

# Report on Program Waiting Lists

Minnesota Department of Human Services  
December 2014

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Minnesota Department of **Human Services**

## Legislative Report

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## **I. Executive summary**

During the 2014 session of the Minnesota Legislature, lawmakers required ([Laws of Minnesota 2014, Chapter 312, Article 29, Section 12](#)) the Commissioner of the Department of Human Services (DHS) to:

- Prepare a listing of all the waiting lists for services that the department oversees and directs;
- Identify the number of people on those waiting lists as of October 1, 2014;
- Estimate the cost of serving them based on current average costs; and
- Report that information to the Governor, chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance, and the Legislative Reference Library in electronic form by December 1, 2014.

Only two Department of Human Services Administrations currently have waiting lists for their programs: the Basic Sliding Fee Waiting List in Children and Family Services; and the Developmental Disabilities Waiver and the Community Alternatives for Disabled Individuals Waiver Waiting Lists in the Continuing Care Administration.

## **II. Legislation**

Laws of Minnesota 2014, Chapter 312, Article 29, Section 12:

### **Sec. 12. DIRECTION TO COMMISSIONER; REPORT ON PROGRAM WAITING LISTS.**

In preparing background materials for the 2016-2017 biennium, the commissioner of human services shall prepare a listing of all of the waiting lists for services that the department oversees and directs. The listing shall identify the number of persons on those waiting lists as of October 1, 2014, and an estimate of the cost of serving them based on current average costs. The commissioner is encouraged to engage postsecondary students in the assembly, analysis, and reporting of this information. The information shall be provided to the governor, the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance, and the Legislative Reference Library in electronic form by December 1, 2014.

### III. Basic Sliding Fee Waiting List

Currently, the only waiting list in the Children and Families Administration is for the Child Care Assistance Basic Sliding Fee (BSF) program.

As of September 30, 2014, the number of families on the Basic Sliding Fee waiting list, broken out by county, is listed below:

Number of Families on Basic Sliding Fee waiting list – September 2014	First Priority Students	Second Priority comp TY	Third Priority port pool	Fourth Priority Veterans	Fifth Priority Other	Total Waiting List		First Priority Students	Second Priority comp TY	Third Priority port pool	Fourth Priority Veterans	Fifth Priority Other	Total Waiting List
Aitkin	0	0	0	0	0	0	Martin-Faribault	0	0	0	0	0	0
Anoka	11	29	7	3	507	557	Meeker	0	0	0	0	0	0
Becker	0	0	0	0	0	0	Mille Lacs	0	0	0	0	0	0
Beltrami	0	0	0	0	0	0	Morrison	0	0	0	0	0	0
Benton	0	5	2	1	53	61	Mower	0	0	0	0	0	0
Big Stone	0	0	0	0	0	0	Nicollet	0	0	0	0	4	4
Blue Earth	0	0	0	0	0	0	Nobles	0	0	0	0	0	0
Brown	0	0	0	0	0	0	Norman	0	0	0	0	0	0
Carlton	0	0	0	0	0	0	Olmsted	0	0	0	0	26	26
Carver	2	4	1	0	97	104	Otter Tail	0	0	0	0	0	0
Cass	0	0	0	0	0	0	Pennington	0	0	0	0	0	0
Chippewa	0	0	0	0	0	0	Pine	0	0	0	0	0	0
Chisago	0	3	3	3	37	46	Polk	0	0	0	0	0	0
Clay	0	0	0	0	0	0	Pope	0	0	0	0	0	0
Clearwater	0	0	0	0	0	0	Ramsey	0	0	0	0	427	427
Cook	0	0	0	0	3	3	Red Lake	0	0	0	0	0	0
Crow Wing	0	0	0	0	0	0	Renville	0	0	0	0	0	0
Dakota	0	27	1	1	671	700	Rice	0	0	0	0	0	0
Des Moines Valley HHS*	0	0	0	0	0	0	Roseau	0	0	0	0	0	0
Dodge	0	0	0	0	0	0	St. Louis	0	0	0	0	0	0
Douglas	0	0	0	0	0	0	Scott	1	4	0	0	116	121
Fillmore	0	0	0	0	0	0	Sherburne	0	0	0	0	0	0
Freeborn	0	0	0	0	0	0	Sibley	0	0	0	0	0	0
Goodhue	0	0	0	0	13	13	Stearns	0	0	0	0	80	80
Grant	0	0	0	0	0	0	Steele	0	0	0	0	0	0
Hennepin	0	138	8	0	4,365	4,511	Stevens	0	0	0	0	0	0
Houston	0	0	0	0	0	0	Swift	0	0	0	0	0	0
Hubbard	0	0	0	0	32	32	Todd	0	0	0	0	0	0
Isanti	0	2	0	0	32	34	Traverse	0	0	0	0	0	0
Itasca	0	0	0	0	0	0	Wabasha	0	0	0	0	23	23
Kanabec	0	0	0	0	0	0	Wadena	0	0	0	0	0	0
Kandiyohi	0	0	0	0	0	0	Waseca	0	0	0	0	0	0
Kittson	0	0	0	0	0	0	Washington	0	0	0	0	98	98

