



# Disability Waiver Rate System Impact Study

Semi-Annual Report

Sept. 20, 2018

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## Study objective

The Disability Waiver Rate System (DWRS) transformed disability waiver service rates from a provider/lead agency-negotiated rate system to a statewide data-based rate methodology. As required by state law, DHS began to use the system in 2014 and phased it in through a mechanism called “banding.” DHS will implement the new system fully in calendar year 2020 or 2021, depending on federal approval of an additional year of banding. This report summarizes the projected fiscal impact of the DWRS to service rates when full implementation occurs, after the banding period.

DHS prepared this report in accordance with Minnesota Statutes 2017, section 256B.4914, subdivision 10, paragraph c. Statute requires the commissioner of Human Services to analyze the average difference between the historic rates in effect before system implementation (Dec. 31, 2013) and the framework rates in effect after full system implementation. DHS is required to issue semiannual reports to stakeholders on the difference in rates by service and by county during the banding period.

This analysis considers all changes to DWRS authorized by the Minnesota Legislature through the 2018 legislative session.

## Summary of findings

The total projected impact of DWRS on service rates across all services is a 13.6 percent increase. Measuring this impact from 2013 through 2021, this increase amounts to approximately 1.7 percent per year. The full impact of DWRS will occur after the banding period ends in calendar year 2020 or 2021.

In this report, DHS combined services in larger groupings called buckets. This analysis projects an increase in all service buckets. Additionally, this analysis projects an increase for 94 percent of all lead agencies. This report will detail the projected impact by service category and lead agency.

## Background

DHS began to use DWRS, as required by the federal Centers for Medicare & Medicaid Services (CMS), to maintain the state’s eligibility for federal funding of the disability waivers. Before DWRS, providers and lead agencies negotiated rates. Many times, rates varied across the state and were not based on people’s needs. The federal government required states to use a data-based statewide rate methodology.

Approved by the Minnesota Legislature in 2013, DWRS established rate formulas, commonly referred to as frameworks, based on the statewide average costs required to provide home and community-based services (HCBS) in Minnesota. This rate methodology is detailed in [Minnesota Statutes 2017, section 256B.4914](#).

In calendar year 2017, services with rates calculated through DWRS accounted for about \$1.9 billion in spending for more than 34,700 people who used services across the state.

The Legislature requires full implementation of the framework rates produced by the system after the [statutorily required banding period](#) in 2020 or 2021. In the banding period, rate changes are limited for people who received services in 2013 and providers who provided services in 2013. The Legislature required banding to ensure ongoing service access for people and to limit impacts on service providers and county and state budgets during DWRS implementation. This implementation enabled the state to continue to research provider costs and enabled provider organizations to prepare for full implementation of the system.

The Minnesota Legislature approved a seventh year of banding (through calendar year 2020) during the 2017 session. DHS is seeking federal approval to implement the seventh year of banding. About one-quarter of total DWRS service dollars are not subject to banding and have framework rates authorized.

In this report, DHS estimates the projected impact of DWRS. We made these estimates by examining the difference between pre-DWRS negotiated rates (“historic rates”) and rates produced by DWRS (“framework rates”). This projected impact will occur when DWRS is fully implemented after the banding period in 2020 or 2021.

## Study methodology

This study measures the projected fiscal impact of DWRS by calculating the percentage difference between the average rate per unit in 2013 (“historic rate”) and the rate calculated by the DWRS (“framework rate”).

This study examines all service agreement lines between Jan. 1 and Dec. 31, 2017, that meet the below specifications. Data in this study encompasses 14,707 people who receive services and 1,396 unique provider IDs.

### Specifications

This study has the following specifications:

**Ongoing recipients:** This study measures the impact of DWRS by looking only at people who receive the same services by the same provider in both time periods. It does not include new people who receive services, new services or changes in service providers. To be included in the study, each service agreement line must have a historic rate established by the person’s approved service authorization on Dec. 31, 2013.

