

1 Department of Human Services

2

3 Adopted Rules Relating to General Assistance Standards of

4 Assistance and Reduced Standards of Assistance

5

6 Rules as Adopted

7 9500.1205 DEFINITIONS.

8 Subpart 1. Scope. The terms used in parts 9500.1200 to

9 9500.1256 have the meanings given them in this part.

10 Subp. 2. Affidavit. "Affidavit" means a written and

11 signed declaration.

12 Subp. 3. Allowable deductions. "Allowable deductions"

13 means income or expenses that are subtracted from gross income

14 under part 9500.1228 when determining countable income.

15 Allowable deductions include:

16 A. the first \$50 of monthly earned income for each

17 individual who receives earned income;

18 B. the cost of transportation to and from employment,

19 including transporting a minor child to and from child care

20 services, based on actual cost or the amount allowed for use of

21 a personal car in the United States Internal Revenue Code for a

22 maximum of 100 miles per day;

23 C. a meal allowance of \$± \$2 per day for each day

24 that the individual eats a meal at work or has a break for a

25 meal during work hours, unless the individual can establish that

26 higher costs are both necessary and reasonable;

27 D. the cost of uniforms, tools, and equipment needed

28 to retain a job;

29 E. health insurance premiums and any other type of

30 insurance required by the employer as a condition of employment;

31 F. union dues;

32 G. professional association dues if they are required

33 to obtain or retain employment;

34 H. public liability insurance premiums if they are

35 required by the employer when an automobile is used in



1 employment and the premiums are not paid by the employer;

2 I. the amount withheld or paid from gross income for
3 mandatory retirement fund contributions;

4 J. the amount withheld or paid from gross income for
5 FICA;

6 K. child care costs for each child if both parents
7 are absent from the home and at work or in school, unless these
8 costs are paid for or reimbursed to the individual by any other
9 individual or entity;

10 L. state and federal personal income tax payments and
11 withholdings;

12 M. other work expenses required for employment and
13 approved by the local agency;

14 N. a minor child's income, including support and
15 maintenance payments received, that exceeds the standard of
16 assistance applicable to that child;

17 O. food stamps;

18 P. payments made pursuant to litigation and
19 subsequent appropriation by the United States Congress, of funds
20 to compensate members of Indian tribes for the taking of tribal
21 lands by the federal government;

22 Q. cash payments to displaced persons who face
23 relocation as a result of the Housing Act of 1965, the Housing
24 and Urban Development Act of 1965, or the Uniform Relocation Act
25 of 1970;

26 R. AFDC payments received by women residing in
27 facilities for battered women as described in Minnesota
28 Statutes, section 256D.05, subdivision 3, for whom general
29 assistance payments are made to pay for residence in the
30 facility;

31 S. stipends received from the displaced homemaker
32 services program;

33 T. payments for basic care, difficulty of care, and
34 clothing allowances received for and used to provide family
35 foster care to children or adults under parts 9545.0010 to
36 9545.0260 and 9555.5100 to 9555.6400;

1 U. benefits under title IV and title VII of the Older
2 Americans Act of 1965;

3 V. a title I loan provided through the Minnesota
4 Housing Finance Agency for the first nine months following the
5 date of issuance of the loan;

6 W. state and federal personal income tax refunds,
7 including Minnesota property tax refunds;

8 X. in-kind income, except for payments made for room,
9 board, tuition, or fees by a parent on behalf of a child
10 enrolled as a full-time student in a postsecondary institution;

11 Y. reverse mortgage loan proceeds received by the
12 applicant or recipient;

13 Z. payments made for services provided by volunteers
14 under title I, title II, and title III of the Domestic Service
15 Act of 1973;

16 AA. payments from VISTA to VISTA volunteers;

17 BB. reimbursements for employment training received
18 through the Job Training Partnership Act, except for wage
19 payments for on-the-job training;

20 CC. reimbursement for personal out-of-pocket expenses
21 incurred while performing volunteer services, jury duty, or
22 employment, except for expenses that have been or will be
23 reimbursed;

24 DD. loans, except for educational loans on which
25 payment is deferred, whether from private, public, or
26 governmental lending institutions, governmental agencies, and
27 private individuals, if the individual and the lender provide
28 written documentation to the local agency that the individual
29 must repay the loan and that the loan is not a gift;

30 EE. payments by the vocational rehabilitation program
31 administered by the state under Minnesota Statutes, chapter
32 129A, except for payments that are for current living expenses;

33 FF. general assistance payments to correct
34 underpayments in a current or previous month;

35 GG. the first \$30 of each nonrecurring cash gift,
36 such as a gift received for a holiday, birthday, or graduation;

1 HH. proceeds from the sale of real or personal
 2 property owned by a member of the individual's filing unit, if
 3 the property was excluded from consideration under part
 4 9500.1209 because its equity value was less than the real and
 5 personal property limits;

6 II. funds received for reimbursement, replacement, or
 7 rebate of personal or real property when these payments are made
 8 from public agencies, issued by insurance companies, awarded by
 9 a court, solicited through public appeal, or made as a grant by
 10 a federal agency subsequent to a presidential declaration of
 11 disaster;

12 JJ. an energy assistance payment made by the Low
 13 Income Home Energy Assistance Program, payments made directly to
 14 energy providers by other public and private agencies, and a
 15 credit or rebate payment issued by energy providers;

16 KK. payments made for subsidized adoptions under
 17 United States Code, title 42, sections 670 to 676, and Minnesota
 18 Statutes, section 259.40; and

19 LL. court ordered child support payments actually
 20 paid for a minor child by an individual who is not a member of
 21 an assistance unit; and

22 MM. income that is otherwise specifically excluded
 23 under Minnesota-Statutes, -section-256B-01-to-256B-21 federal or
 24 state law from inclusion as income for state funded public
 25 assistance programs.

26 Subp. 4. **Application.** "Application" means the submission
 27 to the local agency of a signed and dated form prescribed by the
 28 commissioner that indicates the desire to receive general
 29 assistance.

30 Subp. 5. **Assistance unit.** "Assistance unit" means the
 31 individuals from a filing unit who are applying for or receiving
 32 general assistance, whose eligibility must be determined in
 33 accordance with part 9500.1209, subpart 4, and whose needs are
 34 included when determining the standard of assistance and the
 35 monthly general assistance payment.

36 Subp. 6. **Countable income.** "Countable income" means gross

1 income calculated in accordance with part 9500.1227 minus
2 allowable deductions.

3 Subp. 7. **Earned income.** "Earned income" means
4 compensation from lawful employment or lawful self-employment,
5 including salaries, wages, tips, gratuities, commissions,
6 earnings from self-employment, earned income tax credits,
7 incentive payments from work or training programs, payments made
8 by an employer for regularly accrued vacation or sick leave,
9 earnings under title I of the Elementary and Secondary Education
10 Act, employee bonuses and profit sharing, jury duty pay, picket
11 duty pay, and profit from other lawful activities earned by the
12 individual's effort or labor. Earned income does not include
13 returns from capital investment or benefits that accrue as
14 compensation for lack of employment. Earned income must be
15 calculated in accordance with part 9500.1225.

