

CHAPTER 256E

COMMUNITY SOCIAL SERVICES ACT

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256E.01 CITATION.

Sections 256E.01 to 256E.12 may be cited as the "community social services act."

History: 1979 c 324 s 1

256E.02 PURPOSE.

It is the purpose of the "community social services act" to establish a system of planning for and providing community social services administered by the boards of county commissioners of each county under the supervision of the commissioner of human services.

History: 1979 c 324 s 2; 1984 c 654 art 5 s 58

256E.03 DEFINITIONS.

Subdivision 1. For the purposes of sections 256E.01 to 256E.12 the terms defined in this section shall have the meanings given them, unless the context clearly indicates otherwise.

Subd. 2. "Community social services" means services provided or arranged for by county boards to fulfill the responsibilities prescribed in section 256E.08, subdivision 1 to the following groups of persons:

(a) families with children under age 18, who are experiencing child dependency, neglect or abuse, and also pregnant adolescents, adolescent parents under the age of 18, and their children;

(b) persons who are under the guardianship of the commissioner of human services as dependent and neglected wards;

(c) adults who are in need of protection and vulnerable as defined in section 626.557;

(d) persons age 60 and over who are experiencing difficulty living independently and are unable to provide for their own needs;

(e) emotionally disturbed children and adolescents, chronically and acutely mentally ill persons who are unable to provide for their own needs or to independently engage in ordinary community activities;

(f) persons with mental retardation as defined in section 252A.02, subdivision 2, or with related conditions as defined in section 252.27, subdivision 1, who are unable to provide for their own needs or to independently engage in ordinary community activities;

(g) drug dependent and intoxicated persons as defined in section 254A.02, subdivisions 5 and 7, and persons at risk of harm to self or others due to the ingestion of alcohol or other drugs;

(h) parents whose income is at or below 70 percent of the state median income and who are in need of child care services in order to secure or retain employment or to obtain the training or education necessary to secure employment; and

(i) other groups of persons who, in the judgment of the county board, are in need of social services.

Community social services do not include public assistance programs known as aid to families with dependent children, Minnesota supplemental aid, medical assistance, general assistance, general assistance medical care, or community health services authorized by sections 145.911 to 145.922.

Subd. 3. "Commissioner" means the commissioner of human services.

Subd. 4. "State social services plan" means the state social services plan developed pursuant to section 256E.04.

Subd. 5. "County plan" means the community social services plan required by section 256E.09.

Subd. 6. "County board" means the board of county commissioners in each county.

Subd. 7. "Human services board" means a board established pursuant to section 402.02, Laws 1974, chapter 293 or Laws 1976, chapter 340.

History: 1979 c 324 s 3; 1981 c 355 s 3; 1Sp1981 c 4 art 1 s 127; 1982 c 607 s 15; 1984 c 654 art 5 s 38,58; 1985 c 21 s 58

256E.04 BIENNIAL STATE PLAN.

Subdivision 1. The commissioner shall prepare a biennial social services plan and present the plan to the governor and the legislature. The commissioner shall update the plan biennially. The plan shall include:

(a) A statement of methods used to ensure intergovernmental coordination of state and local planning and delivery of community social services;

(b) A coordination statement setting forth the relationship of the state social services plan to any other federal, state or locally financed human services programs, including but not limited to, programs for the aged, children, the developmentally disabled, the chemically dependent, and programs related to corrections, education, vocational rehabilitation, mental health, housing, health, and employment; and

(c) A summary and analysis of all county biennial community social services plans.

The commissioner shall consult with the heads of human service related state departments and agencies in preparing the coordination statement required by this subdivision.

Subd. 2. Copies of the proposed state plan shall be made reasonably available to the public allowing sufficient time for public review and comment. Copies of the updated state social services plan shall be submitted to the governor and the legislature prior to the beginning of each biennium and shall be made available to the public.

History: 1979 c 324 s 4; 1981 c 355 s 4

256E.05 DUTIES OF COMMISSIONER OF HUMAN SERVICES.

