the registrant were added to the spouse's general
23 assistance grant.

24 The first work readiness payment must be prorated ~~for~~ to
25 cover the period beginning with the effective date of the
26 completed application for the work readiness program, the date
27 that the applicant is determined eligible for work readiness
28 services and payments, or the date that the eligible applicant
29 elects to begin receiving work readiness services and payments,
30 whichever is later, and ending with the last day of that month.
31 The amount of the first payment must be determined by dividing
32 the number of days to be covered by the payment by the number of
33 days in the month, to determine the percentage of days in the
34 month that are covered by the payment, and multiplying the
35 monthly payment amount by this percentage.

36 Subsequent work readiness payments must be made monthly on

1 the first day of the month. A registrant shall continue to
 2 receive work readiness payments during the months that he or she
 3 elects to receive work readiness services and payments and meets
 4 the eligibility requirements of part 9500.1306. The final
 5 payment must be prorated to cover the number of program days
 6 ~~equal-to-the-number-of-days-in-the-registrant's-first-month-of~~
 7 ~~work-readiness-services-and-payments-which-were-not-covered-by~~
 8 ~~the-registrant's-first-work-readiness-payment~~ for which the
 9 registrant is eligible in that month. The amount of the final
 10 payment must be determined by subtracting the percentage of days
 11 in the first month covered by the first work readiness payment
 12 from 100 percent, and multiplying the final monthly payment
 13 amount by the remaining percentage. Emergency general
 14 assistance is available to a registrant in accordance with
 15 Minnesota Statutes, section 256D.06, subdivision 2.

16 9500.1312 ASSESSMENT DURING-SECOND-MONTH FOR ADDITIONAL
 17 ELIGIBILITY; NOTICES TO REGISTRANTS.

18 Subpart 1. **Required assessment.** Except for registrants
 19 participating in work readiness under part 9500.1262, the local
 20 agency shall conduct an assessment of the registrant's progress
 21 in securing suitable employment and an assessment of the
 22 registrant's eligibility for an additional four program months
 23 of work readiness services and payments during the registrant's
 24 second program month of work readiness services and payments
 25 under part 9500.1310.

26 The local agency must offer the registrant an opportunity
 27 to meet with the local agency and to provide information
 28 relevant to the assessment. If the registrant does not meet
 29 with the local agency or provide information relevant to the
 30 assessment, the local agency must complete the assessment based
 31 on the information contained in the registrant's case file.

32 Subp. 2. **Notice of assessment.** ~~When-the-second-work~~
 33 ~~readiness-payment-is-mailed-or-given-to-the-registrant,~~ The
 34 local agency shall provide a written notice meeting the
 35 standards established under part 9500.1252 to inform the

1 registrant that the local agency will be assessing the
2 registrant's eligibility for an additional four program months
3 of work readiness services and payments. The notice must be
4 mailed or given to the registrant no later than ten days before
5 the assessment and must include the following:

6 A. The notice must identify the conditions that must
7 be met in order for the registrant to be eligible for an
8 additional four program months.

9 B. The notice must inform the registrant that the
10 registrant will not receive work readiness payments beyond the
11 second program month until the assessment has been completed and
12 the registrant found eligible for four additional program months.

13 C. The notice must offer the registrant an
14 opportunity to meet with the local agency in order to provide
15 information relevant to the assessment.

16 D. The notice must inform the registrant that the
17 registrant has a right to submit to the local agency information
18 relevant to the determination within ten days from the date that
19 the notice is mailed or given to the registrant.

20 Subp. 3. **Assessment of additional eligibility.** A
21 registrant is eligible for four additional program months of
22 work readiness services and payments if the registrant meets one
23 or more of the following conditions:

24 A. The registrant lives in a distressed county.

25 B. The registrant is medically certified as having
26 borderline mental retardation.

27 C. The registrant is certified by a qualified
28 professional as exhibiting perceptible symptoms of mental
29 illness but the registrant is not eligible for general
30 assistance under part 9500.1258, subpart 1, because the mental
31 illness interferes with the medical certification process.

32 D. The registrant, as determined by a vocational
33 advisor, cannot reasonably be expected to secure suitable
34 employment at this time given the registrant's work history,
35 skills, education, physical and mental ability, and the
36 availability of suitable employment.

1 If the local agency believes that the registrant may have
2 borderline mental retardation, or if the registrant or a
3 representative of the registrant asserts that he or she has
4 borderline mental retardation, the local agency shall seek
5 medical certification of the registrant's condition. If medical
6 certification establishes that the registrant has borderline
7 mental retardation, the condition in item B is met.