16 Subp. 8. **Earned income tax credit.** "Earned income tax
17 credit" means the payment that can be obtained by a qualified
18 low income person from an employer or from the United States
19 Internal Revenue Service under United States Code, title 26,
20 section 32.

21 Subp. 9. **Equity value.** "Equity value" means the amount of
22 equity in real or personal property owned by an individual.
23 Equity value is determined by subtracting any outstanding
24 encumbrances from the fair market value of the real or personal
25 property.

26 Subp. 10. **Federal Insurance Contributions Act or**
27 **FICA.** "Federal Insurance Contributions Act" or "FICA" means the
28 federal law under United States Code, title 26, section 3101 to
29 3126, that requires withholding or direct payment of income to
30 the federal government.

31 Subp. 11. **Filing unit.** A "filing unit" is the individual
32 or group of family members specified under part 9500.1209,
33 subpart 2, who may elect to apply for general assistance
34 together, and who, if eligible, must receive a single monthly
35 payment.

36 Subp. 12. **Gross income.** "Gross income" means the total

1 amount of cash or in-kind payment or benefit, whether earned or
2 unearned, that is received by, actually available to, or paid
3 for the benefit of an individual, including income specified in
4 Minnesota Statutes, section 256D.02, subdivision 8. Gross
5 income does not include personal property previously established
6 as an asset, and subject to the limitations under Minnesota
7 Statutes, section 256.73, subdivision 2. Gross income must be
8 calculated in accordance with part 9500.1227.

9 Subp. 13. **In-kind income.** "In-kind income" means income,
10 benefits, or payments that are provided in a form other than
11 money or liquid asset, including goods, produce, services,
12 privileges, or third-party payments made on behalf of a person
13 for whom the income is intended.

14 Subp. 14. **Month.** "Month" means a calendar month.

15 Subp. 15. **Parent.** "Parent" means a child's natural or
16 adoptive parent who is legally obligated to support that child.

17 Subp. 16. **Payment month.** "Payment month" means the month
18 for which a local agency issues a general assistance payment.

19 Subp. 17. **Prospective budgeting.** "Prospective budgeting"
20 means a method of determining the amount of a monthly general
21 assistance payment in which the countable income that the local
22 agency anticipates will be available to the assistance unit in
23 the payment month is applied against the standard of assistance
24 applicable to the assistance unit for the payment month.

25 Subp. 18. **Recipient.** "Recipient" means an individual
26 currently receiving general assistance. The term "recipient"
27 includes any person whose needs are included in the payment to
28 an assistance unit.

29 Subp. 19. **Unearned income.** "Unearned income" means any
30 form of gross income that does not meet the definition of earned
31 income. Unearned income includes an annuity, retirement, or
32 disability benefit, including veteran's or worker's
33 compensation, social security disability, railroad retirement
34 benefits, or unemployment compensation; benefits under a
35 federally funded categorical assistance program including
36 supplemental security income, or other assistance programs;

1 gifts, rents, dividends, interest and royalties, support and
2 maintenance payments, pension payments, return on capital
3 investment, insurance payments or settlements; severance
4 payments, employment benefits, and rewards for past employment;
5 and educational grants, deferred payment loans, and scholarships.
6 Unearned income must be calculated in accordance with part
7 9500.1226.

8 Subp. 20. **Verification.** "Verification" means the process
9 a local agency must use to establish the accuracy or
10 completeness of information from an applicant, a recipient, a
11 third party, or other source as that information relates to an
12 assistance unit's eligibility for general assistance or the
13 amount of a monthly general assistance payment.

14 9500.1209 ELIGIBILITY DETERMINATION.

15 Subpart 1. **Local agency duties.** The local agency must
16 determine the composition of a filing unit, the composition of
17 an assistance unit, and the eligibility of an assistance unit
18 according to subparts 2 to 4. The local agency must determine
19 the standard of assistance applicable to an assistance unit
20 according to parts 9555.1216 to 9555.1222, the amount of the
21 assistance unit's countable income in accordance with part
22 9500.1228, and the monthly payment to an assistance unit as
23 prescribed in part 9500.1230.

24 Subp. 2. **Filing unit composition.** The local agency must
25 permit an individual or family who requests general assistance
26 to make application for general assistance as provided by
27 Minnesota Statutes, section 256D.07. When an application for
28 general assistance is made for an individual or family, and when
29 the local agency redetermines the eligibility of a recipient,
30 the local agency must determine the composition of the
31 applicant's or recipient's filing unit. The local agency must
32 require a separate application and conduct a separate
33 eligibility determination for each filing unit. The composition
34 of a filing unit shall be limited to the individuals specified
35 in items A to D.

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1 A. Except as provided in items C and D, if the
2 applicant or recipient is an adult, the filing unit must include
3 the applicant or recipient and the following individuals who
4 reside with the applicant or recipient:

5 (1) the applicant's or recipient's spouse; and

6 (2) the minor children of the applicant or
7 recipient and the minor children of the applicant's or
8 recipient's spouse.

9 B. Except as provided in items C and D, if the
10 applicant or recipient is a minor child, the filing unit must
11 include the applicant or recipient and the following individuals
12 who reside with the applicant or recipient:

13 (1) the applicant's or recipient's parent or
14 parents;

15 (2) the spouse of the applicant's or recipient's
16 parent; and

17 (3) the minor children of the applicant's or
18 recipient's parent or parents and the minor children of the
19 spouse of the applicant's or recipient's parent.

20 C. Individuals eligible for or receiving AFDC ~~or~~,
21 individuals receiving AFDC-emergency assistance for current
22 maintenance needs, or individuals who are sanctioned from
23 receiving AFDC for failure to comply with AFDC program
24 requirements are not eligible to be included in the general
25 assistance filing unit.

26 D. An unmarried couple residing together with a
27 common minor child whose paternity has been adjudicated or
28 attested to through affidavit must comprise two separate filing
29 units. The minor child shall be included in the filing unit of
30 the parent who applies for general assistance first. If both
31 parents apply for general assistance on the same date, the
32 parents must choose the filing unit that shall contain the minor
33 child.

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

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1 A. The local agency must assess the categorical
2 eligibility of each applicant or recipient under parts 9500.1102
3 [Emergency] and 9500.1220 [Emergency], unless the applicant or
4 recipient informs the local agency of his or her election not to
5 receive general assistance. If an applicant or recipient does
6 not meet the conditions of a category of eligibility, under part
7 9500.1102 [Emergency] or 9500.1220 [Emergency], or the applicant
8 or recipient is disqualified under parts 9500.1105 to 9500.1107
9 [Emergency], or 9500.1254, subpart 5, the local agency must
10 inform the applicant or recipient of his or her ineligibility
11 for general assistance. The local agency may use one form per
12 filing unit to inform the ineligible members of a filing unit of
13 their ineligibility for general assistance.

