# Services to Mothers and Pregnant Women

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Introduction

The following section defines the required services for pregnant and parenting women, especially minors.

Each minor mother must receive help from the local social services agency upon giving birth. In addition, minor parents must receive help when they are applying for or receiving assistance from Minnesota Family Investment Program (MFIP). Pregnant women and mothers may request help from local social services agencies in planning for themselves and their infants.

Authority

1. 42 USC, section 202D, 216(h) and (3), 402(d), 416(h) (Social Security Benefits).
2. USC, title 36 (Veteran Benefits).
25. Minnesota Rules, parts 9555.9000 to 9555.9300 (Services to Mothers and Pregnant Women).

Other Relevant Statutes

17. Minn. Stat. 260C.201, subd. 1 (1999) (Dispositions; Children Who Are in Need of Protection or Services or Neglected and in Foster Care).

Definitions

1. MFIP Minor Parent: An applicant for or recipient of MFIP, who is 17 years of age or younger, and who is the birth or adoptive parent of a child residing with the minor.

Adapted from Minn. Stat. 256J.14
2. Minor Mother: A person who is 17 years of age or younger and is pregnant, or who has given birth to a child. The criteria include a minor who is married and who is otherwise considered emancipated.

   Adapted from Part 9555.9200

3. School: An educational program which leads to a high school diploma including, but not limited to, the following: a program under the post-secondary enrollment options; a regular or alternative program of an elementary or secondary school; a technical institute or a college; course work for a general educational development (GED) diploma; or any other post-secondary educational program approved by the public school or the case manager.

   Adapted from Minn. Stat. 256J.54, subd. 5

4. Household of a Parent, Legal Guardian, or Other Adult Relative: The place of residence of a natural or adoptive parent or a minor parent; a legal guardian according to appointment or acceptance under Minn. Stat. 260.242, 525.615, or 525.6165, and related laws; or an adult relative caregiver.

   Minn. Stat. 256J.14

5. Adult-supervised Supportive Living Arrangement: A private family setting which assumes responsibility for care and control of the minor parent and minor child, or other living arrangement, not including a public institution, licensed by the commissioner of human services which ensures that the minor parent receives adult supervision and supportive services, such as counseling, guidance, independent living skills training, or supervision.

   Minn. Stat. 256J.14

Services to Mothers and Pregnant Women

The local social services agency must offer appropriate services to the following groups of mothers and pregnant women:

1. Minors who are pregnant or already have a child;
2. Mothers who did not have prenatal care;
3. Mothers who request assistance in establishing paternity for their children;
4. Women who request assistance in deciding whether they want to parent their child; or
5. Mothers who are referred to the local agency because they have physical, mental, or emotional problems which that the care they are able to provide for their children.

   Adapted from Part 9555.9200

Responsibilities to Minors Who are Pregnant or Already Have A Child

Referral to Local Social Services Agency

Hospitals must report all births to minors to the local social services agency in the county in which the minor mother resides and must notify the minor that the birth has been reported.

   Adapted from Minn. Stat. 257.33, subd. 2
Births are to be reported within three working days after the birth on the 72-Hour Report of Birth to a Minor form (DHS-2518) and sent to the local social services agency in the county where the mother has residence. (See SSM XIII-3181)

Adapted from Minn. Stat. 257.33, subd. 2

Hospitals can order form DHS-2518 directly by sending a requisition slip to:

Department of Human Services
Forms Supply
444 Lafayette Road
St. Paul, MN 55155-3804

The local agency’s income maintenance unit must refer MFIP parents under 18 to the local agency’s social services unit for help in developing a social services plan when the minor is an applicant for or recipient of MFIP.

The local agency’s income maintenance units are to use the Referral of Minor Parent to Social Services form (DHS-2882) for this referral. (See SSM XIII-3182)

Adapted from Minn. Stat. 256J.14

The local agency’s income maintenance unit must refer an MFIP parent under 18 to social services, or if the minor parent is 18 or 19, to a job counselor or at county option, to the social services agency for an educational progress assessment and an employment plan (school plan) when the minor parent is not exempt from meeting the school attendance requirement.