**DWRS usage:** This study only includes service agreement lines in which DWRS was used to calculate a rate entered into MMIS. We merged MMIS data with DWRS data. We excluded all lines that do not have a match between the two databases from this study.

**Holding units constant:** To isolate the impact of the service rate itself, DHS held the number of units authorized for each service authorization constant in both time periods.

**Inflationary increases:** This study includes the statutory automatic inflationary increases implemented in DWRS in July 2017. These increases apply to framework rates. Historic rates do not include these increases.

**Legislated component value changes:** This study includes all component value changes approved by the Minnesota Legislature in the 2017 session. In this analysis, DHS applied the projected impact of these changes to framework rates. Historic rates do not include these increases. For detail on changes made to the system, see the [DWRS framework changes](#) section below.

**Rate exceptions:** This study includes all ongoing recipients who have received the same service in both time periods, regardless of whether they will receive a rate exception when banding protections are not applicable. The findings in this analysis do not consider the additional cost of rate exceptions. For detail on the impact of rate exceptions, see the [DWRS rate exceptions](#) section of this document.

## Limitations

This report is a point-in-time analysis. Projections may vary over time as changes occur in the system. Examples of these changes include:

- Changes in the inputs users enter into the Disability Waiver Rate System
- Changes in the eligibility for and cost of rate exceptions
- Changes to component values approved by the Minnesota Legislature

This report does not consider future, unknown changes to these factors.

The DWRS implementation period happens over a five- or six-year period. Within this period, changes might occur outside of DWRS, regardless of rate methodologies. Examples include:

- Changes in a person's choice of services and/or providers
- Changes in the amount of service a person needs
- New recipients
- Changes in the services available to disability waiver recipients

This report does not consider these other factors.

Because service-purchasing changes are not projected, this report does not cite the final impact on paid claims. Likewise, this analysis does not measure the impact to provider revenues or lead agency budgets. This analysis measures the difference in the actual rates. It compares the rates authorized under historical negotiated rate-setting methods to the projected rates calculated by the statewide DWRS.

## DWRS framework changes

State law bases DWRS rate formulas on the statewide average costs required to provide home and community-based services in Minnesota. Detailed in state statute, rate formulas are composed of cost components. Cost components vary by service and include factors such as staff wages, employee benefits, employer-paid taxes, paid time off, indirect staff time, program expenses and administrative expenses.

The analysis in this report includes updates to DWRS as required by the Minnesota Legislature. Some of these updates are scheduled to occur in the future, but before the end of the banding period. These changes include the following:

**Table 1: DWRS framework changes**

Effective date	Change driver	Change description	Affected services	Legislative requirement
January 2019	Supervisor wage	Increases the supervisor wage to align it with Bureau of Labor Statistics (BLS) wage code	All DWRS services except customized living	<a href="#">Minn. Stat. 2017 §256B.4914 subd. 5</a>
January 2019	Asleep overnight wage	Increases the asleep wage to align with the minimum wage for large employers in Minnesota. Annual change beginning Jan. 1, 2019, in conjunction with changes in the Minnesota minimum wage.	Daily foster care and supportive living services	<a href="#">Minn. Stat. 2017 §256B.4914 subd. 5</a>
January 2019	Registered nurse (RN) wage	Increases the RN wage to align it with BLS wage code	Daily foster care and supportive living services; all day services	<a href="#">Minn. Stat. 2017 §256B.4914 subd. 5</a>
January 2019	Absence factor	Increases the value of the absence component factor	All day services	<a href="#">Minn. Stat. 2017 §256B.4914 subd. 5</a>
January 2019	Customized living changes	Component values within the customized living tool are increased	Customized living and 24-hour customized living services	<a href="#">Minn. Stat. 2017 §256B.0915 subd. 12 to 16</a>