14 B. The assistance unit shall be composed of
15 applicants or recipients from a filing unit who are
16 categorically eligible to receive general assistance as provided
17 in item A. General assistance categorical eligibility under
18 item A may exist for one or more members of the filing unit even
19 though other members of the filing unit are ineligible.

20 Subp. 4. Assistance unit eligibility. The local agency
21 must determine an assistance unit's eligibility to receive
22 general assistance as provided in items A to E.

23 A. The local agency must determine the equity value
24 of real and personal property available to the assistance unit.
25 The equity value of real and personal property available to a
26 member of the filing unit who is not included in the assistance
27 unit, but who is a responsible relative of an assistance unit
28 member must be considered real and personal property available
29 to the assistance unit. If the local agency determines that the
30 total equity value of real and personal property available to
31 the assistance unit exceeds the maximum standards established
32 under Minnesota Statutes, section 256.73, subdivision 2, the
33 local agency must determine if the excess property must be
34 excluded under part 9500.1210. If the excess property is not
35 excluded from consideration, the local agency must inform the
36 assistance unit of its ineligibility for general assistance.

1 B. If the local agency determines that the equity
2 value of real and personal property available to the assistance
3 unit is less than or equal to the maximum standards established
4 under Minnesota Statutes, section 256.73, subdivision 2, or that
5 property which exceeds those limits is excluded under part
6 9500.1210, the local agency must determine the standard of
7 assistance applicable to the assistance unit as provided in
8 parts 9500.1216 to 9500.1222, and the amount of countable income
9 available to the assistance unit as provided in part 9500.1229,
10 subpart 2.

11 C. Except as provided in item D, the local agency
12 must compare the assistance unit's countable income to the
13 standard of assistance applicable to the assistance unit as
14 provided in part 9500.1229, subpart 3. If the local agency
15 determines that the countable income of the assistance unit
16 equals or exceeds the standard of assistance applicable to the
17 assistance unit, the local agency must inform the assistance
18 unit of its ineligibility for general assistance. If the local
19 agency determines that the countable income of the assistance
20 unit is less than the standard of assistance applicable to the
21 assistance unit the local agency must inform the assistance unit
22 of its eligibility for general assistance.

23 D. An applicant or recipient who resides in a nursing
24 home or facility with a negotiated rate must have less countable
25 income than the total of the reduced standard provided in part
26 9500.1218, subpart 2, and the facility's negotiated rate to be
27 eligible for general assistance.

28 E. If a filing unit member elects not to apply for or
29 receive general assistance or is determined ineligible for
30 general assistance, or if a parent is not included in his or her
31 minor child's filing unit under the provisions of subpart 2,
32 item D, that individual's financial responsibility for and
33 ability to provide income to the assistance unit must be
34 determined as provided in part 9500.1226.

35 9500.1214 VERIFICATION OF INCOME.

1 Subpart 1. Verification of an applicant's or recipient's
2 income and circumstances. An applicant or recipient shall
3 provide verification of the assistance unit's income and
4 circumstances relevant to its eligibility, standard of
5 assistance, and monthly payment. If the applicant or recipient
6 cannot verify income or circumstances, the local agency must
7 help him or her to obtain verification. If the applicant or
8 recipient, with the local agency's help, cannot provide the
9 verification, the assistance unit's eligibility, standard of
10 assistance, and monthly payment must be determined based on the
11 income and circumstances that have been verified or sworn to
12 through affidavit. If the applicant or recipient refuses to
13 provide the required verification of income or circumstances,
14 the assistance unit is ineligible for general assistance and
15 general assistance must be denied or terminated.

16 Subp. 2. Verification of responsible relative's income and
17 circumstances. When an assistance unit is subject to a reduced
18 standard under part 9500.1220 or 9500.1222, or income allocation
19 provisions under part 9500.1226 or 9500.1227, the responsible
20 relative or individual not included in the assistance unit shall
21 provide verification of his or her income and circumstances
22 relevant to the reduced standard and income allocation
23 provisions. If the responsible relative or the individual not
24 included in the assistance unit cannot provide verification of
25 his or her income or circumstances, the local agency must help
26 him or her to obtain verification. If the responsible relative
27 or the individual not included in the assistance unit cannot
28 provide the verification with the local agency's help, the
29 reduced standard and the allocations of income must be
30 determined based on the income and circumstances that the
31 responsible relative or individual has verified or sworn to
32 through affidavit. If the assistance unit is subject to part
33 9500.1220, 9500.1222, or 9500.1226, subpart 3, items A to C, and
34 the responsible relative refuses to provide the required
35 verification of income or circumstances, the assistance unit is
36 ineligible for general assistance and general assistance must be

1 denied or terminated. If a responsible relative is not included
2 in the assistance unit under part 9500.1209, subpart 2, item D,
3 and the responsible relative refuses to provide the required
4 verification of income or resources, only the common minor child
5 who is a member of the assistance unit shall be ineligible for
6 general assistance. If the assistance unit is subject to part
7 9500.1227, subpart 3, and the individual not included in the
8 assistance unit refuses to provide the required verification of
9 income or circumstances, the assistance unit shall not allocate
10 income for the individual's needs until the required
11 verification is provided.

12 9500.1216 FULL STANDARDS.

13 Except as provided by parts 9500.1218 to 9500.1222, the
14 full standards of assistance must be used to determine the
15 eligibility of an assistance unit under part 9500.1209, subpart
16 4, and the minimum monthly payment to an assistance unit under
17 part 9500.1229, subpart 4. The full standard must be based on
18 the number of individuals in the assistance unit and must be
19 computed as follows:

20 A. The full standard for an assistance unit composed
21 of one individual when that individual is an adult is the amount
22 specified in part 9500.1217, subpart 1.

23 B. The full standard for an eligible adult in an
24 assistance unit that contains more than one individual is:

25 (1) the first adult standard specified in part
26 9500.1217, subpart 2, if the adult is the first or only adult in
27 the assistance unit; or

28 (2) the second adult standard specified in part
29 9500.1217, subpart 2, if the adult is the second adult in the
30 assistance unit.

31 C. Except as provided in item D, the full standard
32 for an eligible minor children child in an assistance unit that
33 ~~is composed of more than one individual~~ must be determined based
34 on the number of minor children in the assistance unit according
35 to the table in part 9500.1217, subpart 3.

