

FILED
Court Administrator

STATE OF MINNESOTA

JUL 13 2011

DISTRICT COURT

COUNTY OF RAMSEY

By BT Deputy

SECOND JUDICIAL DISTRICT

In re Government Shutdown Litigation,

Case Type: Civil
Court File No. 62-CV-11-5203

In Re Temporary Funding of Core Functions of
the Executive Branch of the State of Minnesota

**ORDER REGARDING CONTINUING
FUNDING OF GRANTS AND
PROGRAMS BY DEPARTMENT OF
HUMAN SERVICES**

On June 23, 2011, the undersigned heard oral argument pursuant to the Motion of Petitioner Lori Swanson, Attorney General for the State of Minnesota, for temporary funding of the executive branch. On June 29, 2011, the Court issued its Findings of Fact, Conclusions of Law and Order Granting Motion for Temporary Funding.

In its Findings of Fact, Conclusions of Law, and Order Granting Motion for Temporary Funding dated June 29, 2011, the Court appointed retired Minnesota Supreme Court Chief Justice Kathleen Blatz as Special Master to hear and make recommendations to the Court with respect to issues regarding compliance with the terms of its Order. On July 1, 2011 and July 5, 2011, Special Master Blatz conducted evidentiary hearings regarding Petitioners seeking state funding as providers of critical core functions of government.

The Court accepts and adopts the attached findings of the Special Master subject to modification pursuant to Minn. R. Civ. P. 53.07(b) with respect to the requests of government offices and petitions brought by programs.

Based on the file, proceedings, and recommendations, the Court makes the following
ORDER :

1. The clarifications regarding the Minnesota Family Investment Program (“MFIP”) Consolidated Support Services Grants and MFIP Consolidated Support Services Grants T01, F660 , as set forth in Part I of the attached Special Master’s recommendations, are adopted and made part of this Court’s Order. They are included in the programs that require continued funding.
2. The Court takes no action on the petitions brought by Jewish Family & Children’s Services of Minneapolis, Affirmative Options Coalition, Minnesota Workforce Council Association, Minnesota Association of Treatment Programs, Minnesota Inter-County Association, Association of Minnesota Counties and Minnesota Food Assistance Program, as set forth in Parts I and II of the attached Special Master’s recommendations.
3. The clarifications regarding continued funding for food grants, programs and aids, as set forth in Part II of the attached Special Master’s recommendations, are adopted and made part of this Order. The June 29, 2011 order of the court includes funding for the programs listed on page 7 of the Special Master’s recommendation.
4. This Court’s June 29, 2011 Order is amended to include the Basic Sliding Fee (BSF) Child Care Assistance Grants and Basic Sliding Fee (BSF) Child Care Assistance Grants: E22; B421, as set forth in Part III of the attached Special Master’s recommendations.
5. The requests for funding of the Migrant Child Care and Migrant Day Care Grants are denied based on the Special Master’s recommendations in Part III.
6. The clarifications regarding continued funding of child protection, child welfare, adoption grants, programs and aids, as set forth in Part IV of the attached Special

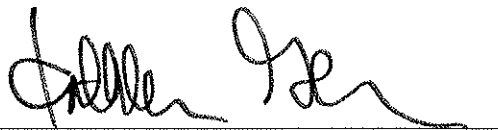
Master's recommendations, are adopted and made part of this Order. Funding for these programs falls within the parameters of the Court's June 29, 2011 Order.

7. The requests for funding of the Parent Support Outreach Grant and Title IV-E Parent Support Outreach F08, C200 are denied based on the Special Master's recommendations and analysis in Part IV.
8. The clarifications regarding continued funding of grants, programs and aids for homelessness and transitional housing, as set forth in Part V of the attached Special Master's recommendations, are adopted and made part of this Order.
9. The Court takes no action with respect to Refugee Cash Assistance as set forth in Part VI of the attached Special Master's recommendations as it was included for funding in the June 29, 2011 Order.
10. The clarifications regarding the Refugee CMA Admin Grants and Refugee Medical Assistance, as set forth in Part VI of the attached Special Master's recommendations, are adopted and made part of this Order. The grants should be funded.
11. The request for funding of the Refugee Social Services grant is denied based on the Special Master's recommendations in Part VI.
12. The clarifications regarding the Seniors Agenda for Independent Living ("SAIL")/Elder Care Development ("EDP) grants and Living at Home ("LAH")/Block Nurse ("BN") grants, as set forth in Part VII of the attached Special Master's recommendations, are adopted and made part of this Order. They fall within the parameters of the June 29, 2011 Order.

13. The clarifications regarding the deaf and hard of hearing grants, as set forth in Part VIII of the attached Special Master's recommendations, are adopted and made part of this Order. They fall within the parameters of the June 29, 2011 Order.
14. The clarifications regarding the funding of grants for HIV/AIDS medical services, as set forth in Part IX of the attached Special Master's recommendations, are adopted and made part of this Order. They fall within the parameters of the June 29, 2011 Order.
15. The clarifications regarding the funding of home health service grants and mental health grants, as set forth in Part X of the attached Special Master's recommendations, are adopted and made part of this Order. They fall within the parameters of the June 29, 2011 Order.
16. The clarifications regarding the funding of chemical dependency treatment grants, programs and aids, as set forth in Part XI of the attached Special Master's recommendations, are adopted and made part of this Order. They fall within the parameters of the June 29, 2011 Order.

Dated: 7-14-11

BY THE COURT:



The Honorable Kathleen R. Gearin
Chief Judge
Ramsey County District Court

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Court File No. 62-CV-11-5203

In Re: Temporary Funding of Core Functions
of Executive Branch of the State of Minnesota

**REPORT AND RECOMMENDATIONS
OF SPECIAL MASTER REGARDING
CONTINUING FUNDING OF GRANTS
AND PROGRAMS BY DEPARTMENT OF
HUMAN SERVICES**

This matter came on for hearing before the Special Master, the Honorable Kathleen A. Blatz, in Room 230 of the Minnesota Judicial Center on July 1, 2011 and July 5, 2011. Present before the Special Master were Lori Swanson, Attorney General; Alan Gilbert, Solicitor General and Deputy Attorney General; David Lillehaug, Special Counsel to the Office of the Governor; and Joseph Cassioppi, Special Counsel to the Office of the Governor. Numerous attorneys and witnesses appeared for associations other organizations to urge positions regarding continued operations during the government shutdown.

