



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

July 1, 2011

Temporary Assistance for Needy Families Manual

Transmittal # 47

The purpose of this transmittal is to provide new, clarified, and revised guidance and forms for the Temporary Assistance for Needy Families (TANF) Program and the Virginia Initiative for Employment not Welfare (VIEW) Program. Unless otherwise stated, the provisions included in this transmittal are effective for all TANF eligibility determinations and VIEW Program assessments and reassessments completed on or after July 1, 2011.

This transmittal and manual are available on the Intranet through SPARK at <http://spark.dss.virginia.gov/divisions/bp/tanf/manual.cgi> and on the Internet at <http://www.dss.virginia.gov/benefit/tanf/index.cgi>.

Significant changes to the manual are as follows:

Page(s) Changed	Significant Changes
Main Table of Contents, page 1 Sections: 100, Table of Contents, page 1; 101.1, page 1a; 102.13 – 102.14, page 7; 104.1 – 104.3, page 1; 106.1, page 1; 106.2, page 3a; 106.2 – 106.3, page 5; 106.4, page 6; 200, Table of Contents, page 1; 300, Table of Contents, page 1; 302.1 – 302.4, page 1; 302.7, page 2; 305.1, page 8; 305.2, page 12; 305.3, page 20; 401.2, page 2b; 401.4, pages 7 - 7a; 500, Table of Contents, page 1; 502.2, page 3a; 502.6, page 7b; 503.1 – 503.2, page 1; 503.2 – 503.4, page 1a; 503.6 – 503.7, page 2; 600, Table of Contents, page 1; 700, Table of	The word “policy” has been changed to “guidance”.

Page(s) Changed	Significant Changes
<p>Contents, page 1; 800, Table of Contents, page 1; 800, Appendix 1, page 4; 1000, Definitions, page 1; 1000.12, pages 31 and 33; 1000.13 page 56; 1000.20 page 74; 1000.22 page 81</p>	
<p>Main Table of Contents, page 11</p>	<p>Appendix I – Local Agencies Served by Refugee Resettlement Agencies has been added.</p>
<p>Section 100.2 – 101.1, page 1</p>	<p>The spelling of the word “closure” has been corrected at 100.4.</p>
<p>Section 102.5 – 102.8, page 4</p>	<p>The word “policy” has been removed.</p>
<p>Sections: 105.2, page 3; 304.3, page 2; 305.4, pages 35, 39 – 42, and 42a; 305, Appendix 3, page 2; 502.1, page 1; 503.7, page 2c; 601.2, page 2; 602.1 – 602.3, pages 1 and 1a; 602.5, pages 4 - 6 and 6a – 6b; 600, Appendix I, page 1; 901.7 – 901.8, page 8; 900, Appendix 1, page 1; and 900, Appendix 2, page 1</p>	<p>Effective July 1, 2011, TANF Match Payments (TMPs) will no longer be provided to TANF recipients. Funding for this program was not provided by the General Assembly in the 2011-2012 Budget. Due to this change, references to TMP have been removed on several pages throughout the manual. Additionally, minor wording changes have been made in various sections to increase comprehension.</p>
<p>Section 201.1, page 3d</p>	<p>Guidance at 201.1H (1) has been revised to state that a caretaker who is unable to work for at least 20 hours per week will be considered to be totally disabled for TANF purposes.</p>
<p>Section 201.1 – 201.2, page 3e</p>	<p>Guidance has been revised to clarify that, for TANF purposes, the term “student” refers to an individual who is under age 19 and is enrolled in a secondary or vocational/technical school of secondary equivalency.</p>
<p>Section 201.3, page 4</p>	<p>A reference to “Learnfare” has been added to the first paragraph of 201.3.</p>

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Section 201.4 - 201.5, pages 1 and 1a	Two examples have been added to 201.5A to illustrate situations in which the “living with” requirement is met by a child living with a step-relative. Guidance on page 1a was shifted to accommodate the additional information.
Section 201.5, pages 3, 3a, and 3b	Section 201.5B regarding “living with” has been expanded to make clear that any of the listed records or documented contacts can be accepted as “living with” verification for pre-school age children as long as the record or contact documentation includes the name and address of both the child and the relative with whom he/she resides.
Section 201.7, page 1e	An outdated reference to the Alien Status Verification Index (ASVI) has been corrected to reference the current Systematic Alien Verification for Entitlements (SAVE) system.
Section 201, Appendix III, pages 2 - 3	A note has been added to Appendix III, item B, explaining the circumstances under which a verification of citizenship by the Social Security Administration for a Medicaid enrollee can be accepted as documentation of citizenship for TANF.
	Item C has been revised to clarify that the reference to documents that may be used to verify identity for a child under age 16 are listed because the identity of a minor caretaker who is not receiving TANF as an eligible child must be verified as it would be for an adult caretaker. There is not a requirement that identity must be verified for an individual who is under age 16 and receiving TANF as an eligible child.
	Guidance on page 3 was shifted to

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Section 203.1, page 1	<p>accommodate the above referenced changes on page 2.</p> <p>Clarification has been added that an applicant can receive Emergency Assistance (EA) while his/her TANF case is in a suspended status due to a VIEW sanction.</p>
Section 305.1, pages 2 - 3	<p>Clarifications have been added on each page that the earned income of a student is disregarded. Also, items have been renumbered on both pages as the references to the Workforce Investment Act of 1999 (WIA) were removed.</p>
Section 305.3, page 15	<p>A note has been added to 305.3A (3) explaining that the income of a self-employed individual who subsequently incorporates his business is considered regular income, not self-employment income. This clarification parallels Supplemental Nutrition Assistance Program (SNAP) treatment of this type of income.</p> <p>Clarification has been added that WIA payments issued to students are disregarded.</p>
Section 305.4, pages 23 – 23a	<p>A statement has been added to item 12 that all payments for supportive services under WIA are exempt.</p> <p>Item 13 has been moved to page 23a to accommodate this change.</p>
Section 305.4, page 24b	<p>Item 38 has been removed as TMPs will be discontinued effective 7/1/11. Item 41 has been removed as the information is already addressed in 305.4A, item 12. The remaining items have been renumbered.</p>

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Section 305.4, page 44	In item 6, the word “policy” has been changed to “guidance”. Additionally, the acronyms “VIDA” and “AFIA” were defined.
Section 400, Table of Contents, page 1	Section 401.4 (Action Requiring TANF Match Payment Change Notice) has been removed because TANF Match Payments will no longer be issued. Subsequent items in 401 were re-lettered. Section 402 (National Directory of New Hires) has been removed because the agency is no longer receiving New Hire matches. Also, the word “policy” has been changed to “guidance”.
Section 401.1, page 4	The definition of “effective date” at 401.1H has been rewritten to correct a syntax error in the first sentence and to more fully define the term as it relates to beginning, ending, and changing benefit amounts. A note has been added regarding “effective date” in relation to suspended or terminated benefits.
Section 401.2, pages 2c – 2e	Guidance has been revised at 401.2B (2) (c) to match guidance at 401.2B (2) (a) regarding timely reporting of eligible children and parents to be added to the TANF assistance unit. Guidance on subsequent pages has been moved to accommodate this change.
Section 401.2 – 401.3, pages 3 - 5	A statement has been added to 401.2E referring the Eligibility Worker (EW) to the Refugee Resettlement Program Manual for guidance when an otherwise eligible refugee household is denied for TANF because the family does not meet non-financial requirements. Guidance on pages 4 and 5 has been shifted to accommodate this change. Also, the word “policy” has been changed to

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Section 401.3, page 6	<p>“guidance” at 401.3E on page 5.</p> <p>The word “guidance” has been removed at 401.3G (1).</p>
Section 401.4 – 401.5, pages 9 - 10 and 10a	<p>Section 401.4D (Action Requiring TANF Match Payment Change Notice) has been removed as TANF Match Payments will no longer be issued. Subsequent sections have been re-lettered.</p> <p>Guidance has been added at 401.5 (b) (4) that an applicant must be advised that he/she must report when an eligible child or the parent of an eligible child enters or leaves the home. Guidance on subsequent pages has been moved to accommodate this change.</p>
Section 401.5, page 13	<p>Item u has been revised to remove the reference to TANF Match Payment. The item now references Support Disregard payments.</p>
Section 502.4 – 502.6, pages 4a, 5, and 5a	<p>Guidance at 502.5A has been reworded to increase comprehension regarding the issuance date for the monthly money payment. 502.5A (4) has been revised to include an explanation of when support disregard payments are issued and the multi-step process required to reissue one of these payments. This item replaces old item number 4 which previously referenced TANF Match Payments.</p> <p>At 502.5B, clarification was added regarding when it is appropriate for a recipient to pick-up a check at the local agency or to have a check delivered from the local agency to the recipient’s home.</p> <p>At 502.5E, an erroneous statement regarding the issuance of an emergency payment for a client in dire need has been removed.</p>

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Section 502.6, pages 6 - 7	<p>Guidance has been expanded to clarify that the receiving agency may accept the Interim Report form and verifications from the recipient. The receiving agency will be responsible for the completion of the Interim Report.</p> <p>Items on page 7 were shifted to accommodate the changes on the previous page.</p>
Section 502.6, page 7a	<p>The word “policy” has been changed to “guidelines”.</p>
Section 801.5 – 801.6, page 3	<p>Statements have been added at 801.5C to clarify that the loss or reduction of income requirement will not be met if the loss or reduction of earned income is due to a voluntary quit without good cause.</p> <p>Underlining has been added to existing guidance at 801.6 to emphasize that the amount of the DA payment is based on the applicant’s needs and may be less than the maximum allowable amount.</p>
Section 801.6 – 801.7, page 4	<p>Section 801.6 B has been revised to replace the phrase “all the needs” with the “more than one basic need” in reference to determining the diversionary assistance amount. The phrase “but not limited to” was removed as redundant. A requirement that the case file include copies of the documents used to verify the client’s needs has been added. Also, a requirement was added that a member of the applicant household must be listed on the registration of the vehicle if DA funds will be used to repair the vehicle.</p>
Section 800, Appendix 1, page 2	<p>The second paragraph of Example # 2 which referred to screening the client’s gross income against 185% of the standard of need was removed as it was not needed in this example. Income from a terminated</p>

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Section 800, Appendix 1, page 4	<p>source is not subject to this screening. The list of client needs in the first paragraph and in the example was revised with “telephone bill” replaced by “utility bill.”</p> <p>The “Total Diversionary Allowable” amount in Example 5 was corrected to \$1556.</p>
Section 900, Table of Contents, page 1	<p>The title of the chapter has been changed to “The Virginia Initiative for Employment Not Welfare Program (VIEW) - Eligibility” to distinguish chapter 900 from chapter 1000. Also, the word “policy” has been changed to “guidance”.</p>
Section 901.2, pages 2, 2a, 2b, and 2c	<p>Guidance at 902.1C has been revised to state that individuals who are unable to work for at least 20 hours per week due to a temporary incapacity will be exempt from VIEW participation. If the individual can work at least 20 hours per week, the individual will be referred to VIEW.</p> <p>Clarification has been added that a new Medical Evaluation form (#032-03-0654) must be obtained every 12 months if the indicated duration of the incapacity is for more than 12 months or the incapacity is identified as permanent. Guidance has been shifted on pages 2a and 2b to accommodate this change.</p> <p>Minor wording changes have been completed at Section 901.2D to increase clarity.</p> <p>On page 2c, guidance has been added at 901.2G that a parent/caretaker can only be exempt from participation in the VIEW program for a maximum of 12 months during his/her lifetime. If the parent has reached her lifetime limit for this exemption then gives birth to another child (who is not subject to family cap), the parent will be exempt from VIEW participation as a caretaker for that child for a maximum of six weeks.</p>

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	<p>The list of reasons that a parent's needs may be removed from the grant while the parent remains required to participate in VIEW has been expanded to include failure to establish citizenship, eligible alien status, or legal presence.</p>
<p>Section 901.2, pages 3 and 3a</p>	<p>Guidance has been added that volunteers must be able to participate for the required number of hours before the individual will be allowed to enter the VIEW program.</p> <p>Guidance contained in the note on page 3a has been revised to clarify the required action when a non-parent caretaker who is included on the TANF grant and required to participate in VIEW fails to do so.</p>
<p>Section 901.3 – 901.4, pages 3b, 4, 4a, 5, and 5a</p>	<p>Guidance has been added to item 901.3H to advise EWs to refer TANF recipients who wish to enter the VIEW program to the VIEW worker to schedule an appointment to complete the VIEW Initial Assessment (and sign the VIEW Agreement of Personal Responsibility).</p> <p>A reminder was added to 901.3I that VIEW volunteers are required to participate in the program for the same number of weekly hours as a mandatory participant. And, an incorrect form number was listed for the Advanced Notice of Proposed Action in items L, M, and N of Section 901.3 as well as item G in 901.4. The form number has been corrected.</p> <p>Page 4a has been added to accommodate this additional guidance. Guidance on pages 5 and 5a has been shifted to accommodate the additional guidance and changes on the preceding pages. Item O has been moved from page 5b to 5a.</p>
<p>Section 901.5, pages 5b, 5c, and 5d</p>	<p>Sections A and B have been revised to increase clarity regarding the requirement to sign a VIEW Agreement of Personal Responsibility (APR). A statement has</p>

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	<p>been added regarding the presumption of VIEW participation for individuals who have signed the APR.</p> <p>A statement has been added to Section C to explain that a non-parent caretaker who fails to sign the APR will be removed from the TANF grant but the case will remain open as a child only case.</p> <p>Guidance has been added to Section D to clarify the actions required by the EW when an individual who is required to sign the APR as a condition of eligibility reapplies for TANF. Page 5d has been added to accommodate the addition of this guidance.</p>
Section 901.9, page 8a	<p>Clarification has been added that the month(s) in which a TANF assistance unit (AU) does not receive TANF due to suspension will not be included in the count of the number of months the AU has not received TANF when determining if the individual should receive a new 24-month clock.</p>
Section 901.11, page 10	<p>Guidance at 901.11A has been revised to clarify that a client's disability is considered to be total when a medical professional confirms that the individual is unable to work for at least 20 hours per week.</p>
Section 901.14, pages 12 – 14 and 14a	<p>Clarification has been added that while Full Employment Program (FEP) placements are typically for six months, the placement should end when the case reaches the 24 or 60-month limit on the receipt of TANF benefits. A FEP placement that is made when there are less than six months remaining before the 24 or 60-month limit is reached can be shorter than six months, but cannot be less than three months in duration. The EW will allow stipends to be issued throughout the assigned placement period unless the ESW advises the EW to discontinue the payments prior to the end</p>

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	<p>of the placement.</p> <p>Additionally, guidance has been added to allow more than one individual in the same case to participate in FEP. Since only one stipend can be issued in ADAPT each month, the employer must sign a statement to agree to this arrangement and the placement dates must be the same for both individuals.</p> <p>The previous item G – TANF Match Payments - has been removed as these payments will be discontinued effective July 1, 2011. The previous item H has been renamed item G and a note added that a local check should not be issued to replace a FEP check as there is no process to reimburse the locality for this.</p>
1000, Table of Contents, pages i – iv.	<p>“Employment Services” has been added to the Table of Contents title pages.</p> <p>Appendix I – Local Agencies Served by Refugee Resettlement Agencies has been added to page iv.</p>
1000, Definitions, page 4	<p>The word “Policy” has been changed to “Guidelines”.</p>
1000, Definitions, page 5	<p>A definition of “Reasonable Distance” has been added to definitions.</p>
Section 1000.2, pages 10 - 11	<p>A note has been added to the explanation of VIEW participation requirements at 1000.2A clarifying that refugees are subject to the same participation requirements as other VIEW clients. Guidance has been shifted on page 11 to accommodate this addition.</p>
Section 1000.2, page 14	<p>Guidance has been added to instruct staff to follow standard rounding rules when entering participation hours in ESPAS.</p>
Section 1000.4, pages 16 - 18	<p>1000.4A has been revised to require that the initial VIEW assessment be completed within 10 days of the referral from the EW.</p>

	<p>Guidance regarding initial assignments to complete a Job Search has been expanded at 1000.4C. Guidance has been added at 1000.4D requiring the ESW to make an initial client assignment for the three full months after the month the assessment is completed. In addition, the assignment may include an assignment for the month of the assessment. All of the assignments will be recorded on the Activity and Service Plan. Guidance regarding the timing of entries into ESPAS has also been included in 1000.D. Subsequent sections have been renumbered.</p>
Section 1000.6, page 20	<p>Clarification has been added that volunteers must be able to participate for the required number of weekly hours before the individual will be allowed to enroll in the VIEW program.</p> <p>Additionally, when a VIEW volunteer becomes unable to meet the participation requirements, he/she will be advised to terminate the volunteer status. If the volunteer fails to do this, the ESW will take this action for the participant and will notify the participant that this has been done.</p>
Section 1000.8, pages 22 - 25	<p>Items in 1000.8B have been reordered. Guidance has been revised at 1000.8B (1) to require that the initial VIEW assessment interview be completed within 10 days after the assignment to the queue. A note has been added explaining the responsibility of the local agency to coordinate with the Refugee Resettlement agency when providing employment and training services to VIEW clients who are refugees.</p> <p>A statement has been added to 1000.8E (9) as a reminder that the VIEW placement should be within a “reasonable distance” of the participant’s home. A definition of “reasonable distance” has been added to VIEW Definitions.</p>

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Section 1000.9, page 26a	A statement has been added at 1000.9C to clarify that the needs of a non-parent caretaker will be removed from the grant when he/she fails to sign an APR. The TANF case will remain open as a child only case. The non-parent caretaker may be added to the grant when the APR is signed or when the individual becomes exempt.
Section 1000.10, page 27	A note has been added to clarify that the needs of a non-parent caretaker will be removed from the grant when he/she fails to sign an APR and the TANF case will remain open as a child only case.
Section 1000.11, page 29	Section 1000.11A has been expanded to explain that the initial Activity and Service plan will show the assignment for the month of assessment and the next three full months. Additionally, information to be provided to the client relating to VIEW assignments following job search has been added.
Section 1000.13, page 35	Section 1000.13A (1) (e) which addressed services to refugees has been removed. New guidance has been added in 1000.2 and 1000.8 to replace the deleted material.
Section 1000.13, page 51	Clarification has been added that the travel time to a Community Work Experience Program (CWEP) participant's assigned worksite cannot exceed one hour. This would also apply to a Public Service Program (PSP) participant's assigned worksite.
Section 1000.13, page 52	Item h has been revised to clarify that each participant in a TANF Unemployed Parent (UP) case is required to participate the same number of hours per week. The number of hours in the Community Work Experience Program (CWEP) will be determined by the calculation in 1000.13E (4) (g). The Employment Services Worker (ESW) will then assign each participant to

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Section 1000.13, pages 58 – 58a	<p>another activity for the remaining number of hours needed to bring that individual’s total hours of VIEW participation to 35 hours per week.</p> <p>Additional circumstances under which hours for distance learning can be counted as participation for vocational education and training have been provided.</p>
Section 1000.14, pages 59 and 61	<p>Additional circumstances under which hours for distance learning can be counted as participation job skills training and for education below post-secondary have been provided.</p>
Section 1000.18, pages 67 - 69	<p>Guidance at 1000.18A has been revised to reduce the minimum number of required job follow-ups to three. Clarification has been added that the VIEW enrollment for individuals who were not approved for VIEW Transitional Payment (VTP) at the time of the TANF case closure must be closed no more than three months after the TANF case closure.</p> <p>Guidance on page 68 has been shifted to accommodate the additional information.</p> <p>Guidance at 1000.18D has been revised to reference the completion of the three job follow-ups that are now required. Also, the word “policy” has been replaced by “guidance”.</p>
Section 1000.20, pages 71 - 72	<p>Guidance has been revised at 1000.20A to combine items 3 and 4, and to renumber item 5. The revised item 3 clarifies that the ESW is required in all cases to attempt to contact the participant to determine if good cause exists prior to imposing a sanction.</p> <p>Additionally, the statement regarding contact with other agency staff prior to imposing a sanction has been corrected to read “EW or Child Care Worker.”</p> <p>On page 72, the word ‘policy’ has been</p>


Page(s) Changed	Significant Changes
Section 1000.20, page 73	<p>changed to “guidance”.</p> <p>Guidance has been added at 1000.20C (3) (c) that a job offer that requires the VIEW participant to travel more than one hour to the jobsite is not considered to be a bona fide job offer that the participant would be required to accept.</p>
Section 1000.21, pages 79, 80, and 80a	<p>Guidance has been added at 1000.21A that in a TANF –UP case that is being referred for sanction or in a sanction, the household will not be allowed to switch VIEW participants in order to avoid the sanction or lift the sanction. Once the sanction has been cured, they may request a change in participants.</p> <p>Guidance at 1000.21A (1) has been revised to state that employment which meets the criteria to be considered a verifiable act of compliance for a sanction will now require the individual to be employed for at least 20 hours per week (at minimum wage or higher).</p> <p>Pages 80 and 80a have been revised to accommodate the additional guidance on page 79.</p>
Section 1000.22, page 82	<p>The statement regarding the use of transitional transportation for employment was revised to clarify that employment includes paid employment classified as On-the-Job-Training (OJT).</p> <p>The reference to Section 1000.12 (Supportive Services) at 1000.22A (6) was revised to make clear the distinction between transportation provided as a supportive service and transportation provided as a transitional service. Additionally, the minimum number of hours of employment required to remain eligible for Transitional Transportation after three months has been increased to 20 hours per week.</p>

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Section 1000.22, page 85	Guidance at 1000.22C (6) has been revised to increase the minimum number of hours of employment required to remain eligible for Transitional Employment and Training Services (TET) after 60 days has been increased to 20 hours per week.
Section 1000.24, pages 86 - 90	Guidance has been added at 1000.24A to clarify that the ESW should explain the Hardship Exception (HE) criteria to all VIEW participants who are in the final two months of receipt of TANF.
	Guidance at 1000.24D (1) has been revised to make it clear that the VIEW participant cannot have been sanctioned more than one time and remain eligible for a HE. Guidance at 1000.24D (2) has been revised to clarify that the participant can leave employment with good cause and remain eligible for a HE.
	Guidance at 1000.24E (1) has been revised to state the unemployment rate for the six months preceding a participant's request for a HE must be evaluated.
	Guidance at 1000.24E (2) has been revised to clarify that the self-initiated education or training program must have started prior to the participant's entry into the VIEW program.
	Guidance at 1000.24F (1) has been added to clarify that all income – both earned and unearned – must be counted when the participant requests to be evaluated for a HE and that the ESW must determine if the applicant's income is less than the TANF benefit amount plus a standard deduction. (Note: The standard deduction is equal to the standard deduction for an assistance unit of 1 -3 people in 305.1A (2).)
	Guidance at 1000.24G has been added to clarify that the participant may appeal the denial of a HE request in addition to the appeal of the closure of the TANF case. Additionally, the word 'policy' has been

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Section 1000, Appendix A, pages 1 - 2	<p>changed to “guidance” in item 2.</p> <p>For increased clarity, the term “unfavorability” has been replaced with “an unfavorable” in 1000.24G, I, and J.</p> <p>Guidance at 1000.24J (2) has been added to clarify that a 90-day HE can be extended in limited circumstances. However, the original HE period plus the extensions cannot exceed a total of one year.</p>
Section 1000, Appendix A, pages 5 – 5a	<p>The “Activity and Service Plan”, “VIEW Job Search”, “Communication”, “Medical Evaluation”, “Holidays and Excused Absences for Participants in Unpaid Activities”, and “VIEW Education and Training Activities Attendance Sheet” form numbers have been updated.</p> <p>Clarification has been added regarding how to accurately score the functional literacy test when the VIEW participant skips a question or multiple questions. Also, reminders have been added that the form should be completed solely by the VIEW participant without assistance and that the form should not be mailed.</p>
Section 1000, Appendix A, pages 13 - 15	<p>The instructions to the Activity and Service Plan (032-02-0302) have been expanded to explain that, following the initial assessment; the client may be assigned to activities during the month of the assessment and must be assigned to activities for the three full months following the assessment.</p>
Section 1000, Appendix A, pages 16 – 18	<p>The VIEW Job Search form (032-02-0301) has been revised to allow room for a table in which the ESW can calculate hours of participation for federal work participation credit. Additionally, the form has been reformatted to make it easier for the participant to complete.</p>
Section 1000, Appendix A, pages 50 – 52	<p>The Employment Services Communication Form (032-02-0072) has been revised to</p>

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Section 1000, Appendix A, pages 53 – 55	allow the EW to notify the ESW that the client is a refugee and listing the refugee resettlement agency that should be contacted prior to the initial VIEW assessment being conducted. The Medical Evaluation form (032-03-0654) has been revised to highlight that the medical examination the evaluation is based on must have occurred within the past 90 days. Additionally, section B of the form has been revised to address participation in employment and training activities for at least 20 hours per week.
Section 1000, Appendix A, pages 68 - 69	The Holidays and Excused Absences for Participants in Unpaid Activities form (032-03-0106) has been updated to reflect months 12/09 through 11/11 as part of the tracking period.
Section 1000, Appendix A, pages 70 - 71	The VIEW Education and Training Activities Attendance Sheet (032-03-0191) has been revised to allow room for a table in which the ESW can calculate hours of participation for federal work participation credit. Additionally, the form has been reformatted to make it easier for the participant to complete.
Section 1000, Appendix B, pages 6 - 7	The standard contract (032-03-0430) has been revised to correct a typographical error and to add a space for the signature of both the agency and contractor representative.
Section 1000, Appendix I, pages 1 – 4	Appendix I, Local Agencies Served by Refugee Resettlement Agencies, has been added.
Index, page 11	The Index was updated to add “Refugees” as a subject and to list page references.
Forms	The Change Report form (032-03-0051) has been revised to include the definition of gross income.