1 D. When an assistance unit contains no adult because
 2 a parent or parents are disqualified from receiving general
 3 assistance under parts 9500.1105 to 9500.1107 [Emergency] or
 4 9500.1254, subpart 5, and the parent or parents do not have
 5 countable income in an amount equal to or in excess of their own
 6 needs, the full standard applicable to the assistance unit is
 7 the special child standard provided by this item. The parent's
 8 or parents' needs are equal to the full standard for adults as
 9 specified in item B. The special child standard must be
 10 determined as follows:

11 (1) The special child standard for an assistance
 12 unit composed only of one minor child is the special child only
 13 standard for one child, specified in part 9500.1217, subpart 4.

14 (2) When an assistance unit includes more than
 15 one minor child, the special child standard must be determined
 16 by substituting the first adult standard provided by item B,
 17 subitem (1), for the needs of the last minor child in the
 18 assistance unit and combining that amount with the full standard
 19 provided by item C that is applicable to the number of remaining
 20 minor children.

21 9500.1217 AMOUNT OF FULL STANDARDS.

22 Subpart 1. Adult only standard. The full standard for an
 23 assistance unit composed of one individual when that individual
 24 is an adult is \$203.

25 Subp. 2. Adult standards. The full standards for adults
 26 in an assistance unit that is composed of more than one
 27 individual are \$187 for the first or only adult in the
 28 assistance unit and \$73 for the second adult in the assistance
 29 unit.

30 Subp. 3. Child standards. The full standards for minor
 31 children in an assistance unit ~~that is composed of more than one~~
 32 ~~individual~~ are specified in the following table:

33	Number of minor	Full state
34	children in the	assistance standard
35	assistance unit	for the minor children

1	1	\$250
2	2	345
3	3	434
4	4	510
5	5	586
6	6	663
7	7	729
8	8	793
9	9	848
10	10	902

11 If the assistance unit contains more than ten minor
 12 children, the full standard for each additional minor child is
 13 \$53.

14 Subp. 4. **Child only standard.** The full standard for an
 15 assistance unit composed of one individual when that individual
 16 is a minor child is \$337.

17 Subp. 5. **Tie to AFDC standards.** The full standards of
 18 subparts 2 to 4 must increase or decrease to remain equal to the
 19 equivalent AFDC standards whenever AFDC standards are increased
 20 or decreased.

21 9500.1218 REDUCED STANDARD FOR AN APPLICANT OR RECIPIENT IN A
 22 NURSING HOME, FACILITY WITH A NEGOTIATED RATE, OR STATE HOSPITAL.

23 Subpart 1. **Applicability.** The reduced standard of this
 24 part must be used to determine the eligibility of an assistance
 25 unit under part 9500.1209, subpart 4, and the minimum monthly
 26 payment amount to an assistance unit under part 9500.1229,
 27 subpart 4, if the assistance unit is composed of one individual
 28 who resides in a nursing home, facility with a negotiated rate,
 29 or a state hospital.

30 Subp. 2. **Reduced standard.** The reduced standard for an
 31 assistance unit composed of one individual who resides in a
 32 nursing home, facility with a negotiated rate, or a state
 33 hospital is the amount established as the clothing and personal
 34 needs allowance for medical assistance recipients under
 35 Minnesota Statutes, section 256B.35, subdivision 1.

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1 Subp. 3. **Battered women's shelters excluded.** This part
2 does not apply to an applicant or recipient residing in a
3 shelter facility provided for under Minnesota Statutes, section
4 256D.05, subdivision 3.

5 9500.1220 REDUCED STANDARD FOR AN ASSISTANCE UNIT SHARING A
6 RESIDENCE WITH A RESPONSIBLE RELATIVE WHO RECEIVES OR HAS BEEN
7 SANCTIONED OR DISQUALIFIED FROM RECEIVING GENERAL ASSISTANCE OR
8 AFDC.

9 Subpart 1. **Applicability.** The reduced standards in this
10 part must be applied to determine the eligibility of an
11 assistance unit under part 9500.1209, subpart 4, and the minimum
12 monthly payment to an assistance unit under part 9500.1229,
13 subpart 4, if the assistance unit resides with an individual who
14 is a responsible relative of one or more of the assistance unit
15 members, and if one of the following conditions exists:

16 A. The applicant's or recipient's filing unit and
17 assistance unit are composed of only one individual, the
18 individual is an adult, and the individual shares a residence
19 with a parent who receives general assistance or AFDC, or would
20 be receiving general assistance or AFDC except for sanction or
21 disqualification from either of those programs. If the
22 one-person assistance unit shares a residence with both a parent
23 and a spouse, the parent's income must not be considered and the
24 standard of assistance applicable to the assistance unit must be
25 based on the relationship to the spouse.

26 B. The assistance unit is composed of one or more
27 individuals, the assistance unit members share a residence with
28 a parent or spouse of one or more of the assistance unit
29 members, and the parent or spouse would be included in the
30 general assistance filing unit except that he or she receives
31 AFDC or would be receiving AFDC but is sanctioned from that
32 program for failure to comply with program requirements.

33 C. If an assistance unit that meets the conditions
34 under item A or B resides with two parents who have income from
35 both general assistance or AFDC and from another source, and the

1 assistance unit is potentially subject to a reduced standard
2 under both this part and part 9500.1222, the reduced standard
3 applicable to the assistance unit must be determined based on
4 this part.

5 Subp. 2. Reduced standard. The reduced standard
6 applicable to an assistance unit provided for by subpart 1 must
7 be determined according to items A to C.

8 A. The reduced standard applicable to the assistance
9 unit must equal the amount the standard of assistance applicable
10 to the responsible relative's assistance unit would increase if
11 the assistance unit members were added to the responsible
12 relative's general assistance or AFDC assistance unit.

13 B. When determining the amount the responsible
14 relative's general assistance or AFDC standards would increase
15 due to the addition of the assistance unit members, the
16 following standards shall apply to the added members:

17 (1) The standard applicable to a minor child is
18 the standard for another minor child added to the responsible
19 relative's general assistance or AFDC grant.

20 (2) The standard applicable to an adult child who
21 meets the conditions under subpart 1, item A, is the standard
22 for another minor child, added to his or her parent's general
23 assistance or AFDC grant.

24 (3) Except as provided in subitem (4), the
25 standard of assistance applicable to a spouse is the standard
26 for a second adult added to the responsible relative's general
27 assistance or AFDC grant.

28 (4) The standard of assistance applicable to the
29 spouse of an AFDC recipient who is the sole individual in the
30 AFDC assistance unit and whose AFDC payment is determined using
31 the special adult standard is the difference between the AFDC
32 standard for a married couple and the AFDC special adult
33 standard.

34 C. The reduced standard applicable to an assistance
35 unit that shares a residence with a responsible relative must
36 not exceed the standard of assistance that would apply to the

1 assistance unit if the assistance unit did not share a residence
2 with a responsible relative.