Subdivision 1. **General supervision.** The commissioner of human services shall supervise the community social services administered by the counties through standard-setting, technical assistance to the counties, approval of county plans, preparation of the state biennial plan, evaluation of community social services programs and distribution of public money for services. The commissioner shall establish minimum administrative and service standards for the provision of community social services by county boards of commissioners, by the promulgation of a permanent administrative rule under chapter 14.

Subd. 2. **Plan approval.** Within 45 days after submission of the community social services plan by the counties pursuant to section 256E.09, subdivision 4, the commissioner shall certify whether the plan fulfills the purposes and requirements of section 256E.09, state and federal law and the rules of the state agency. On certifying that the plan does not do so, the commissioner shall state the reasons therefore, and the county shall have 30 days to submit a plan amended to comply with the requirements of the commissioner. If the county fails to resubmit a plan amended as required by the

commissioner, the commissioner shall notify the county of the intention to reduce the next quarterly payment by an amount equal to one-third of one percent of the county's annual entitlement for each 30 day period during which the county fails to amend the plan as required by the commissioner. The county board has the right to appeal the commissioner's decision pursuant to section 256E.06, subdivision 10.

Subd. 3. Additional duties. The commissioner shall also:

(a) Provide necessary forms and instructions to the counties for plan format and information;

(b) Identify and then amend or repeal the portions of all applicable department rules which mandate counties to provide specific community social services or programs, unless state or federal law requires the commissioner to mandate a service or program. The commissioner shall be exempt from the rulemaking provisions of chapter 14 in amending or repealing rules pursuant to this clause. However, when the commissioner proposes to amend or repeal any rule under the authority granted by this clause, notice shall be provided by publication in the State Register. When the commissioner proposes to amend a rule, the notice shall include that portion of the existing rule necessary to provide adequate notice of the nature of the proposed change. On proposing to repeal an entire rule, the commissioner need only publish that fact, giving the exact citation to the rule to be repealed. In all cases, the notice shall contain a statement indicating that interested persons may submit comment on the proposed repeal or amendment for a period of 30 days after publication of the notice. The commissioner shall take no final action until after the close of the comment period. The commissioner's actions shall not be effective until five days after the commissioner publishes notice of adoption in the State Register. If the final action is the same as the action originally proposed, publication may be made by notice in the State Register that the amendment and repeals have been adopted as proposed, and by citing the prior publication. If the final action differs from the action as previously proposed in the State Register, the text which differs from the original proposal shall be included in the notice of adoption together with a citation to the prior State Register publication. The commissioner shall provide to all county boards separate notice of all final actions which become effective under this clause, advising the boards with respect to services or programs which have now become optional, to be provided at county discretion;

(c) Provide to the chair of each county board, in addition to notice required pursuant to sections 14.05 to 14.36, timely advance notice and a written summary of the fiscal impact of any proposed new rule or changes in existing rule which will have the effect of increasing county costs for community social services;

(d) Provide training, technical assistance, and other support services to county boards to assist in needs assessment, planning, implementing, and monitoring social services programs in the counties;

(e) Design and implement a method of monitoring and evaluating social services, including site visits that utilize quality control audits to assure county compliance with applicable standards, guidelines, and the county and state social services plans;

(f) Annually publish a report on community social services which shall reflect the contents of the individual county reports. The report shall be submitted to the governor and the legislature with an evaluation of community social services and recommendations for changes needed to fully implement state social service policies; and

(g) Request waivers from federal programs as necessary to implement sections 256E.01 to 256E.12.

History: 1979 c 324 s 5; 1981 c 355 s 5,6; 1982 c 424 s 130; 1982 c 607 s 16; 1984 c 526 s 1; 1984 c 654 art 5 s 58; 1986 c 413 s 1; 1986 c 444

256E.06 DISTRIBUTION OF STATE AIDS.