8 If the registrant's behavior, mood, conduct, or appearance
9 suggests or demonstrates that the individual has a mental
10 illness, or if the registrant or a representative of the
11 registrant asserts that the registrant has a mental illness, the
12 local agency shall seek medical certification of the
13 registrant's condition. If the registrant's mental illness
14 interferes with the medical certification, the local agency
15 shall seek an assessment of the registrant's condition from a
16 qualified professional. If the qualified professional certifies
17 that the registrant exhibits symptoms of mental illness, the
18 condition in item C is met.

19 Subp. 4. Notice of determination. If the local agency
20 determines through the assessment that the registrant meets one
21 or more of the conditions in subpart 3, items A to D, the local
22 agency must notify the registrant that he or she is eligible for
23 work readiness services and payments for a combined total of six
24 program months in any consecutive 12-calendar month period. If
25 the local agency determines, upon completion of the assessment
26 under subpart 1, that the registrant does not meet one or more
27 of the conditions in subpart 3, items A to D, the local agency
28 must terminate the registrant's work readiness services and
29 payments effective at the end of the registrant's second program
30 month of participation in the work readiness program. If the
31 local agency determines that the registrant is ineligible for
32 continued work readiness services and payments, the local agency
33 shall notify the registrant of its determination and that the
34 registrant is not eligible to receive work readiness services
35 and payments for more than two program months during any
36 consecutive 24-calendar month period.

1 Subp. 5. Registrant moves to another county after second
2 month assessment for additional eligibility is completed. If a
3 registrant moves to another county after the second-month
4 assessment for additional eligibility required under subpart 1
5 is completed, the new county of residence must complete
6 another second-month assessment for additional eligibility and
7 determine the registrant's eligibility for additional work
8 readiness services and payments. A registrant shall not receive
9 more than a total of six program months of work readiness
10 services and payments in any consecutive 12-month period,
11 regardless of the number of assessments conducted.

12 Subp. 6. Notice of termination. A registrant who is in
13 the last program month of his or her two or six program months
14 of work readiness services and payments shall be notified of the
15 termination of services and payments and of the appeal rights in
16 accordance with the procedures specified in part 9500.1318.

17 Subp. 7. Assessment following reapplication. If an
18 individual, whose eligibility for work readiness was terminated
19 after two program months because the local agency determined
20 that the individual did not meet one or more of the conditions
21 under subpart 3, items A to D, applies for work readiness, the
22 local agency must determine if the applicant's circumstances
23 have changed and if the applicant is eligible for any additional
24 work readiness services or payments.

25 9500.1314 REGISTRANT DUTIES.

26 A registrant shall comply with all requirements of the
27 local agency work readiness program as, including the
28 requirements explained under part 9500.1308, subpart 2, and the
29 requirements specified in the employability development plan
30 provided under part 9500.1310, subpart 2, item B. Except for
31 registrants participating in work readiness under part
32 9500.1262, a registrant who fails, without good cause, to comply
33 with the local agency work readiness requirements shall be
34 disqualified from the receipt of work readiness services and
35 payments under part 9500.1316.

1 9500.1316 FAILURE TO COMPLY WITH WORK READINESS REQUIREMENTS AND
2 DISQUALIFICATION.

3 Subpart 1. Determination and notice of failure to comply.

4 If a local agency determines that a registrant has failed,
5 without good cause, to comply with the requirements of the work
6 readiness program, the local agency must notify the registrant
7 of its determination. The notice must meet the standards
8 established in part 9500.1252, and must contain the information
9 in items A to E.

10 A. The notice must state the specific work readiness
11 requirement the registrant has failed to meet and the facts that
12 support the local agency's determination.

13 B. The notice must specify the particular action the
14 registrant must take to meet the requirements.

15 C. The notice must specify a certain date by which
16 the action must be taken. The registrant must be given a
17 minimum of 15 calendar days to take the specified action
18 following the date the notice is mailed or given to the
19 registrant.

20 D. The notice must explain that the registrant will
21 be disqualified from receiving work readiness services and
22 payments if he or she fails to take the required actions by the
23 specified date.

24 E. The notice must advise the registrant that he or
25 she may request and shall be granted a conference to discuss the
26 notice with the local agency.

27 Subp. 2. Disqualification. A registrant who is notified
28 of the local agency determination as provided in subpart 1 shall
29 comply with the requirements of the work readiness program as
30 stated in the notice by the specified date.

31 If the local agency determines that a registrant has taken
32 the required action on or before the date specified in the
33 notice, a period of disqualification must not be imposed. If
34 the local agency determines that the registrant failed, without
35 good cause, to take the required action by the specified date,

1 the local agency must assess the registrant's eligibility for
2 general assistance under part 9500.1209 as-proposed-at-State
3 Register~~7-Volume-107-Number-367-pages-1803-1804-(March-37-1986)~~
4 before disqualifying the registrant for not meeting the
5 requirements.