Pursuant to the Court's Findings of Fact, Conclusions of Law, and Order Granting Motion for Temporary Funding of June 29, 2011 (the "Order"), the Special Master began conducting hearings on July 1, 2011 "regarding any issue raised by Petitioner or others relating to the application" of the Order. (Order p. 18, ¶ 13.) The Special Master heard 19 separate petitions from a wide variety of petitioners on July 1, 2011. Due to the expedited nature of the proceedings before the Special Master, and the last-minute calendaring, the Executive Branch agencies were unable to provide the Special Master with dispositive information regarding the status of many of the programs at issue in the July 1 hearings. Accordingly, the Office of the

Governor requested and was granted leave to investigate the status of the funding at issue in the July 1 petitions and file a response with the Special Master on July 4, 2011.

On July 4, 2011, the Office of the Governor submitted Proposed Report and Recommendations of the Special Master. Attached to the Governor's Proposed Report and Recommendations of the Special Master was an attachment which listed programs identified by the Department of Human Services ("DHS" or the "Department") "that fund treatment, food support, health care and child protection services that it considers to be critical core functions" under the Court's existing Order ("Attachment 1"). The services and/or funding set forth in Attachment 1 were not previously presented to the Court. The Office of the Governor specifically requested that the Special Master recommend that the Order be clarified to include the programs identified by the DHS in Attachment 1 as critical core functions of the government. Given DHS's interpretation of the Court's Order, and its understanding of the grants/services/programs listed in Attachment 1, funding has been ongoing.

On July 5, 2011, the Commissioner of the Department of Human Services appeared at the hearings before the Special Master and confirmed that the Department believed that each of the programs listed in Attachment 1 were critical core functions of government in accordance with the Order. The Commissioner informed the Special Master that Attachment 1 was compiled subsequent to the shutdown, and only after DHS staff spent the July 4th weekend reviewing every single grant of funding for programs and services disbursed by the Department. In conducting this review, the Department specifically focused on ensuring that the programs and services it was recommending to continue during the shutdown fit within the Order's definition of "[c]ore functions . . . relating to the life, health and safety of Minnesota citizens." (Order p. 15 ¶ 4.) The Department concluded that continued funding of the grants and programs identified

in Attachment 1 was either (1) already explicitly covered by the Order or (2) determined by the Department as encompassed within the Order as critical core functions of government relating to the life, health and safety of Minnesota citizens. In so reporting, the Commissioner also noted that the majority of the grants and programs administered by DHS and reviewed during the July 4th weekend were not included in Attachment 1 because in the Department's view, although valuable to the State of Minnesota, they were not critical core functions as defined by the Court. The Attorney General agreed with the Commissioner's analysis that all of the programs on Attachment 1 were critical core functions of government that should continue to be funded.

Many of the petitioners who have appeared before the Special Master are seeking continued funding from programs and sources deemed by the Department to be critical core functions included on Attachment 1. Accordingly, the Special Master believes that the most prudent and expeditious manner of dealing with many of the petitions is to independently review the programs, grants, aids and finding in Attachment 1 and make recommendations as to whether each item set forth is, in fact, properly deemed to be encompassed within the Court's June 29th Order. Further, under each Recommendation, the analysis section will state what separate Petitions correlate with a particular grant, in whole or in part.

The Court should note that while this review was conducted in good faith, it was limited. Due to the volume of petitions, time constraints and the complexities and magnitude of state-funded programs, hearings were not conducted on every grant and every program funded thereunder. Instead, the Special Master's recommendations are based on the written submissions of counsel and the evidence received during hearings on specific petitions that involve many of the grants set forth in Attachment 1. Should the Court disagree with the following

recommendations, such direction from the Court will inform the Special Master's review of pending and future petitions.

The Special Master also heard argument from some petitioners that continued funding of certain of these programs, grants, aids, and funding was compelled by the Order's Supremacy Clause analysis. With one exception regarding several petitions related to child care funding, the Special Master did not receive evidence or specific citations from petitioners to federal statutory or regulatory requirements sufficient for the Special Master to conclude that continued funding of the programs, grants, aids, and funding on Attachment 1 was compelled by the Supremacy Clause of the United States Constitution. Therefore, the Court should be cognizant of the fact that if it denies continued funding of a specific program, grant, or aid on the basis that it does not meet the critical core function criteria, petitioners may attempt to establish that such funding must continue pursuant to the Supremacy Clause principles set forth in the Order.

In summary, the Special Master has reviewed the individual programs, grants, aids, and funding set forth on Attachment 1 to determine whether they are explicitly encompassed by the express terms of the Order and Exhibit A thereto, or whether they fall within the Order's definition of critical core functions including "matters relating to the life, health and safety of Minnesota citizens." (Order p. 15 ¶ 4.) After this careful review, the Special Master recommends that the Court dispose of the programs, grants, aids and funding set forth in the attached Special Master Exhibit 1¹, as follows:

¹ Special Master Exhibit 1 is a slightly altered version of Attachment 1 submitted by the Office of the Governor. For ease of review by the Court, the Special Master has added numbers on the left-hand margin of Attachment 1, which correspond with the numerical order of the listed grants, programs, aids and funding as submitted by the Office of the Governor. At the beginning of each "analysis" section of the recommendation section, a numbered list of the relevant Attachment 1 aids, grants, etc. will be set forth.

RECOMMENDATIONS

I. THE SPECIAL MASTER RECOMMENDS THE CONTINUED FUNDING FOR MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM GRANTS AND FUNDING

Analysis

1. MFIP Consolidated Support Services Grants.
2. MFIP Consolidated Support Services Grants T01, F640

The Special Master recommends that the Court **CLARIFY** that the Order includes continued funding for these grants pursuant to Exhibit A of the Order, which specifically identifies Minnesota Family Investment Program (“MFIP”) and Diversionary Work Program (“DWP”) funding as critical core functions of government. In Exhibit A under “Humans Services,” the Court directed the continued payment of cash-assistance benefits to recipients as a critical core function.

In addition, evidence was provided that the MFIP Consolidated Support Services Grants (Program #2) are funded with Temporary Assistance to Needy Family (“TANF”) Program monies. The Court specifically found:

24. The State of Minnesota has entered into numerous agreements with the United States government which require the State to make payments to individuals or local governmental units, or to undertake certain administrative duties on behalf of or in cooperation with the federal government. Without funding as of July 1, 2011, the State will violate the Supremacy clause of the U.S. Constitution. These agreements and obligations involve, but are not limited to, the administration and payment of . . . a variety of other programs designed to ensure the health, safety and welfare of Minnesota citizens.