3 9500.1222 REDUCED STANDARD FOR AN ASSISTANCE UNIT SHARING A
4 RESIDENCE WITH A RESPONSIBLE RELATIVE WHO HAS INCOME OTHER THAN
5 GENERAL ASSISTANCE OR AFDC.

6 Subpart 1. **Applicability of reduced standards.** The
7 reduced standards in this part must be applied to determine the
8 eligibility of an assistance unit under part 9500.1209, subpart
9 4, and the minimum monthly payment to an assistance unit under
10 part 9500.1229, subpart 4, when the conditions in items A to C
11 apply to the assistance unit.

12 A. The applicant's or recipient's filing unit and
13 assistance unit are composed of only one individual, the
14 individual is an adult, and the individual does not meet an
15 eligibility category under part 9500.1102, [Emergency] item A,
16 B, H, I, J, O, or P.

17 B. The assistance unit member shares a residence with
18 a parent who has income other than general assistance or AFDC.

19 C. The parent is not included in the filing unit
20 according to part 9500.1209, subpart 2. If the one-person
21 assistance unit shares a residence with both a parent and a
22 spouse, the parent's income must not be considered and the
23 standard applicable to the assistance unit must be based on part
24 9500.1220.

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

28 A. Calculate the standard of assistance applicable to
29 the household as provided in part 9500.1216. In this part,
30 "household" means individuals with whom the applicant or
31 recipient shares a residence, and includes only the applicant or
32 recipient and the applicant's or recipient's parent or parents.
33 The applicant or recipient must be considered the first child
34 when determining the household standard.

35 B. Calculate the amount of the parent's or parents'

1 countable income. In this part "parent's or parents' countable
2 income" means the parent's or parents' monthly gross income
3 minus the following deductions:

4 (1) income that is disregarded as an allowable
5 deduction under part 9500.1205, subpart 3;

6 (2) income that has been counted in calculating
7 the payment to an AFDC assistance unit;

8 (3) benefits received from the worker's
9 compensation program, Minnesota supplemental aid program,
10 supplemental security income program, or social security
11 disability program;

12 (4) benefits received from the social security
13 retirement program if the parent was receiving benefits under
14 the social security disability or supplemental security income
15 program at the time he or she became eligible for the social
16 security retirement program or if the parent meets a category of
17 eligibility under part 9500.1102 [Emergency], item A, B, H, or J;

18 (5) other benefits based on the parent's
19 disability; and

20 (6) income allocated to meet the unmet needs of
21 the parent's spouse who resides with the parent if the spouse is
22 not a responsible relative of the applicant or recipient, and
23 income allocated to meet the unmet needs of the parent's minor
24 children who reside with the parent. The spouse's needs are
25 equal to the standard of assistance for a second adult as
26 provided by part 9500.1216, item B, subitem (2). To determine
27 if the spouse's needs are unmet, the spouse's countable income
28 must first be allocated to provide for the unmet needs of the
29 parent's or spouse's minor children. The needs of a minor child
30 are equal to the standard of assistance for an additional child
31 as provided by part 9500.1216, item C, and are unmet to the
32 extent that the child's countable income is less than the
33 standard of assistance applicable to the child. The spouse's
34 countable income that exceeds the unmet needs of the parent's or
35 spouse's minor children must then be compared to the needs of
36 the spouse. If the spouse's remaining countable income is

1 greater than the spouse's needs, the parent shall not allocate
 2 countable income for the spouse's needs, and the spouse's excess
 3 countable income, up to and including the first adult standard,
 4 as provided by part 9500.1216, item B, subitem (1), must be
 5 considered countable income available to the parent. If the
 6 spouse's countable income is less than the spouse's needs, the
 7 parent's countable income must be allocated to meet the spouse's
 8 unmet needs. The parent's countable income must also be
 9 allocated to meet the needs of his or her minor children which
 10 are unmet with the spouse's or child's countable income.

11 C. Subtract the amount of the parent's or parents'
 12 countable income calculated in item B from the household
 13 standard of assistance calculated in item A.

14 D. The reduced standard for the applicant or
 15 recipient is the amount calculated in item C or the full
 16 standard provided by part 9500.1216, whichever is less.

17 E. When two or more assistance units are subject to
 18 this part and share a residence with a responsible relative
 19 common to each assistance unit, the members of each of those
 20 assistance units must be included when determining the household
 21 standard of assistance in item A. The reduced standard
 22 determined in item D must be divided equally among the
 23 assistance units to determine the reduced standard applicable to
 24 each assistance unit.

25 9500.1224 INCOME EVALUATION.

26 Subpart 1. Local agency duty to evaluate income. When the
 27 local agency determines the eligibility of an assistance unit
 28 under part 9500.1209, subpart 4, and the minimum monthly payment
 29 to an assistance unit under part 9500.1229, subpart 4, the local
 30 agency must evaluate income received by the following
 31 individuals:

- 32 A. the members of the assistance unit;
- 33 B. responsible relatives whose income is considered
- 34 in determining a reduced standard under part 9500.1220 or
- 35 9500.1222, or whose income is considered available to an

1 assistance unit member under part 9500.1228, subpart 2; and

2 C. individuals to whom an assistance unit member may
3 allocate income under part 9500.1227, subpart 3.

4 Subp. 2. **Distribution of income.** Income evaluated under
5 parts 9500.1224 to 9500.1228, must be attributed to the
6 individual who earns it or to the individual beneficiary of the
7 income, subject to items A to C.

8 A. The local agency must consider funds distributed
9 from a trust, whether from the principal holdings or sale of
10 trust property or from the interest and other earnings of the
11 trust holdings, to be unearned income to the beneficiary of the
12 trust when the funds are legally available to the beneficiary.
13 Trusts are presumed legally available unless a beneficiary can
14 document that the trust is not legally available.

15 B. The local agency must divide the income from
16 jointly owned property equally among the property owners unless
17 the terms of ownership prescribe a different distribution of
18 equity.

19 C. The local agency must not allow deductions from an
20 individual's gross income to meet a current or prior debt.

21 Subp. 3. **Evaluation of assistance unit's income.** The
22 local agency must determine the amount of an assistance unit's
23 earned income as provided in part 9500.1225, and the amount of
24 the assistance unit's unearned income as provided in part
25 9500.1226. The local agency must add the assistance unit's
26 earned income to the assistance unit's unearned income to
27 determine the assistance unit's gross income as provided in part
28 9500.1227. The local agency must subtract allowable deductions
29 from the assistance unit's gross income to determine the
30 assistance unit's countable income as provided in part 9500.1228.

31 9500.1225 EARNED INCOME.

32 Subpart 1. **Local agency duty to determine earned income.**
33 The local agency must determine the total amount of earned
34 income available to the individuals identified in part
35 9500.1224, subpart 1. Earned income from self-employment must

1 be calculated in accordance with subpart 2. Earned income from
 2 contractual agreements must be calculated in accordance with
 3 subpart 3. The total amount of earned income available to an
 4 individual for a month must be determined by combining the
 5 amounts of earned income calculated under subparts 2 to 4. The
 6 total amount of earned income available to an assistance unit
 7 for a month must be determined by combining the total earned
 8 income of each assistance unit member.