The local agency’s income maintenance unit will send the Notice of Requirement To Attend School form (DHS-2961) to the minor parent with a copy to the social services unit when the school attendance requirement must be met. (See SSM XIII-3183)

Adapted from Minn. Stat. 256J.54

Responsibility of Local Social Services Agency for All Minor Mothers XIII-3132

The local social services agency must contact each minor mother reported to the local agency by a hospital or referred by the income maintenance unit of the agency. The social services unit must first determine if the minor parent has a plan for herself and her child. If a plan is already in place at the time of the report or referral, the plan must be reviewed by the minor mother and the social services unit to update and ensure that all of the requirements are being met. The social services unit must provide the services needed to support the minor mother’s school attendance. If the minor mother is living independently, the social services unit must also assist the minor mother with a social service plan.

If the minor mother does not have a plan, the social services unit should work with her to develop a plan and should provide case management services as needed to assure that resources and services are available to meet the plan’s requirements.

The plan must consider:

1. the age of the minor parent;
2. the degree of involvement of the minor’s parents or other adults who provide active, ongoing guidance, support, and supervision;
Based on statutes and rules in effect as of 08/01/99

3. the degree of involvement of the father of the child, including steps being taken to establish paternity, if appropriate;
4. whether the minor intends to parent her child or place the child for adoption;
5. completion of high school or GED;
6. current economic support for the minor parent and child and plans for economic self-sufficiency;
7. parenting skills of the minor parent;
8. living arrangement of the minor parent and child;
9. child care and transportation needed for education, training, or employment;
10. ongoing health care; and
11. other services as needed to address personal or family problems or to facilitate the personal growth and development and economic self-sufficiency of the minor parent and child.

If a minor mother refuses to plan for the above, or fails without good cause to follow through on an agreed upon plan, the local agency may file a petition in Juvenile Court alleging that the minor parent and/or child of minor parent is dependent and in need of protection or services.

Adapted from Minn. Stat. 257.33, subd. 2; Minn. Stat. 260C.007; Minn. Stat. 260C.141; Minn. Stat. 260C.201; Minn. Stat. 256J.14; Minn. Stat 256J.54

Responsibility of Local Social Services Agency for MFIP Minor Parents in Approved Living Arrangements XIII-3133

Income Maintenance Unit Responsibilities XIII-3133.01

A minor parent must live with a parent, legal guardian, or other appropriate adult relative, other caregiver or in an adult-supervised supportive living arrangement in order to receive MFIP. Exemptions from this requirement are:

1. The minor parent has no living parent, other appropriate adult relative, or legal guardian whose whereabouts is known. The income maintenance unit must make a referral to the social services unit for approval of the living arrangement.
2. No living parent, other appropriate adult relative, or legal guardian of the minor parent allows the minor parent to live in her or his home. In this situation, the income maintenance unit must refer the minor parent to the social services unit for approval of the living arrangement.
3. A minor parent has lived apart from her or his own parent or legal guardian for a period of at least 1-year before either the birth of the minor’s child or the minor parent’s application for MFIP. The income maintenance unit will approve the living arrangement.
4. The physical or emotional health or safety of the minor parent or the minor parent’s child would be jeopardized if the minor parent and minor’s child resided in the home of a parent, other appropriate adult relative, or legal guardian.

NOTE: If this exemption is reported by the minor parent, a referral must be made to the local agency’s child protective services for an evaluation. A new referral is not required if a referral has been made within the last 6 months, unless there has been a significant change in circumstances, which justifies a new referral and determination.

5. An adult-supervised supportive living arrangement is not available for the minor parent and child in the county in which the minor parent currently resides. If an adult-supervised supportive living arrangement becomes available within the county, the minor parent and child must reside in that arrangement. The income maintenance unit must make a referral to the social services unit for approval of the living arrangement.

If a minor parent is not living with a parent or legal guardian due to meeting exception 1, 2 or 4 above, the minor parent and child must reside, when possible, in an adult-supervised supportive living arrangement. When a minor parent and child live with another adult relative, or in an adult-supervised supportive living arrangement, MFIP must be paid, when possible, in the form of a protective payment on behalf of the minor parent and child.