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Koochiching	0	0	0	0	0	0	Watonwan	0	0	0	0	0	0
Lac Qui Parle	0	0	0	0	0	0	White Earth	0	0	0	0	0	0
Lake	0	0	0	0	0	0	Wilkin	0	0	0	0	0	0
Lake of the Woods	0	0	0	0	0	0	Winona	0	0	0	0	0	0
Le Sueur	0	0	0	0	99	99	Wright	0	0	0	0	0	0
Southwest HHS**	0	0	0	0	0	0	Yellow Medicine	0	0	0	0	0	0
McLeod	0	0	0	0	0	0							
Mahnomen	0	0	0	0	0	0							
Marshall	0	0	0	0	0	0	Statewide Totals	14	212	22	8	6,683	6,939

\*Des Moines Valley Health and Human Services includes Cottonwood County Family Services, Jackson County Human Services and Cottonwood-Jackson Community Health.

\*\*Southwest Health and Human Services includes the following counties: Lincoln, Lyon, Murray, Pipestone, Rock and Redwood.

**Cost:** The Basic Sliding Fee waiting list had 6,939 families in September 2014. The cost of serving 6,939 families for 12 months at the projected FY2016 average statewide cost of \$945 per month per family is \$79.3 million. This includes county administrative costs and some offsetting Child Care Assistance Program Transition Year Extension savings.

If Basic Sliding Fee were made available to all of these families in a given month, not all families would participate in the program as they might not be eligible in that month, or might not desire child care assistance in that month. If it is assumed that 50 percent (3,470) of the families on the waiting list are eligible for and want child care assistance, the cost of serving these families for 12 months at the FY2016 projected average statewide cost of \$945 per month per family would be \$39.7 million.

The costs of fully-funding Basic Sliding Fee may be higher than these estimates as we expect more families would apply due to the higher probability of receiving assistance upon application.

<b>Basic Sliding Fee Child Care (BSF)</b>	<b><u>FY2016</u></b>
Average monthly families to be served	6,939
BSF avg monthly payment	\$945
Months	12
	-----
Direct service cost	\$78,686,355
Administrative allowance	\$3,934,318
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Increased appropriation required	\$82,620,673



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**Minnesota Family Investment  
Program/Transition Year Child  
Care (MFIP/TY)**

**FY2016**

Increased BSF appropriation	\$82,620,673
Percent which would fund TYE cases	4%
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TYE cost	(\$3,304,827)

**FY2016**

(in thousands)

Total MFIP/TY cost	(\$3,305)
Total BSF cost	\$82,621
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Total cost	\$79,316

#### IV. Developmental Disabilities Waiver and Community Alternatives for Disabled Individuals Waiver Waiting Lists

Currently, the only waiting lists in the Continuing Care Administration are for the Developmental Disabilities (DD) waiver and Community Alternatives for Disabled Individuals (CADI) waiver.

As of October 1, 2014, there are 3,501 people on the DD waiver waiting list. Below are those figures broken out by county:

Lead Agency		Lead Agency		Lead Agency	
Aitkin	< 5	Lac Qui Parle	N/A	St. Louis	65
Anoka	541	Lake	N/A	Stearns	31
Becker	0	Lk of the Woods	0	Steele	6
Beltrami	8	LeSueur	6	Stevens	0
Benton	19	Lincoln	< 5	Swift	< 5
Big Stone	0	Lyon	7	Todd	5
Blue Earth	17	Mahnomen	0	Traverse	0
Brown	0	Marshall	< 5	Wabasha	< 5
Carlton	14	Martin	7	Wadena	< 5
Carver	28	McLeod	27	Waseca	< 5
Cass	8	Meeker	6	Washington	316
Chippewa	0	Mille Lacs	6	Watsonwan	0
Chisago	23	Morrison	14	Wilkin	< 5
Clay	< 5	Mower	9	Winona	< 5
Clearwater	0	Murray	< 5	Wright	31
Cook	0	Nicollet	< 5	Yellow Medicine	0
Cottonwood	14	Nobles	< 5	<b>Statewide</b>	<b>3,501</b>
Crow Wing	8	Norman	0		
Dakota	271	Olmsted	171		
Dodge	6	Ottertail	11		
Douglas	5	Pennington	0		
Faribault	6	Pine	7		
Fillmore	< 5	Pipestone	0		
Freeborn	6	Polk	37		
Goodhue	18	Pope	0		
Grant	0	Ramsey	305		
Hennepin	1017	Red Lake	< 5		
Houston	< 5	Redwood	0		

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Hubbard	< 5	Renville	< 5
Isanti	14	Rice	32
Itasca	8	Rock	0
Jackson	< 5	Roseau	< 5
Kanabec	5	Scott	204
Kandiyohi	< 5	Sherburne	108
Kittson	0	Sibley	< 5
Koochiching	0		

**Note:** Those counties with less than 5 people on the waiting list are reported as <5 to avoid being able to identify specific individuals.