Questions about this transmittal should be directed to regional program consultants or Mark Golden, Economic Assistance and Employment Program Manager, at (804) 726-7385 or mark.golden@dss.virginia.gov.



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Commissioner

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In addition, the State Department of Social Services carries direct responsibility for locating and securing support from responsible persons for children receiving TANF and, on application, providing this same service to non-welfare clients.

100.3 - FUNDING - The TANF Program is funded through a federal block grant and from State funds authorized by the General Assembly of Virginia.

100.4 - RECORD RETENTION - The Code of Virginia §42.1-76 places authority to issue regulations concerning retention and destruction of records with the Library of Virginia (LVA). The LVA General Schedule No. 15 governs records maintained by local social service agencies, including client case records. LVA General Schedule No. 02 governs locality fiscal records including purchase orders. While many records can be destroyed three years after case **closure** there are exceptions to that general rule. These exceptions include situations involving audits, investigations, court cases, and fraud or overpayments related to supportive services and emergency assistance among others.

Each local agency must designate a Records Officer who will be in charge of seeing that LVA regulations for record retention and destruction are followed. See <http://lva.virginia.gov/agencies/records/retention.asp> for information about establishing a Records Officer and for access to the specific schedules for record retention and disposition. The Library encourages agencies to contact the Records Analysis Services section at 804-692-3600 with questions about records management.

101.1 - NONDISCRIMINATION - Federal law and the Virginia Human Rights Act, Virginia Code §2.2-2632 et seq., bar discrimination on the basis of age, race, sex, disability, religious creed, national origin, and political belief. The following civil rights laws apply in TANF:

1. The Age Discrimination Act of 1975, 42 U.S.C. §6101 et seq.
2. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794
3. The Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.
4. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.

Virginia has established procedures for ensuring fair and equitable treatment of applicants and recipients of public assistance. The local department of social services must assure that no person shall, on the grounds of age, race, color, sex, disability, religious creed, national origin, or political belief be subjected to discrimination.

- A. Key Principles - Compliance with these laws assures that equal opportunity exists for persons with disabilities to benefit from all aspects of public assistance programs, including access to the proper support services to enable such individuals to work and to keep their families healthy, safe and intact. There are two key principles underlying the bar on discrimination against people with disabilities:

1. Individualized treatment. "Individualized treatment" requires that individuals with disabilities be treated on a case-by-case basis consistent with facts and objective evidence. Individuals with disabilities may not be treated on the basis of generalizations and stereotypes.
 2. Effective And Meaningful Opportunity. "Effective and meaningful opportunity" means that individuals must be afforded meaningful access to the TANF program so that individuals with disabilities benefit from and have meaningful access to TANF to the same extent as individuals who do not have disabilities.
- B. Legal Requirements - In order to implement these two principles, the following legal requirements must be met:
- Ensure equal access through the provision of appropriate services to people with disabilities.
 - Modify policies, practices and procedures to provide such equal access.
 - Adopt non-discriminatory methods of administration in the program.
- C. Applicability To All Staff, Contractors, Vendors At The State And Local Levels - In compliance with the federal laws, Virginia does not discriminate against people with disabilities in its TANF program. This applies to all Department of Social Services staff at both the state and local levels. It also applies to those agencies and entities with which we contract for services. State and county agencies must ensure that contractors and vendors do not subject recipients to discrimination.
- D. Definition Of A Person With A Disability - The Americans with Disabilities Act of 1990 as amended protects individuals with a "disability" and defines that term to mean a person who has a physical or mental impairment that substantially limits one or more of the major life activities of that individual, a person who has a record of such an impairment, or a person who is being regarded as having such an impairment. "Life activities" include, but are not limited to: the operation of a major bodily function, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Chronic health problems such as asthma, diabetes, and hypertension may also be considered disabilities if these conditions limit the individual's ability to function.
- E. Complaint Procedures - Individuals who believe that they have been discriminated against on the basis of disability have the right to file a grievance under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504) with the state TANF Manager. The grievance must be resolved promptly.

Individuals who believe they have been discriminated against on the basis of disability (including failure to provide reasonable accommodations), race, national origin (including the failure to provide access to services to people with limited English proficiency) can also file a complaint with

is compelling evidence of intent to violate the requirements, then it will not be appropriate to accept a waiver of hearing from the individual and the request for a hearing must be forwarded to the State Hearing authority.

If a signed waiver is received, an ADH is not scheduled and the disqualification period is imposed in accordance with Section 102.3. A copy of the signed waiver is to be sent, for federal reporting purposes, to:

Fraud Management
Virginia Department of Social Services
801 East Main Street
Richmond, VA 23219-3301

102.6 REFERRAL FOR AN ADH - If a signed waiver is not received within 10 days, the local agency shall request an ADH be scheduled by submitting the form, [Referral for Administrative Disqualification Hearing](#), to the State Hearing Manager. The form must include the following information:

- A. Identifying information
- B. Summary of the allegation(s)
- C. Summary of the evidence
- D. Copies of documents supporting the allegation(s)

The referral is to be signed and dated by the supervisor or local agency director.

A fair hearing and an ADH may be combined into a single hearing if the factual issues arise out of the same or related circumstances provided that the individual receives prior notice of the consolidation.

If the ADH and fair hearing are combined, the agency must follow ADH time frames for conducting an ADH. If the hearings are combined for the purpose of settling the amount of the claim at the same time as determining whether or not the IPV has occurred, the household will lose its right to a subsequent fair hearing on the amount of the claim. However, the local agency must, at the household's request, allow the household to waive the 30 day advance notice period for the scheduling of the ADH when the hearings are combined.

102.7 SCHEDULING THE ADH - Upon receipt of the request for an ADH, the State Hearing authority will forward the request to the appropriate Regional Hearing Officer.

102.8 ADVANCE NOTICE OF ADH - The hearing officer will schedule a date for the ADH and provide written notice to the individual suspected of committing an IPV at least 30 days in advance of the date the ADH has been scheduled. The form, [Advance Notification of Administrative Disqualification Hearing](#), is used for this purpose.

The advance notice of ADH may be sent by first class mail, certified mail - return receipt requested, or by any other reliable method. If the notice is sent by first class mail and it is subsequently returned as undeliverable, the hearing may still be held.

The amount of the overpayment subject to repayment may be appealed by a fair hearing, provided that the individual did not request a fair hearing for that reason which was consolidated with the ADH.

102.14 IMPLEMENTATION OF THE HEARING DECISION - Upon receipt of the notice of a decision from the hearing officer finding the individual guilty of an IPV, the local agency must inform the individual of the disqualification by sending the Notice of Disqualification for Intentional Program Violation Form. A copy of the decision will be placed in the TANF and VIEW case records. A copy shall also be sent to the agency's TANF Field Consultant. The notice shall inform the individual of the reason for the disqualification and the date the disqualification shall take effect or that the disqualification will be postponed until the individual reapplies and is determined eligible for benefits if the TANF case has been terminated or closed. Additionally, this notice must advise the individual of the amount of benefits the assistance unit will receive. The individual must be disqualified in accordance with **guidance** located at Section 102.3. The Advance Notice of Proposed Action must also be sent to serve notice of the reduction or termination of benefits.

If the individual is found not guilty of committing an IPV, no disqualification is imposed and any overpayment is handled as a nonfraud recovery. If a VIEW participant is found not guilty of committing an IPV for VIEW supportive or transitional services, no overpayment is considered to exist.

104.1 PURPOSE AND SCOPE OF APPEAL PROCESS - The Temporary Assistance for Needy Families State Plan and the Code of Virginia, Sections 63.2-517 - 63.2-519, as amended, provide the opportunity for a "fair hearing" to individuals affected by the administration of the public assistance programs.

The statute establishes the right of any individual to appeal and receive a fair hearing before the State agency (a) because his claim for assistance is denied, or is not acted upon with reasonable promptness; or (b) because he is aggrieved by any other agency action affecting his entitlement to or receipt of assistance, or by agency **guidance** as it affects his situation.

The regulations contained herein are applicable to appeals in the TANF Program. These provisions do not apply to appeals related to the Medical Assistance Program, which is administered by the Department of Medical Assistance Services, except that, when an appeal in relation to Medicaid is requested on the basis of eligibility, the local agency responsible for the determination of eligibility for medical assistance shall participate in the hearing before the Department of Medical Assistance Services.

104.2 ROLE OF THE COMMISSIONER OF SOCIAL SERVICES - Sections 63.2-517 through 63.2-519 of the Code of Virginia vest the Commissioner of Social Services with ultimate authority and responsibility for fulfillment of the provisions of the appeal process. The State Board, as authorized by Section 63.2-217 of the Code of Virginia, establishes policies and procedures to implement the appeal process in accordance with applicable laws and regulations.

The Commissioner may delegate to duly qualified hearing officers the authority to make decisions in any appeal case. The Commissioner shall establish an appeals review panel to review hearing decisions upon the request of either the applicant or the local board. The panel's responsibilities are to determine if any changes are needed in the conduct of future hearings, or to **guidance** and procedures related to the issue of the appeal, and periodically report its findings to the Commissioner.

104.3 PRELIMINARY DEFINITIONS -

- A. Assistance - This term, for purposes of this Section, refers to financial assistance in the TANF program.
- B. Claimant - A person who files an appeal of some aspect of his entitlement to assistance.

received prior to the effective date of any proposed reduction in benefits or within two days following the date of the conference, and validated by the hearing officer, assistance must be continued in the original amount without interruption until a hearing decision is rendered but is subject to recovery by the agency if its action is sustained. (Refer to 106.1 E) However, assistance will not be continued in the original amount if the recipient submits, in writing, a statement indicating his/her desire to refuse such assistance. When continuation of assistance in the original amount is declined by the recipient and the hearing decision is in the recipient's favor, the agency will correct the underpayment(s).

In the event the hearing decision is adverse to the recipient, and benefits have been continued in the original amount during the appeal, the agency is not required to provide additional notice before taking action based on the appeal decision. See 401.4F. The difference between the original amount continued during the appeal and the correct benefit as supported by the hearing decision is an overpayment and must be recouped. The method of collection is that prescribed for recoupment and recovery of overpayments set forth at Section 503.8.* Exception: TANF assistance granted during the appeal of a VIEW sanction for a client who has not yet received 24th months of assistance is not considered an overpayment when the hearing decision is adverse to the recipient. The unsuccessful appeal simply delays the imposition of the VIEW sanction and the consequent loss of benefits to the household. Any benefits issued beyond the 24th month are an overpayment and must be recouped.

The requirement for filing an appeal or requesting a local agency conference is met if the request for a conference is made within 10 days of receipt of the Advance Notice of Proposed Action or a fair hearing request is received by the State or local agency, or postmarked, by the effective date of the change. The same time frame for filing an appeal applies in situations where the assistance unit is homeless and it is agreed that all notices will be available to the client at the local agency.

Upon notification by the hearing officer, the agency shall inform the claimant in writing that assistance is being continued in the same amount pending the hearing decision unless there are subsequent changes in the claimant's situation. (Refer to 106.1 E)

The following procedures are established to assure that assistance is continued without interruption in every case where a recipient has filed a valid appeal prior to the effective date of the proposed change:

- A. If the proposed action is to terminate or suspend assistance, the assistance check is not mailed but must be available for same day issuance in the event an appeal is filed or a conference is requested within the 10-day advance notice period.

* 45 CFR 233.20(a)(13)

106.1 PROCESSING OF APPEAL -

- A. The appeal request, upon receipt by the Hearings Manager, is assigned to a hearing officer for validation. The hearing officer will acknowledge the request by letter to the claimant with a copy to his representative, if known, and to the local agency against which the appeal is lodged.
- B. The local agency shall prepare a Summary of Facts (032-03-0805-00) in the case to be forwarded to the hearing officer no fewer than 7 days prior to the hearing. A general outline of this summary follows, although the content may vary to fit the particular case situation. All statements made should be factual and phrased in a way not objectionable to claimant.

The Summary of Facts includes the following:

1. Identifying Information

Name of local agency
Name, address, and case number of claimant
Persons included in the assistance unit - Name, birth date, relationship to claimant
Other persons in the household - names, relationship to claimant

2. Date of Request and Reason for Appeal - (Quoting claimant's own words in requesting hearing)

3. Statement of Agency Action

- a. Give a brief, factual statement of the reason for agency action, or failure to act, nature and date of agency action. If claimant requested local agency conference, include the date and result of conference. If agency error, negligence, or administrative breakdown was involved, say so.
- b. Under the heading "agency **guidance**," give citation and quotation from the TANF Manual of the **guidance** statement on which agency action was based.
- c. If the amount of assistance is in question, give a detailed breakdown of the claimant's financial circumstances as shown in ADAPT and on the Statement of Facts with whatever explanation may be necessary.
- d. If the issue appealed is noncooperation with DCSE, give a detailed explanation of the events, dates, and the reason for the noncooperation finding.

4. State whether assistance is continuing during the appeal process in the amount authorized immediately prior to the adverse action.

- b. present the case or have it presented by legal counsel or other person;
 - c. bring witnesses;
 - d. establish pertinent facts and advance arguments;
 - e. question or refute any testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses;
 - f. introduce evidence regardless of whether such evidence was available to the agency worker at the time of the agency's decision.
4. The local agency will have the opportunity to clarify or modify its statements contained in the Summary and to question claimant, his representative or witnesses on the salient issue(s).
 5. Evidence admissible at the hearing shall be limited to data having a bearing on the issue(s) on appeal. Such issues include those given by claimant at the time of his appeal and those given by the local agency as a basis for its action or inaction under appeal. The hearing officer determines whether an issue other than the one being appealed may be introduced, but no additional issues are admissible without concurrence of the claimant and the local agency.
 6. If the claimant was required by **guidance** to produce documentation or verification of eligibility criteria and does not do so, and the agency acts upon the question of eligibility for which the claimant has failed to produce such documentation or verification, the agency shall not be reversed upon the basis of such documentation or verification being produced by the claimant at the hearing. The claimant must reapply to have the evidence considered unless the agency:
 - a. Was responsible for securing the evidence or information, but did not.
 - b. Should not have acted without the evidence or information, or
 - c. Placed a demand on the claimant for evidence or information that was beyond the capacity of the claimant to provide.

Approval of a reapplication shall not be retroactive to the prior reduction, denial or termination of assistance.

- E. When the issue on appeal is of a medical nature (e.g., concerning a diagnosis, an examining physician's report, or a VR Disability Determination Unit decision), the hearing officer may request a medical assessment by someone other than the person(s) involved in making the original examination. Such an assessment will be obtained at local agency

For instance, new information may be presented, there may occur clarification of **guidance**, or need for mathematical correction in computations. If such adjustment is satisfactory to claimant, he has the choice either of withdrawing his appeal or of having a formal decision by the State Hearing Authority.

With respect to financial assistance, if such reconsideration or modification requires corrective action for prior months, payments are to be made by the local agency retroactively to the date the incorrect action on appeal became effective.

106.3 DECISION ON APPEAL -

- A. The hearing officer, following the hearing, prepares a written report of the substance of the hearing embodying his findings, conclusions, decision, and appropriate recommendations.
- B. The decision on appeal will be made by the hearing officer by whom the case was heard.
- C. Except when medical information is requested or other essential information is needed, the decision of the hearing officer shall be based exclusively on evidence and other material introduced at the hearing, and the official report of the substance of the hearing, together with all papers filed in the proceeding, and the findings and conclusions of the hearing officer. This constitutes the exclusive record for decision and such record shall be available to claimant or his representative at any reasonable time at the State Regional Office serving the local agency.
- D. The decision of the hearing officer, by virtue of the Commissioner of Social Services' delegation, shall be final and binding when tendered in writing to claimant and local agency, and shall be given positive effect regardless of whether review by the Commissioner has been requested.

If the claimant is found eligible for corrective payments, these will be made retroactively to the date the incorrect agency action on appeal became effective. The local agency will assure that administrative action to implement the fair hearing decision is taken no later than the 10th working day following the date on the hearing officer's letter conveying the decision, which is the date the decision is mailed.

If the decision of the hearing officer upholds the agency's action and results in a decrease in the TANF benefit, that decrease must be reflected in the month following the decision, or as soon as administratively possible. Since the assistance unit was notified of the agency's intention to decrease benefits at the time of the original action, no additional notice is needed when the decision of the hearing officer is implemented.

- E. The decision of the hearing officer shall be rendered within 60 days following the date the appeal is received by the local agency or the State Department of Social Services. An exception to this is when the hearing officer grants the claimant or his/her representative an extension, or otherwise occasions a delay, not to exceed 30 days. This constitutes prompt and definitive administrative action and, for these purposes, the

date of decision of the hearing officer is considered in relation to meeting the time requirement, and is unaffected by any subsequent request for review by claimant, his representative, or local agency to the Commissioner of Social Services.

- F. Any applicant or recipient aggrieved by a final agency action shall have the right to judicial review of such action pursuant to the provisions of the Administrative Process Act (Section 2.2-4000 et seq.). The hearing decision will include information on filing for a judicial review.
- G. If the action of the local agency is overturned as a result of a judicial review, the local agency must take action immediately as specified in the court decision.

106.4 REVIEW OF HEARING OFFICER'S DECISION -APPEALS REVIEW PANEL

The Commissioner has established an Appeals Review Panel to review administrative hearing decisions upon request of either the claimant or the local agency. The purpose of the panel is to make recommendations to the Commissioner regarding whether changes are needed to **guidance** or in the conduct of future hearings.

The Appeals Review Panel cannot change the decision of the Hearing Officer. It may only make recommendations to the Commissioner about future changes in **guidance** or procedures.

A request for review by the Appeals Review Panel by either party must be submitted in writing and postmarked within 10 days following the date of the hearing officer's written decision. A request for review from a local agency must be submitted by the director or by his/her designee whose name is on file with the Hearings Manager.

Submit requests for review by the Appeals Review Panel to:

Commissioner
Virginia Department of Social Services
801 E. Main Street
Richmond, VA 23219-2901

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Example 7: Mr. and Mrs. X are in the same AU and each has 30 months on the 60-month clock. Mr. X moves out and does not receive TANF while he is gone. When Mr. X moves back in with Mrs. X, she has 50 months on her clock. Ten months later, the TANF case is closed because Mrs. X reaches the 60-month lifetime limit on her clock. Mr. X has 40 months on his 60-month clock at the time of the TANF case closure.

Subsequently Mr. X moves out, taking one of the children with him. He applies for TANF for himself and the child. The TANF application will be approved if all other TANF eligibility criteria is met. Mr. X may remain eligible until he has accumulated 60 months on his 60-month clock.

H. Eligibility beyond the 60-month limit - An assistance unit may be eligible to receive additional months of TANF assistance beyond the 60-month time limit when either

- 1) the caretaker (both caretakers in a two-parent TANF household) is totally physically or mentally disabled (according to a Medical Evaluation 032-03-0654 completed by a medical professional which shows that the client is unable to work **20** hours or more per week) and is not able to be self supporting due to the disability; or
- 2) the caretaker is needed on a substantially continuous basis to care for a family member who is living in the household. (The family member does not have to be included on the TANF grant.) The family member must have a verified physical or mental disability and must have caretaking needs that prevent the caregiver from being self supporting. These "caretaking needs" include the need for attendance, supervision, and home care, and other needs related to the family member's disability. A medical professional must complete a Statement of Required Presence of Caregiver form (032-03-0020) to verify the family member's condition, and the need for the caregiver to be available on a substantially continuous basis. If the disabled family member is out of the home for substantial portions of the day, the caregiver will not be considered to be needed on a substantially continuous basis. Additionally, if the caregiver is employed outside of the home, the caregiver will not be considered to be needed to care for the disabled individual on a substantially continuous basis. In both of these situations, the TANF benefits will not be extended beyond the 60th month.

