



Office of the State Auditor

Local Government Cooperation Waiver Application

1. Applicant Name(s). All entities listed must be local units of government. If request is on behalf of a nonprofit organization, include name of nonprofit organization.

Ramsey County Human Services

2. Application Contact Person. The contact person should be able to respond to questions regarding this application.

Name: Mary Morehouse

Phone: 651-266-4261

Title: Developmental Disabilities Section
Manager

Fax: 651-266-4495

Agency: Ramsey County Human Services

Address: 160 E. Kellogg Blvd., St. Paul, MN
55101-1494

E-mail: Mary.Morehouse@co.ramsey.mn.us

3. Service/Program. Identify the specific service or program for which you are requesting a waiver.

Day Training & Habilitation (DTH):

Ramsey County Human Services is bringing on four providers to provide "Alternative Day Services" for individuals in Ramsey County who want an alternative to traditional DTH services. The services will be "wall-less" and an effort will be made to provide services in each individual's own community. The type of services delivered will be based on each individual's needs and preferences and could range from employment to education and other community-based activities. The amount of services could range from 1 hour per week to 1 hour per day and upward, again, depending on the needs & preferences of each individual.

With this Waiver application, we are specifically asking to be able to use the to the 60 minute, DTH Pilot Rates (x5296, x5297, x5298, x5299) in our contracts with the four Alternative Day Service providers.

4. Rule/Law. Specifically identify the rule(s) or procedural law(s) governing the delivery of services from which you are requesting a waiver as well as any related rule(s) or law(s) (for example: M.R. 9525.0125, subp. 1 or M.S. 279.03, subd. 1).

Minnesota Statue 252, Minnesota Rule 9525

5. Is the request for a waiver from a statutory notice requirement?

_____ Yes X No

If yes, application need not be submitted, because the State Auditor's may not grant the application pursuant to Minn. Stat. § 6.80, subd. 3.

6. School Districts. Does the Commissioner of Education have authority to grant variance under section 122A.163.

_____ Yes X No

If yes, the State Auditor cannot grant a waiver or variance pursuant to Minn. Stat. § 6.80.

7. Do you know of any state statute, federal law, or state or federal constitutional doctrine that could be interpreted to inhibit the waiver of the rule or law requested?

_____ Yes (CITE AND DISCUSS AS APPROPRIATE) X No

8. Is there a Minnesota statute or a federal law, other than Minn. Stat. §§ 6.80, 14.055 and 14.056 that currently allows a waiver from the rule or law?

_____ Yes X No

If yes, please cite the applicable rule or law and explain why a waiver or exemption is then needed from the State Auditor.

9. Does the requested waiver or exemption only change the procedural requirements imposed on the applicant?

_____ Yes X No

If yes, please explain. It is not sufficient merely to affirm that granting the waiver will only change the procedural requirements of the applicant. You are required to describe; (1) who must deliver a service; (2) where the service must be delivered; (3) to whom and in what form reports regarding the service must be made; and (4) how long or how often the service must be made available to a given recipient. In addition, you must describe the nature of the law or rule and show that its waiver will not have any substantive impacts on the applicant's responsibilities.

10. Previous Requests. If request is for exemption from an administrative rule, has the petitioner requested and been denied an exemption from the appropriate agency per Minn. Stat. §§ 14.055 and 14.056?

_____ Yes, when: _____ X No

If yes, please attach the agency's findings.

If no, you must request an exemption from the appropriate agency and be denied before submitting this application.

11. In the past three years, has the applicant or any related party been involved in any litigation, mediation, arbitration, or review by an agency or tribunal involving the applicable rule or law for which a waiver is requested?

_____ Yes X No

If yes, identify the parties and all persons having information about the action. Also, include all relevant documentation from the action.

12. Overseeing Agency. List any state or metropolitan agencies having jurisdiction over the rule or law from which the waiver or exemption is sought.

Minnesota Department of Human Services (DHS)

13. For waivers of administrative rules, indicate the length of time for which you would like the waiver to be effective.

Waiver of administrative rules can be granted for no less than two years and no more than four year, subject to renewal if both parties agree. Exemptions from enforcement of procedural laws automatically expire ten days after the adjournment of the next regular legislative session in the next calendar year, unless extended by the legislature.

