

1 Department of Veterans Affairs

2

3 Adopted Permanent Rules Relating to Soldiers Assistance Fund

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5 Rules as Adopted

6 9055.0015 DEFINITIONS.

7 [For text of subps 1 and 2, see M.R.]

8 Subp. 2a. **Administering entity.** "Administering entity"

9 means a nonprofit or governmental entity including, but not
10 limited to, an incorporated county or municipality, a housing
11 development authority, or a community action organization, that
12 provides local administration of public, not-for-profit housing
13 programs.

14 [For text of subps 3 to 10, see M.R.]

15 Subp. 11. **Dependent.** "Dependent" means a spouse, a widow

16 or widower, an unmarried child under the age of 19 years, a
17 child who is a student under the age of 25 years and who is
18 financially dependent upon the parent, a child of any age who is
19 disabled and dependent upon the parent, or a parent of the
20 applicant or applicant's spouse who lives in the applicant's
21 household and is financially dependent upon the applicant.

22 "Child," as used in this subpart, includes legally adopted
23 children, financially dependent stepchildren, foster children,
24 and children under the guardianship of the applicant or the
25 applicant's spouse.

26 [For text of subps 12 to 19, see M.R.]

27 Subp. 20. **Veteran.** "Veteran" has the meaning given in

28 Minnesota Statutes, section 197.447. A veteran with more than
29 one period of active duty military service must have at least
30 one period of active duty military service which is
31 characterized as having been under honorable conditions.

32 [For text of subp 21, see M.R.]

33 9055.0020 STATE SOLDIERS ASSISTANCE FUND.

34 [For text of subps 1 to 4, see M.R.]

35 Subp. 5. **Residency required.** An applicant for assistance

1 must reside in Minnesota at the time of application.

2 [For text of subp 6, see M.R.]

3 Subp. 7. **Inpatient chemical dependency treatment;**
4 **eligibility.** Applicants admitted to an approved inpatient
5 chemical dependency treatment program may be eligible to receive
6 temporary financial assistance in the form of shelter and
7 utility payments, if they qualify for financial assistance under
8 department income and asset limitations, as specified in the
9 schedule of allowances, while the applicant is in an approved
10 inpatient chemical dependency treatment program. Applications
11 made while the applicant is in an approved inpatient chemical
12 treatment program must be made effective the date of admission.

13 Upon successful completion of an approved inpatient
14 chemical dependency treatment program, applicants may be
15 eligible to receive financial assistance for one 30-day
16 assistance period. For continued assistance beyond 30 days,
17 applicants must meet the eligibility criteria in subparts 1 to
18 6. Applications submitted under this part more than 30 days
19 after completion of an approved inpatient chemical dependency
20 treatment program must include a written justification for the
21 delay.

22 Subp. 8. **Assistance to widows, widowers.** Widows and
23 widowers of veterans may apply for assistance without proof of
24 disability any time within 12 months of the date of the death of
25 the veteran.

26 Widows or widowers who apply for assistance more than 12
27 months after the death of the veteran must provide medical
28 evidence of a disability severe enough to preclude their
29 following their normal occupation for at least 30 days.

30 9055.0030 STATE SOLDIERS ASSISTANCE FUND; AMOUNT OF ASSISTANCE
31 GRANTED; HOW CALCULATED.

32 [For text of subps 1 and 2, see M.R.]

33 Subp. 3. **Asset limitation.** A person who has assets at or
34 in excess of the maximum allowance according to the schedule of
35 allowances may not receive financial assistance from the

1 department under the state soldiers assistance fund.

2 [For text of subps 4 and 5, see M.R.]

3 Subp. 6. **Shared households; calculation of utility**
4 **allowance.** Applicants who share a household may be eligible to
5 receive assistance under the state soldiers assistance program.
6 Only the income and the assets of the eligible veteran and the
7 eligible veteran's dependents may be considered in the
8 calculation of income and assets used to determine eligibility
9 under subparts 1 to 5.

10 Allowances for shelter and utility payments must be
11 prorated based on the number of individuals residing in the
12 shared household. Assistance must be authorized only for the
13 amount of the prorated share of shelter and utility payments
14 used by the eligible veteran and the eligible veteran's
15 dependents.

16 Utility bills submitted for payment under this part must be
17 in the name of the veteran or claimant. If the bill submitted
18 for payment is in the name of someone other than the veteran or
19 claimant, reimbursement for the applicant's prorated portion of
20 the bill must be considered on submission of a copy of the bill
21 and proof of payment of the bill.

22 Subp. 7. **Written recommendation of county veteran's**
23 **service officer.** If immediate financial assistance is required
24 to assist an eligible veteran or an eligible veteran's
25 dependents and a statement of the applicant's qualifying medical
26 disability cannot be furnished in a timely manner with the
27 application, the department may authorize a single 30-day
28 subsistence grant to the eligible veteran or eligible veteran's
29 dependents, based on the written recommendation of a Minnesota
30 county veteran's service officer.

