

**CHAPTER 9550**  
**DEPARTMENT OF HUMAN SERVICES**  
**GENERAL ADMINISTRATION OF SOCIAL SERVICES**

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**9550.0010 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 9550.0010 to 9550.0093, the following terms have the meanings given them.

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

Subp. 2a. **Authorized representative.** "Authorized representative" means a parent of a minor child, a guardian, a person who is authorized by power of attorney under Minnesota Statutes, section 523.01, a person who is appointed by the applicant or client, or a person who is authorized by a court of law to act on the applicant's or client's behalf in matters involving community social services. The case record must document the name of the person or names of the persons appointed and the reason or reasons for the appointment.

Subp. 3 **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Human Services or the commissioner's designee.

Subp. 4. **Community social services.** "Community social services" means the services included in a county's community social services plan in order to fulfill the county responsibility, as prescribed in Minnesota Statutes, section 256E.08, subdivision 1, to groups or subgroups specified in Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a). These services are administered by county boards and provided or arranged for the groups or subgroups according to the county board's community social services plan.

*[For text of subs 5 and 6, see M.R.]*

Subp. 7 **County of financial responsibility.** "County of financial responsibility" means the county responsible for the payment of individual client social services as specified in Minnesota Statutes, section 256G.02, subdivision 4.

Subp. 8. **County of service.** "County of service" means the county arranging for or providing community social services to individual clients at the request of the client, the client's authorized representative, or the county of financial responsibility.

*[For text of subp 9, see M.R.]*

Subp. 10. [Repealed, 20 SR 2427]

Subp. 11 [Repealed, 20 SR 2427]

Subp 12. **Goal.** "Goal" means the intended outcome for a client.

Subp. 13. [Repealed, 20 SR 2427]

Subp. 13a. **Indicator.** "Indicator" means the measure to be used to determine outcome attainment.

Subp. 14. **Individual service plan.** "Individual service plan" means the plan agreed upon between the local agency and the client or the client's authorized representative for the provision of social services to the client by the local agency.

Subp. 14a. **Lead county.** "Lead county" means a county that negotiates and administers a contract with an approved vendor on behalf of itself and other local agencies requesting to purchase social services from that vendor.

*[For text of subp 15, see M.R.]*

Subp. 16. [Repealed, 20 SR 2427]

Subp. 17. **Outcome.** "Outcome" means the change or difference for a client in terms of the client's condition, behavior, knowledge, or skills and abilities during the provision of services

*[For text of subps 18 and 19, see M.R.]*

Subp. 20. [Repealed, 20 SR 2427]

Subp. 21. [Repealed, 20 SR 2427]

**Statutory Authority:** *MS s 256E.05*

**History:** 20 SR 2427

## 9550.0020 COUNTY RESPONSIBILITY FOR COMMUNITY SOCIAL SERVICES.

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

Subp. 2. **Social services clients.** A county board must provide community social services in accordance with Minnesota Statutes, section 256E.08, subdivision 1, to groups of persons identified in Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a).

Subp. 3. **Methods of providing services.** A county board must provide community social services directly through the local agency, by contracting with or making grants to approved vendors, or by arranging for the voluntary provision of services at no cost to the county board.

Subp. 4. **Eligibility policy and criteria.** The county board must establish eligibility policies and criteria for community social services and describe them in the county's biennial community social services plan.

Subp. 5. **Annual effectiveness report.** The county board must submit an annual effectiveness report to the commissioner pursuant to Minnesota Statutes, section 256E.10, subdivision 1. The report must include an evaluation of the outcomes as stated in the county's community social services plan.

**Statutory Authority:** *MS s 256E.05*

**History:** 20 SR 2427

## 9550.0030 COMMUNITY SOCIAL SERVICES PLAN.

Subpart 1. **County board responsibility.** A county board must submit biennially a proposed and a final community social services plan for the next two calendar years to the commissioner for certification.

If the commissioner does not approve a proposed plan or if a county wishes to change its proposed plan, the county must submit a revised plan. If the commissioner approves a proposed plan and the county does not wish to change the plan, the county must notify the commissioner that it will adopt the proposed plan as a final plan.