Subdivision 1. Formula. The commissioner of human services shall distribute community social service aids to each county board in an amount determined according to the following formula:

In calendar year 1982 and thereafter:

(a) One-third shall be distributed on the basis of the average unduplicated number of persons who receive AFDC, general assistance, and medical assistance per month in the calendar year two years prior to the year for which funds are being distributed as reported in the average monthly caseload reports required under sections 256.01, 256B.04 and 256D.04, and certified by the commissioner of human services; and

(b) One-third shall be distributed on the basis of the number of persons residing in the county as determined by the most recent data of the state demographer;

(c) One-third shall be distributed on the basis of the number of persons residing in the county who are 65 years old or older as determined by the most recent data of the state demographer.

Subd. 2. Formula limitation. The amounts computed pursuant to subdivision 1 shall be subject to the following limitations:

(a) No county shall be allocated more than 130 percent of the amount received in the immediately preceding year. If the amount allocated to any county pursuant to subdivision 1 is greater than this amount, the excess shall be reallocated to all counties in direct proportion to their initial allocations.

(b) Each county shall be guaranteed a percentage increase over the previous year's allocation equal to 0.2 percent for each percentage increase in the statewide allocation, up to a maximum guaranteed increase of one percent when the statewide allocation increases by five percent or more. If the amount allocated to any county pursuant to subdivision 1 is less than this amount, the shortage shall be recovered from all counties in direct proportion to their initial allocations.

(c) If the amount to be allocated statewide in any year is less than the amount allocated in the previous year, then the provisions of clause (b) shall not apply, and each county's allocation shall be equal to its previous year's allocation reduced by the same percentage that the statewide allocation was reduced.

Subd. 2a. State transfer of funds. Notwithstanding subdivisions 1 and 2, for the purpose of funding training and habilitation services provided to residents of intermediate care facilities for persons with mental retardation or related conditions as defined in section 252.27, subdivision 1, as required under federal regulation, the commissioner is authorized to transfer on a quarterly basis to the medical assistance state account from each county's Community Social Services Act allocation an amount equal to the state share of medical assistance reimbursement for such services provided to clients for whom the county is financially responsible. Upon federal approval and state implementation of the state medical assistance plan, county boards will not be responsible for the funding of training and habilitation services as a social service to residents of intermediate care facilities for persons with mental retardation or related conditions. County board responsibility for training and habilitation services shall be assumed under section 256B.20. County boards continue to be responsible for funding developmental achievement center services not covered under the medical assistance program established by United States Code, title 42, sections 1396 to 1396p, as amended through December 31, 1982, and shall develop contractual agreements for these services under the authority of this chapter.

Subd. 3. Payments to counties. The commissioner of human services shall make payments for community social services to each county in four installments per year. The commissioner of human services may certify the payments for the first three months of a calendar year based on estimates of the unduplicated number of persons receiving AFDC, general assistance and medical assistance for the prior year. The following three payments shall be adjusted to reflect the actual unduplicated number of persons who received AFDC, general assistance and medical assistance as required by subdivision 1. The commissioner shall ensure that the pertinent payment of the allotment for that quarter is made to each county on the first working day after the end of each quarter of the calendar year, except for the last quarter of the calendar year. The commissioner shall ensure that each county receives its payment of the allotment

for that quarter no later than the last working day of that quarter. This scheduling of payments does not require compliance with subdivision 10.

Subd. 4. [Repealed, 1981 c 355 s 34]

Subd. 5. **Community social service levy.** In each calendar year, for taxes payable the following year, a county board shall levy upon all taxable property in the county a tax for community social services at least equal to the amount determined in subdivisions 1 and 2. Money for community social services provided to a county by a municipal levy may, for the purposes of this section, be counted as partial fulfillment of the local levy requirement. All money available to counties pursuant to this section may be used by counties to match federal money.

Subd. 6. **Failure to spend.** A county which has not spent the aids granted under subdivision 1 for community social services within two years of receiving those aids shall receive a reduction in aid calculated pursuant to subdivision 1. This reduction shall be made in the calendar year which begins no more than 30 months after the underspending has occurred and shall be equal to one-half the amount of aids which were not spent.

