

MN Department of Human Services
Social Services Manual

Minnesota Public Social Services

I-0000

Based on statutes and rules in effect as of 05/20/99

I Introduction to Minnesota Public Social Services

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Federal Authority

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1. 42 USC 620-628 (Title IV-B of the Social Security Act) provides funding for child welfare services.
2. 42 USC 670-679 (Title IV-E of the Social Security Act) provides funding for foster care and adoption assistance.
3. 42 USC 1397-1397e (Title XX Block Grant for Social Service Funding) provides funding for certain social services.
4. 45 CFR 96, subpart G (Social Services Block Grants) defines the authority and responsibility of the State Agency in administering the provisions of Title XX.

State Authority

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The following statutes and administrative rules relate to the general responsibility of the Commissioner of Human Services in delivering social services:

1. Minn. Stat. chapter 14 (1998) (Administrative Procedures Act) contains procedural requirements for the State Agency to follow in promulgating, revising, and repealing rules.
2. Minn. Stat. chapter 15 (1998) (State Agencies in General) establishes departments of state in general and requirements for their operation.
3. Minn. Stat. 245.03 (1998) establishes the Department of Human Services and provides for the appointment of a Commissioner of Human Services.
4. Minn. Stat. 256.01, subd. 2 (1998), as amended, lists the powers of the Commissioner of Human Services, including authority to:
 - a. administer and supervise public assistance and social services provided by state and local agencies.
 - b. inform county agencies, on a timely basis, of changes in statute, rule, federal law, regulation, and policy necessary to county agency administration of the programs.
 - c. administer and supervise all child welfare activities.
 - d. administer and supervise all noninstitutional service to handicapped persons.
 - e. assist and actively cooperate with other departments and agencies in the provision of services.

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- f. act as the agent of and cooperate with the federal government in matters relating to the administration of federal funds granted to the state for social services.
 - g. establish and maintain administrative units reasonably necessary for delivering social services.
 - h. act as designated guardian of both the estate and the person of all wards of the state.
 - i. provide information and referral services to newly arrived immigrants coming to Minnesota.
 - j. establish schedules for maximum fees and charges which may be paid by county agencies for medical and home care services.
 - k. conduct and administer experimental projects to test methods and procedures of administering and delivering social services.
5. Minn. Stat. 256.01, subd.4 (1998) lists the duties of the State Agency, including authority to:
- a. supervise the administration of assistance and social services to dependent children.
 - b. promulgate administrative rules and policies which shall be binding on local agencies.
 - c. establish personnel standards for state and local agencies.
 - d. develop and supply local agencies with necessary formats for applications, reports, affidavits, and other forms.
6. Minn. Stat. 256E.05 (1998) lists the duties of the Commissioner of Human Services, including authority to:
- a. supervise the community social services administered by the counties through standard setting, technical assistance to the counties, approval of county plans, preparation of the state biennial plan, evaluation of community social services programs, and distribution of public money for services.
 - b. certify whether the social services plans submitted by the counties fulfill the purposes and requirements of the Community Social Services Act, state and federal law and the rules of the State Agency.
 - c. promulgate permanent administrative rules for the provision of community social services.

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- d. provide necessary forms and instructions to the counties for the community social services plan format and information.
 - e. coordinate other social services grant applications and plans required of counties so that the applications and plans are included in and are consistent with the timetable and other requirements for the Community Social Services Plan.
 - f. provide to the chairperson of each county board, in addition to notice required pursuant to Minn. Stat. 14.05 to 14.28, timely advance notice and a written summary of the fiscal impact of any new proposed rule or changes in existing rule which will have the effect of increasing county costs for community social services.
 - g. provide training, technical assistance and other support services to county boards to assist in needs assessment, planning, implementing, and monitoring social services programs in the counties.
 - h. design and implement a method of monitoring and evaluating social services delivered within the state, and assure compliance with applicable standards, guidelines, and the county and state social services plan.
 - i. annually report on community social services which reflect the contents of the individual county reports.
 - j. request waivers from federal programs as necessary to implement the Community Social Services Act.
7. Minnesota Rules, parts 9550.0010 to 9550.0093 (Administration of Community Social Services) establishes policy for the administration of public social services in Minnesota.

Local Authority

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The legal basis for local administration of public social services in Minnesota is found in the following statutes:

1. Minn. Stat. 393.01, subd.1 (1998) provides for the establishment of local social services agencies.
2. Minn. Stat. 393.07, subd. 2 (1998) provides for the local administration of social services, under the provision of the Commissioner of Human Services.
3. Minn. Stat. 393.07, subd. 3 (1998) provides for the local administration of programs under the federal Social Security Act as imposed on and supervised by the Commissioner of Human Services.

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4. Minn. Stat. 393.01, subd. 7 (1998) otherwise known as the Joint Powers Act, provides the authority for two or more counties to combine the functions of their separate local social services agencies into one local social services agency.
5. Minn. Stat. 402.01 (1998), otherwise known as the Human Services Act, provides for the establishment of human services boards. One or more contiguous counties situated within the same region may by resolution of their county boards of commissioners designate a human services board.
6. Minn. Stat. 402.02, subd. 2 (1998) establishes the assumption of powers and duties by a human services board.