31 The statement of the applicant's qualifying disability must
32 be forwarded to the department as soon as possible, but in no
33 instance later than 30 days after the date of the application.

34 Continued assistance beyond the initial 30-day period of
35 assistance based on the recommendation of a Minnesota county
36 veteran's service officer requires a completed application as

1 outlined in part ~~9055-0060~~ 9055.0055. The application will be
2 completed by the county veteran's service officer.

3 9055.0060 TYPES OF ASSISTANCE AUTHORIZED.

4 [For text of subpart 1, see M.R.]

5 Subp. 2. **Shelter payments.** Shelter payments must be made
6 in the lesser amount of either the shelter allowance as
7 determined by the schedule of allowances or the actual cost of
8 the applicant's housing as determined by the application.

9 A shelter payment may not be authorized prior to the
10 receipt by the department of a completed, current landlord
11 statement. In the case of applicants who reside in public
12 housing, a statement from the administering entity that contains
13 a statement of the amount and current status of rent or mortgage
14 payments must be accepted in lieu of a landlord statement if a
15 landlord statement cannot be provided with the application.

16 [For text of subps 3 to 6, see M.R.]

17 9055.0080 APPEAL PROCEDURE; DENIAL OF ASSISTANCE.

18 [For text of subps 1 and 2, see M.R.]

19 Subp. 3. **Appeal options.** An applicant may elect to pursue
20 either a written appeal or a personal hearing.

21 [For text of subps 4 to 8, see M.R.]

22 9055.0085 STATE SOLDIERS ASSISTANCE FUND; DENTAL OR OPTICAL
23 ASSISTANCE.

24 [For text of subpart 1, see M.R.]

25 Subp. 2. **Excess assets a bar to assistance.** Assets at or
26 in excess of the maximum allowance according to the schedule of
27 allowances for the number of eligible persons in the applicant's
28 household are a bar to receiving assistance under this part.

29 Subp. 3. **Excess income a bar to assistance.** Income at or
30 in excess of the maximum allowance according to the schedule of
31 allowances for the number of eligible persons in the applicant's
32 household is a bar to receiving assistance under this part.

33 [For text of subp 4, see M.R.]

34 Subp. 5. **Frequency of assistance.** Applicants must be

1 eligible to receive assistance under this part once every 12
2 months from the date of the exam for the type of assistance
3 sought.

4 9055.0090 STATE SOLDIERS ASSISTANCE FUND; EMERGENCY MEDICAL
5 TREATMENT.

6 Subpart 1. **Emergency medical assistance.** The commissioner
7 may provide financial assistance, limited to the cost of
8 treatment provided or the maximum allowed under the schedule of
9 allowances, to veteran applicants who require emergency medical
10 treatment and who lack the financial resources or insurance to
11 defray the cost of this treatment.

12 Applications for emergency medical assistance must be
13 received by the department within 90 days of the date of the
14 occurrence of the medical emergency. Complete, final medical
15 bills, showing all payments and credits, must be received by the
16 department within 180 days of the date of the occurrence of the
17 medical emergency to be considered for payment.

18 Subp. 2. **Excess assets a bar to assistance.** Assets at or
19 in excess of the maximum allowance according to the schedule of
20 allowances for the number of eligible persons in the applicant's
21 household are a bar to receiving assistance under this part.

22 Subp. 3. **Excess income a bar to assistance.** Income at or
23 in excess of the maximum allowance according to the schedule of
24 allowances for the number of eligible persons in the applicant's
25 household is a bar to receiving assistance under this part.

26 [For text of subp 4, see M.R.]

27 Subp. 5. **Burial expenses not paid.** Expenses associated
28 with the burial of veterans or dependents of veterans must not
29 be paid under the emergency medical treatment assistance program
30 rules in subparts 1 to 4.

31 9055.0095 STATE SOLDIERS ASSISTANCE FUND; CLOTHING ALLOWANCE.

32 [For text of subps 1 and 2, see M.R.]

33 Subp. 3. **Suitable clothing required.** Financial assistance
34 may be given to clothe children of veterans who are currently
35 receiving assistance from the department under the state

1 soldiers assistance fund in suitable clothing to attend school.

2 [For text of subp 4, see M.R.]

3 9055.0105 EDUCATION.

4 [For text of subps 1 to 10, see M.R.]

5 Subp. 11. Effective date of award. The effective date of
6 an award of educational benefits is the date that the applicant
7 begins the current school term or semester within which the
8 completed application and required supporting documentation is
9 received by the department. Payment is not authorized for
10 attendance prior to the effective date of the award.