

NUMBER

#19-32-01

DATE

March 27, 2019

OF INTEREST TO

County & Tribal Social Services
Directors

Social Services Supervisors and
Staff

Fiscal Supervisors

Child Placing Agencies

ACTION/DUE DATE

Please read information and
use appropriate rates

EXPIRATION DATE

March 27, 2021

Pre-Northstar Foster Care Program Maintenance Rates

TOPIC

Maintenance and difficulty of care payment rates by age category for the Pre-Northstar Legacy foster care program.

PURPOSE

Provide county and tribal human service agencies and private child placing agencies with the foster care payment rates for children continuing in the same family foster home that they resided on December 31, 2014.

CONTACT

Phyllis Meath, Financial Operations Division, (651) 431-3484 or phyllis.meath@state.mn.us

SIGNED

ALEXANDRA KOTZE
Chief Financial Officer

TERMINOLOGY NOTICE

The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.

Background

For many years, Minnesota Rules, parts 9560.0650 to 9560.0665 has been the policy for child foster care maintenance and difficulty of care rates. The Minnesota Legislature enacted Northstar Care for Children during the 2013 session, creating a unified rate structure for foster care, adoption assistance and kinship assistance. Northstar Care for Children began on January 1, 2015 [Minnesota Statutes, Chapter 256N]. Please refer to DHS bulletin #16-32-06C (April 6, 2016) *Northstar Care for Children Maintenance and Supplemental Difficulty of Care Payment Rates* for more information on the payment rates for Northstar Care for Children.

Pre-Northstar Foster Care

Children placed in family foster care on or before December 31, 2014 continue to receive the same benefits and processes as defined in federal and Minnesota law, referred to as the Pre-Northstar or Legacy foster care program. The Pre-Northstar foster care maintenance and difficulty of care benefits will be maintained at the same rates as those in effect on January 1, 2013 for all future years, as long as children continue in the same family foster home that they resided on December 31, 2014 [Minnesota Statutes, section 256.82].

Extended Foster Care

The federal Fostering Connections to Success and Increasing Adoption Act of 2008 [Public Law Numbers 110-351] allowed states the option to extend foster care benefits to eligible youth ages 18 to 21, including those placed in unlicensed supervised independent living settings. In Minnesota, all youth 18 years old or older and under age 21 who are placed in foster care under Minnesota Statutes, Chapters 260C or 260D remain eligible for foster care maintenance payments. The foster care maintenance payment includes the basic foster care maintenance and the assessed difficulty of care rates. For youth in extended foster care placed in a family foster care setting or unlicensed supervised independent living setting on or before December 31, 2014, the Pre-Northstar foster care program rates apply. The youth must remain eligible for extended foster care, consistent with Minnesota Statutes, section 260C.451 to receive foster care benefits.

Legal References

Minnesota Statutes, section 256.82, subdivisions 3 and 4

Minnesota Statutes, sections 256N.001 to 256N.21

Minnesota Statutes, section 256N.24

Minnesota Statutes, section 260C.451

Minnesota Statutes, section 260C.4411

Minnesota Statutes, section 260C.4413

Minnesota Rules, parts 9560.0651 to 9560.0656

Pre-Northstar Daily Basic Maintenance Foster Care Rates

The Pre-Northstar daily basic maintenance rates to be paid to child foster care parents or paid to youth 18 years old or older and under age 21 who are eligible for foster care benefits, including those placed in unlicensed supervised independent living settings are as follows:

Ages 0 through 11	\$ 21.69
Ages 12 through 14	\$ 24.97
Ages 15 through 20	\$ 25.84

Pre-Northstar Difficulty of Care Reassessment

Minnesota Rules, part 9560.0652 to 9560.0654 establishes the reassessment process for Pre-Northstar Care, and provides the criteria for assessing the Difficulty of Care (DOC) for children in foster care and youth eligible for extended foster care benefits, including those placed in unlicensed supervised independent living settings. The DOC assessment tool (form DHS-2834, *Pre-Northstar Care for Children Difficulty of Care Assessment*) required in Minnesota Rules, part 9560.0654 is to be used to calculate the rate. Each DOC point is to be calculated at the daily rate of 22 cents.

The Minnesota Department of Human Services recommends that the social worker complete an assessment to determine the DOC daily rate:

1. at the end of 12 months in the same placement;
2. at the request of a foster parent; or
3. if a child's level of need changes.

Written notice of the reassessment must be sent to the foster parent(s) or youth eligible for extended foster care. The notice must include the prior DOC rating, new DOC rating, effective date of rating and a statement that the foster parent or youth has the right to a fair hearing review by DHS. Form DHS-4527 meets these notice requirements.

When a foster parent or eligible youth requests a review of the DOC rating within 10 days of the written notice, the current rate will continue, pending the results of the fair hearing. However, the agency may recover any overpayment. Subsequent DOC assessments can be retroactive to the effective date of assessment.

DOC assessments must be completed for all children placed in family foster home settings, foster residence settings and treatment foster care settings licensed under Minnesota Rules, parts 2960.3000 to 2960.3340 and for all youth placed in a supervised independent living setting. The DOC rate is considered part of the maintenance rate and is Title IV-E reimbursable for eligible children and youth.

Northstar Care for Children

A child that was in placement on December 31, 2014 and was then moved to a new family foster home on or after January 1, 2015 becomes eligible for Northstar Care for Children. The same is true for a youth in a family foster care home on December 31, 2014 and was then moved to a supervised independent living setting on or after January 1, 2015. In these instances, a new assessment must be completed using the Minnesota

Assessment of Parenting for Children and Youth (MAPCY) as required in Minnesota Statutes, section 256N.24. The basic maintenance and supplemental rates will be the Northstar Care for Children rates, as described in Minnesota Statutes, section 256N 26.

Questions

Please direct questions on the foster care rates to:

Phyllis Meath, Financial Operations Division

(651) 431-3484; or e-mail at phyllis.meath@state.mn.us

Please direct questions on the difficulty of care assessment to:

Jody McElroy, Child Safety and Permanency Division

(651) 431-4730 or jody.mcelroy@state.mn.us

Americans with Disabilities Act (ADA) Advisory

This information is available in accessible formats for people with disabilities by calling (651) 431-3725 (voice), or toll free at (800) 627-3529 or by using your preferred relay service. For other information on disability rights and protections, contact the agency's ADA coordinator.