A county's revised plan or notice of intent to adopt a proposed plan as a final plan must be received by the commissioner no later than 30 calendar days after final adoption of the county's budget by the county board. If the final plan submitted by a county is not approved, the commissioner must notify the county in writing of the reasons for not approving the plan. The county has 30 days from receiving the commissioner's notice to submit a plan that will comply with the requirements cited by the commissioner. If the county fails within the 30-day period to submit a plan that complies, the payment reduction specified in Minnesota Statutes, section 256E.05, subdivision 2, applies.

If the commissioner's certification of a county's final plan is delayed beyond January 1 of the first year of the plan, the community social services plan in effect on December 31 of the year immediately preceding the first year of the plan shall remain in effect until the final plan is certified.

Subp. 2. **Notice of opportunity for citizen participation.** The county board must provide and publicize an opportunity for county citizens, including representatives of service users, to participate in developing the proposed community social services plan. The notice of an opportunity for citizen participation must also indicate when a copy of the proposed community social services plan will be available to county residents upon request. Consistent with subpart 4, item A, the notice of opportunity for citizen participation must be pub-

lished at least 60 calendar days before the date when the proposed plan becomes available for public distribution.

**Subp. 3. Plan availability.** After submitting its proposed plan to the commissioner, the county board must publish notice of the availability of their proposed community social services plan and make the proposed plan available to residents of the county upon request. The plan made available to the public must be the proposed plan or a summary of the proposed plan that the county board considers in its budget deliberations. Summaries must include approximate levels of budgeting. Summaries must also include a prominent notice that the complete proposed plan to be considered by the county board is also available upon request.

**Subp. 4. Certification standards.** The plan approved by the county board must comply with the standards in items A to I in order to have the commissioner certify that the county's community social services plan fulfills the purposes and requirements of Minnesota Statutes, section 256E.09, other state and federal law, and the rules of the department. Compliance with items A to I does not exempt a county from meeting the requirements of other categorical grant applications and plans that have been included as part of the community social services plan.

A. The proposed community social services plan must document the county's efforts to obtain citizen participation in plan development by:

(1) showing that notice of opportunity for citizen participation in plan development was published at least 60 calendar days before the proposed plan became available to the public;

(2) describing methods and timetables used by the county board to achieve citizen participation; and

(3) summarizing public comments by content, source, and effect on determining priorities within and services to be offered to each group identified in Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a).

B. The plan must specify each group or subgroup identified in Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a). When a plan addresses the needs of other groups pursuant to Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a), clause (9), the county must define or describe each group and the services proposed must be consistent with the overall purpose of Minnesota Statutes, chapter 256E.

C. The plan must include eligibility policies and criteria and client fee policies and schedules.

D. The plan must include the methods used to assess the needs of each group or subgroup in item B.

E. For each group or subgroup specified in item B, the plan must state:

(1) at least one client-focused goal and outcome indicator; and

(2) a description of how the service system will be coordinated.

F. Using codes from the current statewide reporting system for community social services, the plan must describe all services the county board proposes to provide for each group or subgroup in item B, and the planned expenditures for each group.

G. The plan must specify how the county board plans to facilitate access to services for persons with mental or physical disabilities.

H. The plan must include an analysis of the adequacy of resources available to support the proposed plan and an estimate of unmet needs.

I. The plan must include estimates of the amount and source of all anticipated federal, state, and local revenues.

**Subp. 5. Availability of final plan.** The county board must make copies of the final community social services plan, or a summary of the plan that includes actual levels of funding, available to county residents on request no later than 60 days after the commissioner certifies the plan.

**Subp. 6. Duration of plan.** The community social services plan shall be in effect from January 1 of each even-numbered year through December 31 of the following year except when a new final plan has not been certified and subpart 1 applies.

Subp. 7. **Amendment to plan.** The county board must amend its community social services plan pursuant to Minnesota Statutes, section 256E.09, subdivision 6, and this subpart when the county proposes to:

- A. add, reduce, or delete a service;
- B. change eligibility categories, including expansion, restriction, or deletion of a category;
- C. change fee policies or schedules; or
- D. exercise the fiscal limitations provisions in Minnesota Statutes, section 256E.081.

The county board must publish notice of the proposed amendment and make it available to county residents upon request. The county board must permit the public to review and comment on the proposed amendment for a minimum of 30 calendar days following notice of the proposed amendment. If the county board approves the proposed amendment following the period for public comment, it must submit the amendment to the commissioner unless the amendment concerns fee schedules.