Subd. 7. **Failure to levy.** A county which levies less than the levy required in subdivision 5, shall receive a reduction in the aid calculated pursuant to subdivisions 1 and 2. The commissioner shall calculate the reduced aid as follows:

(a) Divide the amount levied by the amount required to be levied in subdivision 5; and

(b) Multiply the ratio derived in clause (a) times the aid calculated under subdivision 1.

Subd. 8. **Inappropriate expenditures.** Beginning in calendar year 1981, in counties containing a city of the first class, the distribution in aid provided in subdivision 1 shall be reduced by an amount equal to the community social service aids allocated pursuant to subdivision 1 in the immediately preceding year which have been spent for purposes other than community social services.

Subd. 9. **Local government aid.** Beginning in calendar year 1981 the distribution of local government aid pursuant to section 477A.012 shall be reduced by an amount equal to the community social service aids allocated pursuant to subdivision 1 in the immediately preceding year which have been spent for purposes other than community social services.

Subd. 10. **Appeal.** Prior to certifying any reduction in aids, the commissioner shall notify the county of the intention to certify a reduction. The commissioner shall notify the county of the right to a hearing. If the county requests a hearing within 30 days of notification of intention to reduce aids, the commissioner shall not certify any reduction in aids until a hearing is conducted and a decision rendered in accordance with the provisions of chapter 14 for contested cases.

Subd. 11. [Repealed, 1981 c 355 s 34]

History: 1979 c 324 s 6; 1981 c 355 s 7-9; 1Sp1981 c 1 art 6 s 8; 1Sp1981 c 4 art 1 s 128; 1982 c 424 s 130; 3Sp1982 c 1 art 2 s 5; 1983 c 312 art 1 s 23; art 9 s 9; 1984 c 654 art 5 s 58; 1985 c 21 s 59; 1986 c 413 s 2; 1986 c 444

256E.07 TITLE XX ALLOCATION.

Subdivision 1. **Formula.** In federal fiscal year 1985 and subsequent years, money for social services that is received from the federal government to reimburse counties for social service expenditures pursuant to title XX of the Social Security Act shall be allocated to each county according to the following formula:

(a) Two-thirds shall be allocated on the basis of the annual average number of unduplicated active monthly caseloads in each county in the following programs: aid to families with dependent children, medical assistance, general assistance, supplementary security income, and Minnesota supplemental aid.

(b) One-third shall be allocated on the basis of the number of persons residing in the county as determined by the most recent estimate of the state demographer.

(c) The commissioner shall allocate to the counties pursuant to this section the total money received from the federal government for social services pursuant to title XX of the Social Security Act, except that portion of the state's allocation which the legislature authorizes for administrative purposes and for migrant day care.

Subd. 1a. **Phase-in.** Notwithstanding the provisions of subdivision 1, the allocation formula for federal fiscal years 1985 through 1993 is as follows:

(a) Whenever the amount of federal title XX funds available for allocation to counties is the same as the amount available in the previous fiscal year:

(1) Each county's current year formula share shall be determined pursuant to subdivision 1;

(2) For all counties whose previous year allocation exceeds its current year formula share, the difference shall be divided by the number of years remaining until federal fiscal year 1994; the resulting amount shall be subtracted from the previous year allocation to obtain the final allocation;

(3) For all counties whose current year formula share equals or exceeds its previous year allocation, any difference shall be divided by the number of years remaining until federal fiscal year 1994. The resulting amount shall be added to the previous year allocation to obtain the final allocation.

(b) Whenever the amount of federal title XX funds available for allocation to counties is less than the amount available in the previous year, the procedure described in clause (a) shall be followed, except that each county's previous year allocation shall mean its actual previous year allocation reduced in proportion to the reduction in federal fund availability.