25. Examples of federal programs referenced in paragraph [24] include the following: . . . the Temporary Assistance to Needy Families (TANF) Program, 42 U.S.C. § 601 *et seq.* . . . Before the State was allowed to participate in these programs, it was required to assure the federal government, through certification or a state plan submission, that Minnesota residents would be promptly provided the food, subsistence and medical benefits for which they were eligible. The State must also share in the cost of operating each program. . . . It must also maintain prior levels of state spending in the TANF program. . . . The Supremacy Clause of

the United States Constitution requires the State of Minnesota to fulfill these agreements with the United States government requiring the State to make payments to individuals or local governmental units, or to undertake administrative duties on behalf of or in cooperation with the federal government. The duty to fulfill these agreements, et cetera, constitute[s] core functions for state government under the United States Constitution.

(Order p. 8 ¶¶ 24-25 (citations omitted).) Furthermore, the Court concluded that “[t]he Supremacy Clause of the United States Constitution, Article VI, clause 2, mandates that any funds paid by the State as a result of participation in these federal programs must continue.” (*Id.* p. 15 ¶ 5.)

The grants set forth as 1 and 2 in Special Master Exhibit 1 are consolidated funding allocated to counties and tribes to provide support services for MFIP/DWP participants. MFIP and DWP are conditional transfers of assistance – any benefits received pursuant to these programs are conditioned on the beneficiary participating in qualified employment, education or job-seeking activities. The support services provided by these grants include job skills training and job-search assistance to MFIP/DWP participants (i.e., recipients of TANF benefits) who are required to seek employment or engage in other qualified activities in order to be eligible to receive their TANF benefits. The Court heard repeated testimony that the vocational services provided under TANF cannot be severed from the benefits provided thereunder because TANF is specifically a “welfare to work” program.

If the Court were to clarify the Order to specifically identify the continued funding of these grants, **NO ACTION** would be required on the petitions brought by **Jewish Family & Children’s Services of Minneapolis (“JFCS”)**, and by **Affirmative Options Coalition**, whose petitions specifically sought the continued funding of these grants. In addition, it would address the request for continued funding under these two grants brought forward by the **Minnesota**

Workforce Council Association, the Minnesota Association of Treatment Programs, the Minnesota Inter-County Association, and the Association of Minnesota Counties.²

II. THE SPECIAL MASTER RECOMMENDS CONTINUED FUNDING FOR FOOD GRANTS, PROGRAMS AND AIDS

Analysis

26. Minnesota Food Assistance Program

The Special Master recommends that the Court TAKE NO ACTION with respect to the Minnesota Food Assistance Program, which was explicitly funded in Exhibit A of the Order under Human Services.

3. ARRA Supported Work-Summer Food Program

21. Food Shelf Grants

27. TEFAP Grants: Appr. E26 B312

30. Food Stamps (non-MFIP)

31. FSP Cash out Benefits – SSI F47; F107

32. ARRA FSP Cash Out Benefits SSI H47, Z114

38. Senior Nutrition Program Grants

39. Nutrition Services Incentive Program F38, S181

40. Title III C2 Home Delivered Nutrition Services Grants F99, S156

The Special Master recommends that the Court CLARIFY that the Order includes continued funding for these programs and grants pursuant to Exhibit A of the Order, which

² These petitioners also raised additional requests in their petitions that will be addressed later by the Special Master in future recommendations.

specifically identifies “[e]ntitlement to . . . food . . . assistance” and “Food Support” as critical core functions to continue under the Order.

III. THE SPECIAL MASTER RECOMMENDS LIMITED CONTINUED FUNDING FOR CHILD CARE ASSISTANCE TO ENSURE PAYMENT OF TANF CHILD CARE ASSISTANCE

Analysis

4. Basic Sliding Fee (BSF) Child Care Assistance Grants

5. Basic Sliding Fee (BSF) Child Care Assistance Grants;E22; B421

The Special Master recommends that the Court **AMEND** its Order to include continued funding for these grants. These grants are used to provide child care assistance to Minnesota citizens.

In the Order, the Court found:

33. Except for TANF programs, the child care assistance programs discussed in the memorandum of the amici Coalition of Child Care Providers and Supporters are not critical core function programs that would justify this Court in ordering funding despite the lack of legislative appropriations as required by Article XI. Child care programs that are funded under the TANF program should continue to be funded. Not to do so would violate the Supremacy Clause of the United States Constitution . . .

(Order p. 11 ¶ 33.) The Special Master heard testimony that the TANF child-care assistance funding is commingled with these grants as well as grants from the Minnesota Family Investment Program and the Transition Year Child Care Assistance Program. The Commissioner of DHS informed the Special Master that the Department has investigated whether it would be possible to segregate TANF childcare assistance funding from state funds or other federal funds disbursed to the State from the federal Child Care Development Fund (“CCDF”). After this investigation, the Department has determined that such a course is a functional impossibility, at this time, forcing the DHS into one of two positions: either make all

child care assistance payments, or none at all. The Commissioner informed the Special Master that it would take roughly a month of work and computer reprogramming to attempt to segregate out TANF childcare assistance funding from other funding sources, and, even then, the Department did not believe it would be possible to ensure that only TANF funds would be disbursed.

The State's childcare assistance program is divided into two different programs: the MFIP / DWP program and the Basic Sliding Fee program. The MFIP / DWP program includes the MFIP and Transition Year subprograms. These subprograms provide child care assistance to MFIP / DWP families who are participating in approved work activities. The Basic Sliding Fee program provides childcare assistance to low-income families who are not connected to the MFIP /DWP programs. Because the Court has already concluded that "[c]hild care programs that are funded under the TANF program should continue to be funded," the Special Master recommends that the Order be amended to allow continued funding of all three child care assistance programs, including the Basic Sliding Fee Grants to ensure the continued funding of child care assistance programs under TANF. In addition, the Special Master recommends continued funding of Minnesota Electronic Child Care, the State's administrative infrastructure for administering these child care assistance programs. If the Court were to amend the Order in such a fashion, it would specifically address all of the concerns raised by the **Coalition of Child Care Providers and Supporters, SEIU Local 284 and Kids First MN**,³ and **LaCreche Early Childhood Centers** in their petitions to the Special Master as well as a portion of the concerns raised by the **Minnesota Inter-County Association** in its petition.

³ The Special Master notes that these petitioners sought to intervene in the District Court proceeding, and the Court specifically referred them to the Special Master. (Order p. 16 ¶ 4.)

