

**Department of Public
Welfare
Program for Home Care and
Training of Mentally
Retarded Children**

DWP 19 Experimental program for the home care and training of children who are mentally retarded.

A. Introduction.

1. This rule governs the administration of reimbursement to local boards for the cost of home care and training of children who are mentally retarded pursuant to this program of family subsidy[.], as provided in Minn. Stat. § 252.27, subd. 4.

2. Definitions.

a. Child. Any person under the chronological age of 18 years.

b. Home. The home of the natural, adoptive or step parent(s), or legal guardian, in which the child is or would be living for purposes of this experimental program.

c. Licensed community residential facility for mentally retarded persons. A facility which is licensed under DPW 34 (Minn. Stat. § 252.28), and the Minnesota Department of Health Rule for supervised living facilities[.] (Minn. Stat. § 144.56).

d. Local board. A county welfare/human service board established under the authority of Minn. Stat., chs. 393 or 402, as amended.

e. Mentally retarded person. A mentally retarded person refers to any person who has been diagnosed as having significantly subaverage intellectual functioning existing concurrently with demonstrated deficits in adaptive behavior [[such as to require supervision and protection for his welfare or the public welfare.]] and manifested during the developmental period.

(1) Intellectual functioning shall be assessed by one or more of the professionally recognized standardized tests developed for that purpose: significantly subaverage refers to performance which is approximately two or more standard deviations from the mean or average of the tests. [[Mental retardation under this rule includes manifestation during the developmental period to 18 years of age and brain injuries occurring in adult life.]]

(2) Adaptive behavior shall be determined through the use of published scales, or by a combination of pertinent test data, professional observations, and the utilization of all available sources of information regarding the person's behavior which indicates the degree with which the individual meets the standards of personal independence and social responsibilities expected of his age and peer group.

f. Minnesota developmental programming system (MDPS) behavioral scales. A tool used in assessing mentally retarded persons to assess their behavioral skills, provide a basis for planning programs to increase their skills and consequently their independence, and determine what new behavioral skills have been acquired over a period of time.

g. Parent. A natural, adoptive or step father or mother or a legal guardian.

h. State agency. The Minnesota Department of Public Welfare.

B. Eligibility for participation in the program.

1. This program shall be for those children who, at the time of application, are residing in Minnesota and (a) who are living at home, or (b) who are residing in a state hospital or in a licensed community residential facility for the mentally retarded who, under this program would return to their own home. Those children living at home must also be determined by the local board eligible for placement in a state hospital or a licensed community residential facility for the mentally retarded.

2. Each child considered for participation shall have been diagnosed as mentally retarded.

3. Parent(s) of children participating in this program shall be informed by the local board that this program is experimental in nature, and that due to its experimental nature, those parent(s) must consent, in writing, to the following conditions:

a. Participation in the behavioral assessment of the child by means of the Minnesota Developmental

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Programming System which will be provided by the local board.

b. Furnishing sociodemographic data about the home environment.

c. Participation in evaluating the child's progress toward meeting his goals in the individualized treatment plan on a quarterly schedule.

Parent(s) shall also be informed by the local board that the program is financed through June 30, 1977, and that continuation will be contingent upon success of the program and further appropriations by the Minnesota Legislature.

The state agency and local board shall assure in writing to the parent(s) that his participation and furnishing information for the purposes of evaluation will be solely for the purposes of evaluating the program and that all data collected will be rigorously safeguarded with regard to confidentiality of data. All data accumulated on the child, his program and his environment will be available to the parent(s).

4. Acceptance and approval of applications by the state agency with priority given on the basis of the following factors:

a. Severely handicapped persons.

b. Degree of need in family environment (i.e. single parent families).

c. Potential for greatest benefit i.e. degree of developmental advancement as measured by the Minnesota Developmental Programming System.

C. Procedures.

1. Application is submitted by the local board to the Commissioner, Department of Public Welfare, Mental Retardation Division, Centennial Office Building, St. Paul, Minnesota 55155, ATTENTION: Director.

Application must include:

a. Application for social services, DPW-1400

b. Service plan and agreement, DPW-1950

c. Diagnostic data

d. Evidence of eligibility for institutionalization

e. Grant amount requested for services specified in C.1.b.

Forms DPW-1400 and 1950 are not to be used to determine financial eligibility for grants but for identifying name and address information and defining needed services.

2. The local board shall provide the state agency with quarterly progress reports concerning progress of the child. Quarterly progress report forms will be furnished by the state agency upon acceptance of the child into the program.

3. Upon approval by the state agency, the local board shall make grants to the parent(s) of the mentally retarded child. The grant shall be an amount equal to the direct costs of the services outlined in the service agreement subject to a maximum of \$250 per month. The costs shall include one or more of the services provided in Minn. Stat. § 252.27, subd. 4, or related services stipulated in the individual program plan. Reimbursable costs shall not include resources already available such as special education classes, daytime activity center programs, or medical costs covered by insurance if these resources are available at no cost to the child or parent(s).

D. Payment.

1. Local boards shall receive quarterly reimbursements from the state agency by filing the prescribed claim forms.

KEY: New rules and material proposed to be added to an existing rule are printed in boldface. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.