Effective date	Change driver	Change description	Affected services	Legislative requirement
January 2020	Asleep overnight wage	Increases the asleep wage to align with the minimum wage for large employers in Minnesota. Annual change beginning Jan. 1, 2019, in conjunction with changes in the Minnesota minimum wage.	Daily foster care and supportive living services	<a href="#">Minn. Stat. 2017 §256B.4914 subd. 5</a>
January 2021	Asleep overnight wage	Increases the asleep wage to align with the minimum wage for large employers in Minnesota. Annual change beginning Jan. 1, 2019, in conjunction with changes in the Minnesota minimum wage.	Daily foster care and supportive living services	<a href="#">Minn. Stat. 2017 §256B.4914 subd. 5</a>

## DWRS rate exceptions

DHS developed DWRS after a complex review of the costs of providing disability waiver services. While DHS designed the DWRS frameworks to cover the cost of serving most recipients, some recipients with exceptionally high needs will require a lead agency- and DHS-approved rate exception. Rate exception eligibility and processes are outlined in [Minnesota Statutes 2017, section 256B.4914, subdivision 14](#).

Because of banding protections, rate exceptions during the banding period are limited. When the banding period ends, rate exceptions will result in more spending. Exceptions will increase the final fiscal impact of DWRS upon expiration of banding protections in 2019 or 2020.

## Statewide findings

The total projected statewide impact of the DWRS across all services is a 13.6 percent increase in the average rate per unit for DWRS services.

Projected change drivers	Change
Percentage change as a result of 7/1/2017 BLS/CPI inflationary adjustments and post-2017 legislative session component value changes	13.6%

Measuring this impact from 2013 through 2021, this increase amounts to approximately 1.7 percent per year.

These findings are the projected impact of DWRS implementation when banding is no longer applicable, in 2020 or 2021. These findings do not include the additional cost of rate exceptions. Rate exceptions will increase the final impact of DWRS.

## Findings by service category

The following findings summarize the projected impact of DWRS implementation on a service category level. This analysis does not include the projected impact of exceptions. Rate exceptions will increase the fiscal impact of DWRS implementation. These findings illustrate the projected impact of DWRS when banding is no longer applicable, in 2020 or 2021.

### Day services

DHS projects day services to increase by 5.0 percent. Day services account for 12 percent of total DWRS spending (about \$227 million). The table below illustrates the projected impact by service category.

**Table 2: Day service findings**

Service category	Number of recipients in CY2017	Percent of total DWRS service recipients	Percent of total DWRS spending in CY2017	Projected change in service rates post-banding
Adult day services	2,452	7%	1%	30.5%
Day training and habilitation	10,429	30%	11%	4.6%
Prevocational services	2,828	8%	1%	-3.1%
<b>Day bucket (total)</b>	<b>15,355</b>	<b>44%</b>	<b>12%</b>	<b>5.0%</b>

The analysis in this study does not consider changes in service use. DHS expects the implementation of new employment services to result in some people using unit-based employment services in addition to or in place of day bucket services.

### Residential services

DHS projects residential services to increase by 13.3 percent. In calendar year 2017, residential services accounted for 76 percent of total DWRS spending (approximately \$1.5 billion). The table below illustrates the projected impact by service category.

**Table 3: Residential service findings**

Service category	Number of recipients in CY2017	Percent of total DWRS service recipients	Percent of total DWRS spending in CY2017	Projected change in service rates post-banding
Customized living services	4,252	12%	8%	9.8%
Foster care services	5,868	17%	25%	10.6%

Service category	Number of recipients in CY2017	Percent of total DWRS service recipients	Percent of total DWRS spending in CY2017	Projected change in service rates post-banding
Supportive living services, daily	9,957	29%	43%	14.4%
<b>Residential bucket (total)</b>	<b>19,784</b>	<b>57%</b>	<b>76%</b>	<b>13.3%</b>

This analysis does not consider rate exceptions. In addition to the findings in the table above, we estimate that rate exceptions in this service area will have particularly high costs compared to other services. Analysis from the 2015 exceptions research study concluded that residential services is a primary service area of projected exceptions. Rate exceptions for these services may account for up to an additional 1.73 percent of total residential service spending. Because we conducted this study before the 2017 legislative component updates, the projection of the impact of DWRS will change when more statewide data is available to identify the specific people who will require rate exceptions.