6. Migrant Child Care Grants

19. Migrant Day Care Grants

The Special Master recommends that the Court **DENY** the request for continued funding of Migrant Child Care and Migrant Day Care Grants at this time. The Order specifically recognized that “child care assistance programs . . . are not critical core function programs that would justify this Court in ordering funding despite the lack of legislative appropriations required by Article XI.” (Order p. 11 ¶ 33.) The Special Master received confirmation from the Office of the Governor that these grants are not commingled with TANF funds, and, thus, are not subject to the Supremacy Clause analysis outlined above. The Special Master notes that a portion of the funding for the Migrant child care assistance grants comes from Title XX of the Social Security Act. The Special Master did not hear any argument or testimony on whether continued funding of these specific grants is required under the Supremacy Clause principles set forth in the Order, and, thus, is not making any recommendation to the Court regarding the applicability of those principles to these specific grants.

IV. THE SPECIAL MASTER RECOMMENDS CONTINUED FUNDING OF CHILD PROTECTION / CHILD WELFARE / ADOPTION GRANTS, PROGRAMS, AND AIDS

Analysis

7. American Indian Child Welfare Program

8. Child Welfare Reform – Prevention / Early Intervention Grants

10. Indian Child Welfare Act (ICWA) Transfer to R21

14. Title IV-B2 Family Preservation Grants (Family Alternative Response Grant) F00, C237

16. Title IV-B1 Family Preservation Grants (Family Response Grant) F08, C281

17. Independent Living Grants F15, C293

18. Children & Community Services Grants

20. Title XX – Children & Community Services Grants: F82, S505

The Special Master recommends that the Court **CLARIFY** that these programs and grants continue to be funded under the Order as “matters relating to the life, health and safety” of Minnesota’s children and vulnerable adults. In Exhibit A under “Human Services,” the Court specifically funded “[s]ystem support for county child protection workers,” and implicit within that continued funding is the conclusion that child-protection services are critical core functions of government that should continue to be funded. The Special Master received evidence that at least 40% of the funds disbursed by these grants to the counties are used to protect children from abuse and neglect.

The Special Master notes that the Indian Child Welfare Act (ICWA) Transfer to R21 grants, the Title IV-B2 Family Preservation Grants (Family Alternative Response Grant), the Title IV-B1 Family Preservation Grants (Family Response Grant), Independent Living Grants F15, C293, and Title XX – Children & Community Services Grants: F82, S505 are funded with federal funds, which may implicate the Supremacy Clause analysis set forth in the Order. The Special Master heard very limited argument directed to specific federal statutory or regulatory requirements mandating the continued payment of these grants. At this point in time, the Special Master recommends that the Court not clarify the Order on Supremacy Clause principles, but rather deem these grants as authorized as critical core government functions.

A clarification of the Order that it specifically encompasses the Children & Community Services Grants (#18) would specifically address one of the concerns raised by the **Minnesota Inter-County Association** and the **Association of Minnesota Counties** in their petitions to the Special Master.

11. Subsidized Adoption Grants

12. Relative Custody Assistance Grants

The Special Master recommends that the Court **CLARIFY** the Order as including the continued funding of these grants because the Court specifically recognized “Adoption Assistance” as a critical core function of government in Exhibit A of the Order under “Human Services”. This clarification would specifically address a concern raised by the **Association of Minnesota Counties** in its petition to the Special Master.

13. Parent Support Outreach Grant

15. Title IV-E Parent Support Outreach F08, C200

The Special Master recommends that the Court **DENY** the request for continued funding of these Parent Support Outreach Grants at this time. This grant is for child abuse and neglect prevention services and parent outreach efforts. The Special Master does not believe that such prevention services fall within the scope of the Order, which limited itself to critical core functions essential to life, health and safety of Minnesota citizens. While the services and programs provided by these grants are very important to the long-term prevention of child abuse and neglect in this State, the Special Master does not believe that there is sufficient exigency to recommend their continued funding at this point in time.

The Special Master notes that the Title IV-E Parent Support Outreach grant is funded with federal funds, which may implicate the Supremacy Clause analysis set forth in the Order. The Special Master did not receive any argument or testimony on this issue because the Department viewed this grant as being “critical core funding.” While the Court may have

another view, at this point in time, the Special Master recommends that the Court **DENY** the continued funding of this grant for the reasons stated in the previous paragraph.

V. THE SPECIAL MASTER RECOMMENDS CONTINUED FUNDING OF GRANTS, PROGRAMS AND AIDS FOR HOMELESSNESS / TRANSITIONAL HOUSING

Analysis

22. Transitional Housing Grants

23. Emergency Services Program

24. Long Term Homeless Services Grants

25. Runaway and Homeless Youth

28. HUD ESGP Grants

29. Rural & Homeless Youth Grants: E37, B482

51. Crisis Housing

The Special Master recommends that the Court **CLARIFY** the Order as specifically encompassing these grants and programs as “matters relating to the life, health and safety” of Minnesota citizens. These grants all involve the provision of shelters, transitional housing, and support services to homeless individuals and families, including homeless youth. The recipients of the services funded through these grants are most often in crisis, homeless or in transition to more permanent housing. The funds are used to stabilize housing and to address immediate health and safety needs of individuals and families in crisis. Therefore, clarification that these programs and grants are included within the scope of the Order would provide guidance to the DHS in the implementation of the Order.

A clarification of the Order that it specifically encompasses grants would specifically address the majority of the concerns raised by the **Minnesota Coalition of the Homeless** in its petition to the Special Master.⁴

VI. THE SPECIAL MASTER RECOMMENDS THE CONTINUED FUNDING OF THREE REFUGEE SERVICES GRANTS AND THE DENIAL OF CONTINUED FUNDING FOR THE REFUGEE SOCIAL SERVICES GRANT

Analysis

33. Refugee Cash Assistance

The Special Master recommends that the Court **TAKE NO ACTION** with respect to the Refugee Cash Assistance grants which were explicitly identified in Exhibit A to the Order under “Human Services”.

34. Refugee CMA Admin Grants

The Special Master recommends that the Court **CLARIFY** the Order as including Refugee CMA Admin Grants as “[n]ecessary administration and supportive services” in the provision of Refugee Cash Assistance, which is a cash-entitlement program that was specifically funded in the Order. (*See* above, #33 analysis).