9 Subp. 2. **Earned income from self-employment.** The local
 10 agency must determine the amount of earned income from
 11 self-employment by subtracting business costs from gross
 12 receipts according to items A to D.

13 A. Self-employment expenses must be subtracted from
 14 gross receipts except for the expenses listed in subitems (1) to
 15 (14):

16 (1) purchases of capital assets;

17 (2) payments on the principal of loans for
 18 capital assets;

19 (3) depreciation;

20 (4) amortization;

21 (5) the wholesale costs of items purchased,
 22 processed, or manufactured that are unsold inventory with a
 23 deduction for the costs of those items allowed at the time they
 24 are sold;

25 (6) transportation costs that exceed the amount
 26 allowed for use of a personal car in the United States Internal
 27 Revenue Code;

28 (7) the cost of transportation between the
 29 individual's home and his or her place of employment;

30 (8) salaries and other employment deductions made
 31 for members of an individual's assistance unit or for
 32 individuals who live in the individual's household for whom the
 33 individual is legally responsible;

34 (9) monthly expenses in excess of \$70 for a
 35 roomer;

36 (10) monthly expenses in excess of \$85 for a

1 boarder;

2 (11) monthly expenses in excess of \$155 for a
3 roomer-boarder;

4 (12) annual expenses in excess of \$102 or two
5 percent of the estimated market value on a county tax assessment
6 form, whichever is greater, as a deduction for upkeep and repair
7 against rental income;

8 (13) expenses not allowed by the United States
9 Internal Revenue Code for self-employment income; and

10 (14) expenses which exceed 60 percent of gross
11 receipts for child care performed in an individual's home unless
12 the individual can document a higher amount. When funds are
13 received from the quality child care program, those funds are
14 excluded from gross receipts, and the expenses covered by those
15 funds must not be claimed as a business expense that offsets
16 gross receipts.

17 B. Gross receipts from self-employment must be
18 budgeted in the month in which they are received. Expenses must
19 be budgeted against gross receipts in the month in which those
20 expenses are paid except for subitems (1) to (3):

21 (1) The purchase cost of inventory items,
22 including materials that are processed or manufactured, must be
23 deducted as an expense at the time payment is received for the
24 sale of those inventory items, processed materials, or
25 manufactured items, regardless of when those costs are incurred
26 or paid.

27 (2) Expenses to cover employee FICA, employee tax
28 withholding, sales tax withholding, employee worker's
29 compensation, employee unemployment compensation, business
30 insurance, property rental, property taxes, and other costs that
31 are commonly paid at least annually, but less often than
32 monthly, must be prorated forward as deductions from gross
33 receipts over the period they are intended to cover, beginning
34 with the month in which the payment for these items is made.

35 (3) Gross receipts from self-employment may be
36 prorated forward to equal the period of time over which the

1 expenses were incurred except that gross receipts must not be
2 prorated over a period that exceeds 12 months. This provision
3 applies only when gross receipts are not received monthly but
4 expenses are incurred on an ongoing monthly basis.

5 C. Farm income must be annualized. Farm income is
6 gross receipts minus operating expenses, subject to item A.
7 Gross receipts include sales, rents, subsidies, soil
8 conservation payments, production derived from livestock, and
9 income from sale of home-produced foods.

10 D. Income from rental property must be considered
11 self-employment earnings when effort is expended by the owner to
12 maintain or manage the property. A local agency must deduct an
13 amount for upkeep and repairs, in accordance with item A,
14 subitem (11), for real estate taxes, insurance, utilities, and
15 interest on principal payments. When an individual lives on the
16 rental property, the local agency must divide the expenses for
17 upkeep, taxes, insurance, utilities, and interest by the number
18 of rooms to determine the expense per room. The local agency
19 shall deduct expenses from rental income only for the number of
20 rooms rented, not for rooms occupied by an individual's
21 assistance unit. When no effort is expended by the owner to
22 maintain or manage the property, income from rental property
23 must be considered unearned income. The deductions described in
24 this item must be subtracted from gross rental receipts.

25 Subp. 3. Earned income from contractual agreements. The
26 local agency must prorate the amount of earned income received
27 by individuals employed on a contractual basis over the period
28 covered by the contract even if the payments are received over a
29 shorter period of time.

30 Subp. 4. Other earned income. The local agency must
31 consider all other forms of earned income not specifically
32 provided for under subparts 2 and 3 to be earned income
33 available to the individual in the month it is received.

34 9500.1226 UNEARNED INCOME.

35 Subpart 1. Local agency duty to determine unearned

1 income. The local agency must determine the total amount of
2 unearned income available to the individuals identified in part
3 9500.1224, subpart 1. Educational grants, loans, and
4 scholarships must be calculated as unearned income in accordance
5 with subpart 2. Income allocated to a member or members of an
6 assistance unit from a responsible relative must be calculated
7 as unearned income in accordance with subpart 3. The total
8 amount of unearned income available to an individual for a month
9 must be determined by combining the amounts of unearned income
10 calculated under subparts 2 to 4. The total amount of unearned
11 income available to an assistance unit for a month must be
12 determined by combining the total unearned income of each
13 assistance unit member.

14 Subp. 2. Educational grants, scholarships, and loans.
15 Educational grants, deferred payment loans, and scholarships
16 received by an individual must be considered unearned income.
17 The local agency must subtract tuition, fees, books, supplies,
18 and transportation expenses from the total amount of the
19 individual's grants, deferred payment loans, and scholarships,
20 and prorate the remainder over the period the funds are intended
21 to cover.

22 Subp. 3. Income allocated from a responsible relative.
23 Income allocated to a member or members of an assistance unit
24 from a responsible relative who is in the filing unit but not in
25 the assistance unit, or from a responsible relative who would
26 have been a member of the filing unit but is not due to receipt
27 of or sanction or disqualification from AFDC, or income
28 allocated by a parent who is not included in his or her minor
29 child's filing unit under the provisions of part 9500.1209,
30 subpart 2, item D, must be considered unearned income available
31 to the member or members of the assistance unit. The local
32 agency must determine how much of the responsible relative's
33 countable income is considered unearned income available to the
34 member or members of an assistance unit in accordance with items
35 A to D.

36 A. If the responsible relative is not included in the

1 assistance unit because he or she receives AFDC, none of the
2 responsible relative's countable income is considered unearned
3 income available to the member or members of the assistance unit.

4 B. If the responsible relative is not included in the
5 assistance unit because he or she is disqualified or sanctioned
6 from receiving AFDC or general assistance, the responsible
7 relative's countable income that is not used to determine an
8 AFDC payment must be considered unearned income available to the
9 member or members of the assistance unit, as provided in item C,
10 except that a subtraction for the responsible relative's need,
11 as provided in item C, subitem (1) must not be made.