The total disability of the caretaker or the need for the caretaker to act as a caregiver for a disabled family member living in the household must be re-evaluated based on new verification at the end of the anticipated duration as noted on the medical form or every 90 days - whichever occurs first. If the medical form is incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical.

The TANF case is to be closed as soon as administratively possible upon verifying that the caretaker is no longer totally disabled or is no longer needed to care for a disabled family member living in the household.

When the disabled caretaker is eligible to receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), additional verification of the disability will not be required. When the disabled family member who requires a caregiver is eligible to receive SSI or SSDI, additional verification of the need for a caregiver for the disabled family member will be required annually. In addition, when the medical professional has indicated a specific duration that the caregiver will be needed, the eligibility worker will request verification of the need for the caregiver at the end of the anticipated duration as noted on the Statement of Required Presence of Caregiver form. If the individual subsequently becomes ineligible to receive SSI or SSDI and is no longer disabled, the TANF case is to be closed as soon as administratively possible.

201.2 AGE - The month, day, and year of the child's birth must be established and evidence thereof entered in the eligibility case record, except that, pending the securing of such evidence, assistance must not be denied an other-wise eligible child who is obviously under 12.

The following documents may be used to verify age:

- Birth certificate
- Notification of birth
- Hospital record
- Physician or midwife record
- Baptismal record
- School record
- Birth form VS95 from the State Bureau of Vital Records and Health Statistics

If the child is obviously under 12, the child may be included in the assistance unit pending age verification.

If the day and month cannot be established, July 1 is assumed to be the birth date.

Continuing Eligibility*- The child is eligible until he reaches the age of 18. He is eligible for the month in which his 18th birthday falls if he has not attained the specified age on the first day of that month.

An 18 year old child may be eligible if he is a **student** enrolled in a secondary school or vocational/technical school of secondary equivalency if he is expected to complete the high school or vocational/technical program prior to or in the same month as his 19th birthday. Verify with the school that the child is enrolled and expected to complete the program no later than the month of his 19th birthday. The program is considered completed on the last day of final exams or, if exams are not required, the last day of scheduled classes. The child will be eligible for the month in which completion of the school program occurs; however, eligibility cannot be extended past that month. The case record must be well documented in this area.

A child 18 years old is not eligible if he is in college, enrolled in school part-time, or not in school at all.

201.3 SCHOOL ATTENDANCE* - To be eligible for assistance, children in the assistance unit under age 18, including minor parents, must comply with the compulsory school attendance requirement. School attendance must be verified by the client during the 30-day application processing period. If school attendance is not verified, the child is considered truant. **The "Learnfare" provisions of the Virginia Code establish responsibilities for both the local agency and local school system in addressing truancy.** The EW should follow the guidance at [201.3 C and D](#).

For applications made during the summer months, verify that the child was in attendance at the end of the school year. If attendance cannot be verified, or if the child has moved to a new school system after the end of the school year, approve the case if otherwise eligible. Set an alert in ADAPT for the month school is scheduled to begin and verify attendance at that time. Allow the client 10 days from the beginning of the school year to provide verification of enrollment or attendance. If the client does not furnish the school enrollment form within the time frame, the child is truant. If school attendance is not verified, the child is considered truant. Follow guidance at [201.3 C and D](#).

A child who is 18 years old meets the school attendance requirement, regardless of actual attendance, as long as he is enrolled and expected to complete high school or an equivalent program as stated in Section [201.2](#) above.

- A. Definition of Truancy - Truancy is defined as noncompliance with State compulsory school attendance requirements as determined by the local school division.**

Local school boards may set additional rules deemed necessary to carry out the intent of the compulsory attendance laws. Such rules may also be applied by the local school division in identifying children who are truant.

- B. Notification of Truancy - When the local school division determines that a child receiving TANF is truant, it will notify the local department of social services. When a child attends a private, denomination, or parochial school, the local agency must arrange with the school to receive notification when the child is truant.

School divisions will identify truant TANF recipients using one of the following methods:

1. State Department of Social Services provides all local school divisions with a list of all individuals ages five through 17. This information is e-mailed to a designated contact person in each school division monthly.
2. The local department of social services and local school division may develop an alternate method (local option) for identifying TANF children who are truant, provided the method is mutually acceptable.

Note: If the agency receives notification from a source other than the school, such as the applicant/recipient, the agency must verify truancy through the school.

* Code of Virginia, Section 63.2-606

** Code of Virginia, Sections 22.1-254 et seq.

201.4 DEPRIVATION OF PARENTAL SUPPORT OR CARE - Repealed effective July 1, 1999.

201.5 LIVING ARRANGEMENTS - The child must be living with a parent or other relative (Subsection A., below) in a residence maintained as a home (Subsection B., below) by one or more such relatives. For TANF-UP, both natural or adoptive parents of at least one child must be living in the home. (Refer to 701.2.)

Exception: Under certain prescribed conditions, an otherwise eligible child may receive TANF while in foster care, as provided in the Title IV-E Eligibility Manual and Subsection B., below, such as during a trial visit.

- A. Relatives - The relative with whom the child is living, who is designated as the caretaker, must be a relative by blood, marriage, or adoption. Relationships by marriage exist even after the marriage has been terminated by death or divorce.

Example 1: Mrs. Green applies for assistance for her two children and her step-daughter Marcia following the death of Mrs. Green's husband who was Marcia's father. Mrs. Green can receive assistance for her own children and for Marcia to whom she is related by marriage. Because Mrs. Green has no legal responsibility for Marcia, two separate assistance units will be established.

Example 2: Ms. Johnson applies for assistance for two children after her son Ronnie abandons them when he moves to another state. Ronnie was married to Sarah, the children's mother, and was their stepfather until he and the mother divorced. Ms. Johnson can receive assistance for the children because she was their step-grandmother during the time Ronnie and Sarah were married. Ms. Johnson will have to establish her relationship to Ronnie, and prove that Ronnie and Sarah were married, and that Sarah is the parent of both children.

Neither severance of parental rights nor adoption is considered to terminate the relationship to biological relatives. Therefore, biological relatives may receive assistance for someone who has been adopted, when there is no other relative by adoption in the home to receive assistance on the individual's behalf. However, this provision does not require individuals who have been adopted to be included in the assistance unit of the biological relative and his/her children.

Example 1: Jane Doe had two children who were adopted by Jane's parents. Jane's parents died leaving their adopted children in the care of Jane. Jane is considered a biological relative for TANF purposes and can receive assistance for the two children, however, they are not to be included in the same assistance unit as any other children Jane may have since she has no legal responsibility for these children.

Example 2: Mary Smith's child, Michael, was adopted by a family friend. When Michael's adoptive parent died, there was no other relative to care for him. Michael went to live with Mary. Since Mary and Michael are biologically related, she can receive assistance for him. However, Michael is not to be included in the same assistance unit as any other children Mary may have.

The identity of the parent or other relative must be established prior to determining relationship. (Appendix III lists documentation that can be used to verify identity). Additionally, documentation that is adequate to trace the relationship of each child to the parent or caretaker relative must be provided. The case record must document the verification methods used to establish identity and each relationship.

The following documents may be used to establish relationship:

- Birth certificate
- Hospital certificate
- Adoption papers or court record of adoption
- Baptismal certificate
- Hospital or physician's record
- Church record
- Bureau of Vital Records/Health Statistics record
- Marriage record
- Court support and/or divorce orders which clearly identify the relationship of the caretaker/relative to the children
- Court document identifying an individual as a relative of the child

Documents must be adequate to trace relationship completely, except that, if the applicant is the mother, initial eligibility can be established based on birth verification for the child.

In the case of a caretaker relative (though not a father not married to the child's mother, or a relative of such a father), a notarized statement by an individual, other than the applicant/recipient, who has sufficient knowledge to attest to the relationship, is acceptable.

If the applicant is a father not married to the child's mother, or relative of such father, evidence of paternity must be provided. The following documents may be used as evidence of paternity:

- Court record establishing paternity
- Court order stating that child is living with paternal or maternal relative
- Written notarized statement of paternity
- Birth certificate from any state where father's name is included

If the caretaker is a relative of the father who is not married to the child's mother, the relationship between the relative and the father must be established once evidence of paternity has been provided.

The primary source for verification of living arrangements for children who attend school, including nursery schools, pre-schools, or child care centers, is the school record which shows **the name of the child, the name of the relative the child lives with and the address where they reside**. For pre-school age children who are not in nursery school, pre-school, child care, etc. **the following documents** can be used to verify living arrangements **as long as the document contains the child's name, the relative's name, and their residence address**: hospital or physician's record, court or public agency record, or military record. (These records may also be used as secondary sources of verification for children attending school **or primary verification for children who are home schooled**.) **If these documents are not available, the worker can verify living arrangements for a pre-school age child through contact with the landlord, public housing authority, or a friend or family member who can attest to the living arrangements. In all cases, the case record must be documented to reflect the verification obtained.** Client statement cannot be used to meet the verification requirement.

If verification cannot be obtained from one of the sources listed above, the case record must be documented to reflect all the attempts that were made to secure verifications from primary or secondary sources. The case record must also contain documentation of all evidence obtained by the worker that does substantiates the child's presence in the home.

If the agency is unable to verify the child's presence in the home, and the applicant/recipient continues to maintain that the child lives in the home, the agency must evaluate any evidence provided by the individual before taking action to exclude the child.

- C. Living with a Relative for a Part of Each Month or Year - It is the responsibility of the local department of social services (LDSS) to determine whether a child who is in the home of the applicant/recipient for part of a month or part of a year should be included as a member of the TANF assistance unit. The child must actually live in the home, not simply be in the home temporarily for a few days a week, or for a weekend, or for a vacation, in order to meet the "living with" requirement.

The "living with" determination will require an evaluation of both the child's presence in the home and the parent's responsibility for the child while in the home and may include information about

- the child's entry into the applicant/recipient's home;
- the child's status in the home as a resident or as a visitor;
- the extent of the parental responsibilities the applicant/recipient will exercise on behalf of the child while the child is in the home; and
- the applicant/recipient's responsibility to maintain a home and meet the basic day-to-day needs of the child for food, shelter, and clothing.

1. Visits and Vacations: A minor child who usually lives with a custodial parent or caretaker relative, and who is visiting the other parent (or other caretaker relative), is considered to be temporarily absent from the home of the custodial parent and does not meet the "living with" requirement in the other home. (Note: the custodial parent may or may not be a current TANF recipient).

EXAMPLE 1: The child lives with his mother and siblings. He spends his summer vacations with his father who lives in another county. His father would not be eligible for assistance for the child if he applied for TANF during the child's summer vacation because the child does not actually live in the father's home but is only there temporarily for a visit.

Note: If the child's mother receives TANF for him, and he is gone from her home more than 60 consecutive days, the child will no longer meet the "living in a home requirement" for her household as outlined at 201.5B. In this circumstance, he would not be eligible in either household until he returns to his mother's home following his summer vacation with his father.

EXAMPLE 2: The child lives with his grandmother during the week and visits his mother every weekend. His grandmother receives TANF for him. His mother, who receives TANF for the child's three younger siblings, requests that he be added to her assistance unit. The child is not eligible, however, since he lives with his grandmother and only visits his mother.

2. Shared Living Arrangements: In some cases, a child lives with each parent for portions of a month or for several months of the year. These shared arrangements may be formal arrangements as in the case of legal joint custody in which an agreement legally establishes that both parents are to share physical custody of the child. The arrangements may also be informal arrangements established by the parents or caretaker relatives. In either case, the agency must determine the child's actual living arrangements. This determination may include examination of visitation schedules, written statements from each parent or caretaker relative, or other verifications. A statement by the applicant without additional documentation cannot be accepted as verification of the living arrangements except as outlined below.

The child is considered to be "living with" the parent or other caretaker relative with whom the child spends 51% or more of the time when the living arrangements are examined on an annual basis. (Note: If the living arrangements have not been in effect for at least one year, they will be examined based on the period they have been in effect. If the shared living arrangements have just begun, and the applicant states that the child will be living with her 51% or more of the time and there is no evidence to the contrary, the application can be approved with a special review set for the next review or interim report, whichever will occur first. The agency must verify the child's actual living arrangements at that time and determine whether the "living with" requirement continues to be met.)

If the child lives with both parents an equal amount of time and no parent has the child 51% or more of the time, both parents meet the "living with" requirement and either can apply and be granted assistance for the child if otherwise eligible.

If the agency is unable to determine the amount of time the child spends with each parent for any reason, "living with" cannot be determined and the child is ineligible.

EXAMPLE 1: The parents have shared joint legal and physical custody. The child lives with his mother from Monday through Friday. The child lives with his father on the weekends. The agency verifies the living arrangements. The child lives with the mother more than 51% of the time and would meet the "living with" requirement if his mother applied for assistance for him; he would not meet the "living with" requirement if his father made the application.

EXAMPLE 2: The agency verifies that the parents have 50/50 joint legal custody and that the child actually spends 50% of the time with each parent in alternating weeks. The child will meet the "living with" requirement with either parent; either the father or mother could receive assistance for him if otherwise eligible.

3. Local Agency Custody: A child living with his parent(s) may be eligible for TANF even though custody is held by the social services department, if all other eligibility factors for TANF are met. When living with a relative other than a parent, a child will be eligible for TANF if he/she is not eligible for Title IV-E and all other factors for TANF eligibility are met. Refer to Title IV-E Eligibility Manual, Section 202.4. If eligible for Title IV-E, the child is not eligible for TANF.

It should be noted that for TANF eligibility purposes a child can only have one home, as defined above in this section. Therefore, if the caretaker/ relative qualifies for TANF because of the presence in the home of a child who receives a foster care maintenance payment, the child cannot also be considered to be "temporarily absent" from his or her prior home with a parent or other caretaker/relative, thereby also qualifying such relative for a TANF payment.

The case record must be documented relative to the local agency's finding that the child is living in the home.

A child may not be denied TANF, either initially or subsequently, on the basis that the home is considered "unsuitable" because of conditions existing in the home, unless provision is otherwise made for his adequate care and assistance.* If such conditions appear to exist, referral for protective services must be made.

- D. Minor Parent Residency Requirement ** - A minor parent is an individual under 18 years of age who is the natural parent of the child. A minor parent and the dependent child in her care must reside in the home maintained by her parent or person standing in loco parentis, unless she meets an exception. (*In loco parentis* is defined as standing in place of or taking the role of a parent. For TANF, the *in loco parentis* role may be filled by a relative [see 201.5A], the legal guardian of the minor child, or a person 21 years of age or older who is acting as a parent. By definition, the *in loco parentis* role may not be filled by a person such as a boyfriend or girlfriend whose relationship to the minor parent is other than parental.) Minor applicants must be informed about the residency requirement at the time of application. If the minor cannot make arrangements to live in the home of a parent or person standing in loco parentis within the standard 30 day processing time, and does not meet an exception, then the worker must deny the application.

* 45 CFR 233.90(b)

** Section 63.2-607, Code of Virginia

2. Aliens, except victims of human trafficking, must submit documentation of their immigration status before eligibility can be determined. Once documentation has been provided, the agency must determine the validity of the documentation by comparing the alien information with current immigration records maintained by USCIS. This is accomplished through the Systematic Alien Verification for Entitlements (SAVE) Program and is intended to prevent the issuance of benefits to ineligible aliens.* SAVE verification must be received prior to case approval or action to add a person.

Verification is obtained through two processes:

- a. Primary verification - a direct access to USCIS files via telephone or personal computer;
- b. Secondary verification - a manual procedure completed in addition to primary verification via the Document Verification Request, Form G-845S. (Refer to [Appendix V](#) to Section 201.) Certain situations may arise where it may not be possible to access primary verification and secondary verification must be accessed or additional information is needed that can only be obtained through the secondary procedure. These situations are addressed in Section [201.7.E.4](#).

Once verification has been obtained through SAVE, aliens with permanent resident status will no longer be subject to the SAVE process. Aliens with temporary or conditional status will be subject to SAVE when their temporary status expires.

3. Primary Verification

Primary verification is the automated method of accessing the **SAVE system** (the USCIS database). The automated access to **SAVE** must be attempted before attempting the manual, paper-trail method of secondary verification. However, there are some specific instances when the secondary method must be used without attempting to access the USCIS database. These reasons are listed in the Secondary Verification section.

SAVE is accessible through the seven, eight, or nine-digit Alien Registration Number (A-Number) which should be displayed on the alien's USCIS documents. SAVE is accessible via online access by authorized personnel to immigration files by logging on at <https://save.uscis.gov/Web/vislogin.aspx?JS=YES>

A total of nine digits must always be used when keying the A-Number to access the USCIS database. A zero is to be substituted for the letter "A" in eight-digit A-Numbers, and two zeros must precede a seven-digit number. When the A-Number is nine digits, omit the "A" and enter the nine-digit number.

* Public Law 99-603, Section 121

- Official written statement or record from the hospital at which the individual was born, or from the attending physician showing U.S. place of birth.
- Written affidavit attesting to citizenship or naturalization. (Note: A written affidavit is only acceptable if no other proof of citizenship can be provided. The affidavit must be signed by at least two individuals, at least one of whom is not related to the applicant, who have personal knowledge supporting the claim of citizenship. The individuals signing the affidavit must both have proof of identity and their own citizenship. The applicant must provide a separate affidavit explaining why evidence of citizenship does not exist or cannot be obtained).

Client statement cannot be used to establish citizenship.

NOTE: Medicaid enrollees who do not provide proof of citizenship at application but whose citizenship is subsequently verified by the Social Security Administration (SSA) will automatically be coded "CV" in ADAPT on the AEDEM5 screen. In the case of an individual who has not provided the required documentation of citizenship by the 90th day after application, and for whom citizenship remains unverified on AEDEM1, the EW will access AEDEM5 to determine if citizenship has been coded "CV" for Medicaid before taking action to remove the individual's needs from the grant.

If citizenship has been verified for Medicaid and the client is coded "CV", the EW will change the U.S. citizenship verification code for TANF on the AEDEM1 screen to "OT" and will document that verification was based on the Medicaid "CV" coding. If citizenship has not been verified for Medicaid and the client is not coded "CV", the individual is ineligible for TANF and his needs must be immediately removed from the grant. (See 201.7D)

C. DOCUMENTATION OF IDENTITY FOR U.S. CITIZENS (ADDITIONAL DOCUMENTATION MUST BE PROVIDED TO ESTABLISH CITIZENSHIP. SEE ACCEPTABLE DOCUMENTATION FOR CITIZENSHIP ONLY IN B. ABOVE. SEPARATE DOCUMENTATION OF IDENTITY DOES NOT HAVE TO BE PROVIDED IF CITIZENSHIP WAS VERIFIED BY U.S. PASSPORT, CERTIFICATE OF NATURALIZATION, OR CERTIFICATE OF CITIZENSHIP SINCE THESE SERVE TO VERIFY IDENTITY AS WELL AS CITIZENSHIP).

- A state photo driver's license
- A state issued photo ID card
- A school issued photo ID card
- U.S. Military ID card (active, reserve, retired)
- U.S. Military draft record
- U.S. Military dependent ID card
- U.S. Coast Guard Merchant mariner Card

Note: For a **minor** caretaker who is under 16 **and is not receiving TANF as an eligible child (PC) in the home of his/her parent**, the following can be used:

- o Doctor, clinic, or hospital record
- o School record
- o Child care record

Client statement cannot be used to establish identity.

D. DOCUMENTATION OF IDENTITY ONLY FOR INDIVIDUALS WHO ARE NOT U.S. CITIZENS. IMPORTANT: THESE DOCUMENTS ARE USED TO ESTABLISH IDENTITY OF THE PARENT PRIOR TO ESTABLISHING RELATIONSHIP TO THE CHILD. THEY ARE USED ONLY FOR INDIVIDUALS WHO ARE NOT CITIZENS OR ELIGIBLE ALIENS. THESE DOCUMENTS DO NOT ESTABLISH CITIZENSHIP OR ALIEN STATUS.

- U.S. Military ID card (active, reserve, retired)
- U.S. Military draft record
- U.S. Military dependent ID card
- U.S. Coast Guard Merchant Mariner Card

- Identification card issued by the Federal, State, or local government that includes the individual's name and address, and incorporates a photo as an integral part of the card

- Three or more corroborating documents such as employer identification cards, high school or college diplomas, including GEDs, from accredited institutions, marriage certificates, divorce decrees, or property deeds/titles that together reasonably corroborate the identity of the individual. The agency must first ensure that no other evidence of identity is available to the individual prior to accepting such documents.

- Written affidavit attesting to identity. (Note: A written affidavit is only acceptable if absolutely no other proof of identity can be provided.) The affidavit must be signed by at least two individuals, at least one of whom is not related to the applicant, who have personal knowledge of the individual's identity. Examples of such individuals might include landlords, relatives or friends. The individuals signing the affidavit must both have proof of their own identities. The applicant must provide a separate affidavit explaining why proof of identity does not exist or cannot be obtained.

Client statement cannot be used to establish identity.

203.1 Emergency Assistance - Emergency assistance may be provided to needy families with children who are eligible for TANF or are receiving TANF **(including recipients whose TANF case is currently suspended due to a VIEW sanction)**, when the family has experienced a natural disaster or a fire which has destroyed items necessary for maintaining the household or the home itself. Natural disasters may include, but are not limited to, a tornado, hurricane, or flood. The EW should note that the applicant does not simply declare an event a disaster.

The application for Emergency Assistance must be made no later than 30 days from the date the disaster or fire occurred. If the applicant has been hospitalized during the 30 day period following the disaster or fire, the application for emergency assistance must be made within 60 days from the date the disaster or fire occurred.

Conditions of Eligibility:

When the family has experienced a natural disaster or fire within the timeframes listed above, and all of the following conditions exist, EA must be granted immediately:

- A. The family includes at least one child who is under eighteen years or if 18 but not yet 19 is enrolled full time in a secondary school or vocational/technical school equivalency from which the child is expected to graduate prior to attaining age 19.
- B. The child is a resident of Virginia, as defined in Section 201.6.
- C. The child, and all members of his family for whom assistance is provided must be a citizen of the United States or, if an alien, meet requirements, specified in Section 201.7. A child may be eligible for or receive TANF or Emergency Assistance even when other members of the family are ineligible.
- D. The child is living with a relative in a place of residence maintained by the relative as his own home. (See Section 201.5 B.)
- E. The emergency assistance is necessary (1) to avoid destitution of the child or (2) to provide living arrangements for him in a home (203.2).
- F. For current TANF recipients, needs can be met through EA in addition to the regular assistance payment. The EA payment does not affect the regular TANF payment. An EA payment may not be issued, however, to replace money lost by the recipient or for the loss of earnings.