Adapted from Minn. Stat. 256J.14

Social Services Unit Responsibilities XIII-3133.02

The social services unit of the local agency must:

1. Contact the MFIP minor parent upon receiving a referral from the income maintenance unit, assess the living situation and develop a social services plan. The social services plan required is identical to the plan required upon receiving a 72-hour notice of birth to a minor received from a hospital. (See SSM XIII-3132)

Adapted from Minn. Stat. 257.33, subd. 2; Minn. Stat. 256J.14

If a social services plan has already been developed for the minor parent, update that plan to reflect any changes in the situation; particularly, in the living arrangements.

2. Determine with the MFIP minor parent whether his/her living arrangement is adequate.

In making the determination that the living arrangement is adequate, the social services unit must consider the ability of the minor parent to care for her/himself and the child and the health, safety and parenting needs of the minor parent’s child. Based on this determination, the social services unit may require that the MFIP minor parent change his/her living situation or participate in appropriate skills classes.

If the social services unit does not approve of the minor parent’s living arrangement, the minor parent must be advised of the reasons for disapproval. The social services unit must also determine what steps must be taken to protect both the minor parent and child.

All services of the child welfare and child protection systems must be considered at this point. The range of services include placement prevention, family-based services,
substitute care, mental health services, chemical dependency services, child care resources, educational services, and protective supervision.

3. Notify the income maintenance unit that the living arrangement has been approved or disapproved.

4. Remind the minor parent of the need to cooperate in developing and participating in the social services plan, and that failing to cooperate will result in a reduction in the MFIP grant.

Adapted from Minn. Stat. 256J.14
Minn. Stat. 257.33

Responsibility of Local Social Services Agency for MFIP Teen Parents
Required to Attend School

Income Maintenance Unit Responsibilities

1. The local agency’s income maintenance unit must refer a minor parent to the social services unit for assistance in developing and participating in an educational plan within 30 days of approval of an application for MFIP. Local agencies also have the option to refer an 18 or 19 year old parent, who must meet education requirements, to either the social services unit or to an MFIP employment services provider.

School attendance is required for minor parents up to 19 years old, if all of the following apply:

a. an appropriate educational program is identified;
b. transportation is available;
c. licensed or legal unlicensed child care is available;
d. the minor parent does not have a high school diploma or equivalent;
e. the minor parent is not so ill or incapacitated as to prevent attendance at school; and
f. the minor parent is not needed in the home because of the illness or incapacity of another member of the household. This includes a caregiver of a child who is younger than six weeks of age.

Adapted from Minn. Stat. 256J.54, subd. 2;
Minn. Stat. 256J.54, subd. 5;
Combined Manual 0028.12

2. The income maintenance unit must verify enrollment and attendance each calendar quarter. Teen parents must sign a Request for Verification of School Attendance/Progress (DHS 2883), which is sent to the school.

The income maintenance unit must notify the social services unit if the parent is not enrolled or attending school.

Referral of new applicants shall be made within 10 days of determining eligibility for MFIP to allow the social services unit time to complete an assessment of educational
progress and develop an employment plan (school plan) within 60 days of the eligibility determination.

Social Services Unit Responsibilities

Notes:

1. At the option of the local agency, this section also applies to 18 and 19 year old parents without a high school diploma or GED.

2. Minor parents, who turn 18 and still do not have a high school diploma or GED, have the option to continue their education plan through the social services unit or an MFIP employment services provider.

When a minor parent must attend school to meet MFIP eligibility requirements, the local social services agency must perform the following responsibilities:

1. Contact the minor parent referred by the income maintenance unit.

2. Complete an assessment of educational progress and develop an employment plan (school plan). The assessment and employment plan (school plan) can be viewed as part of the minor parent's social services plan. (See SSM XIII-3132)

   The assessment and plan must provide an initial examination of the minor parent’s educational progress and needs, literacy level, child care and supportive service needs, family circumstances, skills, and work experience. It must also consider the results of either the minor parent’s and/or the child’s Child and Teen Check Up (C & TC) screening, if available, and the effect of the child’s developmental and educational needs on the parent's ability to participate in the program.