All provisions of the current approved plan must remain in effect until the proposed amendment becomes final. The proposed amendment becomes final when the commissioner certifies the amendment or, in the case of an amendment concerning fee schedules, when the county board approves the amendment.

*[For text of subps 8 and 9, see M.R.]*

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*

#### **9550.0040 GRANTS AND PURCHASE OF SERVICE CONTRACTS.**

Subpart 1. **Authority.** The local agency may purchase community social services by grant or purchase of service contract from agencies or individuals approved as vendors.

Subp. 2. **Grant and contract requirements.** Grants and purchase of service contracts for community social services must contain the following:

- A. the beginning and ending dates of the grant or contract;
- B. a description of the service or services as defined in the community social services plan;
- C. the total dollar amount of the grant or the unit cost of each service for a purchase of service contract;
- D. a statement that the amount, frequency, and duration of purchased services will be provided in accordance with the client's individual service plan;
- E. a statement that the provider must notify the client and the local agency, in writing, before discharge or termination of services to an individual client;
- F. an itemized list of program and fiscal records to be maintained by the approved vendor;
- G. a retention schedule for program and fiscal records;
- H. statement of compliance with the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and identification of the person responsible for compliance with data practices;
- I. provisions for addressing liability; and
- J. provisions for termination of the grant or contract.

Subp 3. **Duties of local agency.** The local agency must:

A. use a written grant or purchase of service contract containing all provisions specified in subpart 2 when purchasing community social services. Every grant and purchase of service contract must be completed, signed, and approved by all parties to the agreement, including the county board unless the county board has designated the local agency to sign on its behalf. No service shall be provided before the effective date of the grant or purchase of service contract;

B. determine client's eligibility for purchased services, or delegate the responsibility for making the preliminary determination to the approved vendor under the terms of the grant or purchase of service contract;

C. ensure the development of an individual social service plan based on the needs of the client;

D. monitor purchased services and evaluate grants and contracts on the basis of client outcomes; and

E. purchase only from approved vendors.

Subp. 4. **Local agency criteria.** When the local agency chooses to purchase community social services from a vendor that is not subject to state licensing laws or department rules, the local agency must establish written criteria for vendor approval to ensure the health, safety, and well-being of clients.

*[For text of subp 5, see M.R.]*

Subp. 6. **Files.** The local agency must keep an administrative file for each grant and contract. The file must contain:

*[For text of items A to E, see M.R.]*

F. financial, statistical, and any other reports specified in the grant or contract.

Subp. 7. [Repealed, 20 SR 2427]

Subp. 7a. **Contracting within and across county lines; lead county contracts.** Items A to E govern contracting within and across county lines and lead county contracts.

A. Once a local agency and an approved vendor execute a contract that meets the requirements of this part, that contract governs all other purchases of service from that vendor by all other local agencies for the term of the contract. The local agency that negotiated and entered into the contract becomes the lead county for that contract.

(1) Terms of a contract negotiated under this subpart may be renegotiated by the parties to the contract with the concurrence of all agencies purchasing services under the contract.

(2) If, at the time the contract expires, one or more agencies want to continue purchasing from the vendor, the new contract must be negotiated according to the terms of this subpart.

B. When the local agency in the county where a vendor is located wants to purchase services from that vendor and the vendor has no contract with the local agency or any other county, the local agency must negotiate and execute a contract with the vendor.

C. When a local agency in one county wants to purchase services from a vendor located in another county, it must notify the local agency in the county where the vendor is located. Within 30 days of being notified, the local agency in the vendor's county must:

(1) if it has a contract with the vendor, send a copy to the inquiring agency,

(2) if there is a contract with the vendor for which another local agency is the lead county, identify the lead county to the inquiring agency; or

(3) if no local agency has a contract with the vendor, inform the inquiring agency whether it will negotiate a contract and become the lead county. If the agency where the vendor is located will not negotiate a contract with the vendor because of concerns related to clients' health and safety, the agency must share those concerns with the inquiring agency.

D. If the local agency in the county where the vendor is located declines to negotiate a contract with the vendor or fails to respond within 30 days of receiving the notification in item C, the inquiring agency is authorized to negotiate a contract and must notify the local agency that declined or failed to respond.

E. When the inquiring county in item D becomes the lead county for a contract and the contract expires and needs to be renegotiated, that county must again follow the requirements of item C and notify the local agency where the vendor is located. The local agency where the vendor is located again has the option of becoming the lead county for the new contract. If the local agency does not exercise the option, item D again applies.