2 Years

14. Affected Parties. List the name, address, and telephone number of any person, business, or other government unit you know would be adversely affected by the grant of this petition. In addition, include any materials you may have relating to their position on this issue.

15. Exclusive Representatives. You must provide a copy of this application to the exclusive representative (union) certified under M.S. 179A.12 to represent employees who provide the service or program affected by your request.

Are the affected employees represented by an exclusive representative? Yes: No: X

List all applicable exclusive representatives and indicate the date on which you sent the copy:

Exclusive representatives: You may submit written comments on this application, including objections, to the State Auditor within 60 days of receipt of the application.

This application is submitted to the State Auditor pursuant to Minn. Stat. §6.80. The local government unit(s) requesting the waiver agrees (agree) to abide by the requirements of Minnesota law and the operating procedures of the Office of the State Auditor. To the best of my (our) knowledge the information contained in this application, including the attached narrative and resolution, is accurate and complete.

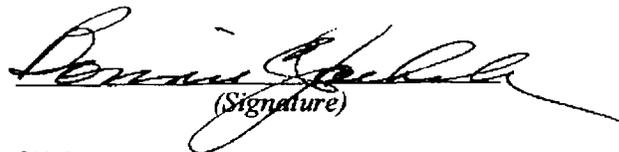

(Signature)

CHAIR Board of County Commissioners

(Title) 2006-086

2/28/06

(Date)


(Signature)

Chief Clerk, Ramsey County Board

(Title)

2/28/06

(Date)

Alternative Payment Model, Day Services – Individuals with Developmental Disabilities

Through individual interviews, focus groups, and a comprehensive Day Services Needs Assessment, Ramsey County found that service needs and expectations have evolved for younger versus older individuals with developmental disabilities. People have had the benefit of growing up in their family homes and neighborhoods, plus have been part of changing education system.

Younger individuals are increasingly more interested in individual employment arrangements, neighborhood-based social opportunities and alternative transportation options. In summary, individuals and their families are calling for:

- Consumer-driven services
- Integrated, community-based employment with pay at competitive wages
- Flexibility of hours and days service is provided
- Culturally responsive services
- Neighborhood and community involvement
- Less time spent in transit from home to work
- Improvements in transitions from school to adult services.

Ramsey County estimates approximately 50 individuals who wish to move in this direction immediately. They are part of a trend that will grow as more individuals graduate from high school and enter the workforce.

Currently, day program services are primarily paid based on either a partial-day or full day rate. The payment methodology creates the current dynamic of working around the payment structure to achieve what consumers are looking for, more often than not without success, versus working with a payment methodology that will support the needs and desires for individual consumers. At a minimum, this is slowing the development of new service options, at worst, we may be overpaying for some individuals who are in essence required to accept four hours of daily service to get the two hours they really want and could benefit from.

Ramsey County is exploring, with the Minnesota Department of Human Services ways to move to hourly rates as a third methodology to pay for day services for adults with developmental disabilities. As such, we are proposing a pilot project that would enable us, in coordination with the Minnesota Department of Human Services, to develop a reimbursement mechanism based on hourly rates for the 50 individuals interested. In this fashion, we can gain some experience as to whether:

- services are better targeted to the needs and desires of the individual,
- the potential effect on existing providers,
- how new providers emerge, and
- if there are any cost savings to be realized.

THIS AGREEMENT (“**Agreement**”) is made and entered into as of _____ (the “**Effective Date**”) by and between the Minnesota State Auditor’s Office (referred to as “the Auditor’s Office”) and Ramsey County (referred to as the “County”). The County and the Auditor’s Office are referred to collectively in this Agreement as the “**Parties**” and individually, without differentiation, each as a “**Party.**”

I. Agreement

Upon the approval by the Auditor’s Office of the procedural law waiver application of the County, the County agrees to the following:

- A. To keep record of each individual who utilizes the hourly rate for day services.
- B. To keep a list of new contracts with new vendors to implement this service option.
- C. To compile the annual cost of day service for this list of individuals and compare with the annual cost of day service prior to the hourly rate.

II. Outcomes

Upon approval of the waiver application by the Auditor, the County commits to the following outcomes:

- A. That the services arranged will be designed to meet the goals outlined in the Individual Service Plan required by Rule 185.
- B. That demonstrated progress will be made toward achieving the various individualized goals.