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302.1 DEFINITION OF THE TANF ASSISTANCE UNIT - The TANF assistance unit is composed of the individual or individuals who meet all categorical requirements and conditions of eligibility. The assistance payment will include the needs of all such individuals.

302.2 DEFINITION OF THE STANDARD FILING UNIT - For purposes of ADAPT, the group of individuals whose income must be considered in determining the assistance unit's eligibility and grant amount is referred to as the standard filing unit. This includes children and parents required to be in the assistance unit; essential persons; individuals whose income is subject to deeming; and, when assistance is requested, a caretaker-relative other than the parent.

302.3 DEFINITION OF CARETAKER - In TANF the caretaker is the natural or adoptive parent or other relative who is responsible for supervision and care of the needy child(ren).

There will be one caretaker included in an assistance unit, except when:

1. the natural or adoptive parent who is incapacitated has remarried, the spouse may be included; or
2. the household consists of a married couple who each have a child(ren) of their own; or
3. **guidance** at Section **302.8 A.** regarding minor parents requires more than one caretaker; or
4. both natural or adoptive parents of at least one child are living in the home and the family is in financial need. Note: In households that include both natural parents and at least one child in common residing in the home, paternity must be established before the putative father can be included as a caretaker on the TANF grant (See Section 201.10 A.).

In situations where both parents are in the home and one parent is a convicted offender allowed to live at home, the other parent in the home will be designated as the only caretaker. The convicted offender can only be included as an EWB if providing an essential service. See Section **302.6.**

302.4 DEFINITION OF PAYEE - In TANF, the payee is the parent or other relative who is responsible for supervision and care of the needy child(ren) but who is not included in the assistance unit. A relative would be a payee unless he/she meets the criteria in **302.7.E.**

In situations where the parent of the eligible child(ren) is in the home and included in the assistance unit, another relative may be designated as the payee for the case if the local agency has determined that the relative, not the parent, is exercising primary responsibility for the care and control of the child(ren). (Refer to Section 502.4.A.1.c. concerning designation of payees.) In such situations, the relative may be included in the assistance unit only if he/she meets the requirements of an essential person (EWB) listed in Section **302.6.**

302.7 Composition of the TANF Assistance Unit - The TANF assistance unit is required to include, when living together, the parent(s) and minor sibling(s) of a dependent child for whom assistance is requested. Therefore, each sibling living in the home of a dependent child must be evaluated to determine if he/she meets the categorical requirements listed in Section 201.1.A. This includes any sibling living in the home with both natural or adoptive parents who are also living in the home.

Individuals who must be included in the assistance unit: The TANF assistance unit will include the following individuals:

- A. The natural or adoptive parent(s) who is living in the same home as the child for whom assistance is requested, unless otherwise indicated by **guidance** at 302.7.D.*
- B. All blood related or adoptive siblings, including those emancipated by court order or marriage, who meet the categorical requirements of an eligible child, living in the same home as the child for whom assistance is requested.** Note: The spouse of the child emancipated by marriage cannot be living in the home for eligibility to exist.

When the entire case is ineligible: If the agency is unable to determine categorical eligibility or payment amount due to the inability or refusal of the parent or caretaker to provide information about an individual required to be a member of the assistance unit, the entire AU must be found ineligible.

When the case is eligible but an individual must be excluded: In general, a case may be approved even though a condition of eligibility has not been met by a required member of the assistance unit. Sections 302.7C - 307.7F list individuals whose needs are not included on the grant, including individuals excluded for failure to meet a condition of eligibility. Those individuals will be assumed to be required members of the assistance unit and the following will apply:

1. In determining need for the assistance unit, the individual will be excluded.
2. In determining the amount of payment for the assistance unit, the income of the individual will be included.

The individual will continue to be excluded and the income will continue to be considered available to the assistance unit until both categorical eligibility and the conditions of eligibility are met. When both requirements are met, the needs of the individual will be included in the assistance unit. (Refer to Section 401.2.B.2.c.)

Exceptions: The entire household is ineligible for assistance, and the application must be denied, when an individual fails to sign the VIEW Agreement of Personal Responsibility (APR) when required to do so as a

* 45 CFR 206.10(a)(1)(vii)(A)
** 45 CFR 206.10(a)(1)(vii)(B)

304.3 MEDICAL EXAMS FOR TANF/VIEW RECIPIENTS - In some situations, it may be necessary to have a medical exam completed in order to determine if a client should be exempted from VIEW, or to assess the client's ability to work or participate in the program. The Medical Evaluation (form 032-03-0654) is used to secure this information. The medical examination must have been made no more than 90 days prior to the date the Medical Evaluation form was signed.

The Medical Evaluation form can be completed by a medical doctor, including a psychiatrist, or doctor of osteopathy, or by a licensed physician's assistant or nurse practitioner working under the auspices of a medical doctor or doctor of osteopathy. The form is to be completed by a medical professional with thorough knowledge of the condition(s) that are believed to limit or prohibit the client's ability to work or participate in VIEW. Typically, this is the doctor or other medical professional who is currently treating the client for the condition. If, however, in the opinion of the agency, the client's condition is such that it should be evaluated by a specialist, then the specialist should make the evaluation and complete and sign the form.

Medical exams necessary to determine exemption status for VIEW or to assess a VIEW participant's ability to work or participate in the program will be arranged through Medicaid when possible. When Medicaid coverage does not exist, the medical exam can be paid for with VIEW funds. The agency will pay for the first medical exam; the agency may pay for additional exams, but is not required to do so.

The agency may choose to request and pay for a 2nd evaluation from a medical professional whenever the 1st evaluation is deemed by the agency to be inadequate to determine the client's exemption status, or ability to work or participate, or is otherwise questionable.

- b. for TANF-UP, unemployment compensation benefits;
- c. the earned income of a child (**under age 18 or, if age 18, is scheduled to graduate no later than the month he/she turns 19**) who is a full or part-time student.

If the income of the assistance unit exceeds 185%, the case is ineligible for a payment.*

2. Screening at the Standard of Assistance

The following procedures are applicable to the standard of assistance screening:

a. Applications, Including Persons Being Added to An Existing Assistance Unit

Once the total gross countable income of the assistance unit is determined to be less than or equal to 185% of need, income must then be screened at the standard of assistance allowing earned income disregards where applicable.

- b. All AUs will be allowed the following deductions from earned income:

- (1) The standard deduction**, the same amount used in the standard deduction for the SNAP program, and 20% of the remainder is deducted from the gross earnings.*** (Refer to Appendix 3 to Section 305, Step 2 and Section 305.3.B.7.)

Assistance Unit	Standard Deduction
1-3 members	\$142
4 members	\$153
5 members	\$179
6 or more members	\$205

c. Ongoing Cases

Once the total gross countable income of the assistance unit is determined to be less than or equal to 185% of need, income must then be screened at the standard of assistance allowing earned income disregards where applicable.

- d. The following income is disregarded when income is screened at the standard of assistance:

- 1) all income specifically disregarded in 305.4.A;

* 45 CFR 233.20(a)(3)(xiii)
 ** 22 VAC 40-295-60
 *** 22 VAC 40-295-60

- 2) the earned income of a child (**under age 18 or, if age 18, is scheduled to graduate no later than the month he/she turns 19**) who is a full or part-time student.

If the assistance unit has income below the standard of assistance, the payment is calculated based on prospective budgeting.

B. Prospective Budgeting*

1. Budgeting Concept

In order to be eligible for TANF, a case must be eligible under income requirements. The amount of the payment which an assistance unit is eligible to receive will be calculated based on prospective budgeting.

Prospective budgeting is calculating the TANF payment using the anticipated income of the members of the assistance unit and the excluded persons required to be included in the assistance unit in the budget month. For purposes of determining the amount of the TANF payment and the amount of income to be counted, the payment month and budget month are the same.*

2. Income To Be Counted In Calculating the Payment

The payment is to be calculated using the methods listed below. The assistance unit's circumstances must be evaluated to determine which method(s) will provide the amount of income anticipated (best estimate) to be received in the payment month.

For purposes of determining the amount of income to be counted in calculating the payment, anticipated income means any income the applicant/recipient and local agency are reasonably certain will be received during the payment month. If the amount of income or when it will be received is uncertain, that portion of the assistance unit's income that is uncertain shall not be counted by the local agency.

"Reasonably certain" means that the following information is known:

- who the income will come from,
- in what month it will be received, and
- how much it will be (i.e., rate, frequency and payment cycle).

* 45 CFR 233.33

The case must be documented to reflect the method used to arrive at the anticipated income.

Eligibility must be determined for each month of the application period. Applicants may be ineligible for the month of application and eligible for the month following the month of application. Benefits must be denied for the month of application in ADAPT and granted for the month following the month of application.

Example #1: - On November 17, the worker processes an application dated October 29. The case is denied for October and November due to excess income; however, the case will be eligible for a December payment as the income ended in November. Therefore, the case is to be approved effective December 1.

Example #2: - On July 14, the worker processes an application dated June 1. The application was not processed within the 30-day application processing time frame due to the applicant being admitted to the hospital as a result of a stroke on the 28th day. Verification is received July 13. The worker determines that the case is eligible. The worker approves the case with July 1 as the beginning date of assistance.

Example #3: - On December 1, the worker processes an application dated November 13. The case is eligible for a payment for November and December but ineligible for a January payment as a result of full-time employment. A payment is to be issued for November and December, and the case is to be closed effective December 31.

C. Verification of Income (Earned and Unearned)

In order to establish income eligibility, verification of all income received or anticipated to be received monthly by the assistance unit is required at the time of application/reapplication, when adding individuals with income, at renewals, and when a change becomes known to the agency. When verification is required, the agency must notify the applicant/recipient of the necessary verification and allow the assistance unit 10 days to respond. The assistance unit has primary responsibility for verifying income; however, if needed, the worker must assist the household in obtaining any necessary verifications.

The assistance unit is not responsible for providing verification of reported unearned income for which verification is accessible to the local agency through systems of records. These records include SDX, SVES, SOLQ-I, and VEC inquiry of unemployment benefits. The Evaluation of Eligibility Form or the ADAPT Verification Form must be documented to show systems searches were completed and the result of the search. The print out from APECS, SVES or SOLQ-I, and VEC must be filed in the case record. IEVS matches must NEVER be printed. If the applicant/recipient fails to verify income either verbally or in writing, within 10 days of notification, **guidance** at 401.2.B.1. and 2. regarding substantiation of eligibility factors is to be followed.

305.2 INCOME TO BE COUNTED - For the purpose of determining the amount of payment for an assistance unit, it is necessary to deduct the net countable income from the monthly standard of assistance applicable to the assistance unit. Net countable income is all income, both earned and unearned, which is available or expected to be available to members of the assistance unit, except for that portion specifically disregarded.

EXCEPTIONS:

- (1) Reimbursements for out-of-pocket expenses shall not be considered countable income. These expenses may include reimbursement for travel expenses, such as mileage; reimbursement to the caretaker of a child for child care expenses; reimbursements for expenses incurred as a volunteer, etc.
- (2) Money which belongs to another person that is handled by the client to pay expenses for that person is not considered available to the assistance unit.

Example:

Mrs. C. has a son in the Army who is currently in Germany. He sends her \$250 a month to pay his car payment of \$250 a month. None of this money is to be considered as income to Mrs. C.

Example:

Mrs. X and Mrs. Y live in the same house which is rented in Mrs. X's name. Mrs. Y gives Mrs. X an established portion of the rent each month. Mrs. X adds her portion to Mrs. Y's and pays the rent. Since this is a "shared shelter" arrangement, Mrs. Y's portion of the rent is not considered income to Mrs. X.

Note: This **guidance** is not intended to replace roomer/boarder and property rental situations.

- (3) The first \$30 received by each individual in the assistance unit per calendar quarter for special occasions, such as birthdays, Christmas, etc., will be disregarded. Calendar quarters are January through March, April through June, July through September, and October through December. Any amount in excess of the \$30 per quarter anticipated to be received will be counted as income in the payment month in which it is anticipated to be received.

There is some income that is not currently being received by the assistance unit but is considered available:

- A. Support from a spouse or parent (natural, adoptive, or stepparent) living in the home is assumed to be available to the spouse and dependent children under 21 who are also living in the home** (305.4 E. and F.) except

* 45 CFR 233.20(a)(3)(iv)

** 45 CFR 233.20(a)(3)(vi)

3. Profit from self-employment means the total income received, less the business expenses directly related to producing the goods or services and without which the goods or services could not be produced.***
However, business expenses do not include:

- a. net losses from previous periods;
- b. federal, state, and local taxes;
- c. money set aside for retirement purposes;
- d. personal expenses, entertainment expenses, and personal transportation;
- e. depreciation of equipment, machinery, or other capital investments necessary to the self-employment enterprise.

Note: If an individual who was self-employed incorporates his business, either by himself or with another individual, he is no longer considered self-employed. His wages or salary will be paid by the corporation and will be considered regular earned income, not self-employment income.

B. Disregarded Earned Income - As specified below, certain earned income of members of the assistance unit and excluded individuals required to be in the assistance unit must be disregarded in determining need of the assistance unit and amount of assistance to which the assistance unit is entitled. In addition, income disregarded under the provisions of other federal assistance programs must not be counted as income to the TANF assistance unit*. The items listed below are disregarded during the 185% screening. Income disregards are to be applied to gross earned income in the order listed below.

1. All payments issued under the Workforce Investment Act of 1998 (WIA), including Job Corps payments,** **to a student who is under age 18 or, if age 18, is scheduled to graduate no later than the month he/she turns 19.**
2. Other earned income of any eligible child who is a student*** must be disregarded in the 185% screen, determination of need (for applicants) and grant computation.

* 45 CFR 233.20(a)(4)(iii)

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Failure or refusal of the applicant/recipient to submit verification of the expense will result in the amount of the payment being determined without the expense being disregarded. If the verification is subsequently provided, eligibility will be re-evaluated, and a supplement issued for the month for which the disregard was not allowed. If termination or denial results from not allowing the disregard, follow **guidance** in Section 401.3.F.5. This disregard, when applicable, is to be deducted from budget month income. Additionally, the disregard cannot be applied if the provider of care is a member of the assistance unit.

Budgeting adult/child care (if chosen):

Example 1: In December, the income and adult care/child care (if chosen) expenses anticipated for January, using appropriate maximums, are verified and used to determine the amount of the January payment.

Example 2: Budgeting the child care disregard of a child turning 2 years old when employment is full-time:

The child turns 2 on February 5. In calculating February's payment, anticipated income and child care expenses, not to exceed \$200, are verified and used to determine the amount of the payment because the child was under 2 during that month. For March, anticipated income and child care expenses, not to exceed \$175 (child now 2), are used to determine the amount of the March payment.

Example 3: An ongoing recipient works part-time and has chosen to have child care costs disregarded. In May she reported that her job changed to full-time on May 15. The prospective for June must reflect the appropriate maximum disregard for full-time employment. If eligible, the June payment will be calculated using the full-time maximum.

NOTE: Earned income cases that become ineligible may be eligible for transitional child care benefits. See Section 401.8.

* 45 CFR 233.20(a)(11)(iii)

8. Any portion of an SSI payment and/or Auxiliary Grant.*
9. Payments to VISTA Volunteers under Title I, when the monetary value of such payments is less than minimum wage as determined by the Director of the action office,** and payments for services of reimbursement for out-of-pocket expenses made to individual volunteers serving as foster grandparents, senior health aides, or senior companions, and to persons serving in the Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE) and other programs pursuant to Titles II and III, of Public Law 93-113, the Domestic Volunteer Service Act of 1973, including Americorps VISTA.*** The worker must contact the Action Office at the following address or telephone number when VISTA payments are reported; Action Office, 400 N. 8th Street, Richmond, Virginia 23219, (804) 771-2197.

Exception: This disregard does not apply to payments to participants in Americorps USA and Americorps NCCC. These programs are under the authority of the National and Community Service Trust Act of 1993 which contains no requirement to disregard payments to participants applying for or receiving TANF.

10. The Veterans Administration educational benefit for the caretaker 18 or older is disregarded in its entirety when it is the veteran's only source of assistance for education. No verification beyond the award letter or benefit payment check is needed.

If the veteran receives additional assistance in the form of a grant, loan, or scholarship, the VA educational benefit is to be disregarded in its entirety as long as any portion of the benefit is used to pay for tuition, books, fees, equipment required by the education/training program, transportation if the education/training institution is more than one mile from the veteran's residence, and/or child care services necessary for school attendance.

Exceptions:

- Any funds included in the benefit amount specifically for dependents are to be counted as income to the assistance unit.
 - Any separate housing allowance, including an allowance authorized under the Post 9/11 GI Bill, is to be counted as income to the assistance unit.
11. Foster care payments received by anyone in the assistance unit.
12. **All payments for supportive services under the Workforce Investment Act of 1998 (WIA).**

Additionally, all payments issued to a student under age 18 or, if age 18, scheduled to graduate no later than the month he/she turns 19 under the Workforce Investment Act of 1998 (WIA), including Job Corps payments. (Note: Wages paid to an adult WIA participant are counted as earned income.)

* 45 CFR 233.20(a)(3)(x)

*** 45 CFR 233.20(a)(4)(ii)(g)

** 45 CFR 233.20(a)(4)(ii)(h)

13. Income tax refunds (including Earned Income Tax Credit payments and refunds). These exempt tax credits include federal earned income tax credits and state earned income tax credits.
14. Any payment made under the Fuel Assistance Program.
15. The value of supplemental food assistance received under the Child Nutrition Act of 1966. This includes all school meal programs; the Women, Infants, and Children (WIC) Program; and the child care food program. Money paid to day care providers under the National School Lunch Act to serve meals to children, other than their own, is countable.
16. All federal, state, or local government rent and housing subsidies and utility payments.*
17. Any funds distributed to, or held in trust for, members of any Indian tribe under Public Law 92-254, 93-134, 94-540, 98-64, 98-123, 98-124 or 97-458. Additionally, interest and investment income accrued on such funds while held in trust, and purchases made with such interest and investment income are disregarded.**
18. The following of distributions received from a Native Corporation under the Alaska Native Claims Settlement Act (Public Law 100-241):
 - a. Cash (including cash dividends on stock received from a Native Corporation) to the extent that the total received does not exceed \$2,000 per individual per calendar year;
 - b. Stock (including stock issued or distributed by a Native Corporation as a dividend or distribution on stock);
 - c. A partnership interest;
 - d. Land or an interest in land (including land or an interest in land received from a Native Corporation as a dividend or distribution on stock); and
 - e. An interest in a settlement trust.

* 45 CFR 233.20(a)(3)(xii)

** 45 CFR 233.20(a)(4)(ii)(e)

38. Any veteran benefits received by children born with spinal bifida, who are natural children of individuals who served in Vietnam during the period beginning January 9, 1962, and ending on May 7, 1975.
39. Payments received from the Ricky Ray Hemophilia Relief Fund established under Public Law 105-369.
40. Any amount received by or made available to household members for deployment or service in a combat zone will not count as income for TANF purposes unless the payment was received before the deployment. This exclusion includes items such as, but not limited to, incentive pay for hazardous duty, special pay for imminent duty or hostile fire duty or certain reenlistment bonuses, or special pay for certain occupational or educational skills.
41. Support sent to clients from DCSE in a month the TANF case is reinstated and a supplemental payment issued. The disregard applies only to the month the case was reinstated.
42. A one-time cash payment, identified as a Reception and Placement (R&P) Program payment, made to help a newly arrived refugee meet basic needs during the first 30 days in the country. (Note: An R&P payment is separate from any cash allowances which may be made to a refugee through the Matching Grant (MG) Program. Matching Grant allowances are counted as income for TANF).

- f. If the parent is a sponsored alien whose income plus that portion of the sponsor's income deemed available to him/her equals or exceeds the alien's pro rata share of the standard of assistance at 90% for the alien and the remaining members of the assistance unit, the children's pro rata share of the alien's countable income (exclusive of the sponsor's income) is considered available to the assistance unit. Allow the earned income disregards per Section 305.3.B. in determining the alien's countable earnings. Note: A lump sum payment received by a sponsored alien parent excluded under this paragraph is counted as income in accordance with 305.4.C.

If the child is a sponsored alien, none of his income is to be counted.

- g. If the parent is a convicted offender, serving a court-imposed sentence while living at home, none of his income is considered available to the assistance unit.

2. Spouse (Stepparent) or parent outside the home - Child support or child support commingled with alimony received or anticipated to be received by the assistance unit is counted as income in the amount actually received, minus the first \$100 each month, in establishing initial eligibility on the basis of need for an otherwise eligible assistance unit.

Child support is considered income belonging to the child. If the child is an SSI recipient or a capped child the support will not be counted.

When a non-custodial parent has been assigned a unitary support order for children included in the AU and children not in the AU, the support must be prorated. The TANF worker must:

1. Prorate the support and key in ADAPT the prorated amount for each child.
2. Contact the district DCSE office to insure their knowledge of a unitary payment for children who are TANF and non-TANF (SSI/capped).

DCSE will follow their procedures identified in Clearinghouse #03-DD-026R.

When a support payment is for a child no longer in the home, count as income any portion of the support used for the AU. Enter the income in ADAPT as a 'Third Party Payment'.

If such support is insufficient to meet the needs, the initial grant(s) is to be computed counting all support received prior to the date that the case approval is keyed into ADAPT (See Exception d. below).

of dependents the stepparent has. Countable income is to be deducted from the standard of assistance for the assistance unit.

- b. Stepparent Deeming Procedure Used When the Parent in the Home Refuses/Fails to Cooperate With DCSE - When it is determined that the parent of the TANF child(ren) has failed or refused to cooperate with DCSE, the stepparent's income must be deemed available to the assistance unit, calculating the deemed amount in accordance with 305.4.F.1.a.1) - 4). The deemed income, in addition to the income of the parent and child(ren) must be counted to determine the assistance unit's eligibility and grant amount.

Failure of the customer to verify the income of the stepparent will result in ineligibility of the case.

- c. Stepparent Deeming When the Parent Is Not in the Home With the Stepparent - The income of the stepparent will not be deemed when the natural/adoptive parent of the TANF children is not living in the home due to separation, divorce, death or incarceration. However, when the stepparent and the natural/adoptive parent are living apart due to military duty, employment, or other reason, and they both consider themselves to be living as husband and wife, they will not be considered separated and the income of the stepparent will be deemed.

If the stepparent is included in a TANF assistance unit, policies and procedures applicable to assistance unit members apply instead of the deeming procedures.

Note: A lump sum payment received by an eligible child's stepparent is considered available to the assistance unit as described at 305.4C.

EXAMPLE #1:

Ms. P. is applying for TANF for herself and her 3 children. Ms. P. receives unearned income in the amount of \$50 per month, and each of the 3 children receives unearned income in the amount of \$50 per month, as well. Ms. P.'s husband (not the children's father) is employed and earns \$1,900.00 per month. Mr. P. has no other dependents.