F. This subpart does not affect the requirement to seek county concurrence under Minnesota Statutes, section 256B.092, subdivision 8a, when the services are to be purchased for a person with mental retardation or a related condition or under Minnesota Statutes, section 245.4711, subdivision 3, when the services to be purchased are for an adult with serious and persistent mental illness.

Subp. 8. **Contracts with community mental health boards.** Notwithstanding subpart 7a, a local agency within the geographic area served by a community mental health board authorized by Minnesota Statutes, sections 245.61 to 245.69, may contract directly with that community mental health board. However, if a local agency outside of the geographic area served by a community mental health board wishes to purchase services from the board, the local agency must follow the requirements in subpart 7a.

Subp. 9. **Placement agreements.** A placement agreement must be used for residential services. Placement agreements are valid when signed by authorized representatives of the facility and the county of financial responsibility. If the county of financial responsibility and the county where the approved vendor is located are not the same, the county of financial responsibility must, if requested, mail a copy of the placement agreement to the county where the approved vendor is providing the service and to the lead county within ten calendar days after the date on which the placement agreement is signed. The placement agreement must specify that the service will be provided in accordance with the individual service plan as required under part 9550.0090, subpart 2, and must specify the unit cost, the date of placement, and the date for the review of the placement. A placement agreement may also be used for nonresidential services.

**Statutory Authority:** *MS s 256E 05*

**History:** *20 SR 2427*

### **9550.0050 PROCEDURES WHEN THE COUNTY OF SERVICE AND THE COUNTY OF FINANCIAL RESPONSIBILITY ARE NOT THE SAME.**

Subpart 1. **Establishing financial responsibility.** When a local agency takes an application from a person the local agency believes is the financial responsibility of another county, the procedures in Minnesota Statutes, section 256G.09, apply.

Subp. 2. **Client information for county of financial responsibility.** Within 60 calendar days after the approval date of an application, the county of service must send the county it believes is financially responsible copies of the client's:

- A. application;
- B. eligibility documents; and
- C. individual service plan.

Subp. 3. **Disapproval of an individual service plan by county of financial responsibility.** The county of financial responsibility may disapprove an individual service plan for either of the following reasons.

- A. the client's need for service is not established to the satisfaction of the county of financial responsibility; or
- B. the county of financial responsibility makes an alternative offer of service that meets the needs of the client.

When the county of financial responsibility disapproves an individual service plan, the county must document the reasons for the decision and send this information to the client and the county of service within 30 calendar days after receiving the client's application, eligibility documents, and the individual service plan.

Subp. 4. [Repealed, 20 SR 2427]

Subp. 5. **Notice to client.** Within 15 calendar days after receiving the decision of the county of financial responsibility, the county of service must notify the client in writing that the county of financial responsibility approves or disapproves the individual service plan. If the county of financial responsibility disapproves the individual service plan, the county of service must advise the client in writing of the right and the procedures to appeal the decision as provided by Minnesota Statutes, section 256.045, subdivision 3.

Subp. 6. **Emergency social services.** The county of service must provide emergency social services. The county of financial responsibility must fully reimburse the county of service for emergency social services for up to 30 calendar days for each client in need of these services.

When a service initiated as an emergency social service is extended beyond 30 calendar days, the county of service must obtain the prior approval of the county of financial responsibility.

Subp. 7. [Repealed, 20 SR 2427]

**Statutory Authority:** *MS s 256E 05*

**History:** *20 SR 2427*

### 9550.0060 SOCIAL SERVICES FEES.

**Subpart 1. County's option to set fees.** A county board may set fees for any community social service for which a fee or fee schedule is not specified by Minnesota Statutes. County-established fees and fee schedules must be included in the county's community social services plan.

A written copy of the applicable fee schedule must be made available to the client upon request. Fees charged must not exceed the actual cost of the service.

**Subp. 2. Ability to pay.** County-established fees and fee schedules must be based upon a client's ability to pay. In determining ability to pay, counties must consider family size and income and may consider other resources. Fees and fee schedules must reflect a sliding scale in which the fee charged varies in accordance with factors that would affect the amount a client is able to pay.