   The employment plan (school plan) must, to the extent possible, reflect the preferences of the participant, and include goals and timelines for achieving the goals. The plan employment must specify that participation in an educational activity is required; which school or educational program is most appropriate and why; services that will be provided, including child care and supportive services; activities the parent will participate in; consequences to the minor parent for failing to participate or to comply with the specified requirements; and right to request a conciliation conference and/or an appeal due to any adverse action.

3. Advise the minor parent that the first goal is to complete an appropriate educational option, if one is identified for the parent through the assessment.

4. Review school completion options with the minor parent, in consultation with educational agencies, and help the minor parent select the most appropriate option.

5. Notify the income maintenance unit if school attendance is not appropriate for the minor parent and complete the social services plan as required in the minor parent statute.

The income maintenance unit will not impose any additional school attendance requirements under the law, unless notified to do so by the social services unit. Currently, a
person is required to attend school through their 16th birthday. The parent must be enrolled in a secondary school and meeting the school’s attendance requirements. However, when an appropriate educational option is available for a minor or 18 or 19 year old parent on MFIP, a sanction will be imposed for non-attendance without good cause. If the local social services agency determines that school attendance is not appropriate for a parent under age 18, the local agency must refer the minor parent for services to minor parents.

6. Complete a social services plan, or update an existing plan, when the minor parent has failed to enroll in or attend school, is not exempt, and does not have good cause. Notify the income maintenance unit.

Minor parents and 18 or 19 year old parents without a high school diploma or its equivalent, must attend school unless:

a. transportation services needed to enable the parent to attend school are not available;

b. appropriate child care services needed to enable the parent to attend school are not available;

c. the parent is ill or incapacitated seriously enough to prevent attendance at school;

d. the parent is needed in the home because of the illness or incapacity of another household member. This includes the parent of a child who is less than 6 weeks of age.

NOTE: “Good cause” may be one of the four items listed above.

Adapted from Minn. Stat. 256J.54

Services Offered by Private Agencies

If a minor parent has a case manager (another agency that is providing case management/social services), the local social services agency is not required to help that minor plan for herself and her infant at the point of birth of that infant.

Adapted from Minn. Stat. 257.33, subd. 2

The local social services agency must assist all minor parents referred by the income maintenance unit to meet the educational and independent living requirements of MFIP.

Adapted from Minn. Stat. 256J.14; Minn. Stat. 256J.54

Consents

Any minor who has been married or who has given birth to a child may give consent for medical, mental, dental and other health services for his or her child, and for himself or herself, and the consent of no other person is required.

Adapted from Minn. Stat. 144.342

Any minor may give effective consent for medical, mental and other health services to determine the presence of or to treat pregnancy and conditions associated therewith, venereal disease, alcohol and other drug abuse, and the consent of no other person is required. Notification Concerning Abortion is stated in Minn. Stat. 144.343, subd. 2-6.

Adapted from Minn. Stat. 144.343
Information to Parents

The professional may inform the parent or legal guardian of the minor, of any treatment given or needed where, in the judgment of the professional, failure to inform the parent or guardian would seriously jeopardize the health of the minor.

Adapted from Minn. Stat. 144.343
Minn. Stat. 257.33, subd. 2

Responsibilities to Mothers Who Did Not Have Prenatal Care

Mothers in this group who need the assistance of the local social services agency may include:

1. Those who could not afford to pay for medical care and did not know how to obtain financial or medical assistance. The local agency may need to help them obtain satisfactory care after the child is born.

2. Those who did not recognize the responsibility for securing medical care for their child. The local agency may need to assist them in the development of an adequate plan for the child's care.

3. Those who found it difficult or impossible to accept their pregnancy, and perceived visiting a clinic or doctor for prenatal care as unnecessary, or as an admission of the reality of their pregnancy. The local agency may need to help them to come to terms with having a child, and to assist them in deciding if they wish to parent the child.

Adapted from Part 9555.9200;
Part 9555.9300

Responsibilities to Mothers Who Request Assistance in Establishing Paternity for Their Children

Local Social Services Agency Responsibilities

The local social services agency must address in the social service plans for minor parents’ steps that are being taken to establish paternity. The local social services agency must assist those parents requesting help in establishing paternity. The services provided to minor parents and to mothers requesting assistance in establishing paternity may include:

1. Referral to Child Support Enforcement Unit (IV-D Unit) and case management of that referral as needed. Child Support Enforcement Units will help establish paternity for all children, including children who are not receiving financial assistance.