6 If the local agency determines that the registrant is
7 eligible for general assistance, the registrant shall be
8 terminated from work readiness services and payments and shall
9 be eligible for general assistance.

10 If the local agency determines that the registrant is
11 ineligible for general assistance under part 9500.1209 as
12 ~~proposed-at-State-Register~~7-Volume-107-Number-367-pages~~~~
13 ~~1803-1804-(March-37-1986)~~, the registrant shall be disqualified
14 from receiving work readiness services and payments.

15 **Subp. 3. Notice of disqualification.** The local agency
16 shall notify the registrant of the disqualification from
17 receiving work readiness services and payments under subpart 2
18 and of the registrant's appeal rights as provided in part
19 9500.1318.

20 **Subp. 4. Period of disqualification.** A registrant
21 disqualified under subpart 2 is ineligible during the period of
22 disqualification for any remaining or additional work readiness
23 services or payments for which he or she would otherwise be
24 eligible in accordance with the provisions in items A to F.

25 A. The period of disqualification shall be two months.

26 B. The disqualification period begins on the first
27 day of the work readiness payment period following the date on
28 which the determination was made. If the notice of
29 disqualification is given or mailed so late in a payment period
30 that ten-day prior notice required under part 9500.1318 cannot
31 be given, the disqualification period begins on the first day of
32 the second work readiness payment period following the date the
33 determination was made. If the registrant appeals on or before
34 the proposed disqualification date, the disqualification process
35 must stop and work readiness payments and services must continue
36 until a final decision is made or until the registrant's period

1 of eligibility is exhausted, and payments and services are
2 terminated in accordance with part 9500.1312, subpart 6,
3 whichever is earlier. If the registrant loses the appeal, the
4 disqualification period must begin on the first day of the next
5 work readiness payment period.

6 C. If an individual who is disqualified applies for
7 the work readiness program during the period of
8 disqualification, eligibility for work readiness services and
9 payments must be denied.

10 D. Disqualification under subpart 2 must not affect a
11 registrant's eligibility for general assistance or general
12 assistance medical care.

13 E. The period of disqualification under subpart 2
14 must not be counted against a registrant's two months or six
15 program months of work readiness eligibility. Following a
16 period of disqualification a registrant who has been
17 disqualified under subpart 2 must complete a new application for
18 work readiness and the local agency must determine if the
19 registrant is eligible for any additional or remaining work
20 readiness services or payments.

21 F. If a registrant is disqualified under subpart 2,
22 the local agency may use vouchers and vendor payments, or both,
23 to meet the financial needs of the remaining eligible members of
24 the registrant's assistance unit. The assistance standard used
25 must be based on the number of remaining eligible members in the
26 registrant's assistance unit.

27 9500.1318 NOTICE OF ADVERSE ACTION AND APPEAL RIGHTS.

28 Subpart 1. Actions requiring notice. The local agency
29 shall notify an applicant or registrant of the following
30 determinations before taking any adverse actions:

31 A. a determination of ineligibility for work
32 readiness services or payments under part 9500.1306, subpart 3;

33 B. a determination of ineligibility for four
34 additional program months of work readiness services or payments
35 under part 9500.1312, subpart 1;

1 C. a determination of disqualification from receiving
2 work readiness services and payments under part 9500.1316,
3 subpart 2; and

4 D. a determination that the registrant has exhausted
5 eligibility to receive work readiness services and payments
6 under part 9500.1312, subpart 3.

7 Subp. 2. Notice requirements. The notice required under
8 subpart 1 must meet the standards established in part 9500.1252,
9 and must:

10 A. be in writing on a form prescribed by the
11 commissioner;

12 B. be mailed or given to the applicant or registrant
13 no later than ten days before the suspension, termination, or
14 reduction of the work readiness payment; and

15 C. clearly state what action the local agency intends
16 to take, the reasons for the action, the right to appeal the
17 action, and the conditions under which work readiness services
18 and payments can be continued pending an appeal.

19 Subp. 3. Appeal of adverse action. An applicant or
20 registrant who is the subject of an adverse action under subpart
21 1 may appeal the local agency determination. The appeal must be
22 a written request for a hearing submitted to the department or
23 the local agency under Minnesota Statutes, section 256.045. If
24 a registrant appeals on or before the effective date of the
25 adverse action, the registrant, if otherwise eligible, shall
26 continue to receive work readiness services and payments while
27 the appeal is pending, unless the registrant requests in writing
28 that assistance be discontinued pending a hearing decision. If
29 the registrant's appeal of an action specified under subpart 1,
30 item A, B, or D is not upheld, the registrant shall pay back to
31 the local agency the amount of work readiness payments received
32 during the pendency of the appeal.