(c) Whenever the amount of federal title XX funds available for allocation to counties is greater than the amount available in the previous year, the procedure described in clause (a) shall be followed, except that each county's previous year allocation shall mean:

(1) the actual previous year allocation; plus

(2) the amount to which the county would be entitled by apportioning 40 percent of the excess federal funds available according to the distribution formula contained in subdivision 1; plus

(3) for all counties whose current year formula share exceeds the amount prescribed by items (1) and (2), the amount to which the county would be entitled by apportioning the remaining 60 percent of the excess federal funds available among the remaining counties according to the distribution formula contained in subdivision 1.

For the purposes of the federal fiscal year 1985 allocation, the federal fiscal year 1982 corrected allocation shall be considered the previous year allocation.

Subd. 1b. **Unutilized funds.** The commissioner of human services shall annually review the use of title XX allocations by county and, pursuant to the formula found in subdivision 1, reallocate unused money among those counties who have expended their full portion.

Subd. 2. [Repealed, 1982 c 607 s 19]

Subd. 3. [Repealed, 1984 c 654 art 5 s 59]

History: 1979 c 324 s 7; 1981 c 355 s 10,11; 1982 c 607 s 17; 1984 c 654 art 5 s 39-41,58

256E.08 DUTIES OF COUNTY BOARDS.

Subdivision 1. **Responsibilities.** The county board of each county shall be responsible for administration, planning and funding of community social services. Each county board shall singly or in combination with other county boards as provided in section 256E.09 prepare a social services plan and shall update the plan biennially. Upon final approval of the plan by the county board or boards, the plan shall be submitted to the commissioner. The county board shall distribute money available pursuant to sections 256E.06 and 256E.07 for community social services.

The authority and responsibilities of county boards for social services for groups of persons identified in section 256E.03, subdivision 2, shall include contracting for or directly providing:

(1) information about the symptoms and characteristics of specific problems of the identified groups to increase understanding and acceptance by the general public, to help alleviate fears of seeking help, and to enable access to appropriate assistance;

(2) an assessment of the needs of each person applying for assistance which estimates the nature and extent of the problem to be addressed and identifies the means available to meet the person's needs. These diagnostic and evaluation activities shall evaluate the functioning of each person with regard to an illness or disability, screen for placement, and determine the need for services;

(3) protection aimed at alleviating urgent needs of each person by determining urgent need, shielding persons in hazardous conditions when they are unable to care for themselves, and providing urgently needed assistance;

(4) supportive and rehabilitative activities that assist each person to function at the highest level of independence possible for the person, preferably without removing the person from home. These activities include both increasing the client's level of functioning and maintaining current levels of functioning;

(5) a means of facilitating access of physically handicapped or impaired persons to activities appropriate to their needs; and

(6) administrative activities to coordinate and facilitate the effective use of formal and informal helping systems to best address client needs and goals. This includes assisting the client in making informed decisions about opportunities and services, assuring timely access to needed assistance, providing opportunities and encouragement for self-help activities, and coordinating all services to meet the client's needs and goals. County case management shall be responsible for determining appropriate care and activities.

If, after appropriate notice, a county does not fulfill its responsibilities or is not in compliance with the applicable department rule, the commissioner shall certify a reduction of up to 20 percent of the county's annual community social services act funding, or an equivalent amount from state administrative aids, and the state shall assume the responsibilities in this subdivision. When a county is notified of this action, it may appeal according to the provisions in section 256E.06, subdivision 10.

A county board may delegate to a county welfare board established under chapter 393 authority to provide or approve contracts for the purchase of the kinds of community social services that were provided or contracted for by the county welfare boards before the enactment of Laws 1979, chapter 324. The county board must determine how citizens will participate in the planning process, give final approval to the community social services plan, and distribute community social services money.

Subd. 2. County staff. The board may appoint a director of community social services to serve at the pleasure of the board and to perform the administrative functions required of the board by sections 256E.01 to 256E.12. The board may assign to the director of community social services the duties of the welfare director as described in section 393.04.

Subd. 3. Administration of income maintenance programs. The county board may designate itself, a human services board, or a county welfare board to perform the functions of county welfare boards as prescribed in chapter 393 and assigned to county agencies in other law which pertains to the administration of income maintenance programs known as aid to families with dependent children, general assistance, Minnesota supplemental aid, medical assistance, general assistance medical care, and emergency assistance.

