

CHAPTER 256E

COMMUNITY SOCIAL SERVICES

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256E.03 DEFINITIONS.

[For text of subd 1, see M.S.1994]

Subd. 2. (a) "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:

(1) 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;

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

(3) adults who are in need of protection and vulnerable as defined in section 626.5572;

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

(5) 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;

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

(7) 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;

(8) 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

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

(b) Except as provided in section 256E.08, subdivision 5, 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 145A.09 to 145A.13.

[For text of subds 3 to 7, see M.S.1994]

History: 1995 c 229 art 4 s 13

256E.05 DUTIES OF COMMISSIONER OF HUMAN SERVICES.

[For text of subds 1 to 2, see M.S.1994]

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

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

(b) To the extent possible, coordinate other categorical social services grant applications and plans required of counties so that the applications and plans are included in and are consistent with the timetable and other requirements for the community social services plan in subdivision 2 and section 256E.09;

(c) Provide to the chair of each county board, in addition to notice required pursuant to sections 14.05 to 14.28, 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) Design and implement a system that uses corrective action procedures as established in subdivision 5 and a schedule of fines to ensure county compliance with statutes, rules, federal laws, and federal regulations governing community social services. In determining the amount of the fine, the commissioner may consider the number of community social services clients or applicants affected by the county's failure to comply with the law or rule, the severity of the noncompliance, the duration of the noncompliance, the resources allocated for the provision of the service in the community social services plan approved under section 256E.09, and the amount the county is levying for social services and income maintenance programs as reported under section 275.62, subdivision 1, clause (2). Fines levied against a county under this subdivision must not exceed ten percent of the county's community social services allocation for the year in which the fines are levied;

(g) Design and implement an incentive program for the benefit of counties that perform at a level that consistently meets or exceeds the minimum standards in law and rule. Fines collected under paragraph (e) may be placed in an incentive fund and used for the benefit of counties that meet and exceed the minimum standards;

(h) Specify requirements for reports, including fiscal reports, according to section 256.01, subdivision 2, paragraph (17), to account for aids distributed under section 256E.06, funds from Title XX of the Social Security Act distributed under Minnesota Statutes, section 256E.07, claims under Title IV-E of the Social Security Act, mental health funding, and other social services expenditures and activities; and

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

[For text of subds 3a to 6, see M.S.1994]

History: 1995 c 233 art 2 s 56

256E.06 DISTRIBUTION OF STATE AIDS.

[For text of subds 1 to 10, see M.S.1994]

Subd. 12. [Repealed, 1994 c 587 art 3 s 21; 1995 c 207 art 2 s 39]

Subd. 13. [Repealed, 1995 c 207 art 2 s 39]

256E.08 DUTIES OF COUNTY BOARDS.

[For text of subds 1 to 5, see M.S.1994]

Subd. 6. **Fees for services.** The county board may 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 except that no fee may be charged to persons or families whose adjusted gross household income is below the federal poverty level. 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.

[For text of subds 8 to 10, see M.S.1994]

History: 1995 c 207 art 11 s 7

256E.081 FISCAL LIMITATIONS.*[For text of subds 1 to 3, see M.S.1994]*

Subd. 4. Denial, reduction, or termination of services. (a) Before a county denies, reduces, or terminates services to an individual due to fiscal limitations, the county must meet the requirements in subdivisions 2 and 3, and document in the person's individual service plan:

- (1) the person's service needs;
- (2) the alternatives considered for meeting the person's service needs; and
- (3) the actions that will be taken to prevent abuse or neglect as defined in sections 626.556, subdivision 2, paragraphs (a), (c), (d), and (k); and maltreatment as defined in section 626.5572, subdivision 15.

(b) The county must notify the individual and the individual's guardian in writing of the reason for the denial, reduction, or termination of services and of the individual's right to an appeal under section 256.045.

(c) The county must inform the individual and the individual's guardian in writing that the county will, upon request, meet to discuss alternatives and amend the individual service plan before services are terminated or reduced.

History: 1995 c 229 art 4 s 14

256E.115 SAFE HOUSES AND TRANSITIONAL HOUSING FOR HOMELESS YOUTH.

Subdivision 1. Commissioner duties. The commissioner shall issue a request for proposals from organizations that are knowledgeable about the needs of homeless youth for the purpose of providing safe houses and transitional housing for homeless youth. The commissioner shall appoint a review committee of up to eight members to evaluate the proposals. The review panel must include representation from communities of color, youth, and other community providers and agency representatives who understand the needs and problems of homeless youth. The commissioner shall also assist in coordinating funding from federal and state grant programs and funding available from a variety of sources for efforts to promote a continuum of services for youth through a consolidated grant application. The commissioner shall analyze the needs of homeless youth and gaps in services throughout the state and determine how to best serve those needs within the available funding.

Subd. 2. Safe houses and transitional housing. A safe house provides emergency housing for homeless youth ranging in age from 13 to 22 with the goal of reuniting the family, if appropriate, whenever possible. Transitional housing provides housing for homeless youth ages 16 to 22 who are transitioning into independent living.

In developing both types of housing, the commissioner and the review committee shall try to create a family atmosphere in a neighborhood or community and, if possible, provide separate but cooperative homes for males and females. It may be necessary, due to licensing restrictions, to provide separate housing for different age groups. The following services, or adequate access to referrals for the following services, must be made available to the homeless youth:

- (1) counseling services for the youth, and their families, if appropriate, on site, to help with problems that resulted in the homelessness;
- (2) job services to help youth find employment in addition to creating jobs on site, including food service, maintenance, child care, and tutoring;
- (3) health services that are confidential and provide preventive care services, crisis referrals, and other necessary health care services;
- (4) living skills training to help youth learn how to care for themselves; and
- (5) education services that help youth enroll in academic programs, if they are currently not in a program. Enrollment in an academic program is required for residency in transitional housing.

History: 1995 c 207 art 4 s 4