Fees must not be based upon a minimum charge to all clients

**Subp. 3. Exceptions.** A county board must not charge a fee when a condition specified in items A to E applies.

A. The client is a person or family whose adjusted gross household income is at or below 100 percent of the federal poverty guidelines as determined and published annually by the United States Department of Health and Human Services. For purposes of this part, "adjusted gross household income" means the person's or family's adjusted gross income as determined by following federal income tax guidelines for calculating adjusted gross income.

If the client is a minor child, "family" includes the following persons living in the same dwelling unit: the client, the client's birth or adoptive parents; and the client's siblings who are minors. If the client is an adult, "family" includes the following persons living in the same dwelling unit: the client; the client's spouse; the client's minor children; and the client's spouse's minor children.

B. The client receives Aid to Families with Dependent Children, Minnesota Supplemental Assistance, or General Assistance, or participates in the Minnesota Family Investment Program.

C. The service provided is related to adopting a hard-to-place or special needs child as defined by Minnesota Statutes, section 259.67, subdivision 1 or 4

D. The services provided are family preservation services as described in Minnesota Statutes, section 256.8711 or sections 256F.01 to 256F.07 and 256F.11, subdivisions 1 and 2.

E. The client is affected by the requirement in Minnesota Statutes, section 120.1701, subdivision 10, governing the interagency early childhood intervention system.

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*

### 9550.0070 APPLICATION FOR SOCIAL SERVICES.

**Subpart 1 Right to apply.** The local agency must post a notice in a prominent place within the local agency advising individuals of their right to apply for social services. The local agency must advise all individuals who ask about receiving social services or request social services of their right to sign an application form for social services without delay during normal business hours and that the application form will be processed after it is signed and completed.

**Subp. 2. Information about available services.** The local social services agency must give prospective applicants or their authorized representatives a written list of the services available according to the county's community social services plan.

**Subp. 3. Application requirement.** Except for information and referral services, an individual must make written application prior to receiving community social services. A local agency may provide emergency social services to an individual who has not signed an application form by following the procedure in subpart 5.

Subp. 4. **Statement of applicant rights and responsibilities.** Before the applicant or the applicant's authorized representative signs the application form, the local agency must provide the applicant or the applicant's authorized representative, on a form prescribed or approved by the commissioner, a written statement that explains the applicant's rights and responsibilities and how data collected about the applicant will be used. If for any reason an applicant or the applicant's authorized representative does not understand the written statement, an agency worker must read the written statement aloud and explain the written statement to the applicant or the applicant's authorized representative. The local agency must provide interpreters for hearing-impaired persons and foreign language interpretive services if necessary. The agency worker must answer questions that the applicant or the applicant's authorized representative asks about the application process.

Subp. 5. **Filling out application form.** The applicant or the applicant's authorized representative must complete, sign, and date the application form. If the applicant cannot or does not sign the application form, the applicant's authorized representative or the agency worker may sign the form. The reasons why the applicant or the applicant's authorized representative did not sign the application form must be recorded in the case record.

Subp. 6. **Eligibility.** In addition to submitting the application form, the applicant or the applicant's authorized representative must provide information about the applicant's eligibility on forms made available by the local agency and approved by the commissioner. The forms must be signed and dated by the applicant or the applicant's authorized representative and copies of both the application and the eligibility forms must be given to the applicant or the applicant's authorized representative.

Subp. 7. **Local agency decision about eligibility and notification to applicant.** The local agency must determine the applicant's eligibility within 30 calendar days after the date on which the application and eligibility forms are completed, signed, and received by the agency or as otherwise required under applicable program rules. Within 15 calendar days after determining eligibility, the local agency must notify the applicant or the applicant's authorized representative in writing that the application has been approved or denied or whether the client has been placed on a waiting list unless social services are initiated prior to the end of the 15 calendar day notice period.

Subp. 8. **Denial of application.** If the application is denied, the local agency must follow the procedures for client notification in part 9550.0092, subpart 1a.

Subp. 9. **Approval of application.** When an application is approved, the local agency must authorize social services within 15 calendar days after the applicant has been notified of eligibility or at an appropriate later date which has been mutually agreed upon by the local agency and the applicant or the applicant's authorized representative.

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*

#### 9550.0080 INFORMATION ABOUT CLIENTS.

Subpart 1. **Client data.** All data collected, stored, used, and disseminated about an applicant or client by the local agency is governed by Minnesota Statutes, chapter 13.

Subp. 2. **Contracts and grants.** When a contract or grant administered by the local agency requires that data on applicants or clients be made available to the contracting parties, access to that data is governed by Minnesota Statutes, chapter 13.