As of October 1, 2014, there are 1,447 people on the CADI waiver waiting list. Below are those figures broken out by county:

Lead Agency		Lead Agency		Lead Agency	
Aitkin	0	Lac Qui Parle	N/A	St. Louis	< 5
Anoka	136	Lake	0	Stearns	73
Becker	< 5	Lk of the Woods	0	Steele	< 5
Beltrami	0	LeSueur	< 5	Stevens	< 5
Benton	< 5	Lincoln	< 5	Swift	< 5
Big Stone	0	Lyon	< 5	Todd	8
Blue Earth	< 5	Mahnomen	0	Traverse	0
Brown	0	Marshall	0	Wabasha	0
Carlton	0	Martin	< 5	Wadena	< 5
Carver	< 5	McLeod	N/A	Waseca	0
Cass	< 5	Meeker	8	Washington	0
Chippewa	< 5	Mille Lacs	8	Watsonwan	0
Chisago	9	Morrison	< 5	Wilkin	< 5
Clay	0	Mower	6	Winona	0
Clearwater	0	Murray	0	Wright	0
Cook	0	Nicollet	< 5	Yellow Medicine	N/A
Cottonwood	0	Nobles	< 5	<b>Statewide</b>	<b>1,447</b>
Crow Wing	< 5	Norman	0		
Dakota	48	Olmsted	5		
Dodge	< 5	Ottertail	29		
Douglas	< 5	Pennington	0		
Faribault	0	Pine	17		
Fillmore	0	Pipestone	0		

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Freeborn	12		Polk	< 5		
Goodhue	0		Pope	0		
Grant	< 5		Ramsey	765		
Hennepin	200		Red Lake	0		
Houston	0		Redwood	< 5		
Hubbard	0		Renville	0		
Isanti	8		Rice	29		
Itasca	0		Rock	< 5		
Jackson	< 5		Roseau	0		
Kanabec	< 5		Scott	22		
Kandiyohi	0		Sherburne	12		
Kittson	0		Sibley	< 5		
Koochiching	0					

**Note:** Those counties with less than 5 people on the waiting list are reported as <5 to avoid being able to identify specific individuals.

**Cost:** This analysis represents the cost of eliminating the current waiting list for disability waivers by implementing open enrollment for the programs beginning July 1, 2015. There are waiting lists for two waivers: Community Alternatives for Disabled Individuals (CADI) and the Developmental Disabilities (DD) waivers.

Beginning July 1, 2015 there are no enrollment limits for the CADI waiver, so the cost of serving people on this waiting list are already included in the Medical Assistance forecast. As a result, there are no additional costs for eliminating this waiting list for this program.

The DD waiver program has had almost continuous enrollment limits in place, with one exception in 2001, which creates pent up demand for the program. Currently, the DD waiver is limited to 180 new waiver allocations per year. In FY 2016, the forecast assumes 300 new waiver allocations per year. It is anticipated that opening enrollment for this program will add people beyond those currently on the waiting list. Based on the program growth during the 90-day open enrollment period in 2001, it is estimated that during the first year of open enrollment the number of waiver recipients would increase by 178% beyond the current waiting list. It is estimated that an additional 1,000 people will be added the second year and 600 per year after that.

The current DD waiver enrollment process allocates enrollment priority based on statutory priorities, including urgency of need, so on average the current waiver recipients require higher intensity services than the additional people who will be added to the program due to open enrollment. This analysis projects that the average monthly cost of the additional recipients will be 80% of the current forecasted average service cost.

Many of the people on the waiting list for the DD waiver currently receive other Medical Assistance services, such as Intermediate Care Facilities for persons with Developmental

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Disabilities (ICF/DD), other disability waivers, and personal care. The cost of these services has been subtracted from the projected additional DD waiver costs. The average cost of these services is based on the average monthly service use of DD waiting list recipients from Oct. 2013 through March 2014.