35. Refugee Medical Assistance

The Special Master recommends that the Court **CLARIFY** the Order as including continued funding for Refugee Medical Assistance grants, which are 100% federally funded. The Refugee Medical Assistance grant (#35) provides grants to medical providers for medical

⁴ The single remaining issue of this petition would be whether funding of the Family Homeless Prevention and Assistance Program, which is administered by the Minnesota Housing Finance Agency should continue during the shutdown. The Special Master will issue a separate recommendation addressing this issue as the instant Recommendations of the Special Master solely concern DHS funding.

services received by “needy refugees”. The Order specifically found that the provision of medical services to individuals was a critical core function of government in addition to concluding that matters relating to the health of Minnesota citizens. (Order p. 9 ¶ 27, subp. 3, p. 15 ¶ 4; Ex. A § III.A.1.2.)

Petitioners also raised arguments that the continued funding of programs under this grant was required by the Supremacy Clause because continued provision of services was required under the Refugee Act of 1980. 8 U.S.C. § 1521 *et seq.* At this time, the Special Master does not recommend that the Court order the continued funding of this grant under the Supremacy Clause principles set forth in the Order.

36. Refugee Social Services

In addition, the Special Master recommends that continued funding for the Refugee Social Services grant (#36), also 100% federally funded, be **DENIED**.

The evidence received in support of this grant was similar to the evidence received in support of the Petition brought by the Minnesota Association of Community Rehabilitation Organizations (“MACRO”) and denied by the Court. (Order July 11, 2011.) Specifically, the Special Master received evidence that service providers rely on these grants to aid refugees by providing employment-support services and English-language assistance. This support is provided at the beginning of a new job in order to stabilize employment, which is critical to the long-term financial security of the refugee population that is resettled in Minnesota. Evidence was received that continued funding of this grant and programs was supported by Exhibit A to the Order, which provides that “[a]ctivities having a severe and permanent negative financial impact to . . . vulnerable populations or groups of individuals within Minnesota” are critical core

functions of government. (Order Ex. A, § III.B.2.2.) However, in ruling on MACRO's petition, the Court concluded that the need for continued employment support to needy populations is not a critical core function that may continue to receive funding under the terms of the Order. (Order July 11, 2011.). The two apparent distinctions between the Refugee Social Services grant and the MACRO petition denied by the Court, is the population served and the fact that this grant is 100% federally funded.

Petitioners also raised arguments that the continued funding of programs under this grant was required by the Supremacy Clause because continued provision of services was required under the Refugee Act of 1980. 8 U.S.C. § 1521 *et seq.* At this time, the Special Master does not recommend that the Court order the continued funding of this grant under the Supremacy Clause principles set forth in the Order.

VII. THE SPECIAL MASTER RECOMMENDS CONTINUED FUNDING FOR THE SENIORS AGENDA FOR INDEPENDENT LIVING / ELDER CARE DEVELOPMENT, AND LIVING AT HOME / BLOCK NURSE GRANTS

Analysis

37. SAIL/EDP and LAH/BN Grants

The Special Master recommends that the Court **CLARIFY** the Order as including these grants. These grants provide vulnerable seniors with nursing services, transportation, caregiver/respite services, home health-aid visits, and home-delivered meals. The bulk of the services funded by these grants mirror the types of food and healthcare assistance specifically funded under the Order. (*See, e.g.*, Order Ex. A (ordering continued payments of food and health care assistance).) Accordingly, the Special Master recommends that the Court clarify the Order as including these grants as critical core functions of government related to the life, health, and safety of Minnesota citizens. (Order p. 15 ¶ 4.)

VIII. THE SPECIAL MASTER RECOMMENDS CONTINUED FUNDING OF THE DEAF AND HARD OF HEARING GRANTS

Analysis

41. DHHS Grants

42. Hearing Loss Mentors

The Special Master recommends that the Court **CLARIFY** the Order as including these grants, which provide services and equipment to deaf, deafblind, and hard of hearing Minnesotans, as critical core functions related to the life and health of Minnesotans. In addition, these grants and programs help parents learn to communicate with their deaf or hard of hearing children. The Court heard specific testimony that these services are time-sensitive and essential to ensure that deaf or hard of hearing children are given the widest variety of options to address their communication needs. Without early intervention, neurological auditory development is permanently impaired. The Special Master notes that Exhibit A specifically funded summer programs at the State Academy for the Deaf (see “State Academies”) and newborn screening (see “Health”).

IX. THE SPECIAL MASTER RECOMMENDS CONTINUED FUNDING OF GRANTS FOR HIV/AIDS MEDICAL SERVICES

Analysis

43. State Case Management Grants

44. State Insurance Premium Grants

46. ADAP Drug Rebates – Title II Grants

47. Title II- Base Grant F59, H119

48. Part B – ADAP Grants – Title II Grant F59, H118

The Special Master recommends that the Court **CLARIFY** that the Order includes continued funding for these grants, all of which relate to the life, health and safety of Minnesota citizens with HIV / AIDS. The Special Master heard testimony that the case-management and benefits-counseling services provided by these grants are necessary to ensure the continuation of care for those individuals living with HIV/AIDS and to ensure the uninterrupted access to medications to control viral load, which is essential to prevent the development of drug resistance. The development of drug resistance due to interrupted access to medications would pose a threat to the public health given the highly infectious nature of HIV. The Court determined that “[a]ctivities essential to ensure continued public health and safety, including safe use of . . . drugs” are services with critical core activities that should continue to be funded. (Order at Ex. A § III.A.1.2.) If the Court were to follow the Special Master’s recommendation on these grants, no further action would be required on the **Minnesota AIDS Project’s** petition to the Special Master.

The Special Master notes that it heard arguments and testimony that the continued funding of some of these grants is required under Supremacy Clause principles pursuant to Part B of the Ryan White Care Act. At this point in time, the Special Master does not need to reach the issue of whether to recommend that the Court order the continued funding of this grant under the Supremacy Clause principles set forth in the Order, but rather limits the recommendation as being in conformance with the Court’s critical core function reasoning.

