

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 110—Division of Youth Services
Chapter 8—Youth Finances

PROPOSED RULE

13 CSR 110-8.020 Division of Youth Services Child Benefits Program

PURPOSE: The purpose of this rule is to account for monies received by the Division of Youth Services (DYS) from the Social Security Administration when the DHS has been named the representative payee of a residential youth. The DHS Child Benefits Fund is established within the State Treasury for depositing of payments from the Social Security Administration to youth in DHS custody. Monies deposited in this fund shall be used only for the purposes specified by federal or state law or by these regulations. Monies in this special trust fund are not deemed to be state funds.

(1) As used in this regulation, unless the context clearly indicates otherwise, the following terms mean:

(A) “Benefit” means monies received on behalf of a youth from the Social Security Administration.

(B) “Youth” means a person under twenty-one years of age committed to the custody of the Division of Youth Services (DYS).

(C) “Residential Youth” means a youth who has been committed to the DHS in the manner provided by law, and who is placed in residential care.

(2) The Fiscal Liaison for the DHS is responsible for establishing centralized methods to oversee the accounting of receipts and disbursements from this fund. Such methods require that:

(A) There shall be an individual ledger for each youth receiving benefits when DHS has been appointed as Representative Payee for a youth in custody. The ledger shall contain all deposits and withdrawals of the youth’s money;

(B) There shall also be a control ledger to track all deposits and withdrawals from the fund; and

(C) The control ledger shall be reconciled monthly with the individual ledger and the fund balance.

(3) Receipts from the Social Security Administration:

(A) All funds directly received by DHS as payee for a residential youth shall be deposited into the DHS Child Benefits Fund.

(B) Any checks received by the DHS from the Social Security Administration will be sent to the Division of Finance and Administrative Services (DFAS) for deposit into the DHS Child Benefits Fund.

(4) Utilization of the Child Benefits Fund:

(A) Monies deposited in this fund shall be used only for the purposes authorized by federal and state law, or by regulation of the DHS.

(B) Each facility with a youth receiving a Social Security benefit shall be issued a purchasing card designated solely for the use of the Social Security benefits of a youth in custody.

(C) Authorized DHS facility staff may make purchases for the youth receiving benefits up to the amount held in the youth’s fund based on need. All purchases shall be approved by the facility manager or his or her designee. Youth will not be provided with cash.

(5) Payments from the Child Benefits Fund:

(A) Facility staff for each facility shall submit monthly purchasing card statements to DYS Central Office, along with copies of receipts from purchases;

(B) If funds are available, payments from the DYS Child Benefits Fund shall be made to off-set any purchases made for the youth in custody with the purchasing card; and

(C) All expenditures shall be posted to the applicable individual ledgers and the control ledger.

(6) Removal of DYS as Representative Payee:

(A) DYS will resign as representative payee upon the release of a youth from residential care.

(B) DYS will submit to the Social Security Administration a written request to resign as representative payee, along with a check for the remaining balance in the youth's individual ledger and any documentation requested by the Social Security Administration concerning all account activity as may be required by federal law.

AUTHORITY: sections 219.036.7, 219.016.6, and 660.017, RSMo. Original Rule filed: December 19, 2018.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, Legal Services Division-Rulemaking, P.O. Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*