1. To determine Ms. P.'s eligibility to be included in the AU:

Mr. P.'s income	\$1,900.00
Less \$90 deeming disregard	<u>- 90.00</u>
	\$1,810.00
Less standard of need for 1 (group II)	<u>-174.00</u>
Amount deemed available to Ms. P.	\$1,636.00
Standard of assistance for 4 person AU	\$ 382.00

Since the portion of Mr. P.'s income which is deemed available to Ms. P. exceeds the standard of assistance for 4 persons, she is not eligible to be included in the AU.

2. To determine the 3 children's eligibility, and, if eligible, the grant amount:

Stepparent's (Mr. P.'s) income	\$1,900.00
150% of poverty guidelines for 2 (monthly)	<u>-1,822.00</u>
Amount <u>greater than</u> 150% poverty guidelines	\$ 78.00
Standard of assistance for 3-person AU	\$ 320.00
Less countable income (\$78.00 - amount of Mr. P.'s income which exceeds 150% of poverty guidelines; \$50 - Ms. P.'s unearned income; \$150 - the children's unearned income)	<u>- 278.00</u>
Grant amount	\$ 42.00

EXAMPLE #2:

Ms. J., who has been receiving TANF on behalf of herself and her 2 children reports that she remarried over the weekend. Ms. J. receives unearned income in the amount of \$100 per month. Her husband, Mr. J. is employed, with earnings in the amount of \$800 per month. Mr. J. has 3 children who live with his former wife, for whom he pays support in the amount of \$400 per month.

1. To determine Ms. J.'s eligibility to be included in the AU:

Mr. J.'s income	\$ 800.00
Less \$90 deeming disregard	<u>- 90.00</u>
	\$ 710.00
Less standard of need for 1 (group II)	<u>- 174.00</u>
	\$ 536.00
Less support paid by Mr. J. to non-household dependents	<u>- 400.00</u>
Income deemed available to Ms. J.	\$ 136.00
Standard of assistance for 3-person AU	\$ 320.00

Since the portion of Mr. J.'s income which is deemed available to Ms. J. is less than the standard of assistance for 3 persons, she is eligible to be included in the AU. Proceed to grant calculation, since Ms. J. is eligible.

2. To determine the grant amount:

Standard of assistance for 3-person AU	\$ 320.00
Less countable income (Ms. J.'s income)	<u>- 100.00</u>
Grant amount	\$ 220.00

EXAMPLE #3:

Ms. L. is applying for TANF for herself and her 2 children. Ms. L. works 10 hours per week, and earns \$50 weekly. Her husband, Mr. L. (not the children's father) is employed and earns \$2,000 per month. Mr. L. has 1 child, who lives in the household also.

1.	To determine Ms. L.'s eligibility to be included in the AU:	
	Mr. L.'s income	\$2,000.00
	Less \$90 deeming disregard	<u>- 90.00</u>
		\$1,910.00
	Less Standard of need for 2 (group II) to include Mr. L. and his child	<u>- 257.00</u>
	Income deemed available to Ms. L.	\$1,653.00
	Standard of assistance for 3-person AU	\$ 320.00

Since the portion of Mr. L.'s income which is deemed available to Ms. L. exceeds the standard of assistance for 3 persons, she is ineligible to be included in the AU.

2. To determine the 2 children's eligibility, and if eligible, the grant amount:

Stepparent's (Mr. L.'s) income	\$2,000.00
150% of poverty guidelines for 2 (monthly)	<u>-1,822.00</u>
Amount <u>exceeding</u> 150% of poverty guidelines	\$ 178.00
Standard of assistance for 2-person AU	\$ 254.00

The 2 children are eligible for TANF, since Mr. L.'s income, while in excess of 150% of poverty guidelines, does not exceed the standard of assistance for an AU of 2.

3. Deeming Income in Minor Caretaker and Ineligible Alien Cases - Income must also be deemed to an assistance unit in the following situations. Applicable policies and procedures are explained below.

- a. Minor Caretaker Living with Senior Parent(s) - When living together, the income of a senior parent(s) is to be deemed available to the minor caretaker's assistance unit.* The senior parent's income must be considered available to the eligible child(ren) by applying the deeming procedure in Section 305.4.F.2.c. below. A stepparent's income is not deemed available to a minor caretaker's assistance unit.

When the minor caretaker is an SSI recipient, and lives in the home of his/her parent, the income of the senior parent(s) is deemed available to the minor caretaker's TANF assistance unit. If eligibility for TANF exists, the Social Security Office must be informed that the income is being counted for TANF purposes. The EW must document the case record to show that the Social Security office has been advised that the minor caretaker's parent's income is being counted for TANF purposes.*

- b. Ineligible Alien Parent - If a parent living in the home with the eligible TANF child is an alien and is ineligible for assistance

* 45 CFR 233.20(a)(3)(xviii)

for himself due to his alien status, the parent's income must be considered available to the eligible child(ren) by applying the deeming procedure in [Section 305.4.F.2.c.](#) below.

- c. Calculating the Deemed Amount - Federal regulations provide the following procedure for determining the amount of income to be deemed available to the TANF assistance unit from the senior parent(s) or an ineligible alien parent,* or a stepparent when the parent is not residing in the home because of military duty, employment or other reason, but the stepparent and parent are married and consider themselves to be living as husband and wife.

The amount to be deemed available is computed by subtracting the following from the verified anticipated gross monthly earned income (use net profit for earnings from self-employment) or gross unearned income of the senior parent(s), ineligible alien parent, or stepparent:

- 1) The first \$90 of gross earned income of each employed person (the deeming disregard)
- 2) The standard of need for household members claimed or who could be claimed as dependents on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return, excluding members of the assistance unit.

If the senior parent, stepparent, or ineligible alien parent has not previously filed a return or states that he will claim a different number of dependents for the current year, use the number of dependents he intends to claim for the current year.

Verify by statement from the senior parent, stepparent, or ineligible alien parent.

Exceptions: The needs of an individual(s) who is not in the assistance unit due to an IPV penalty, failure to comply with SSN requirements, failure to comply with the declaration of citizenship/alienage status requirement, or failure to cooperate with DCSE will not be counted in determining the number of dependents.

- 3) Support, including wage assignments paid to individuals not living in the home who are claimed or could be claimed as dependents on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return.

If the senior parent, stepparent, or ineligible alien parent has not previously filed a return or states that he will claim a different number of dependents for the current year, use the number of dependents he intends to claim for the current year.

* 45 CFR 233.20(a)(3)(vii)

Verify by statement from the senior parent, stepparent, or ineligible alien parent.

- 4) Payments for alimony and child support including wage assignments to individuals not claimed on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return and not living in the household.

Verify by statement from the senior parent or the ineligible alien parent.

The amount remaining after the above deductions will be compared to the Standard of Assistance in determining the eligibility of the AU and the grant amount, if any.

Example 1: The parent of a minor caretaker applies for assistance for the minor caretaker's child. The senior parent explains that she is employed, is able to support her daughter, but does not feel that she should have to support her daughter's child. Because the child of a minor caretaker is not eligible for assistance unless the minor caretaker is also included in the AU, the senior parent must make application for both her daughter and the grandchild. TANF eligibility is determined as follows:

\$1760	Gross Income of Senior Parent
<u>- 90</u>	Less \$90 Deeming Disregard
\$1670	
<u>- 243</u>	Less Standard of Need for 1 person, Group III
\$1427	Amount deemed available to AU
\$ 323	Standard of Assistance for 2, Group III

\$1427 > \$323 (SOA for 2) - AU is ineligible.

Example 2: TANF recipient has an assistance unit of three (mother and two children). The mother reports she was married yesterday; however, her husband is not the father of her children. She reports he has earned income of \$550 a month. TANF eligibility is determined as follows:

\$ 550	Gross Income of Stepparent
<u>- 90</u>	Less \$90 Deeming Disregard
\$ 460	
<u>- 174</u>	Less Standard of Need for 1 person Group, II
\$ 286	Amount deemed available to AU
<u>- 0</u>	Support paid by the stepparent
\$ 286	Amount potentially available to AU
\$ 320	Standard of Assistance for 3, Group II

\$286 < \$320 (SOA for 3) - AU remains eligible.

3. Home Energy Assistance - Payments made directly to a household for home heating or cooling provided by suppliers of home energy, such as electric and gas companies and fuel oil dealers, must be counted as income.* When payments are received jointly by a household composed of TANF and non-TANF individuals, including SSI recipients, the TANF assistance unit's pro rata share, based on the total number of persons in the household, must be considered as income to the TANF unit.

The pro rata share of non-TANF and SSI individuals is not to be counted.**
 Note: Payments made through the Virginia Energy Assistance Program administered by local departments of social services are not considered home energy assistance and are disregarded per Section 305.4.A.16.

4. Public Assistance Benefits Received From Another State - It is possible for individuals who move from another state to Virginia to receive assistance from both states in the same month. However, the assistance paid by the state of prior residence must be considered in determining eligibility and benefit amount in Virginia. The amount of assistance received by the assistance unit from the former state is to be treated as unearned income in the month received.

Example 1: An applicant applies in Virginia on August 30 and receives a grant from Pennsylvania for \$100 in September which covers the period of the last week of August and the first week of September. If the assistance unit is eligible for assistance in September and the SOA is \$320, the \$100 of unearned income is subtracted from \$320, for a grant of \$220.

Example 2: A Group II locality receives an application on September 2 requesting assistance for a parent and two children. The family received a TANF grant from another state on September 1 for \$100 covering the period September 1-15, and the case is terminated in the former state effective September 15. The agency determines eligibility on September 10 (date of authorization). The first payment is calculated as follows:

\$320 - \$100	= \$220	- monthly deficit
\$220/30	= \$7.33	- daily rate
\$7.33 x 21 days	= \$153.93	- prorated deficit
\$153 grant	(rounded down)	

5. Royalties are considered unearned income.
6. Interest earned on cash assets in excess of \$10 a month, such as a bank account or certificate of deposit, is considered unearned income in the month received (available) unless anticipated to be received less often i.e., quarterly, annually, etc, in which case it may be prorated over the period earned if requested by the applicant/recipient. **Guidance** in Section 305.1. B.2 is applicable in determining if the income is "reasonably certain" to be received and, if so, the methods available to use to calculate the anticipated amount. Exception: Interest accrued on exempted **Virginia Individual Development Accounts (VIDA)** or **Assets for Independence Act (AFIA)** funds is not countable income.

* 45 CFR 233.20(a)(3)(xiv)

** 45 CFR 233.53(c)(2)

- (c) Deduct 20% of the remainder* of the assistance unit's earned income if the assistance unit qualifies for this disregard.
 - (d) Deduct anticipated expenses, up to the allowable maximum as specified in Section 305.3.B.5. for care of each incapacitated adult/child, if appropriate, included in the assistance unit if the member qualifies for this disregard.
 - (e) Add any unearned income to the adjusted gross earnings. The result is net countable income.
- Step (4)
- (a) Choose the appropriate Standard of Assistance for the applicant and all members of the assistance unit from the appropriate locality group (Section 304, Appendices 1 and 2).
 - (b) Subtract the net income, including any unearned income from the Standard of Assistance.
 - (c) If there is a deficit of \$9.99 or less, the assistance unit will be ineligible for a money payment; but the case will be deemed to be eligible for TANF and will be carried as an active TANF case.

* 22 VAC 40-295-60

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- b. If the individual requesting to be added to an approved case is not a required unit member, the date of application is the date of the individual's request.
2. Persons Added to a Pending Application - When an individual is added to a pending application, the individual's date of application is the same as for the application already pending.
- H. Effective Date - Effective date means the date that benefits begin or change or are no longer issued. When action is taken to approve a case, the term "effective date" is the same date as the beginning date of assistance (BDOA). When action is taken that results in a change in benefit level, "effective date" means the first day of the month the new benefit amount is issued. When the change involves the suspension or termination of benefits, the effective date of the change is the first day of the month that benefits are no longer issued.

(Note: So that the client understands that no benefits will be issued in the month following a suspension or termination, the language on the ANPA references the last month and day for which assistance is received rather than the month for which benefits will not be issued. The ANPA statement reads, for example: Your benefits will be terminated effective January 31, 20__. ADAPT is programmed so that it will count the last day of the month in computing the time available for the 10-day notice for the change that is effective on the first day of the following month, in this case, February 1, 20__. In the case of a manual ANPA completed by the worker, the effective date will also be the last month and day for which assistance is received.)

- I. Beginning Date of Assistance (BDOA) - When eligibility for financial assistance is determined within 30 days following the date of application, eligibility shall begin effective the date of application. The date of application is the date the signed application was received by the local agency. No payment shall be made for a period prior to the date of application.

If eligibility is not determined within 30 days following the date the application was received, the BDOA will be the first of the next month (month following the month in which the application is received, provided eligibility is determined to exist).

Eligibility must be determined for each month of the application period. Applicants may be ineligible for the month of application and the month of processing, however, if eligibility exist for the future month, approve the application, deny benefits in ADAPT for the month of application and the next month, and grant for the future month.

Refer to Section [401.2.B.2.c.](#) and [d.](#) for adding persons to an existing case.

This would include changes in the need for transportation, child care, or any other supportive service.

Assistance units must report the changes listed above within 10 calendar days from the date the unit knows of the change, but the report is timely if reported by the tenth of the following month. The 10-day period begins the day the change becomes known to the assistance unit. If the assistance unit is uncertain of the exact date or the exact amount of income that has changed, the 10-day reporting period begins the day the change occurs. The change may be reported on the Change Report form, by telephone, face-to-face, by mail, or electronically.

The unit may also report a change of its circumstances with the filing of the Interim Report. Changes may be reported by an assistance unit member or any person having knowledge of the assistance unit's circumstances. When the report is made by mail, it may not reach the local agency within the 10-day period. The assistance unit will have met the reporting requirement if the letter is postmarked within the 10-day period. Substantiation of eligibility factors or verification of any change requested by the worker must be provided by the recipient as soon as possible but no later than 10 days from the date the information is requested.

2) Local Agency Action on Changes

The agency must act promptly to terminate or to adjust benefits when changes in the assistance unit's circumstances or income are reported by the recipient, including information about an impending change reported at application. The TANF case must reflect the following changes:

- changes reported by the assistance unit;
- changes put into ADAPT to meet reporting **requirements** or **guidance** requirements of another program;
- changes to prevent duplicate receipt of benefits including information provided through a PARIS Match; and
- changes that are considered verified upon receipt, such as notification by the foster care worker that a child has been removed from the home and placed in foster care.

Information may become known to the agency through means other than listed above such as information provided by the ESW regarding a VIEW participant. If the change is one that the assistance unit was required to report, the agency must act on the information. If the change is a change that was not required to be reported, the agency must hold the information and evaluate it at the next interim report or renewal, whichever comes first.

Action will be taken according to Section 305.1, page 11.

- b. Substantiation of Eligibility - The recipient must be advised of the need to substantiate eligibility factors whenever a change is reported. When changes that affect eligibility or payment amount occur after the case has been approved, the responsibility for the change lies both with the recipient and the local agency.

If required verification is not obtained or provided in time to prospectively determine eligibility for the next payment or to complete a redetermination by the due date, continuing eligibility cannot be determined and the case will be suspended for one month only. If verification is still not provided, the case will be closed for the month following the month of suspension. (See 401.3.G.4.)

If verification is provided after the action to suspend has been taken, the worker will reinstate assistance for the month of suspension, if appropriate. Or, if verification which establishes continued eligibility is provided after action to close has been taken but before the effective date of closure, the worker will reinstate assistance effective with the month closure was to occur.

- c. Adding Persons Required To Be in the Assistance Unit (AU) - The **AU** must report a new unit member when completing a renewal or Interim Report. If a new unit member enters the home between renewals or Interim Report filing, the report is considered timely provided the individual entered the home after the most recent renewal or Interim Report was completed. **Note: when the new unit member is an eligible child or the parent of an eligible child and he/she enters the home between renewals or Interim Report filing, the report is considered timely only if the AU reports the change within 10 calendar days from the date of the change or by the tenth of the following month.**

The change to add a person required to be in the assistance unit must be made by the agency within 30 days following the date the new member was reported to the agency.

- 1) Eligibility for Payments - Once the agency has obtained either a completed and signed Eligibility Review - Part A form (032-03-0729A) or a signed Statement of Facts and the agency has secured verification of categorical requirements and conditions of eligibility have been met, the individual's needs and income are to be included in determining eligibility and the amount of future payments.

If verifications and conditions of eligibility are substantiated within the 30-day time frame for adding persons or the 30-day period has passed and the agency can document that the delay in providing categorical verifications/meeting eligibility conditions was due to good cause (beyond the assistance unit's control), payments beginning with the date the change was reported

must be recalculated considering the individual's needs and income.

Regardless of whether the new individual's presence is reported timely, if the required categorical verifications are not provided or the conditions of eligibility are not met until after the 30-day time frame established for adding the individual, and the delay was not due to good cause (beyond the assistance unit's control), eligibility for retroactive payments is to be determined beginning with the date the last required verification was received by the agency or condition of eligibility was met. Any underpayments identified must be corrected.

The above procedures will require the proration of the first month's assistance in most instances. (Refer to Section 502.2.A.)

NOTE: Refer to 201.12 for the family cap provision which affects newborn children, some adopted children, and the child subject to the family cap provision who moves back into a parent's home.

- 2) Repayment of Overpayments - If the new individual was not reported timely, overpayments may exist. Follow procedures in Section 503.7.G. to calculate the amount overpaid.

Example: A parent enters the home on October 15 but is not reported to the agency until January 8 of the following year. The last renewal was completed in November, one month after the parent entered the home. All months beginning with the month after the parent entered the home must be evaluated for possible overpayments.

- d. Adding Other Persons - A request to add an individual not required to be in the unit, such as a caretaker-relative other than a parent or EWB, will be processed within the normal 30-day application processing time frame, with eligibility effective no later than the month following receipt of the request per Section 401.1.I.
3. Evaluation of Reported Information - To ensure the applicant/recipient has provided all information necessary for the worker to make a proper determination regarding eligibility, every element on the Statement of Facts (SOF) must be discussed with the client at each application or renewal. If the SOF is not a required part of the case record, every element on the Application for Benefits or the Eligibility Review form (Parts A and B) must be discussed instead.

Additionally, when a change is reported by the client, all elements related to the change must be reviewed to ensure continuing eligibility exists.

When statements, either written or verbal, made by the client are deemed questionable, further evaluation of the client's circumstances is required. Questionable information will include, but is not limited to, statements which are:

- a. incomplete or unclear;
 - b. inconsistent with statements previously made by the applicant/recipient;
 - c. inconsistent with information known by the local agency.
4. Income v. Expenses - In situations where it is obvious the client's monthly expenses exceed verified income, the worker shall discuss with the client how monthly expenses are being met. The worker may not require verification of the client's expenses as a condition of eligibility. Furthermore, assistance may not be denied or terminated based solely on statements made by the client. Rather, the worker shall take this opportunity to explore the client's situation to determine if unreported income is available which allows the assistance unit to meet monthly expenses. The case record must be clearly documented to accurately reflect the client's substantiation of his/her situation. If the worker and the client are unable to resolve the client's circumstances, attempts to do so must also be documented in the case record. It is important to remember, however, that assistance can only be denied/terminated when income is uncovered which, when verified, exceeds prescribed limits or when the client acknowledges he has unreported income but refuses to verify the source and/or amount.
5. Follow-Up on Suspected Unreported Income - When the agency has reason to believe that a recipient is receiving income that has not been reported, the eligibility worker will follow-up on obtaining information to substantiate the recipient's circumstances. Community complaints, expenses exceeding income, a history of not reporting, and cases with individuals living with the assistance unit whose income would be deemed available are examples of the situations which may indicate the need to solicit additional income information. Forms are available in ADAPT that may be used for this purpose. The case record must be documented regarding the agency's reason for sending the income form. However, the income form is not an eligibility requirement; therefore, negative action cannot be taken for failure to return the form. If the agency chooses not to use the income form, the case record must contain documentation of the attempts to clarify the possibility of unreported income.
- C. Interviews - An interview by the eligibility worker is required at the time of initial determination and at least every 12 months thereafter. The interview shall be used to obtain verification and to secure information necessary to complete the application/redetermination process. The interview may be conducted in the office of the local agency, the home of the applicant/recipient, a place agreeable to both parties, or by telephone. Home visits may be deemed necessary or appropriate by the local department.

- D. Practices Specifically Prohibited - The following practices are specifically prohibited:
- (a) Entering a home by force, without knocking or under false pretenses.
 - (b) Making home visits outside of working hours, unless such a visit cannot be arranged during working hours because of the applicant/recipient's employment, or a home visit has been requested by the applicant/recipient. When such visits are necessary, the case record must be documented accordingly. Making visits other than specified is not acceptable under any circumstances.
 - (c) Searching in the home, in closets, drawers or papers, etc.
- E. Recommendation Regarding Eligibility - The eligibility determination must be completed as promptly as possible, but in all cases within the time needed to assure the assistance payment is issued, or notice of denial is mailed to the applicant within 30 calendar days following the date of application.* When the 30th calendar day following the application date falls on a weekend or holiday, the worker must provide a decision on the application by the last working day prior to the 30th day. When the eligibility determination is completed, the eligibility worker is responsible for making a recommendation of eligibility or ineligibility. The recommendation must be supported by the facts recorded in the eligibility case record.

When an application by an otherwise eligible refugee household (which includes most households meeting a qualified alien category) is denied because the household does not meet TANF non-financial requirements, the application will be evaluated for Refugee Cash Assistance (RCA) eligibility following guidelines in the Refugee Resettlement Program Manual. The RCA guidance can be accessed at http://spark.dss.virginia.gov/divisions/cvs/ons/files/policy/sections/section_03.pdf.

Note: In areas served by a Refugee Social Services Employment Program (RSSEP), applicants must be registered and referred to the RSSEP for employment services as a condition of eligibility for RCA. Guidelines for the referral process and contact information for the RSSEP provider are contained in the Refugee Resettlement Program Manual.

- F. Decision of Eligibility - Federal regulations** require a decision be made promptly on applications, in accordance with the State established time standards, unless the application is disposed of under special conditions.

A decision of eligibility or ineligibility must also be made when eligibility is reconsidered as specified in Section 401.3.***

The Code of Virginia, Sections 63.1-109 and 63.1-114, provides that the decision of eligibility is the responsibility of the local board. However, the Superintendent is to take action with regard to eligibility if the local board does not act within the specified time limits or if the circumstances require immediate assistance to prevent hardships or other action. The superintendent's action in such instances is official and not subject to confirmation by the local board; the case must be presented to

* 45 CFR 206.10(a)(3)

** 45 CFR 206.10(a)(8)

*** 45 CFR 206.10(a)(9)

the local board at the next meeting, however, for action on continuing eligibility.

