

**256.82 PAYMENTS BY STATE.**

Subdivision 1. [Repealed, 1997 c 203 art 11 s 13]

Subd. 2. **Foster care maintenance payments.** (a) For the purpose of foster care maintenance payments under title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 676, the county or American Indian child welfare initiative tribes under section 256.01, subdivision 14b, paying the maintenance costs must be reimbursed for the costs from the federal money available for the purpose. Beginning July 1, 1997, for the purposes of determining a child's eligibility under title IV-E of the Social Security Act, the placing agency shall use AFDC requirements in effect on July 16, 1996.

(b) For the purpose of foster care maintenance payments under title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 676, the state is responsible for approving of child care institutions for the county paying the facility's maintenance costs to be reimbursed from the federal money available for the purpose. The facility must be licensed by the state or approved or licensed by a tribe.

*[See Note.]*

Subd. 3. **Setting foster care standard rates.** (a) The commissioner shall annually establish minimum rates for foster care maintenance including supplemental difficulty of care payments for all children eligible for Northstar Care for Children under chapter 256N.

(b) All children entering foster care on or after January 1, 2015, are eligible for Northstar Care for Children under chapter 256N. Any increase in rates shall in no case exceed three percent per annum.

(c) All children in foster care on December 31, 2014, must remain in the pre-Northstar Care for Children foster care program under sections 256N.21, subdivision 6, and 260C.4411, subdivision 1. The rates for the pre-Northstar Care for Children foster care program shall remain those in effect on January 1, 2013.

Subd. 4. [Repealed, 2013 c 108 art 17 s 24]

Subd. 5. [Repealed, 2010 c 301 art 3 s 11]

**History:** (8688-16) 1937 c 438 s 14; 1943 c 619 s 1; 1951 c 229 s 6; 1977 c 423 art 3 s 3; 1979 c 303 art 2 s 1; 1980 c 607 art 2 s 2; 1982 c 553 s 1; 1983 c 312 art 5 s 5; 1Sp1985 c 9 art 2 s 31; 1987 c 235 s 1,2; 1988 c 719 art 8 s 6; 1989 c 277 art 2 s 5; 1Sp1989 c 1 art 16 s 3; 1990 c 568 art 4 s 84; 1991 c 292 art 5 s 23; 1997 c 7 art 5 s 29; 1997 c 85 art 3 s 8; 1997 c 203 art 5 s 11; art 11 s 3; 1998 c 406 art 1 s 10,37; 1998 c 407 art 9 s 10; 1999 c 159 s 44; 2000 c 260 s 97; 2010 c 301 art 3 s 3; 2013 c 108 art 17 s 2,3,24; 1Sp2020 c 2 art 5 s 36

**NOTE:** The amendment to subdivision 2 by Laws 2020, First Special Session chapter 2, article 5, section 36, is effective September 30, 2021. Laws 2020, First Special Session chapter 2, article 5, section 36, the effective date.