

**MN Department of Human Services
Social Services Manual**

Disputes Over Financial Responsibility

III-6000

Based on statutes and rules in effect as of 10/13/98

III Disputes Over Financial Responsibility

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Authority **III-6100**

1. Minn. Stat. 256E.08 (1998) (Duties of County Boards).
2. Minn. Stat. 256G.09 (1998) (Determining Financial Responsibility).
3. Minnesota Rules, parts 9550.0010 to 9550.0093 (Administration of Community Social Services).

Definitions **III-6200**

1. County of Service: County arranging for or providing social services to individual clients, the client's authorized representatives, or the county of financial responsibility.
Part 9550.0010, subpart 8
2. County of Financial Responsibility: County responsible for the payment of individual client social services as specified in Minn. Stat. 256G.02, subd. 4.
Part 9550.0010, subpart 7

Resolution of Dispute Over County of Financial Responsibility **III-6300**

When there is a dispute as to the county of financial responsibility, the county providing or arranging for services must pay for them pending a final determination of the county of residence.

Adapted from Minn. Stat. 256G.09 subd. 1

Financial Responsibility Denied **III-6310**

If upon investigation, the local agency decides that the social services application was not filed in the county of financial responsibility, but that the applicant is otherwise eligible for services, the following procedures apply:

1. The local agency denying financial responsibility sends a copy of the application, together with the record of any investigation it has made, to the county it believes is financially responsible. The copy and record must be sent within 60 days of the date the application was approved. The first local agency provides services to the applicant until financial responsibility is transferred under Minn. Stat. 256G.09.
2. The local agency receiving the transmittal has 30 days to accept or reject financial responsibility. A failure to respond within 30 days establishes financial responsibility by the receiving local agency.

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Financial Disputes

III-6311

1. If the local agency receiving the transmittal does not believe it is financially responsible, it provides to the Department and the initially responsible local agency a statement of all facts and documents necessary for the Department to make the requested determination of financial responsibility. The submission must clearly state the service and program area in dispute and must state the specific basis upon which the submitting local agency is denying financial responsibility.
2. The initially responsible local agency then has 15 calendar days to submit its position and any supporting documentation to the Department. The absence of a submission by the initially responsible local agency does not limit the right of the Department to issue a binding opinion based on the documentation actually submitted.
3. A case must not be submitted until the local agency taking the application has made an initial determination about eligibility and financial responsibility, and services have been initiated.

Adapted from Minn. Stat. 256G.09

State Agency Decision and Order

III-6320

The Department of Human Services must promptly decide any question of financial responsibility and make an order referring the application to the local agency of the proper county for further action. Included, if necessary, are directives for reimbursement to the county of service.

The order is binding on the local agency named the county of financial responsibility and on the applicant or recipient.

Compliance with the Department's order may terminate only when the state agency decision is reversed on appeal to the district court.

Adapted from Minn. Stat. 256G.09

The Commissioner:

1. reviews the information submitted;
2. provides counties with an opportunity to state their positions;
3. decides which county is financially responsible; and
4. issues an order in accordance with the provisions identified in Minn. Stat. 256G.09, subd. 3.

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The Commissioner's order is binding on counties and must be complied with until it is appealed and reversed in district court.

The county determined by the Commissioner to be financially responsible must reimburse any other county in accordance with the Commissioner's order for the cost of any community social services arranged for or provided.

Adapted from Minn. Stat. 256G.09