12 C. If the responsible relative is not included in the
13 assistance unit because he or she elects not to apply for or
14 receive general assistance or because he or she is not
15 categorically eligible for general assistance as determined
16 under part 9500.1209, subpart 3, item A, the responsible
17 relative's countable income that is considered unearned income
18 available to the member or members of the assistance unit must
19 be calculated as follows:

20 (1) An amount equal to the responsible relative's
21 needs must be subtracted from his or her countable income. The
22 responsible relative's needs must be equal to the amount the
23 standard of assistance applicable to the assistance unit would
24 increase if the responsible relative were added to the
25 assistance unit.

26 (2) From the responsible relative's countable
27 income remaining after the subtraction in subitem (1), subtract
28 an amount equal to the unmet needs of the minor children and the
29 responsible relative's spouse who are included in the filing
30 unit but not included in the assistance unit. The spouse's
31 needs are equal to the standard of assistance for a second adult
32 as provided by part 9500.1216, item B, subitem (2). To
33 determine if the spouse's needs are unmet, the spouse's
34 countable income must first be allocated to provide for the
35 unmet needs of the minor children included in the filing unit
36 but not included in the assistance unit. The needs of a minor

1 child are equal to the standard of assistance for an additional
2 child added to the assistance unit as provided by part
3 9500.1216, item C, and are unmet to the extent that the child's
4 countable income is less than the standard of assistance
5 applicable to the child. The spouse's countable income that
6 exceeds the unmet needs of the minor children must then be
7 compared to his or her own needs. If the spouse's remaining
8 countable income exceeds his or her own needs, the responsible
9 relative shall not allocate countable income for the spouse's
10 needs, and the spouse's excess countable income must be
11 considered countable income available to the responsible
12 relative. If the spouse's countable income is less than his or
13 her needs, the responsible relative's countable income must be
14 allocated to meet the spouse's unmet needs. The responsible
15 relative's countable income must also be allocated to meet the
16 needs of minor children who are included in the filing unit but
17 not included in the assistance unit and whose needs are unmet
18 with the child's or spouse's countable income.

19 (3) The amount of the responsible relative's
20 countable income remaining after the calculations required in
21 subitem (2) is unearned income available to the member or
22 members of the assistance unit.

23 D. If a parent is not included in his or her minor
24 child's filing unit as provided under part 9500.1209, subpart 2,
25 item D, the parent's countable income that is considered
26 unearned income available to the minor child must be calculated
27 as follows:

28 (1) An amount equal to the needs of the parent
29 must be subtracted from the parent's countable income. The
30 parent's needs must equal the standard of assistance that would
31 be applicable to the parent if the parent were to apply for
32 general assistance.

33 (2) From the parent's countable income remaining
34 after the subtraction in subitem (1), subtract an amount equal
35 to the unmet needs of the parent's other minor children who
36 reside with the parent and who are not included in the

1 assistance unit. A minor child's needs are unmet to the extent
2 that the minor child's countable income is less than the
3 standard of assistance applicable to the minor child if the
4 minor child were to apply for general assistance with the parent.

5 (3) The amount of the parent's countable income
6 remaining after the calculations required in subitem (2) must be
7 considered unearned income available to the common minor child
8 who is a member of the assistance unit, up to and including the
9 standard of assistance applicable to the member of the
10 assistance unit under part 9500.1216, item C.

11 Subp. 4. **Other unearned income.** The local agency must
12 consider all other forms of unearned income not provided for in
13 subparts 2 and 3 to be unearned income available to the
14 individual in the month of receipt.

15 9500.1227 GROSS INCOME.

16 Subpart 1. **Local agency duty to determine gross income.**
17 The local agency must determine the total amount of gross income
18 available to the individuals identified in part 9500.1224,
19 subpart 1. The total amount of gross income available to an
20 individual for a month must be calculated in accordance with
21 subparts 2 to 4. The total amount of gross income available to
22 an assistance unit for a month must be determined by combining
23 the total gross income of each assistance unit member.

24 Subp. 2. **Total earned and unearned income.** The local
25 agency must add the total amount of earned income received by or
26 available to an individual for a month, as calculated in part
27 9500.1225, to the total amount of unearned income received by or
28 available to an individual for a month, as calculated in part
29 9500.1226.

30 Subp. 3. **Allocation of income from assistance unit members**
31 **to other individuals.** To determine the amount of gross income
32 available to a member of an assistance unit for a month, the
33 amount of income that must be allocated in that month from the
34 assistance unit member to a member of the filing unit who is not
35 included in the assistance unit and for whom the assistance unit

1 member is a responsible relative must be subtracted from the
2 amount calculated in subpart 2. The amount that must be
3 allocated must be determined in accordance with items A and B.

4 A. If the individual is not included in the
5 assistance unit because the individual receives AFDC or is
6 sanctioned or disqualified from receiving AFDC or general
7 assistance, the assistance unit member shall not allocate income
8 for the individual's needs.

9 B. If the individual is not included in the
10 assistance unit because the individual elects not to apply for
11 or receive general assistance or because the individual is not
12 categorically eligible for general assistance as determined
13 under part 9500.1209, subpart 3, item A, the assistance unit
14 member's income must be allocated for the individual's unmet
15 needs. The individual's needs equal the amount the standard of
16 assistance applicable to the assistance unit would increase if
17 the individual were added to the assistance unit. The
18 individual's needs are unmet to the extent that the individual's
19 countable income is less than his or her needs.

20 Subp. 4. Determination of total amount of gross income.
21 The amount of earned and unearned income calculated in subpart 2
22 minus the amount of income allocated under subpart 3 is the
23 amount of gross income available to an individual for the month.

24 9500.1228 COUNTABLE INCOME.

25 Subpart 1. Local agency duty to determine countable
26 income. The local agency must determine the amount of countable
27 income available to the individuals identified in part
28 9500.1224, subpart 1. The total amount of countable income
29 available to an assistance unit for a month must be determined
30 by combining the countable income of each assistance unit member.

31 Subp. 2. Determination of countable income. The local
32 agency must determine the amount of countable income available
33 to an individual for a month as follows:

34 A. The local agency must determine the amount of
35 gross income available to the individual for a month in

1 accordance with part 9500.1227.

2 B. From the amount determined in item A, the
3 local agency must subtract income or expenses that must be
4 disregarded as an allowable deduction under part 9500.1205,
5 subpart 3. The remaining amount is the individual's countable
6 income for the month.

7 9500.1229 PROSPECTIVE BUDGETING.

8 Subpart 1. **Local agency duty to make prospective**
9 **determinations.** The local agency must make a monthly
10 prospective determination of an assistance unit's countable
11 income, the assistance unit's eligibility for general
12 assistance, and the amount of the monthly payment the assistance
13 unit is eligible to receive.

