

256J.32 DOCUMENTING, VERIFYING, AND RECERTIFYING ELIGIBILITY.

Subdivision 1. **Verification of information.** An agency must apply section 256P.04 when documenting, verifying, and recertifying MFIP eligibility. An agency must only require verification of information necessary to determine MFIP eligibility and the amount of the assistance payment.

[See Note.]

Subd. 2. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

Subd. 3. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

Subd. 4. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

Subd. 5. [Repealed, 1998 c 407 art 6 s 118]

Subd. 5a. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

Subd. 6. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

Subd. 7. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

Subd. 7a. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

Subd. 8. [Repealed, 2014 c 312 art 28 s 37]

[See Note.]

History: 1997 c 85 art 1 s 21; 1998 c 407 art 6 s 64-66; 1999 c 245 art 6 s 36,37; 2000 c 488 art 10 s 9; 1Sp2001 c 9 art 10 s 19,20,66; 2002 c 379 art 1 s 113; 1Sp2003 c 14 art 1 s 41-44; 2004 c 288 art 4 s 35,36; 2007 c 13 art 1 s 25; 2007 c 147 art 2 s 29; 2008 c 277 art 1 s 41; 2012 c 216 art 8 s 3; 2014 c 291 art 11 s 15,16; 2014 c 312 art 28 s 23

NOTE: The amendment to subdivision 1 by Laws 2014, chapter 312, article 28, section 23, is effective February 1, 2015. Laws 2014, chapter 312, article 28, section 23, the effective date.

NOTE: Subdivisions 2, 3, 4, 5a, 6, 7, 7a, and 8, are repealed by Laws 2014, chapter 312, article 28, section 37, effective February 1, 2015. The text of these subdivisions may be viewed in Minnesota Statutes 2012 or online in Minnesota Statutes 2013 in the Statutes Archive.

NOTE: Subdivision 6 was also amended by Laws 2014, chapter 291, article 11, section 15, to read as follows:

"Subd. 6. **Recertification.** (a) The county agency shall recertify eligibility in an annual interview with the participant. The interview may be conducted by phone, Internet telepresence, or face-to-face in the county office or in another location mutually agreed upon. During the interview, the county agency shall verify the following:

(1) presence of the minor child in the home, if questionable;

(2) income, unless excluded, including self-employment expenses used as a deduction or deposits or withdrawals from business accounts;

(3) assets when the value is within \$200 of the asset limit;

(4) information to establish an exception under section 256J.24, subdivision 9, if questionable;

(5) inconsistent information, if related to eligibility; and

(6) whether a single caregiver household meets requirements in section 256J.575, subdivision 3.

(b) A participant must be given the option of a phone interview or Internet telepresence to recertify eligibility."

NOTE: Subdivision 8 was also amended by Laws 2014, chapter 291, article 11, section 16, to read as follows:

"Subd. 8. **Personal statement.** (a) The county agency may accept a signed personal statement from the applicant or participant explaining the reasons that the documentation requested in subdivision 2 is unavailable as sufficient documentation at the time of application, recertification, or change related to eligibility only for the following factors:

(1) a claim of family violence if used as a basis to qualify for the family violence waiver;

(2) information needed to establish an exception under section 256J.24, subdivision 9;

(3) relationship of a minor child to caregivers in the assistance unit;

(4) citizenship status from a noncitizen who reports to be, or is identified as, a victim of severe forms of trafficking in persons, if the noncitizen reports that the noncitizen's immigration documents are being held by an individual or group of individuals against the noncitizen's will. The noncitizen must follow up with the Office of Refugee Resettlement (ORR) to pursue certification. If verification that certification is being pursued is not received within 30 days, the MFIP case must be closed and the agency shall pursue overpayments. The ORR documents certifying the noncitizen's status as a victim of severe forms of trafficking in persons, or the reason for the delay in processing, must be received within 90 days, or the MFIP case must be closed and the agency shall pursue overpayments; and

(5) other documentation unavailable for reasons beyond the control of the applicant or participant. Reasonable attempts must have been made to obtain the documents requested under subdivision 2.

(b) After meeting all requirements under section 256J.09, if a county agency determines that an applicant is ineligible due to exceeding limits under sections 256J.20 and 256J.21, a county agency may accept a signed personal statement from the applicant in lieu of documentation verifying ineligibility."