Case Action - This is the formal agency action and is required with respect to initial determination of eligibility and, if eligibility exists, the amount of assistance and BDOA; persons eligible for assistance; method of payment and designation of payee, if other than eligible person; changes in amount of assistance payment; ineligibility for assistance.

All case actions must include the effective date of the action taken. In actions regarding an initial payment, this will be the BDOA.

401.3 RENEWAL OF ELIGIBILITY - Eligibility for TANF recipients must be redetermined on all eligibility factors subject to change at least every 12 months, unless a shorter renewal period is required by SNAP.

A. A renewal of eligibility cannot be considered complete and the renewal date cannot be updated in ADAPT until the following requirements have been met:

1. All elements must be reevaluated and substantiated except date of birth; relationship, if the caretaker remains the same; citizenship; and social security number; or
2. If all required elements have not been reevaluated and substantiated, assistance must be suspended in accordance with Section 401.3 G. The time limit on suspension of assistance (one month unless there is a different reason to suspend for a second month) is applicable to renewal suspensions.
3. The month in which the renewal of eligibility is due to be completed is counted from the date of eligibility (include the month of initial eligibility in this computation) and any changes discovered during the review process should be reflected in the following month, unless such changes are prohibited by the time standards.

Example: Date of Application - July 3
 Date of Approval - July 20
 BDOA - July 3
 Renewal Due - June - Effective July 1

 Date of Application - July 10
 Date of Approval - August 7
 BDOA - July 10
 Renewal Due - June - Effective July 1

 Date of Application - July 21
 Date of Approval - September 5
 BDOA - August 1
 Renewal Due - July - Effective August 1

B. An interview must be completed with the recipient once every 12 months.

1. An interview may be conducted in the office of the local department of social services, the home of the recipient, or a place agreeable to both parties which will insure privacy and confidentiality, or by telephone. Home visits may be made as deemed necessary by the

2. The recipient's rights and responsibilities must be reviewed and explained.
- C. Joint Processing - The Food Stamp Act of 1977 requires that renewals for TANF and SNAP be handled in a single interview when the following conditions exist:
1. When all persons in the case receive TANF and SNAP benefits as the same household, and
 2. When the SOF is completed prior to the month or in the same month in which the certification period ends. (Refer to the SNAP [Manual, Volume V](#), Part 2, H.) The provisions in Section [401.1.A](#). also apply to renewals.
- Joint processing is also required when conducting an Interim Report review. TANF and SNAP cases with the same case number will receive one Interim Report. Information provided must be used to determine both SNAP and TANF eligibility.
- D. Overdue Renewals - In the event that a renewal of eligibility is not completed according to the above, the worker will adjust the time frame by scheduling the intervals at no later than 12 months from the month in which the application is completed. Example: The regularly scheduled renewal was due to be completed in January; however, it is not done until March to be effective April 1. The next renewal will be due in March.
- E. Establishing Separate Assistance Units - A new application must be completed when an individual or family separates from a family group which is receiving assistance and forms a separate assistance unit. The new application must be processed in accordance with **guidance**.
- F. When Completion of a New Application Is Not Required
1. Adding an individual to an existing assistance unit. Verification of all eligibility requirements must be obtained on the new individual and an evaluation of the new assistance unit's need and eligibility must be made. (See [401.2 B.2.c. and d.](#))
 2. A guardian, committee, or personal representative payee is appointed or the payee changes. The new payee, identified as committee or personal representative, must sign a new SOF.
 3. Emergency Assistance is granted to a current recipient of TANF.
 4. The action to deny an application is reversed by a hearings decision.
 5. Action taken to deny an application or close a case as a result of the lack of required verification is reevaluated as a result of information received by the worker within 30 days following the application date or prior to the effective date of closing and eligibility is determined to exist. (See [401.2.B.](#))

- G. Suspension of Assistance* - The grant will be suspended for one month when the agency has reason to believe that ineligibility will exist for only that month. The grant will be suspended for two consecutive months only when the reason for suspension in the second month is different than the reason for the suspension in the first month. For example, a case is suspended the first month because the recipient fails to complete the renewal interview. If the recipient then completes the interview but needs to return information to establish continued eligibility, the case is suspended for a second month to allow the recipient time to furnish the information.

There shall be no instances in which a case is suspended for more than two consecutive months. If the information needed to establish continued eligibility is not provided or renders the case ineligible, the payment for the following month will be terminated and the case closed.

Suspension of a payment is appropriate when:

1. Actual income is being used to calculate the payment according to Section 305.1.B.2. and it is anticipated the recipient will receive a periodic extra pay check in the payment month.
2. Anticipated income causes ineligibility for one month.
3. The agency cannot contact the recipient and contact is necessary to establish continuing eligibility and the recipient cannot be located or agency mail to the recipient has been returned by the post office. The case must be documented on agency efforts to locate the recipient. Suspension shall occur as soon as administratively possible.
4. Information needed to verify a change in circumstances or to substantiate eligibility is not provided in time to impact the next payment. (See 401.2.B.2.)
5. The recipient fails to complete the renewal process.
6. The recipient fails to return an Interim Report (not applicable to FEP cases).
7. The current net monthly support exceeds the current TANF benefit (ADAPT will automatically close the case when net support exceeds the TANF benefit for two consecutive months).
8. A lump sum is received. (See 305.4C)

Exception: The full grant is sanctioned (i.e., the case is eligible for \$0 grant) when a VIEW participant is not in compliance with VIEW work requirements. Since the TANF case is not closed for a VIEW sanction, the sanction is imposed by a suspension of the grant using the appropriate suspension code.

* 45 CFR 233.34(d)

401.4 NOTIFICATION TO APPLICANT/RECIPIENT - Federal regulations require that adequate and timely notice be sent to applicants and recipients to indicate that assistance has been authorized, denied, increased, reduced, or terminated.

"Adequate" means that the notice (Notice of Action) is received not later than the effective date of the action and includes a written statement of what action the agency intends to take, the reason for the action and the specific **guidance** supporting the action. In the case of an assistance unit which has no permanent dwelling or fixed address and is otherwise considered homeless, the notice must be available at the local agency or mailed to another destination agreed upon by the client, such as a nonprofit agency or shelter, local post office, etc., to ensure it will arrive at such destination not later than the effective date of the action.

"Timely" means that the notice (Advance Notice of Proposed Action) is mailed, or available at the local agency in the case of an assistance unit which is homeless, at least ten (10) days before the effective date of the action, excluding the date of mailing and the effective date.

In certain situations timely notice is not necessary but adequate notice is always required.

A. Action Requiring Adequate Notice - Adequate notice must be sent to the applicant/recipient* whenever:

1. Case action is taken to approve or deny an application or a request for an increase in grant; or
2. There has been a delay beyond the time standard in acting upon an application or a request for an increase in grant; or
3. Case action is taken to increase the amount of assistance; or
4. Case action is taken to include an additional eligible person in the grant or to change the number of eligible persons if no decrease in assistance results; or
5. Case action is taken to change the payee or the method of payment;
6. An assistance unit is due a revised amount of benefits (increase or decrease) or the unit is ineligible for benefits based on the evaluation of a completed Interim Report.
7. Client requests closure of a VTP case.
8. VTP recipient transfers to another Virginia locality and is no longer eligible to receive the VTP.
9. A reevaluation of eligibility based on information received within 30 days of the date following the application date or prior to the effective date of case closing occurs.

The notice shall be sent immediately following the case action or at the
*45 CFR 206.10(a) (4)

expiration of the time standard for processing applications, as appropriate.

The Notice of Action (NOA) is used for this purpose. The notice shall state the amount of assistance; the reasons for the action or failure to act and the regulations supporting action taken; and explain the applicant's/ recipient's right to request an agency conference and/or to appeal if he disagrees with the action. The NOA provides all required information regarding appeals. A copy of the pamphlet, "Appeals and Fair Hearings", will be provided at the request of the applicant/recipient but is not required to be sent with the NOA.

- B. Other Action Requiring Adequate Notice - The form, Advance Notice of Proposed Action, will be used to provide adequate notice in certain situations, however, it is not necessary to send it 10 days prior to the effective date of the action. The notice must reach the client no later than the effective date of action. In any situation listed below, the assistance payment will not be issued in the original amount. The following situations would warrant an adequate notice.*
1. The agency has factual information verifying the death of a recipient or of the payee when there is no relative available to serve as new payee and no person who can serve temporarily as emergency payee.
 2. The agency has verified that any member of the assistance unit has been admitted or committed to a mental institution or a correctional facility in which he does not qualify for public assistance.* Note: See **guidance** in [201.5.B](#) to evaluate continued eligibility.
 3. The recipient's whereabouts is unknown and agency mail directed to the payee has been returned by the post office indicating no known forwarding address. (The recipient's check must, however, be made available to him if his whereabouts become known during the payment period covered by a returned check.)*
 4. A recipient has been accepted for assistance in a new jurisdiction within the state and the locality previously providing assistance has written evidence establishing that fact.*
 5. The agency has written evidence that the TANF child(ren) has been removed from the home as a result of a judicial determination or has been voluntarily placed in foster care by his legal guardian.*

* 45 CFR 205.10(a)(4)(ii)

The following procedures are to be followed in preparing the Advance Notice of Proposed Action Form:

1. The date the form is mailed to the recipient and the 1st day of the following month are not counted in the 10 days before the day the action becomes effective.
 - a. When the action being taken is a reduction, the effective date is the first of the following month.
 - b. When action is being taken to suspend or terminate benefits, the date of non-issuance is the first day of the following month.
 2. The notice must include a statement of what action the agency intends to take.
 3. It must include the reasons for proposed action. If the proposed action is to suspend assistance due to the inability to verify a change in the client's circumstances (see Section 401.2.B.2.), the Advance Notice of Proposed Action must also include a statement that if necessary verification is provided, assistance will not be reinstated if such verification renders the case ineligible
 4. The specific **TANF Manual** citation requiring the proposed action must be entered.
 5. In cases of grant reduction, the new amount of the grant must be entered.
- D.** IPV Notice Requirements - Refer to Sections 102.5, 102.8 and 102.13 regarding notice requirements relating to IPV **guidance** and ADH procedures.
- E.** Action Requiring Neither Adequate or Timely Notice - Neither a timely notice nor an adequate notice is necessary when:
1. The assistance unit fails to return a completed Interim Report, provided the agency mailed the assistance unit an Interim Report Form - Request for Action form (032-03-649) and the original Interim Report form.
 2. When the agency acts to reduce or terminate benefits which have been continued in the original amount during an appeal, and the hearing decision is adverse to the recipient.
 3. When a VTP case closes due to one of the following reasons: the employment hours become less than 30; hourly pay becomes less than minimum wage; all of the eligible children leave the home; and, in a two parent household, when a parent who is receiving a VTP leaves the home. Exception: when a VTP case has been transferred and the new locality determines that the client is no longer eligible to receive the VTP, an adequate notice is required.

401.5 INFORMATION TO BE GIVEN APPLICANT/RECIPIENT -

In the process of determining eligibility, the worker must provide the applicant/recipient with the following information:

- a. The applicant/recipient's responsibility to provide accurate and complete information to the best of his ability.
- b. Information Regarding Timely Reporting of Changes
 1. Applicants are responsible for reporting required changes within 10 days of the date of the Notice of Action to approve. Required changes that occurred after the initial interview, but before the Notice of Action to approve must be reported within this 10-day time frame.
 2. Recipients of TANF must report income changes when the income of the household exceeds 130 percent of the federal poverty level for the number of people in the TANF assistance unit at the time of approval or the Interim Report evaluation, as outlined in Section 401.2.B.2. For the purpose of determining income changes that must be reported, "household" includes members of the AU plus required unit members residing with the AU whose income is considered in determining eligibility but whose needs are not included on the grant. See 401.2B(2)(a).
 3. Recipients are required to report address changes (a new physical or mailing address) within 10 days of the change.
 4. Recipients must report when an eligible child **or the parent of an eligible child enters or** leaves the home.
 5. VIEW participants are required to report changes in gross countable income of greater than 130 percent of the federal poverty level based on size of the assistance unit, other changes pertinent to participation in VIEW, including changes in the need for supportive services.
 6. Assistance units must complete an annual renewal, unless a shorter renewal period is required by SNAP. In addition, an interim report must be submitted by the sixth month of the renewal period.

Applicants/recipients must be advised of changes not required to be reported that may increase benefits, such as loss of income and additional family members in the home.

- c. Liability for failing to report changes.
- d. Methods of Reporting

The Change Report (032-03-0051) must be given at each application, reapplication, and renewal, with an explanation of its use.

Changes may be reported by telephone, in person, or in writing.

- e. The agency's responsibility to complete the application within 30 days following the date of application or make indicated changes in amount of payment as necessary.
- f. The applicant/recipient's right to appeal if action is not taken on his application or request for an increase within the required time period of if he is dissatisfied with the agency's action.
- g. The requirements with respect to nondiscrimination.
- h. Social services provided by the agency.
- i. Family planning and early screening, diagnosis, and treatment.

All applicants must be informed of the availability and importance of preventive health screenings (EPSDT) for children up to age of 21. EPSDT or Early and Periodic Screening, Diagnosis and Treatment is a program that focuses on the early identification of health problems through periodic well-child assessment, immunization and follow-up care to resolve any identified health problems. All Medicaid recipients up to the age of 21 are eligible to receive EPSDT services. EPSDT does not require any additional enrollment procedures. Discussion about EPSDT services should be supplemented by reviewing the Department of Medical Assistance Services (DMAS) EPSDT fact sheet with the applicant.

Most recipients will be enrolled in a Medicaid managed care program and, as a result, should be encouraged to contact their MEDALLION Primary Care Physician (PCP), Health Maintenance Organization (HMO) or the MEDALLION Care Helpline at 1-800-643-2273. Non-managed care eligible recipients should also call the MEDALLION Care Helpline to receive a list of Medicaid enrolled doctors or clinics that provide EPSDT services. The recipient should be informed that transportation is provided for EPSDT services at no charge. If the recipient has any difficulty accessing EPSDT

- s. Upon receipt of a notarized acknowledgement of paternity form, notify the applicant/recipient that paternity has been established.
- t. The applicant/recipient must be advised that if any individual who is included in the A.U. does not have a SSN it must be provided or proof of application must be provided.
- u. The applicant/recipient must be advised **that DCSE will send each assistance unit a disregard payment of the first \$100 of child support received each month. The \$100 disregard is only applicable to current child/spousal support payments received each month.**
- v. Provisions regarding continuation of DCSE services following the termination of assistance must be explained to the applicant/recipient.
- w. The provisions described in Section [401.1.A.](#) regarding the single interview and joint application process for TANF and SNAP must be explained to the applicant/recipient.
- x. Provisions for transitional child care benefits per Section [401.7.](#)
- y. In situations where the assistance unit is homeless, the worker must explain the need for the caretaker to keep in contact with the local agency and/or frequently check the mutually agreed upon destination where correspondence and checks will be mailed. The case record must be documented to reflect where the unit wants to receive notices and checks.
- z. Provisions of the family cap **guidance** per Section [201.12.](#)
- aa. 60-month limit on receipt of TANF provision.
- bb. The applicant/recipient's right to voter registration services in accordance with the National Voter Registration Act of 1993. Refer to [Appendix II](#) of Chapter 400 for applicable **guidance**.
- cc. Information on the right to disclose a disability to the agency, and the benefits of doing so by providing the form, Do you have a disability? (032-03-670).
- dd. The fact that applicants and recipients with disabilities are entitled to reasonable accommodations in all aspects of the TANF program, including:
 - 1. Help filling out the application, gathering documents and verifying information establishing eligibility for benefits;
 - 2. Modifications to program requirements if necessary;

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502.1 AMOUNT OF PAYMENT -

A. In the TANF Program - The amount of the monthly payment is the amount of the budgetary deficiency (the appropriate standard of assistance for the assistance unit, as specified in Section 304, less countable income, as specified in Section 305), adjusted to the next lower dollar, except as provided below:

1. Maximum Reimbursable Payment in TANF - The State Board has approved for purposes of reimbursement to localities:
 - a. A ratable reduction in the standard of need for TANF.
 - b. An overall maximum amount of payment established for each group of localities, as shown in [Appendix 2](#) to Section 304.

Any locality wishing to meet up to the full (100%) standard of need and/or to meet the full budgetary deficiency, even though in excess of the maximum reimbursable amount may do so provided (a) the full (100%) standard of assistance is not exceeded in determining need; (b) the additional cost is paid from local funds and (c) the percentage of need met and/or the **guidelines** with respect to payment are used in all cases in the locality.

2. Minimum Payment - If the budgetary deficiency is less than \$10.00, no payment is made. However, if an assistance unit's ineligibility is based solely on this minimum payment provision, the case will be approved and retained as an active TANF case.

Example #3: On September 5, a timely report is received that on that date a sibling of the child(ren) in the assistance unit moved back into the home. The child being added has unearned income of \$30 per month. Eligibility for the child is established on September 13. However, the payment is prorated for the period beginning September 5 (26 days), the date the required unit member entered the home.

\$320 current grant
\$382 - \$30 = \$352 full grant after adding child
\$352 - \$320 = \$32 child's portion to be prorated
 $\$32 \div 30 = \1.07
 $\$1.07 \times 26 \text{ days} = \27.82
\$27.00 (rounded down) supplement for September

If the individual's presence in the home is not reported timely, payment for the first month of eligibility will be prorated from the date the change was reported or became known to the agency. Or, if the unit failed or refused to cooperate in establishing eligibility without good cause, payment will be prorated from the date the last categorical verification is received or eligibility condition is met. (Refer to Section [401.2.B.2.c](#).)

- B. In TANF-UP - Follow **guidance** in 502.2 A. except when a second parent enters the home in an existing TANF case. **Guidance** in [401.2 B.2.c](#) addresses handling the addition of a second parent.
- C. In Emergency Assistance - Payment covers specified needs related to the emergency as specified in Section [203.2](#). Payment is also limited to coverage of needs arising or anticipated during the 30-day period following initial authorization of EA.

4. An emergency payee in an existing case, when a situation, such as sudden death, desertion, imprisonment, or commitment to a mental hospital, unexpectedly deprives the child of the care of the grantee relative. Payment to an emergency payee is for a temporary period, limited to the time necessary to make and carry out plans for the child's continuing care and, in any event, not to exceed 60 days.

B. Vendor Payment - The provider of goods and/or services.

502.5 ISSUANCE OF PAYMENT

A. Issuance Date -

1. The Monthly Money Payment - If the effective date is either the date of application or the first of the month following the month of application, benefits should be authorized at the time of approval. ADAPT will **begin the process to issue the payment on the same business day the benefits are authorized in ADAPT. (Check payments will be mailed by the third business day following this action. Electronic payments will be sent to the individual's account on the next business day.)** Subsequent ongoing monthly payments will be issued on the first of the month to cover the needs for that month.

2. Supplemental Payment - A supplemental payment is defined as a payment given in addition to the pre-authorized assistance payment as a result of a change in circumstances which increases need for a specific month.

Supplemental payments are to be issued immediately using an effective date of the first of the month for which the payment is being issued.

3. Vendor Payments are to be issued after the end of the month, upon receipt of a bill from the provider of goods or services. When protective vendor payments are made in TANF, under conditions specified in Section 502.7, it may be necessary in some instances to issue such payments at intervals during a month.
4. Support Disregard Payments are issued to the custodial parent (CP) by the ADAPT system based on support collection information received from the DCSE automated system, APECS. These payments are issued the week after the NCP pays the support when:
 - the non-custodial parent (NCP) is obligated to pay at least \$100 per month in child and/or spousal support and the NCP has paid at least \$100 in current child support or child and spousal support during the month.
 - the NCP is obligated to pay less than \$100 per month in child and/or spousal support during the month and the NCP has paid the obligated amount of current child and/or spousal support for the month.

Support Disregard Payments are issued to the CP on the first day of the following month when the NCP is obligated to pay at least \$100 per month in child and/or spousal support and the NCP has not paid at least \$100 during the month. Note: If the NCP has not paid any support during the month, no disregard payment will be issued.

Support disregard payments that have to be reissued require the EW to cancel the payment in ADAPT then the DCSE worker to complete a manual adjustment in APECS. After both of these actions have been completed, the replacement payment will be issued by ADAPT as part of an automated process.

- B. Mailing of Checks - All checks, including the initial money payment, are to be mailed via the United States Postal Service, unless the recipient has a justifiable reason for **requesting to appear** in person at the office to **pick-up** the check or for asking that the check be delivered directly to him **by agency staff**. Such reasons should be stated by the recipient in writing and his signed and dated written request should be filed in the case record. A receipt should be secured for any checks delivered personally in the office or in the home. Proper identification should be requested if there is any doubt as to the identity of the recipient.
- C. Direct Deposit - The process by which TANF benefits are electronically posted to a client's bank account. The client must be provided the Direct Deposit Enrollment Authorization form (032-03-672) if he requests direct deposit. The form is available at <http://localagency.dss.state.va.us/divisions/bp/tanf/forms.cgi>. To set up a direct deposit, cancel direct deposit, or if the direct deposit does not post to the client's bank account, see Section 500, Appendix II, Direct Deposit Procedures.
- D. Debit Card - The process by which TANF benefits are electronically posted to a state-issued debit card. Debit card procedures are described at Section 500, Appendix III.
- E. Emergency Payments - Emergency payments shall be issued by local boards in emergency situations or in the event of delay or error in a State issuance of checks for payments of assistance.* The State agency is to reimburse the local board for such payments. In emergency situations which result from lost or stolen checks, the State Department shall assume liability for losses incurred by local boards due to fraudulent acts by recipients provided, however, the local agency referred the case to the Commonwealth Attorney and the decision to prosecute or not has been made by the Commonwealth Attorney. Emergency payments must be issued in these two situations:
1. In the event of lost or stolen checks, a replacement check will not be issued when the payee fails to report the lost/stolen check within 45 days of issuance. A replacement check can not be issued prior to the fourth mail delivery day and completion of the stop payment process. The State Department of Social Services and the local agency must ensure that no undue delays occur in issuing replacement checks. A replacement check must be issued upon receipt of notification that the stop payment process has been completed. This includes receipt of the notarized affidavits by the State Department of Social Services Fiscal Processing Unit (FPU). For a stolen check, the payee must file a police report and provide a copy of the police report or the police report number to the EW at the time of the completion of the three required affidavits. Refer to [Appendix I](#) to Chapter 500 for detailed check handling procedures. The Affidavit on Check Endorsement (032-06-118) is available at <http://localagency.dss.state.va.us/divisions/bp/tanf/forms.cgi>.