14 Subp. 2. **Prospective determination of countable income.**
15 The local agency must prospectively determine the amount of
16 countable income available to an individual for a month when the
17 local agency determines the eligibility of an assistance unit
18 under subpart 3 and part 9500.1209, subpart 4, and when the
19 local agency determines the amount of a monthly payment to an
20 assistance unit under subpart 4.

21 To prospectively determine the amount of countable income
22 available to an individual for a month, the local agency must
23 estimate the amount of gross income the individual is expected
24 to receive in a month, and subtract the income or expenses that
25 must be disregarded as an allowable deduction under part
26 9500.1205, subpart 3.

27 The local agency may base its prospective determination of
28 an individual's countable income on the amount of countable
29 income the individual actually received two months before the
30 current payment month. The local agency must adjust its
31 estimate of an individual's countable income when it has
32 verification that the individual's income will be increasing or
33 decreasing, or when the individual has lost a source of income.

34 Subp. 3. **Prospective determination of eligibility.** The
35 local agency must compare the amount of countable income the

1 assistance unit is expected to receive in the payment month,
2 with the standard of assistance applicable to the assistance
3 unit for the payment month. If the assistance unit meets the
4 conditions under part 9500.1209, subpart 4, the assistance unit
5 is prospectively eligible for general assistance. If the
6 assistance unit's estimated countable income is equal to or
7 exceeds the standard of assistance applicable during the payment
8 month, the assistance unit is prospectively ineligible for that
9 payment month and must be denied general assistance or
10 terminated from general assistance.

11 Subp. 4. **Determination of monthly payment amounts.** The
12 local agency must determine the monthly general assistance
13 payment to an assistance unit for the payment month by
14 subtracting the estimated amount of countable income for the
15 payment month as determined in subpart 2, from the standard of
16 assistance applicable to the assistance unit during the payment
17 month. The local agency must issue a supplemental payment to an
18 assistance unit equal to the difference between the amount of
19 countable income actually received by the assistance unit and
20 the amount of estimated countable income for the payment month
21 if the difference is \$10 or more.

22 9500.1230 PAYMENT PROVISIONS.

23 Subpart 1. **Monthly payment.** The minimum monthly payment
24 to an assistance unit must be the applicable state assistance
25 standard as provided by parts 9500.1216 to 9500.1222 or the
26 higher local agency standard as provided by subpart 5 minus the
27 assistance unit's countable income as determined under part
28 9500.1229, subpart 4.

29 Subp. 2. **Standard of assistance applies to full month.**
30 Except when an increase must be made in the standard of
31 assistance applicable to an assistance unit due to the addition
32 of a member to the assistance unit, or when a recipient is
33 discharged into the community from a negotiated rate facility,
34 the standard of assistance applicable to an assistance unit on
35 the first day of a payment month or at the time of application,

1 whichever is later, applies to the assistance unit for the
2 entire month.

3 Subp. 3. **Monthly payment to an applicant or recipient**
4 **residing in a nursing home or facility with a negotiated rate.**
5 If the applicant or recipient resides in a nursing home or
6 facility with a negotiated rate, the applicant's or recipient's
7 countable income must first be deducted from the reduced
8 standard provided by part 9500.1218, subpart 2. The applicant's
9 or recipient's countable income which exceeds the reduced
10 standard must be used to reduce the amount of the negotiated
11 rate paid to the nursing home or facility, as provided by
12 subpart 4. The minimum monthly payment to the assistance unit
13 must be the reduced standard minus the assistance unit's
14 countable income. To this minimum payment, the local agency may
15 add an additional amount in accordance with subpart 5.

16 Subp. 4. **Payments to a nursing home or facility with a**
17 **negotiated rate.** When an applicant or recipient resides in a
18 facility with a negotiated rate, the applicant's or recipient's
19 countable income which exceeds the reduced state assistance
20 standard, as determined in subpart 3, must be applied to the
21 negotiated rate and paid to the nursing home or facility. The
22 local agency must use general assistance funds to make monthly
23 payments to the nursing home or facility in an amount equal to
24 the difference between the negotiated rate and the assistance
25 unit's excess countable income. The monthly payment to the
26 nursing home or facility may be issued as a voucher or vendor
27 payment.

28 Subp. 5. **Payment in excess of state standards.** The local
29 agency may establish local standards of assistance for
30 applicants and recipients in excess of the standards under parts
31 9500.1218 to 9500.1224, and may provide payments for items or
32 needs which it determines are special. If the local agency
33 chooses to provide higher local standards or special needs it
34 must develop clear, written procedures that establish criteria
35 for eligibility and the payment amounts for the higher standards
36 and special needs. Payments for higher standards and special

1 needs made according to local agency procedures must be made to
2 all recipients who reside in the county without regard to the
3 recipient's length of county residency.

4 9500.1232 STATE PARTICIPATION.

5 Subpart 1. State participation for monthly general
6 assistance payments made based on a full state assistance
7 standard. Except as provided by subparts 2 and 3, the amount of
8 state participation in the monthly general assistance payment
9 made under Minnesota Statutes, section 256D.03, subdivision 2,
10 must be determined by subtracting the assistance unit's
11 countable income from the applicable full state assistance
12 standard and multiplying the difference by 75 percent.

13 Subp. 2. State participation for monthly general
14 assistance payments made based on a reduced state assistance
15 standard. When an assistance unit is subject to a reduced state
16 assistance standard as provided in parts 9500.1218 to 9555.1222,
17 the amount of state participation in the monthly payment to the
18 assistance unit under Minnesota Statutes, section 256D.03,
19 subdivision 2, must be determined by subtracting the assistance
20 unit's countable income from the applicable reduced state
21 assistance standard and multiplying the difference by 75 percent.

22 Subp. 3. State participation for monthly general
23 assistance payments made to a negotiated rate facility. State
24 participation in the monthly payment to a negotiated rate
25 facility under part 9500.1230, subpart 4, must be determined by
26 subtracting the assistance unit's excess countable income from
27 the negotiated rate and multiplying the difference by 75 percent.

28 Subp. 4. State participation for payment in excess of
29 state standards. State participation is not available for
30 special need items or the amount of the higher local agency
31 standard provided under part 9500.1230, subpart 5, which exceed
32 the applicable state assistance standards.

33

34 INTERNAL REFERENCE CORRECTIONS. The references to part
35 9500.1208, item B, contained in parts 9500.1210 and 9500.1212

1 are changed to 9500.1209, subpart 4, item A.

2 REPEALER. Minnesota Rules, parts 9500.1204; 9500.1206,
3 subparts 7, 10, and 28; 9500.1208; 9500.1234; 9500.1236;
4 9500.1244; and 9500.1249 are repealed.

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:
