

256I.06 PAYMENT METHODS.

Subdivision 1. **Monthly payments.** Monthly payments made on an individual's behalf for housing support must be issued as a voucher or vendor payment.

Subd. 2. **Time of payment.** A county agency may make payments in advance for an individual whose stay is expected to last beyond the calendar month for which the payment is made. Housing support payments made by a county agency on behalf of an individual who is not expected to remain in the establishment beyond the month for which payment is made must be made subsequent to the individual's departure from the residence.

Subd. 3. **Filing of application.** Applications must be submitted according to section 256P.04, subdivision 1a. The county agency must determine an applicant's eligibility for housing support as soon as the required verifications are received by the county agency and within 30 days after a signed application is received by the county agency for the aged or blind or within 60 days for people with a disability.

Subd. 4. **Verification.** The county agency must request, and applicants and recipients must provide and verify, all information necessary to determine initial and continuing eligibility and housing support payment amounts. If necessary, the county agency shall assist the applicant or recipient in obtaining verifications. If the applicant or recipient refuses or fails without good cause to provide the information or verification, the county agency shall deny or terminate eligibility for housing support payments.

Subd. 5. **Redetermination of eligibility.** The eligibility of each recipient must be redetermined at least once every 12 months.

Subd. 6. **Reports.** Recipients must report changes in circumstances according to section 256P.07. Recipients with countable earned income must complete a household report form once every six months according to section 256P.10.

[See Note.]

Subd. 6a. **When to terminate assistance.** An agency must terminate benefits when the assistance unit fails to submit the household report form before the end of the month in which the household report form is due. The termination shall be effective on the first day of the month following the month in which the household report form was due. If the assistance unit submits the household report form within 30 days of the termination of benefits and remains eligible, benefits must be reinstated and made available retroactively for the full benefit month.

[See Note.]

Subd. 7. **Determination of rates.** The agency in the county in which a residence is located shall determine the amount of the housing support rate to be paid on behalf of an individual in the residence regardless of the individual's agency of financial responsibility.

Subd. 8. **Amount of housing support payment.** (a) The amount of a room and board payment to be made on behalf of an eligible individual is determined by subtracting the individual's countable income under section 256I.04, subdivision 1, for a whole calendar month from the room and board rate for that same month. The housing support payment is determined by multiplying the housing support rate times the period of time the individual was a resident or temporarily absent under section 256I.05, subdivision 2a.

(b) For an individual with earned income under paragraph (a), prospective budgeting according to section 256P.09 must be used.

(c) For an individual who receives housing support payments under section 256I.04, subdivision 1, paragraph (c), the amount of the housing support payment is determined by multiplying the housing support rate times the period of time the individual was a resident.

[See Note.]

Subd. 9. [Repealed, 2009 c 79 art 2 s 36; 2009 c 173 art 1 s 40]

Subd. 10. **Correction of overpayments and underpayments.** The agency shall make an adjustment to housing support payments issued to individuals consistent with requirements of federal law and regulation and state law and rule and shall issue or recover benefits as appropriate. A recipient or former recipient is not responsible for overpayments due to agency error, unless the amount of the overpayment is large enough that a reasonable person would know it is an error.

History: 1989 c 282 art 5 s 120; 1992 c 513 art 8 s 49; 1Sp1993 c 1 art 8 s 27; 1995 c 207 art 5 s 35,36; 1Sp2005 c 4 art 7 s 48; 2015 c 71 art 1 s 37-40; art 5 s 14,35; 2017 c 40 art 1 s 121; 1Sp2017 c 6 art 2 s 35,36,39; 1Sp2019 c 9 art 6 s 70; 1Sp2020 c 2 art 5 s 56,57; 1Sp2021 c 7 art 13 s 58; 2023 c 70 art 10 s 35-37; art 17 s 53

NOTE: The amendments to subdivisions 6 and 8 by Laws 2023, chapter 70, article 10, sections 35 and 37, are effective March 1, 2025. Laws 2023, chapter 70, article 10, sections 35 and 37, the effective dates.

NOTE: Subdivision 6a, as added by Laws 2023, chapter 70, article 10, section 36, is effective March 1, 2025. Laws 2023, chapter 70, article 10, section 36, the effective date.