X. THE SPECIAL MASTER RECOMMENDS THE CONTINUED FUNDING OF HOME HEALTH SERVICES GRANTS, MENTAL HEALTH GRANTS

Analysis

45. Consumer Support Grants

49. Adult Mental Health Integrated Fund

50. Rule 78 Adult Mental Health Grant
51. Crisis Housing
52. Adult Mental Health Crisis Grants
53. MH McKinney Grant F16, M133
54. Federal MH Block Grant – Indian Mental Health Services F85, M167
55. Children’s Mental Health Screening Grant
56. Children’s Mental Health Targeted Case Management Grants
57. CMH – Crisis Services Grants

The Special Master recommends that the Court **CLARIFY** the Order as providing continued funding for these grants. The Court specifically found that the “[p]rovision of . . . medical services to individuals” constituted a critical core function of government that should remain funded. (Order p. 9 ¶ 27, subp. 3.) These grants provide services “relating to the life, health and safety of Minnesota citizens” and should continue to receive funding under the Order. (Order p. 15 ¶ 4.) The individuals served by these grants have serious and persistent mental illness and a gap in the provision of these services will affect their health and potentially the public safety of Minnesota citizens. The Special Master notes that testimony was received that many of relevant grants and services at issue here provide crisis services to individuals with persistent mental illness. These are critical services. The Special Master also notes that a portion the Children’s Mental Health Screening Grant is used to fund services and treatment provided by juvenile justice agencies and may be court-ordered. The failure to provide continued funding for this grant raises the specter of separation-of-powers concerns.

The Special Master notes that the continued funding of these grants and funds would require no further action to address concerns raised in the petitions of **Vail Place** and the

Minnesota Coalition of Community Mental Health Programs, Inc. insofar as they relate to continued grant funding. In addition, continued funding of these grants addresses one of the concerns raised by the Association of Minnesota Counties in its petition.

XI. THE SPECIAL MASTER RECOMMENDS CONTINUED FUNDING OF CHEMICAL-DEPENDENCY TREATMENT GRANTS, PROGRAMS, AND AIDS

Analysis

58. CD Treatment Grants

59. CD Native American Program

60. CCDTF Other Services

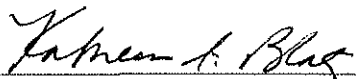
61. CDBG Specialized Women Services SAPT Block grant F83, S232

The Special Master recommends that the Court **CLARIFY** the Order as providing continued funding for these grants because they provide services related to the life, health and safety of Minnesotans. Chemical dependency has been determined to be a disease and is typically treated in non-hospital settings. Interrupting the funding for Items 58-61 would prevent many chemically dependent individuals from receiving necessary treatment and terminate the treatment now being received by many Minnesotans. Furthermore, the Special Master received evidence that programs and services funded by these grants often provide court-ordered chemical-dependency treatment to individuals within the justice system. The present budgetary impasse between the Legislative and Executive branches should not prevent the continuing availability of treatment services to individuals who, as a condition of probation, have been ordered by a court to participate in treatment programs. Accordingly, the Special Master recommends that the funding for the grants and services at issue be continued because they fall within the Court's June 29th Order.

The Special Master notes that it heard arguments and testimony that the continued funding of some of these grants is required under Supremacy Clause principles pursuant to the conditions imposed by the U.S. Department of Health & Human Services' Center for Abuse Treatment upon the federal block grant for Prevention and Treatment of Substance Abuse. 42 U.S.C. § 300x-21, *et seq.* At this point in time, the Court does not need to reach the issue of whether to order the continued funding of this grant under the Supremacy Clause principles set forth in the Order.

The Special Master notes that the continued funding of these grants and funds would address the concerns raised in the petitions of the **Minnesota Association of Treatment Providers** and **Vinland National Center**.

Dated: July 11, 2011



The Honorable Kathleen A. Blätz
Special Master

HUMAN Federal and Other Funds Summary
 SERVICES DEPT.

Support Services Grants BACT #41	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
1. MFIP Consolidated Support Services Grants	Consolidated funding allocated to counties and tribes to provide support services for MFIP/DWP participants including job search/skills, adult basic education, GED coaching, short-term training, English proficiency training, county programs to help with emergency needs and help accessing other services such as child care, medical and CD/Mental health services. (approx. served FY09 - 6,400 persons a month). See also Federal Funds.
Federal TANF	
2. MFIP Consolidated Support Services Grants T01, F640	See General Fund Explanation above.
Federal TANF: ARRA	
3. ARRA Supported Work-Summer Food Program H01, Z142	Allocated to counties and tribes to provide a continuum of employment assistance to MFIP participants. The Summer Food Program was coordinated by Hunger Solutions Minnesota under contract with the Department of Human Services and served 31,198 families. The purpose was to provide children greater access to nutritious food at food shelves. The program increased the amount of healthy foods available to food shelves during the summer and provided new funding to allow food shelves to increase their services to children. The program operated between July 1, 2010 and September 30, 2010.

BSF Child Care Assistance Grants BACT #42	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
4. Basic Sliding Fee (BSF) Child Care Assistance Grants	BSF child care assistance grants provide financial subsidies to help low-income families pay for child care so that parents may pursue employment or education leading to employment. Funds purchase child care for 15,900 children in 9,100 families (2009). As of April 2010, 3,878 families were on the waiting list for BSF child care.
Statutory Appropriations	
5. Basic Sliding Fee (BSF) Child Care Assistance Grants:E22;B421	See General Fund Explanation above.

Child Care Development Grants BACT #43	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
6. Migrant Child Care Grants	Provides grant funds to community based program for comprehensive child care services for migrant children throughout the state. Approximately 850 migrant children under 14 years of age served annually.

Special Master Exhibit 1

HUMAN SERVICES DEPT.