III. Barriers of Current Law

As part of this agreement, Ramsey County affirms the desired outcomes can not be met under the current laws for the following reasons:

- A. The current structure of partial or full-day rates does not allow for reimbursement for the individualized day services consumers and families are requesting.

IV. Outcome Measurement

As part of this agreement, Ramsey County agrees to the following to allow the State Auditor to measure the outcomes contained in this agreement:

- A. Submit a copy of the records (I.A, I. B, I.C) to the State Auditors office at the conclusion of the period of this agreement

V. Duration of the Agreement

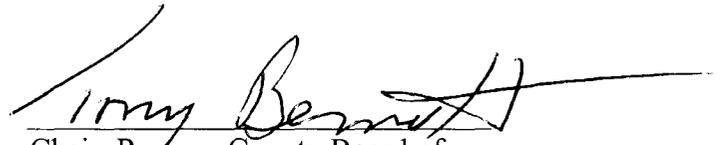
Pursuant to M.S. 6.80, this agreement is for the period beginning _____, 2006 and ending ten days following the adjournment of the 2007 regular legislative session.

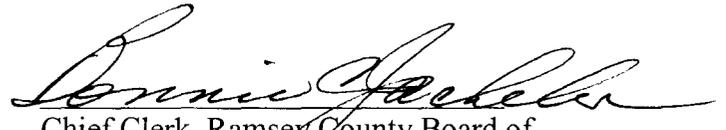
VI. Approval

For State Auditor's Office

Minnesota State Auditor

For Ramsey County

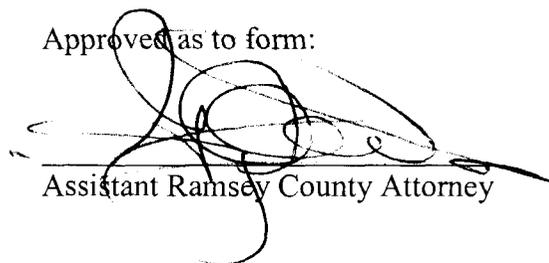

Chair, Ramsey County Board of Commissioners


Chief Clerk, Ramsey County Board of Commissioners
2006-086

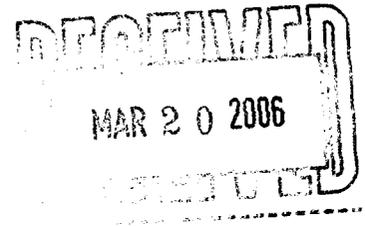
Recommended by:


Director, Community Human Services

Approved as to form:


Assistant Ramsey County Attorney

Resolution



Board of

Ramsey County Commissioners

Presented By Commissioner Reinhardt Date February 28, 2006 No. 2006-086
Attention: Budgeting and Accounting
Monty Martin, CHS

WHEREAS, The Community Human Services Department has developed four proposals for mandate reform; and

WHEREAS, The proposals include: Reduction of Procedural Steps and Improve Coordination of Services for Teen Mothers attending St. Paul Public Schools; an Alternative Payment Model for Day Training and Habilitation Programs; Reduction in Procedural Steps for Community Providers to be certified to provide Children's Mental Health Services; and to Eliminate the Biennial Revision or Redraft of the Children's and Community Services Plan; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the submission to the State Auditor of the Mandates Reform proposals: to Reduce Procedural Steps and Improve Coordination of Services for Teen Mothers attending St. Paul Public Schools; an Alternative Payment Model for Day Training and Habilitation Programs; Reduction in Procedural Steps for Community Providers to be certified to provide Children's Mental Health Services; and to Eliminate the Biennial Revision or Redraft of the Children's and Community Services Plan; and Be It Further

RESOLVED, The Board authorizes the Chair and Chief Clerk to sign the proposals.

RAMSEY COUNTY BOARD OF COMMISSIONERS

	<u>YEA</u>	<u>NAY</u>	<u>OTHER</u>
Tony Bennett	<u>X</u>	_____	_____
Toni Carter	<u>X</u>	_____	_____
Jim McDonough	<u>X</u>	_____	_____
Rafael Ortega	<u>X</u>	_____	_____
Jan Parker	<u>X</u>	_____	_____
Victoria Reinhardt	<u>X</u>	_____	_____
Janice Rettman	<u>X</u>	_____	_____

Tony Bennett, Chair

By 
Bonnie C. Jackelen
Chief Clerk - County Board