* Code of Virginia, Section 63.2-323

2. When reissuing a Full Employment Program (FEP) stipend or bonus payment, the replacement check must be a State-issued check. Do not issue a FEP replacement check from local funds, as no process exists to reimburse the locality.

502.6 INTRASTATE TRANSFERS -

A. Transferring the Case

When a recipient of TANF or TANF-UP moves from one locality to live in another within the state and there is no other change in his circumstances which would render him ineligible, he is entitled to receive assistance without a break. To assure the continuation of assistance without interruption, the following procedure must be used.

1. If the move is the result of the family seeking temporary shelter/housing in another locality within the State of Virginia and the family intends to return to the original locality, the original locality may, at its option, keep the case for up to two payment months. If the family has not returned to the original locality after the second payment has been issued, the case must be transferred in accordance with the procedures outlined below. In making a determination as to whether the original locality should keep the case, the agency should work with the unit and consider the distance of the move and any hardships that would be encountered by the unit in reporting changes, etc. and whether the unit is residing in a different locality grouping. If the case is retained by the original locality, the payment will be based on the payment level of the original locality.
2. If the move is permanent (i.e., the assistance unit does not intend to return to the original locality or if the agency determines that the case should be transferred during a temporary move), the locality from which the recipient has moved (the transferring locality) must, within five working days of notification, complete a desk review and forward the eligibility case record along with a Case Record Transfer Form (032-03-227) to the receiving locality if the case continues to be eligible. The case record must contain all verification and other documentation substantiating eligibility. The transferring locality must forward the entire case file to the receiving locality. If the transferring locality wishes to maintain a part, or all of the case file, they must copy the portion that they wish to keep, and forward all of the original case file contents to the receiving locality.

The eligibility case record must be sent by certified mail, or by a courier service which is under contract with the Department of Social Services, or delivered personally, to the receiving locality and a receipt must be obtained.

Note: If the transferring and receiving agency both use an electronic case record system, the transferring agency may send a compact disk of the case information if that is acceptable to the receiving agency.

If the receiving agency does not use an electronic case record system, the transferring agency must print the case information and send the documents to the receiving agency.

B. Transferring Agency Responsibility

The transferring agency must complete a desk review to assure the correctness of the next payment as the transferring locality is responsible for the accuracy of this payment. The desk review entails reflecting all changes known or reported prior to the recipient's move which affect eligibility or payment and any changes occurring as a result of the recipient's move. As part of the review, the EW will verify the accuracy of the VIEW 24 month clock and the Federal 60 month clock and correct the clocks if they are inaccurate. The desk review also entails making sure that any other follow-up or special reviews have been completed. If the case is overdue for review, the transferring locality does not have to complete a renewal prior to transferring the case.

Local social services agencies may not transfer TANF cases in the following instances:

- The case has a suspension status due to Interim Reporting. Resolve any issues related to the Interim Report then transfer the case to the new locality if the AU remains eligible.

Note: If the AU fails to return the Interim Report to the transferring agency prior to contacting the new locality, the new locality will provide the client with a copy of the Interim Report and receive the returned form as well as the required verifications. **The new locality should then process the IR.**

- The case has a suspension status due to temporary ineligibility for any reason (one month).
- The case has a suspension status because net support is greater than the current TANF benefit.
- The TANF application is pending. The original agency must process the application. The agency must secure sufficient information to process the application unless the applicant elects to withdraw the application.

Cases that have been sanctioned for non-compliance with a VIEW requirement must be transferred, including cases that have been reopened so that benefits can be issued during an appeal of the sanction.

The transferring agency must send the recipient a Notice of Transfer providing notice that their case has been transferred and listing the name, address, and telephone number for the receiving agency. If any changes during the desk review result in ineligibility or a decrease in the grant, procedures with respect to the Advance Notice of Proposed Action (032-03-018) are applicable.

The transferring locality will specify on the Case Record Transfer Form that the month following the month in which they send the form and case record to the new locality is the last month for which they will make payment. If the TANF case was receiving SNAP benefits, the transferring locality must note the impact of the transfer on the SNAP case on the Case Record Transfer form. If the case is open to services, the transferring

locality will immediately notify the service worker of the client's move and new address, and upon completion of the Case Record Transfer Form, will forward a copy to the service worker. Verification of changes which could not be made for the next payment, due to the advance notice requirements, will be included in the case record and will also be specifically noted on the Case Record Transfer Form under additional remarks. The receiving locality will take the necessary action to make the change(s) and send the Advance Notice of Proposed Action immediately.

Grant adjustments necessary to conform with the standard of assistance in effect in the locality to which the recipient has moved must be made effective for the month following the recipient's move. If the adjustment results in a decrease or termination of assistance, timely notice must be given to the client. It is the responsibility of the transferring locality to give timely notice. (See 502.6 D.2. for detailed instructions regarding transfers between Loudoun County and other agencies.)

C. Receiving Agency Responsibility

The receiving locality is responsible for completing a desk review within 5 working days of receiving the case and acknowledging receipt to the transferring agency using the Case Record Transfer form. The desk review must insure that there continues to be an eligible child in the home; inquiry about new employment with earnings greater than 130% of the federal poverty level; and, if a VIEW participant inquiry about reportable changes for VIEW. If the case is a VIEW Transitional Payment (VTP) case, the EW must determine if the client continues to meet all of the eligibility requirements to continue to receive the VTP. The receiving agency must impact these changes, affecting eligibility or payment for the first of the month following the month in which the transferring locality specifies as the last month they will make payment. This is the payment month for which the receiving locality will assume responsibility for the accuracy of the payment. If the receiving locality will not be approving the case, or will be approving it in an amount less than the prior payment, they are responsible for sending the Advance Notice of Proposed Action to the client. If the case is a VTP case and the client is no longer eligible to receive the payment, the EW is not required to send an ANPA. In these instances, the EW will send the client a Notice of Action stating that the VTP will end.

There are no circumstances under which it is permissible for the receiving locality to return the case to the transferring locality (other than the recipient subsequently moving back to the original locality).

D. TRANSFER BETWEEN LOUDOUN COUNTY DSS AND OTHER LOCAL AGENCIES

If the receiving locality will make the next payment following the client's move, changes reflecting either a decrease or increase, caused solely by Loudoun County DSS meeting the standard of need, and the other not, must be made.

If, however, the transferring locality is going to make the next payment the following rule applies:

1. If the receiving locality is Loudoun County, the transferring locality shall not increase the reimbursable amount since it does not have local funds available for this purpose.
2. If the transferring locality is Loudoun County, the payment must be adjusted in accordance with the payment **guidelines** of the receiving locality.

E. HANDLING OF APPEALS

1. If the desk review done by the transferring locality results in a determination of ineligibility, that locality will close the case. When the appeal is validated, the transferring locality will reinstate the grant in the original amount (if client remains in same group) or the amount appropriate to the locality in which the recipient is living. The case should then be transferred to the new locality. The Case Record Transfer form will advise the receiving agency of the appeal, and, if appropriate, the reinstatement of benefits.

When the appeal decision is final, the transferring locality will immediately notify the new locality of the appeal decision so that the appropriate action can be taken. If the case continues to be eligible, the receiving locality will be responsible for recouping any overpayments, by establishing the claim in ADAPT entering the FIPS code for the agency where the overpayment occurred. The FIPS for an agency other than the current FIPS can only be entered during the calculation of the overpayment on BAT185 (Benefit Adjustment 185% Income Test). If the case is found to be ineligible, the transferring locality will be responsible for recovering any overpayments.

2. If the desk review done by the transferring locality results in a reduction of payment, and the client appeals the action, the appeal will be against the transferring locality, but the locality who is making the next payment will be responsible for restoring the grant to the correct level. The transfer procedure is to proceed as usual.

The Regional Hearings Officer will send the receiving locality a copy of the appeal validation and notify them as to the original amount of assistance which must be restored. If the case continues to be eligible, the receiving locality will be responsible for recouping any overpayments. If the case is found to be ineligible, the transferring locality will be responsible for recovering any overpayments.

3. If an appeal is filed due to a decrease resulting from adjustments in the standards of assistance, the hearing will be ALLOWED.

F. MEDICAID COVERAGE

To assure continued Medicaid coverage the transferring locality must immediately change the mailing address in the Medicaid computer as soon as the change is reported. The current city/county code is to be changed simultaneously with the forwarding of the case record and THE REQUEST FOR TRANSFER ACCEPTANCE to the receiving locality.

G. SITUATIONS AFFECTING THE TRANSFER PROCESS

1. Subsequent Moves During the Transfer Process - If the recipient moves to a third locality before the receiving locality can complete their redetermination, the redetermination does not have to be completed. The procedures outlined earlier in this section will be followed to effect this subsequent transfer.
2. Reapplications in Another Agency After Case Closings - If a former recipient of TANF reapplies in another locality, that locality may request the case record from the former locality. The former locality must comply with this request and forward the case record to the requesting locality within five working days of receipt of the request. The former locality should retain the financial and statistical forms.
3. Applicant Moving to Another Locality within the State - In the event an applicant moves to another locality, with the intent to remain there, prior to completion of the initial determination of eligibility, the agency must process the application. If eligibility exists, the case must be transferred following **guidance** under Transferring Agency Responsibilities (502.6.B.). If the application is denied, the agency will notify the applicant using the Notice of Action.

Note: There are no provisions for interstate transfer of cases. If a recipient moves to another state, assistance must be terminated and timely notice sent advising the recipient of the case action.

503.1 DEFINITION OF IMPROPER PAYMENT - A TANF payment made by a local department is improper when the payment is incorrect because: (1) the assistance unit does not meet eligibility requirements in the category (payment received in error/payment to an ineligible case); or (2) payment is in an amount greater than the amount to which the assistance unit is entitled under established guidance (overpayment); or (3) payment is in an amount less than the amount to which the assistance unit is entitled under established **guidance** (underpayment); (4) a VIEW participant is found to have committed an IPV for receiving a payment or purchase on his behalf which is in an amount greater than what he is eligible for or for which he is ineligible.*

Improper payments may occur as a result of overdue reviews or other agency errors or because of erroneous or incomplete information supplied by the client. Improper payments may be revealed by several sources, not necessarily limited to the following: Local Agency Reviews, Quality Control Reviews, Federal Program Reviews, Fair Hearings, or earnings reports furnished by the Virginia Employment Commission.

503.2 STATUTORY PROVISIONS FOR REFUND OF OVERPAYMENTS AND PAYMENTS TO INELIGIBLES - In the operation of any program of public assistance in any locality, for which program appropriations are made to the Department of Social Services, it is provided that if a payment or overpayment is made to an individual who is ineligible therefore under federal and/or State statutes and regulations, the amount of such payment or overpayment shall be returned to the Department of Social Services by the locality. However, no such repayments may be required of the locality if the Department determines that such overpayment or payments to ineligible resulted from the promulgation of vague or conflicting regulations by the Department's Home or Regional Offices or from the failure of either of the offices to make timely distribution to the localities of the statutes, rules, regulations, and policy decisions causing the overpayment or payments to ineligible to be made by the locality. Further, no such repayment will be required from situations where a locality exercised due diligence, yet received incomplete or incorrect information which caused the overpayment or payment to ineligible(s). If a locality fails to effect the return, the Department of Social Services shall withhold an equal amount from the next disbursement made by the Department to the locality.**

The criteria used for determining if a locality exercised due diligence are as follows:

- A. A redetermination was not outstanding (overdue) in the case in question unless:
1. The agency has received permission from the State to suspend reviews, or
 2. It can be shown that the error was the result of the client willfully withholding information which would not have been discovered by verifications required at the time of the review, or
 3. The error had not occurred at the time of the scheduled review.

* 2002 Acts of Assembly, Item 362

** Acts of Assembly, Appropriations, Budget Bill

- B. The error was not the result of an anticipated change that was overlooked.
- C. The error was not the result of the client reporting a change that the agency failed to follow-up on.
- D. The error was not the result of failure to use available management tools.
- E. The case record must be thoroughly documented regarding efforts to obtain information.

503.3 PERIOD SUBJECT TO REPAYMENT Overpayments and payments to ineligibles which shall be repaid to the State will be assessed for each month (effective April 1, 1973) in which the recipient fails to report earned or unearned income from a new source or other changes, such as composition of the assistance unit, etc.; for each month the agency failed to take appropriate action within the time limit specified on a change reported by the recipient; or for any incorrect payment which is identified by Quality Control.

503.4 COMPUTATION OF REPAYMENT Standards and **guidance** which are in effect at the time of the improper payment shall be used in determining the amount of repayment to be made. A standard and/or **guidance** is considered in effect in relation to a specific case after the date when (1) a standard or policy has become effective by State Board action in all cases or (2) a standard or **guidance** has become effective in new and reviewed cases and the particular case is (a) a new case, (b) a case in which a review is due or (c) a case in which a change in circumstances has necessitated a partial review. Exception: Recoupment/recovery **guidance** in effect at the time of discovery of the overpayment(s) is to be used in determining the amount to be repaid.

When an overpayment to an ineligible has been identified by the state or federal agency, a report is submitted promptly to the local department. Ten (10) working days, from the date the report was sent to the locality, is allowed for the agency to concur or register its exception to the findings with the regional office utilizing the concurrence memo. The regional office will provide an opportunity for resolution of the differences and render decisions within thirty (30) working days. The resulting decision is subject to appeal to central office. However, only appeals in which the final decision was not made in accordance with established **guidance** will be accepted.

3. Discuss methods of repayment with the individual. If the individual refuses to cooperate, secure a written statement from the individual that he refuses to repay the overpayment.

Once reasonable efforts to collect the overpayment have proven to be unsuccessful, the agency must document the case record with evidence that further recovery efforts would equal or exceed the amount of the over-payment. Such evidence may include the cost of staff time, the cost of legal/attorney fees, or any other evidence the agency has which demonstrates that further recovery efforts would not be cost-effective. The agency head, or his designee, will make the final determination as to whether further efforts would be cost-effective.

- C. Retention of Information - The agency must maintain information on individuals no longer receiving assistance who received an overpayment which was waived, including overpayments less than \$35, for three years. (See 100.4 for information about the Library of Virginia schedule for retention of specific types of information.) The agency must initiate recoupment procedures should one or more of those individuals again be found eligible to receive assistance.
- D. Intentional Program Violation (IPV) - In situations involving a TANF/VIEW IPV, the agency must make every effort to collect the overpayment regardless of the amount; the overpayment may not be waived. See Section 102 for **guidance** on handling Intentional Program Violations (IPV).

503.7 - Calculating Overpayments - There are several factors which must be considered when calculating overpayments (IPV and non-IPV).

- A. Determination of Continued Eligibility - When any change in circumstances which caused an overpayment is still in effect at the time of discovery, the agency must first prospectively determine the client's continued eligibility.
- B. Determination of When the Overpayment Began - The worker is to determine when the overpayment began and secure all verifications necessary to calculate the overpayment. The overpayment began the month following the month the change occurred or as soon as administratively possible per guidance at 401.2B.

Example: In June the worker discovers that an eligible child left the home on August 5 of the previous year. The child should have been reported no later than September 10. Overpayments must be calculated beginning with the October payment. The overpayment amount is the difference between the grant received each month and the correct grant for the actual number of eligible members living in the household.

G. Overpayments Resulting from Incorrect Composition of the Assistance Unit
When it is discovered that an individual required to be in the assistance unit is living in the home, it must be determined if an overpayment occurred. This determination is to be made as follows:

1. Redetermine eligibility for each month beginning with the month following the month the individual entered the home or was required to be in the assistance unit, including the individual's needs, and actual income. Any resulting overpayments must be recouped/recovered.
2. If during the period in which the individual was required to be in the unit he had no income or his needs exceeded his income, an underpayment has occurred only for the months in which all categorical requirements were met and the conditions of eligibility are retroactively deemed to be met per Section 401.2.B.2.c. (See Section 503.9).

H. Determining the amount of the overpayment when support has been paid for a child in the TANF assistance unit.

1. The agency must determine the amount of support paid for children in the AU using the report, TANF Cases, Current Collected Support and Expected TMPs.
2. Current monthly support paid to DCSE not redirected to the recipient must be subtracted from the total TANF payment issued for the month:

Example: A \$254 TANF payment was made for the month of April. The amount subject to recoupment is \$254 (Group II, AU = 2), minus total current support collected by DCSE in April (the month the overpayment occurred), which was \$150; therefore, the April overpayment is \$104.

I. Determining Overpayments Resulting from Redirected Support Paid to the Client

1. An overpayment must be determined when a TANF recipient who was receiving support at the time of TANF application fails to redirect following TANF case approval.
2. An overpayment will not exist when DCSE returns to the client support which the recipient has redirected to DCSE.
3. An overpayment amount will be determined for new support not redirected to DCSE only when the support amount will cause the total income for the AU to exceed 130% of the Federal Poverty Level.

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601.2 REFERRAL OF CASE INFORMATION TO DIVISION OF CHILD SUPPORT ENFORCEMENT - Federal regulations specify that the local agency is responsible for reporting to the Division of Child Support Enforcement (DCSE) all identifying information regarding each absent parent including putative and legal fathers, to aid in the securing of support and establishing paternity for TANF cases.* This information must be provided concurrent with action approving the application or adding a child to a case, and is reported to DCSE. The information is collected on the Absence Deprivation/Paternity 501 series screens in ADAPT. The collected information is transmitted or forwarded to DCSE upon case approval or action to add a child.

Copies of documents, such as paternity statements, birth verifications, and court orders or divorce decrees, if available, are to be submitted at the time of case approval by attaching the legal document or supplement to the "Document Transfer Cover Form," form number 032-03-0275) and sending it via the courier pouch to the DCSE district office serving your locality.

A. Referral of TANF Cases

All TANF children with at least one parent absent from the home, including unestablished paternity, must be referred to the Division of Child Support Enforcement (DCSE).* This referral is to be completed for each absent parent (AP), including legal fathers and putative fathers (whether the putative father is living in the home or not).

A 501 must also be completed for SSI children with at least one parent absent from the home upon case application or action to add a child to an existing assistance unit. System coding prevents children with an 'Exclusion Code' of A17 (SSI or AG Recipient) on EDDRVA (Non Financial Results) to be transmitted to DCSE. This child will be considered Non-TANF and support collected for this child will be sent to the custodial parent.

Current support paid to DCSE and sent to the custodial parent for the SSI child will not display on the TANF Cases, Current Collected Support and Expected TMPs report.

No referral to DCSE is to be completed for a deceased legal parent, a deceased putative father, TANF-UP parents, a court convicted legal parent living in the home who is doing unpaid community service, the caretaker's absent spouse who is not a parent of one of the children in the assistance unit, or the absent parent of a child subject to the family cap provision, or the father of a child conceived by artificial insemination from an anonymous donor. In addition, no referral to DCSE is to be completed for an adoptive parent, a biological parent, or a putative father when there is a court ordered termination of Adoptive Parents Rights for a child. The client's statement is acceptable verification of the parent's status (reason for absence, including death), unless there is reason to question the information provided.

* 45 CFR 235.70

602.1 REDIRECTION OF SUPPORT MONIES FROM NON-CUSTODIAL PARENTS - Federal regulations* state that in cases where an assignment of support is effective, support payments shall be made to Support Enforcement. The assignment is effective upon case approval. Therefore, any child support, including court ordered support, paid to the assistance unit from the non-custodial parent subsequent to case approval must be redirected to Support Enforcement. Once this support is redirected, it will not be considered in determining the amount of payment, until such time as the net support, when added to other countable income, is sufficient to meet the total needs of the assistance unit.

602.2 TREATMENT OF SUPPORT - The following sections will outline when support received from a non-custodial parent in cash or in-kind is to be considered available to the assistance unit and counted accordingly. The term "total needs" used in the following is the statewide standard of assistance. The local worker's responsibility is limited to determining the amount of support received by the applicant/recipient from non-custodial parents, and determining eligibility and amount of assistance payment based upon the policy set out below.

602.3 SUPPORT FROM NON-CUSTODIAL PARENTS ABSENT FROM THE HOME

During the initial determination of eligibility, the first \$100 of monthly child support received, or expected to be received, by the applicant will be disregarded in the eligibility screen and grant calculation. If the amount received or expected to be received is less than \$100, the entire amount is to be disregarded. All remaining support (net countable) will be considered as income for computing the amount of any payment made to the family for a period prior to the first TANF assistance payment. This procedure applies to [A.](#), [B.](#), [C.](#), and [D.](#) below.

* 45 CFR 302.32 (A)

If the family is determined to be otherwise eligible according to policy, assistance must be granted without delay. Child support received from non-custodial parents during the application processing stage, less the first \$100 of total support received, or expected to be received, will be considered as income to the A.U. for any payment made to the family for a period prior to case approval. The disregard of the first \$100 of child support is also applicable to support received, or expected to be received, from a putative father during the application processing stage. Additionally, this disregard will be applied to support from the putative father subsequent to case approval until the recipient redirects such support to the Division of Child Support Enforcement.

A. Absent Parent or Acknowledged Father

Determine the amount of support received from the non-custodial parent.

1. Subtract the first \$100 from the total child support received to determine net support.
2. If net support when added to other countable income is sufficient to meet the total needs of the assistance unit, eligibility does not exist.
3. If such support when added to other countable income, is insufficient to meet total needs of the assistance unit, the budget will be computed showing total needs minus other countable income. The support received will not be counted as income after case approval. The applicant/recipient must be advised that all future support received must be forwarded to Support Enforcement. See 305.4.E.2. for exceptions.

602.5 HANDLING OF SUPPORT PAYMENTS COLLECTED BY THE STATE

State and federal regulations require that all support paid for or on behalf of a child or caretaker receiving TANF must be directed to the State as a refund toward public assistance paid on behalf of such children or caretaker.*

Federal regulations require the Support Enforcement agency to notify the agency administering the TANF program, of the amount of support collected which represents payment on the required support obligation for each month. The notification requirements are accomplished through the report, TANF Cases, Current Collected Support and Expected TMPs, **which is** displayed monthly and accessed by local agencies **thru TANF Supplemental Reports on SPARK**. This report shows support collected by the State in the prior month on the required support obligation. The report is available online by the 15th of the month following the month in which the support was collected. The local agency administering the TANF program is required, upon being informed of the report, **to review the report for the net support amount** to determine if **this amount is** sufficient to make the family ineligible for an assistance payment.**

Under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 states were given the option to continue the \$50 disregard payments to TANF recipients, where appropriate. Based on the Deficit Reduction Act of 2005, Virginia opted to increase the disregard payment to \$100.*** No disregard payment, shall be made, however, for a month in which there is no support collected.**** When support is collected from two or more absent parents, only the first \$100 of the total support collected will be paid to the assistance unit and disregarded. The disregard will be issued to TANF recipients when the TANF case has a status of 'GR' (granted), 'GV' (granted VIEW), or GF (granted FEP).