2. Providing information regarding the procedures for establishing paternity.

3. Responding to questions and concerns regarding the rights of parents (mother and alleged and/or adjudicated father).

4. Providing counseling and support services needed to follow through on the establishment of paternity.
5. Providing information on the importance to the child of establishing paternity. (See XIII-3152 on benefits to the child of legal paternity)

Adapted from Minn. Stat. 257.33, subd. 2; Part 9555.9200; Part 9555.9300

Benefits to the Child of Legal Paternity XIII-3152

Establishing paternity for a child will entitle the child to a number of legally recognized rights including:

1. The child will have access to important genetic and medical information.

Adapted from Minn. Stat. 257.66

2. The child is entitled to child support.

Adapted from 42 USC, sec. 402(d), 416(h)(3)

3. The child is eligible for Social Security Benefits.

Adapted from USC, title 36

4. The child may be eligible for veterans’ benefits.

Adapted from Minn. Stat. 525.172

5. The child can inherit from his/her father.

Adapted from Minn. Stat. 176.111

6. The child may be eligible for dependent family benefits under group and individual health insurance coverage.

Adapted from Minn. Stat. 62A.041; Minn. Stat. 62A.042

Establishment of Paternity XIII-3153

If the biological parents of a child do not marry at anytime prior to the conception or birth of the child, paternity may be established in either of the following ways:

1. The biological parents may declare and acknowledge in writing and under oath, to be the parents of the child. This declaration must be signed by both parents before a notary public. The Recognition of Parentage (DHS-3159), when executed, will establish the parentage of a child for purposes of medical insurance, social security, workers' compensation, and veterans benefits. It will entitle the child to inherit. It will serve as notice that the father intends to retain parental rights important in adoption or termination proceedings. The Recognition of Parentage creates a presumption of paternity for purposes of an adjudication of paternity. (See SSM XIII-3184 for the Recognition of Parentage form)

Adapted from Minn. Stat. 257.75

2. Adjudication of Paternity. Referrals can be made to Child Support Enforcement Units for an adjudication of paternity. An adjudication is the process by which a court determines the biological and legal father of a minor child whose parents were not married. An adjudication of paternity, in addition to obtaining all of the benefits of a Recognition of
Parentage, establishes child support orders, custody and visitation rights. An adjudication is also the method by which paternity can be established when paternity is contested. It provides legal safeguards to all parties involved.

Adapted from Minn. Stat. 257.51 to 257.74

Initiation of a Court Action to Determine Paternity

A court action to determine paternity (an adjudication of paternity) may be brought at any time by:

1. The child, or a personal representative of the child;
2. The mother;
3. The public authority charged by law with the support of the child;
4. The personal representative or a parent of the mother or father if either has died, or is a minor; or
5. A man alleging himself to be the father.

Adapted from Minn. Stat. 257.57

Jurisdiction

The district court has jurisdiction of an action brought under the Parentage Act. The action may be brought in the county in which the child or the alleged father resides or is found.

Adapted from Minn. Stat. 257.59

Right to Counsel

Any party may be represented by counsel in an adjudication of paternity. The county attorney will represent the public authority. The court will appoint counsel for a party not able to afford an attorney. The court may, however, order a party to pay appropriate court costs in accordance with the party’s ability to pay.

Adapted from Minn. Stat. 257.69

New Birth Certificate

If a Recognition of Parentage (DHS-3159) is completed or paternity is adjudicated, a new certificate of birth containing the parents’ names is prepared by the Minnesota Department of Health, Division of Vital Statistics.

Adapted from Minn. Stat. 144.215; Minn. Stat. 144.218, subd. 3; Minn. Stat. 144.219; Minn. Stat. 257.73

Access to records from the Minnesota Department of Health concerning the birth of a child to a woman who was not married to the child’s father when the child was conceived or when the child was born is limited. Certified copies, or information from the birth certificate, may be obtained only by:

1. The guardian of the person;
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Based on statutes and rules in effect as of 08/01/99

2. The person to whom the record pertains when the person is 18 years of age or older;
3. A parent of the person who was born to a mother who was not married to the child’s father when the child was conceived and when the child was born;
4. An order of a court; or
5. The Commissioner of Human Services.