Subd. 4. Contracts for services. The county board may contract for community social services programs with a human services board, a multicounty board established by a joint powers agreement, other political subdivisions, or private organizations. The final approval of the community social services plan required in section 256E.09 shall

be made by the county board of each county. Nothing in this subdivision shall be construed to negate any collective bargaining unit agreements that are operative on July 1, 1979 between currently existing exclusive representatives and the county.

Subd. 5. Community social services fund. In the accounts and records of each county there shall be created a community social services fund. All moneys provided for community social services programs under sections 256E.06 and 256E.07 and all other revenues, fees, grants-in-aid, gifts, or bequests designated for community social services purposes shall be identified in the record of the fund and in the report required in subdivision 8. This fund shall be used exclusively for planning and delivery of community social services as defined in section 256E.03, subdivision 2. If county boards have joined for purposes of administering community social services, the county boards may create a joint community social services fund. If a human service board has been established, the human service board shall account for community social services money as required in chapter 402.

Subd. 6. Fees for services. The county board may, subject to approval of the commissioner, establish a schedule of fees based upon clients' ability to pay to be charged to recipients of community social services. Payment, in whole or in part, for services may be accepted from any person. When services are provided to any person, including a recipient of aids administered by the federal, state or county government, payment of any charges due may be billed to and accepted from a public assistance agency or from any public or private corporation.

Subd. 7. County of financial responsibility. (a) Except as described in paragraphs (b) and (c), the county responsible for payment for community social services is the county in which the recipient of services resides at the time of application if the applicant is not in a facility described in section 256B.02, subdivision 2, or has never resided in this state other than in such a facility. If the applicant is in a facility described in section 256B.02 and has previously resided in this state without being in such a facility, then the county of financial responsibility is the county in which the applicant resided immediately before entering the facility. The county of financial responsibility does not change as a result of referral or approval of referral for services to another county by the county of financial responsibility. Minors are considered as residing in the county in which their parents or guardians reside. When a minor reaches the age of 18, the county of financial responsibility is the county in which the minor resides. If a person continues in residential care or treatment after reaching the age of 18, the county which initiated the treatment is the county of financial responsibility. When there is a dispute as to the county of financial responsibility, the county providing or arranging for services shall pay for them pending final determination of the county of residence. Disputes concerning the county of financial responsibility shall be settled in the manner prescribed in section 256D.18, subdivision 4. When the county board providing the care or service is not the county of the minor's legal residence, it has a claim for recovery of costs upon the county where the minor has residence.

(b) The county of financial responsibility for detoxification services and chemical dependency emergency admissions is the county where the client is when the need for services is identified. If the client is a resident of a chemical dependency facility, paragraph (a) applies.

(c) The county of financial responsibility for social services for a person receiving aid to families with dependent children, general assistance, or medical assistance is the county from which that person is receiving the aid or assistance.

Subd. 8. Financial reporting by counties. Beginning in calendar year 1980 each county shall submit to the commissioner of human services a financial accounting of the county's community social services fund. A quarterly statement shall be submitted no later than 15 days after the end of the calendar quarter, and shall include:

(a) A detailed statement of income and expenses attributable to the fund in the preceding quarter; and

(b) A statement of the source and application of all money used for social services programs by the county during the preceding quarter, including the number of clients

served and expenditures for each service provided, as required by the commissioner of human services.

In addition, each county shall submit to the commissioner of human services no later than February 15 of each year, a detailed balance sheet of the community social development fund for the preceding calendar year.

If county boards have joined or designated human service boards for purposes of providing community social services programs, the county boards may submit a joint statement or the human service board shall submit the statement, as applicable.

Subd. 9. Reduction in services prohibited. In calendar year 1983 the county board shall not reduce the funding provided in calendar year 1982 for the following service: cost of care for mentally retarded children, emotionally handicapped children, or children having epilepsy.