### Unit-based without programming services

We project unit-based services without programming to increase 39.1 percent. This service bucket accounts for 4 percent of total DWRS spending (approximately \$80 million).

DHS based the DWRS frameworks on average business costs required of providers in Minnesota to deliver services. Updated research conducted in 2016 further identified these values for unit-based services. The implementation of DWRS and the subsequent component adjustments and budget neutrality factor removals authorized by the 2017 legislature help align service rates with research findings.

The table below illustrates the projected impact by service category.

**Table 4: Findings for unit-based services without programming**

Service category	Number of recipients in CY2017	Percent of total DWRS service recipients	Percent of total DWRS spending in CY2017	Projected change in service rates post-banding
Personal support/companion	2,259	6%	3%	37.1%
Respite care services, 15 min <sup>1</sup>	2,551	7%	1%	43.1%
<b>Unit without programming bucket (total)</b>	<b>3,680</b>	<b>11%</b>	<b>4%</b>	<b>39.1%</b>

<sup>1</sup> The 2017 Minnesota Legislature approved the move of daily respite care services from a DWRS-set rate to a market-rate service. CMS approved this change. Daily respite is now a market-rate service and is not included in this analysis.

## Unit-based with programming services

DHS projects unit-based services with programming to increase by 16.7 percent. This service bucket accounts for 7 percent of total DWRS spending (approximately \$150 million).

As with the unit-based without programming services, updated research conducted in 2016 further identified the component cost values for unit-based services in this service bucket. The component adjustments and budget neutrality factor removals authorized by the 2017 Legislature help align service rates with research findings.

The table below illustrates the projected impact by service category.

**Table 5: Findings for unit-based services with programming**

Service category	Number of recipients CY2017	Percent of total DWRS service recipients	Percent of total DWRS spending in CY2017	Projected change in service rates post-banding
<b>Positive support services</b>	811	2%	0.3%	<b>32.3%</b>
<b>Independent living services</b>	8,390	24%	3%	<b>-5.2%</b>
<b>In home family support</b>	2,555	7%	2%	<b>28.0%</b>
<b>Supported employment</b>	3,422	10%	1%	<b>51.6%</b>
<b>Supportive living services, 15 min</b>	1,502	4%	1%	<b>19.3%</b>
<b>Unit with programming bucket (total)</b>	<b>14,692</b>	<b>42%</b>	<b>7%</b>	<b>16.7%</b>

## Findings by lead agency

The following findings summarize the impact projected for lead agencies on an aggregate level. We calculated the change by considering, for each lead agency, all service authorizations across all service lines for recipients that had both December 2013 authorizations and current authorizations.

This analysis found that the average projected change by lead agency counties of financial responsibility (CFRs) is an increase of 13 percent; the median change is an increase of 12 percent.

These estimates **do not** reflect changes to lead agency budgets or projected spending, as they do not include changes in services, population changes and rate exceptions. These estimates reflect only the projected percentage change in rates for people living in the particular county of residence (COR) or authorized for services by the particular CFR.

DHS is conducting ongoing statistical analysis on the impact of DWRS to lead agencies, including the projected change in rates and the percentage of dollars subject to banding. We are using the findings to adjust lead agency budgets to account for DWRS implementation and legislated rate changes.

Below are two tables showing each lead agency's current projected change, both as the CFR and as the COR. These values are the projected impact when banding is no longer applicable, in 2020 or 2021.

