

Date: December 18, 2012

To: County Human Services Directors  
MFIP Financial Assistance Supervisors  
Tribal Employment Services Directors

From: Jane Delage, Program Manager  
MFIP Policy and Performance Section  
DHS Transition to Economic Stability Division

RE: Injury Protection Program Coverage for “Other Programs Approved by the Commissioner”

The purpose of this memo is to announce a new process designed to ensure Injury Protection Program (IPP) coverage for Minnesota Family Investment Program participants.

### **Injury Protection Program (IPP) Coverage**

The IPP program is available to cover the medical cost of work related injuries incurred by a participant while working in an unpaid work experience placement.

### **Community Work Experience Program (CWEP) and “Other Programs Approved by the Commissioner”**

Minnesota Statutes, Section 256J.68 provides IPP medical coverage for work related injuries to participants in community work experience program (CWEP) jobs. Minnesota Statute, section 256J.67 defines CWEP.

Other unpaid work experience programs covered by IPP are referred to in statute as those that have been “approved by the Commissioner.” In the past there has not been a formal process to meet this provision. To address this requirement, DHS has decided to use the Biennial Service Agreement (BSA) process. A form has been created for this purpose. (*see attachment*)

### **Addendum to the MFIP Biennial Service Agreement**

Effective immediately, counties and tribes must complete the attached MFIP Biennial Service Agreement Addendum for any unpaid work experience programs administered by the county or tribe. For calendar year 2013, the addendum must be received by January 15, 2013. Beginning with the 2014-2015 biennium, the addendum will be incorporated in the BSA format.

Please send your questions and completed addendum by EMAIL to [dhs.dwp-mfip@state.mn.us](mailto:dhs.dwp-mfip@state.mn.us). Addendums are due no later than January 15, 2013.



## Other Related Issues

**IPP is not worker's compensation.** Compensation paid under IPP is limited to reasonable medical costs related to injuries incurred while working in an unpaid placement. The IPP also provides permanent partial disability compensation and compensation for injuries resulting in death, including burial expenses and payment to the participant's estate in an amount up to \$200,000. The IPP does not provide compensation for pain and suffering, lost wages, or other benefits.

**Do not use term "volunteer".** Based on review of worker's compensation law, conversations with the Department of Labor, and case law, DHS strongly recommends that counties and employment services providers discontinue using the term "volunteer" with regard to the unpaid work program or participants in the program. Because MFIP is a mandatory program, there are no true "volunteers," and use of the term had resulted in confusion.

Counties are free to choose another way to describe their program. Examples of other possible terms include:

- Work site based career opportunity training
- Skills enhancement training
- Unpaid work experience
- Uncompensated work experience

**Fair Labor Standards Act (FLSA).** When assigning the participant to an unpaid job, be sure not to exceed the maximum number of hours allowed by the FLSA. The maximum number of hours is a monthly total that is determined by dividing the participant's MFIP grant (both the cash and food support) amount by the Federal Minimum Wage, which is currently \$7.25/hour (and rounding down). See ES Manual Section 9.3 (Unpaid Employment Activities) for more information about the FLSA.

**IPP Forms.** There are five IPP Forms. All of these forms are described below and can be accessed through the Department of Human Services e-Docs site.

[http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id\\_000100](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000100)

### [DHS-3994-ENG](#) **Injury Protection Program (IPP)-Participant Information & Authorization to Release Medical Information** - English - 9-12 [Add to favorites](#)

Data privacy and medical release information for MFIP work experience participants in the case of work site injury.

(published: 10/16/12 10:26 AM)

### [DHS-3995-ENG](#) **Injury Protection Program (IPP) - First Report of Injury** - English - 8-12 [Add to favorites](#)

Report to be completed by a work site staff member/supervisor when a participant sustains an injury at work experience work site.

(published: 10/26/12 6:58 AM)

**[DHS-3996-ENG](#) Injury Protection Program (IPP) - Participant Medical Referral and Medical Care Provider Information Letter - English - 8-12 [Add to favorites](#)**

A letter referring an injured participant, who is in a work experience program, to a medical provider for care. The letter also explains the purpose and requirements for the Injury Protection Program.

(published: 10/24/12 7:11 AM)

**[DHS-3997-ENG](#) Injury Protection Program (IPP) - Participant Injury Status Report - English - 12-08 [Add to favorites](#)**

A report and diagnosis completed by the medical provider of an injured participant in unpaid work experience.

(published: 1/14/09 1:22 PM)

**[DHS-3998-ENG](#) Injury Protection Program (IPP) - IPP Claim Form - English - 12-08**

[Add to favorites](#)

A form to be completed by DHS IPP representative when finalizing the review of an injury protection claim for payment or denial.

(published: 1/14/09 1:22 PM)

If you have questions about the IPP forms or questions about processing an IPP claim, contact Leila Farah at 651-431-4292 or [leila.farah@state.mn.us](mailto:leila.farah@state.mn.us).