Adapted from Minn. Stat. 144.225, subd. 2

Responsibilities to Women Who Request Assistance in Deciding Whether They Want to Parent Their Child

Women in this group may include:

1. Those who did not want to become pregnant, and do not want to raise the child born to them, or are uncertain whether they want to or are able to be a fit parent.
2. Those who wanted to have a child, but have found that being a parent is not what they expected.

Adapted from Part 9555.9200

Services to mothers in this group may include:

1. Assisting in assessing the mother's abilities and desires to raise the child;
2. Assisting in separating the desires and pressures of friends, parents and others from personal desires regarding the child;
3. Assisting the mother in dealing with confusion or uncertainty regarding her decision on whether or not to parent the child;
4. Helping the mother who chooses to place the child for adoption to cope with feelings of loss, and other feelings experienced in the placement; and
5. Assisting the mother with the procedural steps of adoptive placement.

Adapted from Part 9555.9300, subpart B

NOTE: For information on legal requirements and procedures for adoption, see SSM XIV-1000.

Responsibilities to Mothers Who are Referred to the Agency Because They Have Physical, Mental, or Emotional Problems Which Limit The Care That They Are Able to Provide for Their Children

The problems or limitations that mothers may have include developmental delays, physical disabilities, chemical dependency, mental illness, emotional disturbances, delinquency, or other conditions which affect that mother’s parenting of a child.

The mothers may be referred to the local social services agency by other agencies or units which provide services related to their disability but do not have programs or services to help them care for a child.
The referring agency will ordinarily continue to work with the mother. The services of the local social services agency will be given jointly and in cooperation with the other agency.

Adapted from Part 9555.9200

Services to mothers in this group may be:
1. arranging for medical care;
2. assisting in obtaining living arrangements;
3. arranging for a support group;
4. arranging for in-home services;
5. counseling regarding plans for the child; or
6. coordinating services of different programs and agencies.

Adapted from Part 9555.9300, subpart B

NOTE: Services to this group are essentially supportive and preventive. If a mother neglects her child, the case shall be reported to the local child protection unit. (See SSM XVI-4000)

Forms

The following are copies of the forms relating to this service:

72 Hour Report of Birth to a Minor (DHS 2518) (See SSM XIII-3181)
Referral of Minor Parent to Social Services (DHS 2882) (See SSM XIII-3182)
Notice of Requirement to Attend School (DHS 2961) (See SSM XIII-3183)
Recognition of Parentage (DHS 3159) (See SSM XIII-3184)
Adolescent Parent Assessment and Service Plan (SSIS 56) (See SSM XIII-3185)
Request for Verification of School Attendance (DHS 2883) (See SSM XIII-3186)
The **72 Hour Report of Birth to a Minor (DHS 2518)** must be used by hospitals to report to the local social services agency the birth to a minor mother.
The **Referral of Minor Parent to Social Services** (DHS 2882) must be used by income maintenance units to refer minor parents who are not living in a group home or foster home licensed by the Department of Human Services to social services for the development of a social services plan.
Notice of Requirement to Attend School

The Notice of Requirement to Attend School (DHS 2961) must be used by income maintenance units to advise a minor parent of the school attendance requirement. A copy of the form is sent to the social services unit to refer that minor parent for an assessment of educational progress and development of an employment plan (school plan).
Recognition of Parentage

The Recognition of Parentage (DHS 3159) may be completed to establish the parentage of a child. It requires the notarized signature of both parents and is available at hospitals, local social services agencies, and child support enforcement units (IV-D). When completed, a Recognition of Parentage form is filed with:

State Registrar of Vital Statistics
Department of Health
717 Delaware Street Southeast
Minneapolis, MN 55440
Adolescent Parent Assessment and Service Plan XIII-3185
The Adolescent Parent Assessment and Service Plan (SSIS 56)
Request for Verification of School Attendance/Progress
The Request for Verification of School Attendance/Progress (DHS 2883)