Table 6: Lead agency findings according to county of financial responsibility

CFR	Number of recipients in CY17	Percent of the statewide total recipients	Projected percent change to rates (aggregate)
Aitkin	106	0.3%	9%
Anoka	1,985	5.7%	7%
Becker	201	0.6%	24%
Beltrami	272	0.8%	15%
Benton	255	0.7%	5%
Big Stone	53	0.2%	17%
Blue Earth	390	1.1%	14%
Brown	199	0.6%	14%
Carlton	309	0.9%	19%
Carver	369	1.1%	12%
Cass	177	0.5%	12%
Chippewa	95	0.3%	17%
Chisago	305	0.9%	19%
Clay	513	1.5%	32%
Clearwater	31	0.1%	34%
Cook	14	0.0%	33%
Cottonwood	96	0.3%	24%
Crow Wing	309	0.9%	24%
Dakota	2,611	7.5%	14%
Dodge	<6	0.0%	20%
Douglas	203	0.6%	21%
Faribault	113	0.3%	17%
Fillmore	126	0.4%	41%
Freeborn	184	0.5%	9%
Goodhue	301	0.9%	-3%
Grant	39	0.1%	63%
Hennepin	8,605	24.7%	9%
Houston	127	0.4%	20%
Hubbard	103	0.3%	12%
Isanti	188	0.5%	16%
Itasca	318	0.9%	23%
Jackson	78	0.2%	8%
Kanabec	97	0.3%	20%
Kandiyohi	339	1.0%	23%
Kittson	37	0.1%	15%
Koochiching	91	0.3%	13%

<b>CFR</b>	<b>Number of recipients in CY17</b>	<b>Percent of the statewide total recipients</b>	<b>Projected percent change to rates (aggregate)</b>
Lac Qui Parle	79	0.2%	25%
Lake	82	0.2%	34%
Lake of the Woods	34	0.1%	-4%
Le Sueur	193	0.6%	-16%
Lincoln	44	0.1%	-4%
Lyon	196	0.6%	11%
McLeod	203	0.6%	21%
Mahnomen	38	0.1%	42%
Marshall	79	0.2%	23%
Martin	161	0.5%	20%
Meeker	165	0.5%	23%
Mille Lacs	188	0.5%	16%
Morrison	212	0.6%	14%
Mower	320	0.9%	11%
Murray	50	0.1%	24%
Nicollet	159	0.5%	7%
Nobles	124	0.4%	18%
Norman	54	0.2%	8%
Olmsted	799	2.3%	12%
Otter Tail	398	1.1%	16%
Pennington	95	0.3%	15%
Pine	148	0.4%	21%
Pipestone	57	0.2%	4%
Polk	240	0.7%	16%
Pope	73	0.2%	27%
Ramsey	4,442	12.7%	7%
Red Lake	17	0.0%	3%
Redwood	116	0.3%	16%
Renville	112	0.3%	16%
Rice	422	1.2%	20%
Rock	74	0.2%	16%
Roseau	68	0.2%	25%
St. Louis	1,599	4.6%	23%
Scott	442	1.3%	3%
Sherburne	396	1.1%	15%
Sibley	88	0.3%	7%
Stearns	747	2.1%	13%
Steele	450	1.3%	16%

<b>CFR</b>	<b>Number of recipients in CY17</b>	<b>Percent of the statewide total recipients</b>	<b>Projected percent change to rates (aggregate)</b>
Stevens	61	0.2%	18%
Swift	84	0.2%	5%
Todd	164	0.5%	13%
Traverse	24	0.1%	7%
Wabasha	154	0.4%	16%
Wadena	108	0.3%	10%
Waseca	<6	0.0%	-2%
Washington	937	2.7%	12%
Watonwan	77	0.2%	9%
Wilkin	67	0.2%	7%
Winona	517	1.5%	19%
Wright	520	1.5%	18%
Yellow Medicine	82	0.2%	24%
White Earth Tribe	34	0.1%	4%