Federal and Other Funds Summary

Children's Services Grants BACT# 45	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
7. American Indian Child Welfare Program	Grants to tribes to provide core child welfare services to American Indian children living on participating tribe's reservations. There are 2 grantees: White Earth and Leech Lake reservations. More than 3,000 children and families were served through this grant in CY 2010.
8. Child Welfare Reform - Prevention / Early Intervention Grants	Grants to counties for child protection services designed to support families to keep children safely at home. Services include training and counseling support for parents and children, stable housing and safe living conditions. Grants support services for 3,500-4,000 families per year.
9. FC Trans Plan Demo Project (Healthy Transitions and Homeless Prevention)	Grants to providers for transitional planning and housing assistance services to youth preparing to leave long-term foster care or who have recently left foster care. These grants served 943 youth in SFY 2010.
10. Indian Child Welfare Act (ICWA) Transfer to R21	Grants to tribes and urban American Indian social service agencies to provide services to preserve and strengthen American Indian families and reunify children in out-of-home placement with their families. Funds 18 programs and served over 2,800 children.
11. Subsidized Adoption Grants	Payments to adoptive families to offset cost of assuming custody of and caring for special needs children. Critical to securing permanency for special needs wards of the state and consistent with the federal requirements and the Performance Improvement Plan (PIP) for the state's Child welfare system. (7,188 children)
12. Relative Custody Assistance Grants	Payments to relatives to offset cost of assuming permanent and legal custody of and caring for special needs children. Critical to securing permanency for children with special needs and consistent with the federal requirements and the Performance Improvement Plan (PIP) for the state's Child welfare system. Approximately 1,950 children served.
Statutory Appropriations	
Special Revenue Fund	
13. Parent Support Outreach Grant	Grants to counties and community-based agencies for child abuse and neglect prevention and services to families to reduce the risk of child maltreatment and enhanced family capacities.
Federal Fund	
14. Title IV-B2 Family Preservation Grants (Family Alternative Response Grant) F00, C237	Grants to counties and tribes to provide child protective services to strengthen families and to prevent out of home placement when it is safe to do so. Grant supports services for 2,500-3,000 families per year.
15. Title IV-E Parent Support Outreach F08, C200	Federal participation for grants for parent support outreach efforts.
16. Title IV-B1 Family Preservation Grants (Family Response Grant) F08, C281	Grants to counties and tribes to provide core child protection services to strengthen families and to prevent out of home placement when it is safe to do so. Grant support services to 2,500-3,000 families per year.
17. Independent Living Grants F15, C293	Grants to counties, providers, and tribes providing assistance and Independent Living Programs to adolescents in foster care. Approximately 800 high-risk youth served annually.

HUMAN Federal and Other Funds Summary
SERVICES DEPT.

Children & Community Services Grants BACT # 46	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
18. Children & Community Services Grants	Grants to all Minnesota counties to purchase or provide services for children, adolescents and other individuals who experience dependency, abuse, neglect, poverty, disability, or chronic health conditions. This grant contributes to costs for services to approx. 435,000 people annually.
Statutory Appropriations	
Federal Fund	
19. Title XX - Migrant Day Care Grants: F82:C283	Grant provides child care in a number of counties for children whose parents, guardian or current caretakers have changed residence recently to obtain employment in a temporary or seasonal agricultural activity. (approx. 860 children per year.)
20. Title XX - Children & Community Services Grants: F82, S505	Grants to all Minnesota counties to purchase or provide services for children, adolescents and other individuals who experience dependency, abuse, neglect, poverty, disability, or chronic health conditions. This grant contributes to costs for services to approx. 435,000 people annually. See also General Fund Explanation.

Children & Economic Assistance Grants BACT #47	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
21. Food Shelf Grants	Grants for purchase and distribution of food to food shelves throughout the state, including some administrative costs.
22. Transitional Housing Grants	Provides supportive housing and supportive services to homeless individuals and families so that they can secure permanent, stable housing. (Serves 4,000 individuals annually)
23. Emergency Services Program	Funds the operating costs of shelters and essential services to homeless families and individuals. (Serves 3,000 individuals annually)
24. Long Term Homeless Services Grants	Grants to county / provider partnerships to provide supportive housing services to long-term homeless individuals and families. Funds may be used at local level for HUD housing match.
25. Runaway and Homeless Youth	Grants to non-profit agencies for the provision of street outreach, drop-in centers, transitional living programs and supportive housing to runaway and homeless youth.
26. Minnesota Food Assistance Program	State funded food benefits for legal non-citizens who do not qualify for federal food stamps.

HUMAN Federal and Other Funds Summary
SERVICES DEPT.

Statutory Appropriations	
27. TEFAP Grants: Appr. E26 B312	Distributes U.S. Department of Agriculture (USDA) donated food commodities to individuals and families who use on-site meal programs, food shelves and shelters. This program design ensures an equitable distribution of commodities to all 87 counties.
28. HUD ESGP Grants E27; B315	The Emergency Shelter Grant Program (ESGP) provides funding to shelters and transitional housing programs for operating costs, essential services, and homelessness prevention.
29. Rural & Homeless Youth Grants: E37, B482	This state and local collaborative provides transitional living program and Independent living skills to runaway youth and homeless youth in a seven county / three reservation region of Cass, Crow Wing, Mille Lacs, Morrison, Todd, Wadena in addition to the Leech Lake and Mille Lacs Reservations.
30. Food Stamps (non-MFIP) F14; F170	Grants to low income households to improve nutrition and achieve food security.
31. FSP Cash out Benefits – SSI F47; F107	Cashed out food benefits to SSI/elderly.
Federal Fund: ARRA	
32. ARRA FSP Cash out Benefits SSI H47, Z114	Cashed out food benefits to SSI/elderly.

Refugee Services Grants BACT #48	
Grant / Activity	Purpose / People Served
Statutory Appropriations	
Federal Fund	
33. Refugee Cash Assistance: F20, F549	Cash grants to needy refugees who do not have children in the home. (approx. served –200 per month)
34. Refugee CMA Admin Grants F20, F571	Grants to voluntary resettlement agencies to operate Refugee Cash Assistance and to the Department of Health for the implementation of health screening for refugees.
35. Refugee Medical Assistance F20, F572	Grants to medical providers for medical care received by needy refugees without minor children in the home. (approx. served –200 per month)
36. Refugee Social Services F70, F552	Grants to nonprofit agencies to help refugees who encounter difficulties adjusting to life in the United States. Approx. Served 534 per month

Aging & Adult Services BACT #53	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
37. SAIL/EDP and LAH/BN Grants	SAIL/EDP: \$754,000. Grants to certain counties and Area Agencies on Aging (AAAs) to integrate, coordinate and enhance informal, quasi-formal and formal services for seniors. (Impacts 87 counties that serve 350,000 older individuals) Block Nurse: \$617,000 to 31 service providers for -in-home services.
38. Senior Nutrition Program Grants	Grants to AAAs and service providers to supplement federal funding to provide meals, and other related services in a congregate meal setting or to homebound seniors. (Approximately 57,000 congregate and 14,000 home delivered unduplicated persons served).

HUMAN Federal and Other Funds Summary
SERVICES DEPT.

