

Minnesota State and Local Government Roles and Responsibilities in Human Services

Introduction: The Minnesota Legislature and state agencies set state policy and oversee the human services system. The Department of Human Services' (DHS) administrative and supervisory authority has a number of different elements. These include:

- policy development and leadership (e.g., leverage federal resources)
- policy implementation and standard-setting (e.g., issue rules and policy guidelines or establish performance standards)
- [administer and direct Statutory grant appropriations for human services](#)
- training and technical assistance (e.g., develop and deliver training)
- information systems (e.g., develop [and maintain](#) statewide information systems)
- oversight, [evaluation](#) and monitoring (e.g., [quality assurance](#), implement fraud detection programs)

Source: MS2006.256.01 and OLA analysis of DHS activities

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
<i>Economic Assistance Programs</i>				(MS393) (MS256)
Public Assistance Programs	Assure timely and accurate distribution of benefits, completeness of service, and quality program management.	See above	Determine initial and continued eligibility.	MS256

¹ Does not include Criminal, Civil, or Family Court Rules

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Public Assistance <ul style="list-style-type: none"> • Cash benefits 	Provides time limited cash assistance to families with children and pregnant women in federal/state programs including Minnesota Family Investment Program, Diversionary Work Program, Family Stabilization Service, Refugee Assistance, and Emergency Assistance. State cash benefit programs for individuals include General Assistance and Minnesota Supplemental Aid as well as some Emergency Assistance programs.	See above	Determine initial and continued eligibility Develop and provide an employment and training services program Provide programs to divert individuals from ongoing assistance or maintain those not able to initially benefit from employment and training programs.	MS 256J MS 256L MS 256D
Public Assistance <ul style="list-style-type: none"> • Food Support 	Provide food support assistance for low income individuals and families.	See above	Determine eligibility for and administer the food support program.	MS256J.28
Public Assistance <ul style="list-style-type: none"> • Child Care Assistance 	Provide child care services to enable eligible families to participate in employment, training, or education programs.	License and inspect child care centers	Determine eligibility for all child care assistance programs. Manage expenditures of child care assistance funds. Provide MOE match for child care funds.	MS119B

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Public Assistance <ul style="list-style-type: none"> Health Care Programs 	Provide medical care access for needy persons whose resources are not adequate to meet the cost of care. Health care programs include Medical Assistance, Minnesota Care, General Assistance Medical Care, MN Breast and Cervical Cancer Control Program, Transitional Minnesota Care, Medical Assistance-Employed Persons with Disabilities, Minnesota Family Planning Program, Qualified Working Disability Program, and Medicare Savings Programs.	See Above. DHS contracts with health plans and county-based purchasing organizations for many programs funded through Medical Assistance and pays counties on fee-for service basis for other services. Administer public health care programs through determination of initial and continuing eligibility.	Administer public health care programs through determination of initial and continuing eligibility. Provide funding (reimbursed by state) for cost effective health insurance.	MS256B (MA) MS256D (GAMC) MS 256L (MnCare)
Child support enforcement	Provide basis for financial support of children by responsible parents.	See above	Conduct all aspects of program for all income levels per federal law. Establishing and modifying support orders; collecting support; and promoting the means to do so.	Federal Laws: PL98-378 PL100-485 (Title IV-D of the Social Security Act) State Laws: MS518A MS256.741 MS257
Social Services Programs	<i>Brief Description</i>	<i>State Roles/Responsibilities</i>	<i>County Roles/Responsibilities</i>	<i>Statutes Rules</i>