Subd. 10. Intercounty cooperation. Two or more contiguous counties that are situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or the metropolitan area as defined in section 473.121, subdivision 2, and that have not established a human services board may, by resolution of their respective county boards, agree to combine into one board for social service purposes to serve the counties that enter into the agreement. The joint board shall have the same powers, duties, and functions as the individual county boards. The term of the joint board, withdrawal from the joint board, composition of the board, and contribution to the expenses of the board shall be according to the terms of the agreement. Nothing in this section shall prevent a county board from purchasing services from an agency outside the boundaries of the Minnesota economic development region in which it is situated. A joint board established pursuant to this section may encompass completely two regions. Insofar as possible, social services which are jointly administered shall be equally accessible to all residents of the counties that are party to the agreement.

History: 1979 c 324 s 8; 1981 c 355 s 12-14; 1983 c 10 s 1; 1983 c 151 s 4; 1984 c 378 s 1; 1984 c 609 s 19; 1984 c 654 art 5 s 58; 1Sp1985 c 9 art 2 s 67; 1986 c 394 s 20; 1986 c 413 s 3; 1986 c 444

NOTE: Subdivision 7, as amended by Laws 1986, chapter 394, section 20, is effective July 1, 1987. See Laws 1986, chapter 394, section 24.

NOTE: The amendment to subdivision 7, by Laws 1986, chapter 394, section 20, is repealed July 1, 1987, unless adequate funding is made available to meet the cash-flow and capital needs of the regional treatment center chemical dependency units as determined by the commissioner in consultation with the chief executive officers of those units. See Laws 1986, chapter 394, section 23.

256E.09 COMMUNITY SOCIAL SERVICE PLANS.

Subdivision 1. Plan proposal. In 1988, the county board shall publish a one-year update to its 1987-1988 biennial plan for calendar year 1989, and make it available upon request to all residents of the county. Beginning in 1989, and every two years after that, the county board shall publish and make available upon request to all county residents a proposed biennial community social services plan for the next two calendar years.

Subd. 2. Citizen participation. The county board shall provide opportunities for participation by citizens in the county, including representatives of users of services, in the development of the biennial plan and in the allocation of money for community social services. At least 60 days prior to publication of the proposed plan the county board shall publish the methods proposed to achieve citizen participation in the planning process.

Subd. 3. Plan content. The biennial community social services plan published by the county shall include:

- (a) A statement of the goals of community social service programs in the county;
- (b) Methods used pursuant to subdivision 2 to encourage participation of citizens and providers in the development of the plan and the allocation of money;
- (c) Methods used to identify persons in need of service and the social problems to be addressed by the community social service programs, including efforts the county

proposes to make in providing for early intervention, prevention and education aimed at minimizing or eliminating the need for services for groups of persons identified in section 256E.03, subdivision 2;

(d) A statement describing how the county will fulfill its responsibilities identified in section 256E.08, subdivision 1 to the groups of persons described in section 256E.03, subdivision 2, and a description of each community social service proposed and identification of the agency or person proposed to provide the service. The plan shall specify how the county proposes to make the following services available for persons identified by the county as in need of services: daytime developmental achievement services, subacute detoxification services, residential services and nonresidential social support services as appropriate for the groups identified in section 256E.03, subdivision 2;

(e) The amount of money proposed to be allocated to each service;

(f) An inventory of public and private resources including associations of volunteers which are available to the county for social services;

(g) Evidence that serious consideration was given to the purchase of services from private and public agencies; and

(h) Methods whereby community social service programs will be monitored and evaluated by the county.

Subd. 4. Plan submission. The county board of commissioners shall submit the biennial community social services plan to the commissioner of human services. The date of publication and submission to the commissioner shall be determined so that the plan is coordinated with the county budgeting process.

Subd. 5. Public notice. The county board shall make available to the public through publication or posting in public buildings the names and locations of agencies responsible for the provision of community social services.