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*

#### 9550.0090 INDIVIDUAL SERVICE PLAN.

Subpart 1. **Agreement on plan.** The local agency and the client or client's authorized representative must agree on a plan for providing community social services other than emergency social services to attain identified client-focused goals.

Subp. 2. **Requirements.** The individual service plan must be in writing and must:

- A. be developed with the client or the client's authorized representative;
- B. state the goals to be achieved based on an assessment of the client's individual service needs;



C. state the basis for the local agency's involvement;

D. state the indicators that will be used to measure attainment of the goals;

E. state the specific services to be provided in terms of the amount, frequency, duration, and provider of each service, and

F. specify agreed-upon times to review the plan with the client or the client's authorized representative, to address the client's progress toward attaining outcomes based on the selected indicators, and to revise the plan as necessary. The plan must be reviewed at least annually. The review and assessment requirements of this part do not negate the requirements of other laws or department rules.

The plan must be signed by the client or the client's authorized representative and by a person authorized to sign for the local agency. The local agency must give a copy of the plan to the client or the client's authorized representative.

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*

### 9550.0091 CLIENT'S RIGHT TO ACCEPT OR REJECT SERVICES.

An applicant or client or the applicant's or client's authorized representative may accept or reject a local agency assessment of a need for community social services or an offer of community social services aimed at attaining specified goals. When a social service is rejected, the local agency must give a clear explanation of the possible consequences of the rejection to the applicant, client, or the applicant's or client's authorized representative. A person's refusal to accept community social services must not affect payments to the person under public assistance maintenance programs unless a statute or rule governing a specific program directs otherwise.

Local agencies are required to offer and provide protective services under Minnesota Statutes, sections 626.556 and 626.557. When an individual who needs protective services or a person acting on the individual's behalf rejects those services, the local agency shall follow the procedures established under parts 9555.7600, 9560.0220, and 9560.0228.

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*

### 9550.0092 RIGHT TO A FAIR HEARING.

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

Subp. 1a. **Notice that application has been denied.** The local agency must notify the applicant and the applicant's authorized representative in writing within 15 calendar days after denying eligibility. A copy of the notice mailed or given to the applicant and the applicant's authorized representative must be filed at the agency. The notice must contain the following information:

A the reason for denial;

B a reference to the specific rule or approved community social services plan provision which is the basis for denial;

C an explanation of the applicant's right to appeal the decision to the department; and

D a description of the appeal procedure.

Subp. 2. **Notice that services will be reduced, suspended, or terminated.** The local agency must notify the client or the client's authorized representative ten calendar days before taking action to reduce, suspend, or terminate services to the client. The notice must be in writing and must be mailed or given to the client and the client's authorized representative. The notice must state the client's right to appeal the action and to be represented by an attorney or other person of the client's choice at the hearing. The notice must also state that community social services will be continued if the appeal is filed prior to the reduction, suspension, or termination date specified in the notice. The notice must also state the specific reason for the reduction, suspension, or termination of services and cite the specific rule or approved community social services plan amendment upon which the reduction, suspension, or termination is based.

Subp. 3 **Appealable actions.** The applicant, client, or the applicant's or client's authorized representative may appeal if:

*[For text of items A to E, see M.R.]*

F the applicant or client or the applicant's or client's authorized representative fails to agree with the services identified in the individual service plan developed between the applicant or the client or the applicant's or client's authorized representative and the local agency.

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

Subp 5 **Notice in suspected fraud cases.** If the local agency obtains information indicating that social services should be discontinued, reduced, or terminated because of suspected fraud on the part of the client, and, where possible, evidence of fraud has been verified through collateral sources, then notice of agency action is timely if it is mailed at least five calendar days before the action becomes effective.

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*

### **9550.0093 COUNTY COMPLIANCE AND APPEAL RIGHTS.**

County boards must comply with parts 9550.0010 to 9550.0092. If the commissioner determines that a county board has failed to comply with parts 9550.0010 to 9550.0092 or other applicable state and federal law, the corrective action procedures under Minnesota Statutes, section 256E.05, apply. A county board's appeal of action taken by the commissioner is governed by Minnesota Statutes, section 256E.06, subdivision 10.

**Statutory Authority:** *MS s 256E.05*

**History:** *20 SR 2427*