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Child Protection	Protect children whose health or welfare may be jeopardized through physical abuse, neglect or sexual abuse.	See above. Also conduct periodic on-site review of county performance	Provide intake and screening for all reports of child maltreatment. Investigate or provide family assessment for accepted reports of child maltreatment, provide services as needed including foster care and court intervention when warranted. Counties create a case plan for all service provision.	MS 626 MS 260 MS 260C MS256F MR 9560 MR 9550
Child Protection <ul style="list-style-type: none"> Investigation 	Fact gathering related to the current safety of a child and the risk of subsequent maltreatment that determines whether child maltreatment occurred and whether child protective services are needed. Required investigations in addition to families include correctional facilities, licensed foster homes, day care homes and personal care attendants.	Investigation of alleged child maltreatment in child care centers, children's residential facilities, and (non-child foster care) services for children with developmental disabilities.	Coordinate investigation with law enforcement Initiate investigation within statutory time frames Conduct face to face interview with child, caretaker, and alleged perpetrator Make determination regarding maltreatment and need for services	
Child Protection <ul style="list-style-type: none"> Family Assessment 	Comprehensive assessment of child safety, risk of subsequent child maltreatment and family strengths and needs applied to a child maltreatment report that does not allege substantial child endangerment		Initiate assessment within statutory time frame Conduct face to face interview with child, caretaker, and alleged perpetrator	

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Child Protection <ul style="list-style-type: none"> • Services 	Case management interventions that engage families protective capacities and address immediate safety concerns and ongoing risks of maltreatment thru family support and family preservation services		Develop safety plan for each child Develop individualized case plan for parents and children Provide services (reasonable efforts) to prevent placement or to reunify family	(MS393) (MS256)
Child Welfare <ul style="list-style-type: none"> • Truancy 	Programs designed to provide a continuum of intervention and services to support families and children in keeping children in school and combating truancy.		Provide appropriate services to both the parent and the child Provide foster care when ordered by the Court Assume all legal responsibility assigned through a finding of child in need of protection or services	MS 260A MS 260C
Child Welfare <ul style="list-style-type: none"> • Minor Parent 	Provide appropriate social services to minor parents and their child/children to address personal or family problems or to facilitate the personal growth and development and economic self-sufficiency of the minor parent and child.		Contact all minor parents after notification of birth Determine the need for a plan; develop a plan; provide case management services as needed	MS 256J.54 MS 257.33 MR 9555.9200 MR9555.9300

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Child and Adult Foster Care Licensing	Assure safe homes to provide substitute family or group care for children while intensive efforts are made to provide permanency. Assure availability of adult foster homes and assistance to providers.	Provide technical assistance to county licensing staff, issue licenses, issue licensing sanctions, conduct administrative reconsiderations of various licensing decisions, and complete background studies necessary related to adult and child foster care providers. Make background study disqualification decisions where appropriate based on all maltreatment findings. Investigate alleged maltreatment in adult foster care settings and make disqualification decisions when warranted at conclusion of maltreatment investigations	Accept and process all applications for foster care licenses for residents of the county. Complete licensing study and recommend approval or denial of license to DHS. For all licensed foster homes, monitor, relicense, investigate reports of violations, and recommend negative licensing action for substantial violations.	MS 245A MS 245C MR 2960 MR 9543 MR 9555 MR 9560
Child Care Licensing	Ensure minimum level of care and service are given and the protection, proper care, health, safety, and development of children are assured.	Provide technical assistance to county licensing staff, issue licenses, issue licensing sanctions, and conduct administrative reconsiderations of various licensing decisions.	Accept and process all application for family child care licenses. Complete licensing study including criminal background study and recommend approval or denial of license to DHS. For all licensed family day care homes, monitor, relicense, investigate reports of violations, and recommend negative licensing action for substantial violations.	MS 245A MS 245C MS 119B.125 MR 9502

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Guardianship	Carry out the responsibility to act and care for children in need of protection or services committed to the guardianship of the commissioner.		Develop a plan within 90 days of the child becoming a ward that addresses the emotional, health, educational, vocational and spiritual needs, preserves the racial and familial identity of the child and achieves adoption . Provide all "parental" consents for the child. Retain all records on a permanent basis using a record system that ensures privacy and lasting preservation.	MS 260C.325 MR 9560.0410 thru .0485
Adoption	Ensure for each child, who is free to be legally adopted, a suitable adoptive home and agency services supportive of his/her integration into the new family.	See above. Also works with counties to find permanent home. License and monitor adoption agencies, and complete background studies on adoptive families for counties and private adoption agencies.	Seek adoptive home to meet the child's special needs including sibling ties, minority racial or ethnic heritage, religious background, and health, social and educational needs.	MS 259 MR 9560
Children's Mental Health	Ensure a unified, accountable, comprehensive children's mental health service system that is consistent with the provision of public social services for children.	See above. Also a direct provider of mental health services through State Operated Services; contracts with managed care organizations for provision of mental health services to enrollees.	Local mental health authority: Develop and coordinate a system of affordable and locally available children's mental health services including all specified services. Make available case management for each child with severe emotional disturbance Arrange for mental health screening to children receiving child protection services, out-of-home placement, delinquents, and juvenile petty offenders.	MS 245 MS 260D MR 9520 MR 9535