Table 7: Lead agency findings according to county of residence

<b>COR</b>	<b>Number of recipients in CY17</b>	<b>Percent of the statewide total recipients</b>	<b>Projected percent change to rates (aggregate)</b>
Aitkin	128	0.4%	15%
Anoka	1,928	5.5%	8%
Becker	209	0.6%	23%
Beltrami	315	0.9%	20%
Benton	338	1.0%	5%
Big Stone	45	0.1%	24%
Blue Earth	604	1.7%	2%
Brown	190	0.5%	16%
Carlton	298	0.9%	8%
Carver	349	1.0%	11%
Cass	237	0.7%	3%
Chippewa	94	0.3%	13%
Chisago	420	1.2%	13%
Clay	598	1.7%	31%
Clearwater	25	0.1%	41%
Cook	<6	0.0%	65%
Cottonwood	75	0.2%	23%
Crow Wing	382	1.1%	29%
Dakota	2,849	8.2%	12%

<b>COR</b>	<b>Number of recipients in CY17</b>	<b>Percent of the statewide total recipients</b>	<b>Projected percent change to rates (aggregate)</b>
Dodge	98	0.3%	8%
Douglas	224	0.6%	19%
Faribault	67	0.2%	10%
Fillmore	85	0.2%	58%
Freeborn	158	0.5%	1%
Goodhue	287	0.8%	-2%
Grant	42	0.1%	-2%
Hennepin	8,129	23.3%	9%
Houston	127	0.4%	22%
Hubbard	111	0.3%	9%
Isanti	208	0.6%	6%
Itasca	288	0.8%	29%
Jackson	38	0.1%	1%
Kanabec	83	0.2%	12%
Kandiyohi	559	1.6%	25%
Kittson	14	0.0%	45%
Koochiching	70	0.2%	24%
Lac Qui Parle	40	0.1%	30%
Lake	47	0.1%	34%
Lake of the Woods	20	0.1%	-12%
Le Sueur	168	0.5%	13%
Lincoln	24	0.1%	8%
Lyon	220	0.6%	20%
McLeod	195	0.6%	18%
Mahnomen	33	0.1%	26%
Marshall	52	0.1%	21%
Martin	181	0.5%	19%
Meeker	131	0.4%	31%
Mille Lacs	166	0.5%	22%
Morrison	228	0.7%	8%
Mower	297	0.9%	21%
Murray	29	0.1%	21%
Nicollet	242	0.7%	23%
Nobles	128	0.4%	20%
Norman	35	0.1%	17%
Olmsted	895	2.6%	12%
Otter Tail	418	1.2%	15%
Pennington	85	0.2%	28%
Pine	214	0.6%	11%

<b>COR</b>	<b>Number of recipients in CY17</b>	<b>Percent of the statewide total recipients</b>	<b>Projected percent change to rates (aggregate)</b>
Pipestone	41	0.1%	18%
Polk	248	0.7%	15%
Pope	51	0.1%	27%
Ramsey	4,399	12.6%	7%
Red Lake	19	0.1%	33%
Redwood	108	0.3%	10%
Renville	89	0.3%	9%
Rice	470	1.3%	12%
Rock	72	0.2%	9%
Roseau	45	0.1%	19%
St. Louis	2,126	6.1%	19%
Scott	428	1.2%	4%
Sherburne	400	1.1%	15%
Sibley	39	0.1%	-2%
Stearns	778	2.2%	14%
Steele	240	0.7%	15%
Stevens	79	0.2%	10%
Swift	58	0.2%	15%
Todd	148	0.4%	2%
Traverse	20	0.1%	12%
Wabasha	145	0.4%	17%
Wadena	114	0.3%	12%
Waseca	158	0.5%	10%
Washington	1,047	3.0%	11%
Watsonwan	44	0.1%	16%
Wilkin	43	0.1%	30%
Winona	474	1.4%	21%
Wright	561	1.6%	17%
Yellow Medicine	57	0.2%	19%