Statutory Appropriations	
Federal Fund	
39. Nutrition Services Incentive Program F38, S181	OAA grants to AAAs and local nutrition providers as a separate allocation based on the number of meals served in the previous project year. (See Senior Nutrition Program Grants)
40. Title III C2 Home Delivered Nutrition Services Grants F99, S156	OAA grants to AAAs and service providers to provide home delivered meal services targeted to seniors in the greatest economic and social need. (See Senior Nutrition Program Grants)

BACT # 54 Deaf & Hard of Hearing Grants	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
41. DHHS Grants (propose to open 7/18/11)	Grants for multiple services and equipment to help Minnesotans who are deaf, deafblind, and hard of hearing or have multiple disabilities, including deafness, to remain independent and part of their communities. In FY 09 these grants served 22,000 people
42. Hearing Loss Mentors (propose to open 7/18/11)	Grant funding pays for deaf mentors to work with families who need to learn sign language and communication strategies to communicate with their children who have learning loss.

Disabilities Grants BACT# 55	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
43. State Case Management Grants	Funding to clinics and community based organizations for the provision of case management services to persons living with HIV as well as payments to purchase insurance coverage for eligible individuals. (Approximately 900 clients served per year). During two different legislative sessions (2008, 2010), the appropriation has been delayed one fiscal year and repaid in the next biennium. FY 12 shows the normal base amount for the program.
44. State Insurance Premium Grants	Funding to supplement federal allocations (H119) and special revenue funds (H125) to maintain private insurance coverage for people living with HIV. These three funding streams serve approximately 1,500 persons per year. NOTE: Due to budget reductions, the base amount per year varies. During two different legislative sessions (2008, 2010), the appropriation has been delayed one fiscal year and repaid in the next biennium. FY 12 shows the normal base amount for the program.
45. Consumer Support Grants	The Consumer Support Grant (CSG) program is a state-funded alternative to Medicaid home care services of home health aide, personal care assistance and/or private duty nursing. Counties administer the CSG grants and work with consumers who are seeking greater flexibility and freedom of choice in their home care service delivery. Note: There is a small base for this grant plus a transfer from Medical Assistance. (Approximately 1,657 people served per year).

HUMAN SERVICES DEPT. Federal and Other Funds Summary

<u>Statutory Appropriations</u>	
Special Revenue Fund	
46. ADAP Drug Rebates-Title II Grants	Dedicated funding resulting from ADAP drug rebates that supplements state (H115) and federal (H119) allocations to maintain private insurance coverage and/or purchase HIV related drugs. These 3 funding streams serve approximately 1,500 persons.
Federal Fund	
47. Title II - Base Grant F59, H118	Dedicated federal funding that helps individuals with HIV / AIDS obtain access to necessary medical care, nutritional supplements, dental services, mental health services, support services and outreach to high risk, underserved populations.
48. Part B -- ADAP Grants - Title II Grant F59, H119	Federal funding dedicated to maintain private insurance coverage for people living with HIV and/or purchase HIV related drugs. Funds used in conjunction with state (H115) and special revenue (H125) funds (Approximately 1,500 people served.).

<u>Adult Mental Health Grants BACT #57</u>	
Grant / Activity	Purpose / People Served
<u>Direct Appropriations</u>	
General Fund	
49. Adult Mental Health Integrated Fund	Grants to counties for Adult MH initiatives including crisis response and case management services. For most counties, this includes integrated administration of Adult MH Community Support Grants and Residential Treatment Grants. (CY 2009, 18,800 adults served)
50. Rule 78 Adult Mental Health Grant	Grants to counties for community support services to adults with serious and persistent mental illness. (CY 2009, 11,200 adults served)
51. Crisis Housing	Grant to nonprofit agency (sole source contract) for the provision of financial assistance to hospitalized clients needing help to pay for their housing. These funds are used only when other funds, such as SSI, are not available. (CY 2009 - 300 adults served)
Health Care Access Fund	
52. Adult Mental Health Crisis Grants	Adult mental health crisis grants to metro counties to build capacity for mobile crisis teams—particularly to cover costs for uninsured. Administered along state general fund crisis grant funds that are part of the Adult MH Initiative grants listed above.
<u>Statutory Appropriations</u>	
Federal Fund	
53. MH McKinney Grant F16, M133	Grants to counties and non-profit agencies for outreach and mental health services to homeless people. About \$500,000 per year of Adult MH Integrated state funds (see above) are used as match for these federal funds. (9,200 people served per year)
54. Federal MH Block Grant -- Indian Mental Health Services F85, M167	As required by state law, 25% of the Federal MH Block Grant is used for grants to American Indian Tribes and non-profit agencies to provide mental health services, particularly community support services, to American Indians.

HUMAN SERVICES DEPT. Federal and Other Funds Summary

Children's Mental Health Grants BACT #58	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
55. Children's Mental Health Screening Grant	Grants to county child welfare and juvenile justice agencies to pay for mental health screenings and follow-up diagnostic assessment and treatment; covers children already deeply involved in child-serving systems. (In CY 2009, 4,279 child welfare clients and 4,698 juvenile justice clients served.)
56. Children's Mental Health Targeted Case Management Grants	Grants to counties to offset their cost of providing MA-reimbursed mental health case management services for children. (Approx. 2,888 per year served by counties since transfer to managed care.)
57. CMH - Crisis Services Grants	Grants to counties in regional partnerships to build psychiatric crisis response capacity, including mobile crisis intervention and follow-up stabilization services. Part of 2007 Governor's MH Initiative. (CY 2008--820 crisis episodes; CY 2009--2,411 crisis episodes) Few were clients with repeat crises: 73% had no history of hospitalization; 70% had no history of residential treatment.

CD Non-Entitlement Grants BACT # 59	
Grant / Activity	Purpose / People Served
Direct Appropriations	
General Fund	
58. CD Treatment Grants	Legislatively designated for two grantees, Anoka County and the Faribault & Martin Human Services Board to treat methamphetamine abuse and the abuse of other substances. The focus audience is women with dependent children identified as substance abusers, especially those whose primary drug of choice is methamphetamine.
59. CD Native American Program	Provides funds to American Indian tribes, organizations, and communities to provide culturally appropriate alcohol and drug abuse primary prevention and treatment support services. Federal funds also partially support this activity. SFY2010 - 7,100 people served. Nine projects funded in FY2010 & FY2011
Statutory Appropriations	
Special Revenue Fund	
60. CCDTF Other Services	Reimburses providers through the Consolidated Fund for the provision of chemical dependency treatment services to persons whose income is over 100% of Federal Poverty.
Federal Fund	
61. CDBG Specialized Women Services SAPT Block grant F83, S232	Grants to community based providers to improve the delivery of chemical dependency treatment services to pregnant women and women with children by providing ancillary services such as safe housing, day care, parenting training, education, and social support. Fifteen grants provided in SFY2011 to counties and non-profit providers. (SFY2009, 1,600 people served.)