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Adult Mental Health	Ensure a unified, accountable, comprehensive mental health service system.	See above. . Also a direct provider of mental health services through State Operated Services; contracts with managed care organizations for provision of mental health services to enrollees.	Local mental health authority: Develop and coordinate a system of affordable and locally available mental health services including case management services and crisis services to adults with serious and persistent mental illness, screening upon admission to residential treatment facilities or acute care hospitals, and community support including day treatment services. Complete prepetition screening and recommendation regarding the need for civil commitment.	MS 245 MS 253B MR 9520 MR 9535
Chemical Dependency	Assure access to appropriate chemical dependency services thru assessment and administration of the consolidated chemical dependency fund.	See above. Also a direct provider of substance abuse treatment services through State Operated Services; contracts with managed care organizations for provision of substance abuse treatment services to enrollees.	Provide chemical use assessments and determine appropriate services for all clients who do not have other assessment resources. Provide chemical dependency treatment and placement services to eligible clients according to assessed needs. Provide interim services for pregnant women and IV drug using persons if unable to place in treatment. Ensure availability of and payment for detoxification. Administration of the chemical dependency treatment fund. Complete prepetition screening and recommendation regarding the need for civil commitment.	MS 253B MS 254B MS 256G MS254A MR 9530 CFR95.125

MANDATED HUMAN SERVICES PROGRAMS	Brief Description	State Roles/Responsibilities (see general description above; see below for specifics)	County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)	Statute/Rule ¹
Disability Services	Ensure case management to persons with developmental or physical disabilities to access needed services and coordinate supports delivered in a consistent manner.	See above. Administers state plan and waived services. Contracts with managed care organizations for some services.	Determine service eligibility and assess service needs. Provide case management for all eligible individuals. Develop and assure quality of community based services. Provide guardianship services when required. Administer waiver services	MS 256B MS 253B MR 9525.0004 thru .0036 MR 9525.3010 thru .3100
Adult Services/ Long Term Care	Assist persons with long-term or chronic care needs make decisions and select options to meet their needs and reflect their preferences. Provide access to long-term care for needy persons whose resources are not adequate to meet the cost of care.	See above. State Board on Aging and funds/oversees Area Agencies on Aging. Pays for nursing home care for MA eligible. Contracts with managed care organizations and county based purchasing organizations for elderly waiver services.	Provide assessment and planning services to anyone who requests the service. Coordinate access to public health care programs for those eligible. Provide case management to persons receiving medical assistance waiver programs and the Alternative Care Program.	CFR42-483 SSA1915C MS 256 MS 256B
Adult Protection	Governs the investigation and reporting of maltreatment of vulnerable adults and the emergency and protective social services required.		Assess and offer emergency and continuing protective services. Present petitions for guardianship or conservator when required to protect a vulnerable adult from serious harm.	MS 626.557 thru .5573 MS 524.5 MR 9555.7100 thru .7700
State Operated Services	Requires the commissioner to develop and maintain state-operated services.	To deliver care and treatment to persons receiving services from State Operated Services	To provide payment to the state of Minnesota for a portion of the cost of care provided in a regional treatment center or a state nursing facility	MS 246
Background Studies		Complete background studies of licensed providers, and investigate alleged maltreatment in licensed settings.		MS 245C

MANDATED HUMAN SERVICES PROGRAMS	<i>Brief Description</i>	<i>State Roles/Responsibilities (see general description above; see below for specifics)</i>	<i>County Roles/Responsibilities ("county" means county social or human services unless otherwise indicated)</i>	<i>Statute/Rule¹</i>
Facility Licensing		License and monitor, adoption agencies, adult and children's residential treatment facilities, outpatient mental health centers, detox. centers, chemical dependency treatment programs, and residential and community based disability programs.		MS 245A