Subd. 6. Plan amendment. After providing opportunity for public comment, the county may amend its plan. After approval of the amendment by the county board, the county shall submit its amendment to the commissioner. The commissioner shall certify whether the amendment fulfills the purpose and requirements of law and the rules of the state agency.

History: 1979 c 324 s 9; 1981 c 355 s 15-17; 1982 c 607 s 18; 1984 c 654 art 5 s 58; 1986 c 413 s 4; 1986 c 444

256E.10 PROGRAM EVALUATION.

Subdivision 1. County evaluation. Beginning in calendar year 1981, each county shall submit to the commissioner a report on the effectiveness of the community social service programs in the county. The commissioner in collaboration with county boards shall prescribe standard methods to be used by the counties in making the report. The report shall be submitted no later than March 1 of each year and shall include:

(a) The number and type of recipients of each service; and

(b) An evaluation on the basis of measurable program objectives and performance criteria for each county social service program.

Subd. 2. Statewide evaluation. At the end of the first year covered by the county biennial plan, the commissioner shall prepare a report on the counties' progress in carrying out their plan and make it available to interested parties.

At the end of each period covered by the counties' biennial community social services plan, the commissioner shall prepare an evaluation of the effectiveness of the prior two years performance of each program in relation to identified public social problems, stating the measurable goals, objectives, methods, and outcome for those years, including the extent to which the numbers of persons and families proposed to be served by each category of social service were actually served, the direct cost, and the administrative cost per unit of social service for each category.

History: 1979 c 324 s 10; 1981 c 355 s 18

256E.11 PILOT PROGRAMS.

Nothing in sections 256E.01 to 256E.12 shall prohibit the commissioner from making grants for pilot programs in certain counties or on a statewide basis when the legislature authorizes money to encourage innovation in community social services programs or to respond to the needs of a specified group of persons.

History: 1979 c 324 s 11

256E.12 GRANTS FOR CHRONICALLY MENTALLY ILL PERSONS.

Subdivision 1. The commissioner shall establish an experimental statewide program to assist counties in providing services to chronically mentally ill persons. The commissioner shall make grants to counties to establish, operate, or contract with private providers to provide services designed to help chronically mentally ill persons remain and function in their own communities. Grants received pursuant to this section may be used to fund innovative community programs, relating to physical fitness programs designed as part of a mental health treatment plan.

Subd. 2. To apply for a grant a county board shall submit an application and budget for the use of the money in the form specified by the commissioner. The commissioner shall make grants only to counties whose applications and budgets are approved by the commissioner. A county receiving a grant under this section shall finance at least ten percent of the cost of services for chronically mentally ill persons from local resources, which may include private contributions and federal money.

Subd. 3. The commissioner shall allocate grants under this section to finance up to 90 percent of each county's costs for services for chronically mentally ill persons. The commissioner shall promulgate emergency and permanent rules to govern grant applications, approval of applications, allocation of grants, and maintenance of financial statements by grant recipients. The commissioner shall require collection of data and periodic reports as the commissioner deems necessary to demonstrate the effectiveness of the services in helping chronically mentally ill persons remain and function in their own communities. The commissioner shall report to the legislature no later than January 15, 1983 on the effectiveness of the experimental program and shall make recommendations regarding making this program an integral part of the social development programs administered by counties. The experimental program shall expire no later than June 30, 1987.

History: 1979 c 324 s 12; 1981 c 355 s 19; 1984 c 640 s 32; 1Sp1985 c 9 art 2 s 68; 1986 c 349 s 2; 1986 c 444

NOTE: Laws 1980, Chapter 614, Section 29, Clause (i) reads:

"Notwithstanding the provisions of Minnesota Statutes, Chapter 256E, a county board may delegate to a county welfare board established pursuant to Chapter 393, authority to provide, or approve contracts for the purchase of, the kinds of community social services that were provided or contracted for by county welfare boards prior to the enactment of Laws 1979, Chapter 324. Designation of the method for providing citizen participation in the planning process, final approval of the community social services plan and the distribution of community social services money shall be the responsibility of the county board."