	Additional Recipients	Net MA Costs	State Costs
SFY 2016	4,078	\$146.2 million	\$74.9 million
SFY 2017	6,897	\$291.8 million	\$148.9 million
SFY 2018	7,680	\$332.1 million	\$169.4 million
SFY 2019	8,280	\$363.9 million	\$185.5 million

## **Appendix A: Basic Sliding Fee Waiting List Priorities.**

[Minnesota Statute 119B.03, subdivision 4](#) establishes the priorities for individuals on the waiting list for Basic Sliding Fee Child Care Assistance. Those families who are not included in the first through fourth priorities are included in the fifth priority:

**Subd. 4. Funding priority.** (a) First priority for child care assistance under the basic sliding fee program must be given to eligible non-MFIP families who do not have a high school or general equivalency diploma or who need remedial and basic skill courses in order to pursue employment or to pursue education leading to employment and who need child care assistance to participate in the education program. This includes student parents as defined under section 119B.011, subdivision 19b. Within this priority, the following subpriorities must be used:

(1) child care needs of minor parents;

(2) child care needs of parents under 21 years of age; and

(3) child care needs of other parents within the priority group described in this paragraph.

(b) Second priority must be given to parents who have completed their MFIP or DWP transition year, or parents who are no longer receiving or eligible for diversionary work program supports.

(c) Third priority must be given to families who are eligible for portable basic sliding fee assistance through the portability pool under subdivision 9.

(d) Fourth priority must be given to families in which at least one parent is a veteran as defined under section 197.447.

(e) Families under paragraph (b) must be added to the basic sliding fee waiting list on the date they begin the transition year under section 119B.011, subdivision 20, and must be moved into the basic sliding fee program as soon as possible after they complete their transition year.

## **Appendix B: Development Disability Waiver Waiting List Criteria.**

[Minnesota Statute 256B.092, Sub. 12](#) establishes the priorities for individuals on the waiting list for developmental disabilities (DD) waiver services as on January 1, 2010. Those statewide priorities include:

### **Subd. 12. Waivered services statewide priorities.**

(a) The commissioner shall establish statewide priorities for individuals on the waiting list for developmental disabilities (DD) waiver services, as of January 1, 2010. The statewide priorities must include, but are not limited to, individuals who continue to have a need for waiver services after they have maximized the use of state plan services and other funding resources, including natural supports, prior to accessing waiver services, and who meet at least one of the following criteria:

- (1) no longer require the intensity of services provided where they are currently living; or
- (2) make a request to move from an institutional setting.

(b) After the priorities in paragraph (a) are met, priority must also be given to individuals who meet at least one of the following criteria:

- (1) have unstable living situations due to the age, incapacity, or sudden loss of the primary caregivers;
- (2) are moving from an institution due to bed closures;
- (3) experience a sudden closure of their current living arrangement;
- (4) require protection from confirmed abuse, neglect, or exploitation;
- (5) experience a sudden change in need that can no longer be met through state plan services or other funding resources alone; or
- (6) meet other priorities established by the department.

(c) When allocating resources to lead agencies, the commissioner must take into consideration the number of individuals waiting who meet statewide priorities and the lead agencies' current use of waiver funds and existing service options. The commissioner has the authority to transfer funds between counties, groups of counties, and tribes to accommodate statewide priorities and resource needs while accounting for a necessary base level reserve amount for each county, group of counties, and tribe.

## **Appendix C: Community Alternatives for Disabled Individuals Waiver Waiting List Criteria.**

[Minnesota Statutes 256B.49, Subd. 11a](#) establishes the statewide priorities for individuals on the waiting list for community alternative care, community alternatives for disabled individuals, and brain injury waiver services, as of January 1, 2010.

### **Subd. 11a. Waivered services statewide priorities.**

(a) The commissioner shall establish statewide priorities for individuals on the waiting list for community alternative care, community alternatives for disabled individuals, and brain injury waiver services, as of January 1, 2010. The statewide priorities must include, but are not limited to, individuals who continue to have a need for waiver services after they have maximized the use of state plan services and other funding resources, including natural supports, prior to accessing waiver services, and who meet at least one of the following criteria:

- (1) no longer require the intensity of services provided where they are currently living; or
- (2) make a request to move from an institutional setting.

(b) After the priorities in paragraph (a) are met, priority must also be given to individuals who meet at least one of the following criteria:

- (1) have unstable living situations due to the age, incapacity, or sudden loss of the primary caregivers;
- (2) are moving from an institution due to bed closures;
- (3) experience a sudden closure of their current living arrangement;
- (4) require protection from confirmed abuse, neglect, or exploitation;
- (5) experience a sudden change in need that can no longer be met through state plan services or other funding resources alone; or
- (6) meet other priorities established by the department.

(c) When allocating resources to lead agencies, the commissioner must take into consideration the number of individuals waiting who meet statewide priorities and the lead agencies' current use of waiver funds and existing service options. The commissioner has the authority to transfer funds between counties, groups of counties, and tribes to accommodate statewide priorities and resource needs while accounting for a necessary base level reserve amount for each county, group of counties, and tribe.