TANF case with 'SU' (suspended) status for any reason, will be sent the current total collected support (including the \$100 disregard) for the actual month of suspension by DCSE.

A. Notification to Local Agencies

The report, TANF Cases, Current Collected Support and Expected TMPs, displays current support payments paid to DCSE on the required support obligation from non-custodial parents for the month identified on the report. The monthly TANF benefit **amount and the net support amount** (total current monthly support, minus the disregard) will also display on the report.

This report must be accessed and reviewed monthly. The amount of support shown on the report should be used as outlined below:

- * 45 CFR 302.32(a) and Section 63.2-1909, Code of Virginia
- ** 45 CFR 233.20
- *** Public Law 109-171
- **** 45 CFR 233.20

1. Compare the net support to the current monthly TANF amount.
2. If the net support does not exceed the monthly TANF amount no further action is needed on the TANF case.
3. If the net support is greater than the current monthly TANF amount ADAPT will suspend the payment.
4. When the net support is greater than the current monthly TANF amount for two consecutive months,
5. When the report shows an 'R' in the 'Net Support' column, the worker must run ED/BC and grant the case before cutoff of the report month.

Redirected support paid to DCSE will not be screened at either 185% or the standard of assistance.

Child support payments which exceed the TANF grant amount will be marked by one or two asterisks on the TANF Cases, Current Collected Support and Expected TMPs. The number of asterisks denotes **the number of** months the net child support has exceeded the monthly TANF grant amount. **One asterisk will be displayed when the net support amount has exceeded the TANF benefit for one month.** ADAPT will automatically suspend cases marked with one asterisk. Two asterisks will **be displayed** when **the net support amount has exceeded** the TANF benefit for two consecutive months. ADAPT will automatically close TANF cases marked with two asterisks in the month that the two asterisks appear on the TANF Cases, Current Collected Support and Expected TMPs report. **The ADAPT system will automatically generate the appropriate notices for these types of suspension or closure.**

Support Enforcement will then, on all cases in which eligibility no longer exists, take action to redirect the support to the family in lieu of the public assistance payment.

Note: The report, TANF Cases, Current Collected Support and Expected TMPs, and inquiry into the Automated Program to Enforce Child Support (APECS) through Systems Partnering in a Demographic Repository (SPIDER) system are the only acceptable means of verifying support amounts that have been redirected to and are collected by the Division of Child Support Enforcement. One of these sources must be used in determining continuing eligibility for public assistance.

Support reported by a client is to be verified at the time it is reported if it has not yet been re-directed to DCSE. Timely action is to be taken to close the case if the support causes ineligibility.

The only exception to using the TANF Cases, Current Collected Support and Expected TMPs report or APECS inquiry is direct communication with the district DCSE representative. The DCSE representative should only be contacted when the recipient disagrees with the listed amount. The case record must be documented with the date, amount, and name of the DCSE representative

However, the time frame for taking action remains the same. If the case is determined to be ineligible, the case must be suspended before cutoff of the month in which the **TANF Cases and Current Collected Support** report was received by the agency.

B. Handling of Support on Suspended TANF Cases

Suspended cases will have mailed to them from DCSE the current total (includes \$100 disregard) collected support for the actual month of suspension.

Process

- TANF case is suspended in ADAPT in a current month, effective the 1st of the next month.
- ADAPT sends to DCSE the suspension status at the end of the month in which the suspension was entered.
- DCSE changes the case status in APECS from TANF to Non-TANF at the beginning of the suspended month.
- DCSE sends the client all support collected in the actual month of suspension, within two days of receipt.

Suspended TANF cases may be reinstated when the recipient has satisfied the requirements of the reason for suspension. Cases suspended due to net support exceeding the TANF payment amount (SU 013) must not be reinstated for the month of suspension.

When it is appropriate to reinstate the TANF case, change the status from 'SU' to 'GR', 'GV', or 'GF', and ensure payment is made for the appropriate month(s).

- If reinstating for the month of suspension complete a benefit calculation for the month of suspension counting the net support (minus the first \$100) sent to the client from DCSE.
- The support for the month of suspension must be verified through APECS and the net support counted in the benefit calculation.
- Additional support payments sent from DCSE to the client in the month of suspension after the payment has been reinstated must not negatively impact the client.
- If the 'GR', 'GV', or 'GF' is for the month following the month of suspension ADAPT will calculate the payment amount.

EXAMPLES:#1

TANF case is suspended effective July 1 - Interim Report not returned to agency. A completed Interim Report is received July 12th. The AU has zero countable income.

Eligibility worker is reinstating the grant on July 14th
APECS shows a total of \$189 has been sent to the client.

Grant amount	\$320.00	Mailed support	\$189.00
		Disregard amount	<u>-100.00</u>
			\$ 89.00

Grant amount \$320 - \$89 = \$231 TANF supplement for July

Another payment in the amount of \$102 is made to DCSE on July 23rd and mailed to the client on July 27th. The support payment mailed to the client will not cause an overpayment.

#2

The **TANF Cases and Current Collected Support** report in June shows case with a 'SU 013' - suspended due to excess support. The net support is \$519, the monthly TANF payment is \$320. One asterisk displays in the column 'Net Support'.

ADAPT has suspended this case effective July 1st.

ADAPT will send a 'trigger' to DCSE at the end of June.

DCSE will change this case to Non-TANF for the beginning of July.

All current support paid to DCSE from the non-custodial parent(s) in the month of July will be sent to the TANF recipient.

★This case must not be reinstated.

#3

The '**TANF Cases and Current Collected Support**' report in June shows TANF cases with a 'SU 010' - VIEW Sanction; 1st Sanction. The net support for May is \$466 with a monthly TANF payment of \$451. One asterisk displays in the column 'Net Support'.

ADAPT has suspended this case effective July 1st.

ADAPT will send a 'trigger' to DCSE at the end of June.

DCSE will change this case to Non-TANF for the beginning of July.

All current support paid to DCSE from the non-custodial parent(s) in the month of July will be sent to the TANF recipient.

- ★ VIEW requirements met on July 16th, TANF benefit reinstated July 19th, effective August 1st.

The worker does the following:

1. Runs ED/BC and authorizes the August payment with a 'GV'.
2. A supplemental payment is not issued for the month of July.
(The VIEW fixed sanction period of one month must be served.)

INFORMATION TO BE GIVEN TO APPLICANT/RECIPIENT

In the process of determining eligibility, the local worker must explain thoroughly, the following:

- A. Assignment of Rights (Section 201.9)
- B. Cooperation in Obtaining Support (Section 201.10)
- C. Redirect of Support Payments to State (section 602.1)
- D. Referral to Support Enforcement (Section 601.2)
- E. Legally Responsible Relatives (Section 601.3)

SCREENING PROCEDURE

ITEM TO BE EXPLAINED

DETAILS TO BE GIVEN

- | | |
|--|---|
| A. Assignment of Rights
(Section 201.9) | A. 1. What the assignment of rights means to applicant/recipient;
2. How the assignment is executed;
3. When the assignment is effective;
4. What absent legally responsible relatives are covered by assignment of rights;
5. Assignment is automatic upon receipt of assistance - recipient relinquishes all right, title and interest in all support owed by absent responsible persons and must redirect.
6. Period of time assignment covers. |
| B. Cooperation in Securing Support and Good Cause (Section 201.10) | B. Advising applicant/recipient of their responsibilities as outlined in 201.10 and the penalty for failure to cooperate unless good cause exists. |
| C. Redirect of Support Payments
(Section 602.1) | C. Applicant/recipient must be informed that:

1. Contact with absent legally responsible person will be made and such person will be instructed to mail support payment to the State. |

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Appendix 1 - Diversionary Assistance Examples

- C. The assistance unit has:
- experienced a loss of income in the six months prior to the date of application which has resulted in the current emergency, or
 - experienced a reduction in income in the six months prior to the date of application which has resulted in the current emergency, or
 - a delay in starting to receive income resulting in the current emergency. (The income must be scheduled to start within 60 days following the date of application.)

The income that is lost or reduced must be the earned or unearned income of the applicant or other household member who would be part of the assistance unit for TANF purposes or whose income would be considered available to the assistance unit. (See 302.7) The lost or reduced income cannot be the income of an individual who could not be included in the assistance unit, nor can the income be a gift to the household.

The loss of, or reduction in, TANF or Refugee Cash Assistance benefits will not be considered as meeting the loss or reduction of income requirement.

The loss or reduction of income requirement will not be met if the loss or reduction of earned income is due to a voluntary quit without good cause. Good cause includes circumstances beyond the applicant's control, such as but not limited to, loss of child care, transportation, illness of the applicant or a family member, or another emergency situation.

- D. The worker must have verification of the loss of income, reduction in income, or the anticipated start date of new income.
- E. The worker must determine that diversionary assistance will resolve the one-time emergency or crisis situation.
- F. The emergency or crisis situation does not result from debts owed as a result of receipt of TANF assistance in any state (including Virginia). This will include all previous TANF overpayments, overpayments for services, and debts incurred for child support. Note: Diversionary Assistance funds cannot be used to pay for debts owed as a result of the receipt of TANF assistance in any state.

801.6 DETERMINING THE AMOUNT OF THE PAYMENT

The exact amount of the diversionary assistance payment will be the maximum TANF amount for four months or the amount of the applicant's needs, whichever is less. The payment cannot exceed the total TANF payments that the recipient would otherwise be eligible to receive in four months. The diversionary assistance payment for applicants reapplying for TANF with four or less months remaining on the VIEW clock or the TANF 60 month clock will be calculated following the same guidelines as for other applicants.

In determining the applicant's need for assistance, consider the applicant's immediate ongoing income only. Do not include terminated income or anticipated income in determining the applicant's need. Do not enter terminated or TANF anticipated income in ADAPT. Follow these steps to determine the amount of the diversionary assistance payment:

- A. Calculate a maximum diversionary assistance amount - Compute the monthly grant amount for the Assistance Unit. Any ongoing income, such as social security income, will be counted. (Income from a terminated source, or income that has not started, is not considered ongoing income for diversionary assistance purposes.) Multiply the monthly grant amount by four.
- B. Determine the **basic needs (as described in 801.1)** of the assistance unit - The **diversionary assistance** amount can cover **more than one basic** need and can include items such as shelter payments, utility payments, and transportation assistance. (**Note: When the need is vehicle repair, the vehicle must be registered - either solely or jointly - in the name of at least one of the household members applying for assistance.**) Document the case as to the needs that will be covered and the verified cost of providing for each need. **The case record must contain copies of documents (such as bills, cut-off notices, rental agreements, and automobile repair estimates) that verify each need.**

Choose the most cost-effective, appropriate solution to the applicant's needs. For example, if the emergency has created a need for transportation, the agency may calculate the cost of bus tickets versus the price of repairing the car.

- C. Compare the amounts in A and B - The lesser amount of A and B is the amount of the diversionary assistance payment.

Example: Ms. Z applies for diversionary assistance for herself and two children. Her car broke down, and she is unable to get to work. As there is no countable income, the maximum she can receive is \$1,280 ($\$320 \times 4 = \$1,280$). There is no other transportation available, and Ms. Z needs her car to get to work. Ms. Z provides verification that the repairs to her car will cost \$900. Since \$900 is less than the maximum available DA payment amount of \$1280 and Ms. Z did not report any additional needs, the worker should approve diversionary assistance of \$900.

801.7 PERIOD OF INELIGIBILITY

- A. If an assistance unit receives a diversionary assistance payment, it shall be ineligible for TANF for up to 160 calendar days beginning with the date that the diversionary assistance is issued. To determine the period of ineligibility follow these steps:
1. Determine the monthly amount of TANF for which the applicant is eligible. If an Intentional Program Violation (IPV) has been committed, exclude the disqualified individual's needs from the monthly grant amount. Follow IPV procedures in Section 102.3.A. Note: To determine how many months will be counted as months of disqualification to be deducted from the individual's IPV penalty period, divide the number of days that are covered in the payment amount (as determined in step 3 below) by 30. Round up to the next whole number.
 2. Divide the amount determined in Step 1 by 30. This is the daily amount of assistance.

Ms. Ortiz works between 25 and 40 hours a week and earns \$8.00 per hour. She worked 30 hours the last week in October and will receive her final paycheck on 11/9. That paycheck, for gross income of \$240.00, will be the only income, earned or unearned, that she and the children will receive for November. Ms. Ortiz states that she is optimistic that she will find a job in the next week or so, but does not have enough money to pay her November car payment of \$325, her rent of \$900 and her **utility** bill, including arrears, of \$163.

Ms. Ortiz's situation meets the Diversionary Assistance requirement of a crisis situation which can be solved by short-term aid, and she meets TANF income and other eligibility criteria.

While Ms. Ortiz has \$240.00 in earned income for November, the income is not counted in determining the amount of assistance since it is from a terminated source. The income is not entered on the income grid. Her needs total \$1388 which exceeds the maximum diversionary assistance payment of \$1280. The diversionary assistance granted is the maximum payment of \$1280. Ms. Ortiz's sister agrees to give her \$108 to combine with the maximum diversionary amount so that the crisis situation can be resolved.

The household has no countable income.

Grant Amount	\$ 320.00 (Group II, SOA for 3 = \$320)
Maximum DA period	<u>x</u> 4 months
Total Diversionary Allowable	\$ 1280.00
Applicant Need	\$ 1388.00 (\$325.00 car pmt + \$900.00 rent + \$163.00 utility bill)
Diversionary Issued	\$ 1280.00

EXAMPLE #3:

Mr. and Mrs. Carter apply for diversionary assistance on 7/25 for themselves and their three young children. Mr Carter's employer, a small manufacturer supplying the automobile industry, closed abruptly on 3/20. The employees were given no notice and no severance pay. Mr. Carter received his last paycheck, which included his wages through the day the plant closed, in the mail the next week. Since then, the family has survived with the help of family and friends, and a hardship withdrawal of \$12,000 from his small 401k. The balance in the 401k is now \$2,000 and Mr. Carter is hesitant to use it since the family will then be destitute. The family is requesting help with August rent and utilities.

Since the Mr. Carter's employment income from March is from a terminated source and since the loss of income occurred within the six month preceding the application date, it is not considered in determining eligibility for Diversionary Assistance and is not entered on the income grid. The family has no other income and the case passes the 185% screen.

Because Mr. Lawrence's income has not yet started, the income will not be considered in determining his eligibility for diversionary assistance. The delay in the receipt of income will meet the Diversionary Assistance **guidance** requirement. His anticipated income will not be entered on the income grid.

The Standard of Assistance for a family of two in a Group III agency is \$323. The maximum diversionary assistance payment is \$1292. (Note: The number of months used to calculate the maximum diversionary assistance amount is always 4 without regard to the number of months on the VIEW clock or 60-month clock at application).

Grant Amount	\$ 323.00 (Group III, SOA for 2)
Maximum DA period	<u>x</u> 4 months
Total Diversionary Allowable	\$ 1292.00

Applicant Need	\$ 1150.00 (\$575.00 rent + \$575.00 security deposit)
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Diversionary Issued	\$ 1150.00
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Example #5:

Ms. Clark applied for Diversionary Assistance on 8/15 after her boyfriend, Mr. Lawrence, moved out earlier in the month. They had lived together for four years and he is the father of her two children. He had been the sole support of the family. Ms. Clark has an AS degree in Business but has not worked since her youngest child was born two years ago.

Mr. Lawrence did not pay the \$827 mortgage on their home which was due 8/1, the telephone and electric bills which total \$125, or make the \$235 car payment on Ms. Clark's car. Ms. Clark began looking for employment as soon as she realized that Mr. Lawrence had left permanently and has found full time employment at \$11.20 an hour beginning 8/20. Her first paycheck for one week's pay will be received on 9/3.

Because Ms. Clark has found employment and will be able to support her family in the future, the loss of income (from Mr. Lawrence) can be considered a temporary loss as required by Diversionary Assistance **guidance**. She meets the other criteria for Diversionary Assistance.

Grant Amount	\$ 389.00 (Group III, SOA for 3)
Maximum DA period	<u>x</u> 4 months
Total Diversionary Allowable	\$ 1556.00

Applicant Need	\$ 1187.00 (\$125.00 utilities + \$235.00 car pmt + \$827.00 mortgage)
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Diversionary Issued	\$ 1187.00
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EXAMPLE #6:

Mrs. Noel applied for diversionary assistance on 12/3 for herself and four children. She has been employed by the same company for three years, working 30 hours per week, but has just received notification that all employees

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- C. Individuals unable to participate because of a temporary medical condition that prevents entry into at least **20** hours per week of employment and training activities, as determined by a medical professional. For these individuals, use Exemption Code V5 - Exempt, Temporary Medical Condition, on the ESP/VIEW/FSET (AEGNFS) screen. (Note: Pregnancy does not exempt an individual from participation. However, complications of pregnancy, as diagnosed by a medical professional, may result in a medical exemption).

A medical professional is defined as a medical doctor, including psychiatrist, or doctor of osteopathy, or a licensed physician's assistant or nurse practitioner working under the auspices of a medical doctor or doctor of osteopathy. This definition of medical professional also applies in [901.2F](#) below.

The individual must provide the local agency a completed Medical Evaluation (form 032-03-0654) completed by the medical professional that states the nature and scope of the incapacity, including abilities and limitations of the individual, and the duration of the incapacity. The duration indicated is measured from the date the form was completed and signed by the medical professional. If the medical form does not specify the duration of the medical condition, or if the form is otherwise incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical.

The form is to be completed by a medical professional with thorough knowledge of the condition(s) that are believed to limit or prohibit the client's ability or participate in VIEW. Typically, this is the doctor or other medical professional who is currently treating the client for the condition. If, however, in the opinion of the agency, the client's condition is such that it should be evaluated by a specialist, then the specialist should make the evaluation, complete and sign the form.

Medical exams necessary to determine exemption status for VIEW or to assess a VIEW participant's ability to participate in the program will be arranged through Medicaid when possible. When medical coverage does not exist, the agency will pay for the first medical exam using VIEW funds, or other funds the agency deems appropriate. The agency may pay for additional exams, but is not required to do so.

The agency may choose to request and pay for a 2nd evaluation from a medical professional whenever the 1st evaluation is deemed by the agency to be inadequate to determine the client's exemption status, or ability to work or participate, or is otherwise questionable.

Note: If the agency is unable to secure a medical evaluation for a person required to participate in VIEW, the individual will be referred to VIEW. The ESW will work with the participant to secure a medical evaluation as part of the VIEW assessment process.

If the individual is unable to participate in VIEW for at least **20** hours per week because of a temporary medical condition substantiated by a medical statement, the eligibility worker must obtain a new medical and reevaluate the exempt individual's incapacity immediately following the

anticipated end of the incapacity as originally noted. **If the duration indicated on the form is for more than 12 months, or is identified as permanent, a new form must be obtained every 12 months.** Disability is defined at 101.1D and in Chapter 1000, VIEW definitions).

If the physician indicates that the individual is able to participate in employment and training activities but is limited in the types of activities that can be performed, or the hours of participation, the eligibility worker must refer the individual to VIEW and share the information with the ESW so suitable accommodations can be arranged. The employment services worker must work with the individual to find suitable component assignments, taking into account any limitations indicated by the physician. The agency shall ensure that reasonable accommodations are made if needed.

Note: If there are two parents in the assistance unit and one parent is exempt because of a temporary medical condition or disability, the case is a TANF case rather than a TANF-UP case.

- D. Individuals who are incapacitated, as determined by receipt of Social Security Disability benefits or Supplemental Security Income. The EW must answer "Y" to Disabled on AEDEM4 and complete the AEIDIS screen. For these individuals, use Exemption Code V6 - Exempt, Permanent Incapacity, on the ESP/VIEW/FSET (AEGNFS) screen.

The eligibility worker must refer persons with a permanent incapacity to vocational rehabilitation using the Referral to Rehabilitative Services form (032-03-0302-00)
<http://localagency.dss.virginia.gov/divisions/bp/tanf/forms/general.cgi>.
Only one referral is necessary and no follow-up is required.

Note: If there are two parents in the assistance unit and one parent is exempt **because of a permanent incapacity as determined by receipt of Social Security Disability benefits or Supplemental Security Income**, the case is a TANF case rather than a TANF-UP case.

- E. Any individual 60 years of age or older. For these individuals, use Exemption Code VT - Exempt, Age 60 or Over, on the ESP/VIEW/FSET (AEGNFS) screen.

- F. An individual who is needed on a substantially continuous basis to care for a family member living in the household. The family member must have a verified disability. The family member must have caretaking needs that will prevent the caregiver from participating in work activities. "Caretaking needs" that prevent the caregiver from participating in work activities include the need for attendance, supervision and home care, and other needs related to the family member's disability. When the family member who requires care is also a member of the AU, the EW must answer "Y" to Disabled for that individual on AEDEM4 and complete an AEIDIS screen for that individual. For the individual who will provide the care (caregiver), use Exemption Code V7 - Exempt, Caring For Disabled Household Member, on the ESP/VIEW/FSET (AEGNFS) screen.

A medical professional must complete a Statement of Required Presence of Caregiver form (032-03-0020) to verify the family member's condition, and the need for the individual to be available on a substantially continuous basis. The date the form was completed will be used in conjunction with the anticipated duration of the need for the caregiver's presence to determine when the exemption will end. For example, if the individual provides a form on November 1 which states the medical professional completed the form on October 1 and the expected duration of the need for a caregiver is 60 days, the exemption would be allowed until November 30 (60 days after October 1). If a new form was not provided by November 30, the caregiver would be referred to the Virginia Initiative for Employment not Welfare (VIEW) program.

A new Statement of Required Presence of Caregiver form must be obtained immediately following the anticipated end of the need for the caretaker. If the duration indicated on the form is for more than 12 months, or is identified as permanent, a new form must be obtained every 12 months. Exception: if the disabled individual who requires a caregiver is an SSI or SSDI recipient and the medical professional does not provide a specific duration of less than one year for the anticipated need for a caregiver, the form will be completed annually and the exemption allowed for 1 year.

If the documentation does not result in exemption from VIEW, the documentation must be forwarded to the VIEW worker. If the disabled family member is out of the home for substantial parts of the day, for example to attend school, then this exemption is not appropriate.

- G. A parent or caretaker/relative of a child under twelve months of age who personally provides the care for a child. For these individuals, use **either** Exemption Code V1 (Exempt, Child In the AU Under 12 Months) **or** Exemption Code V9 (**Exempt, Caring for Child Under 12 Months In Household, Not In AU**) on the ESP/VIEW/FSET (AEGNFS) screen. **An individual can receive this type of exemption for a maximum of 12 months in his/her lifetime.**

In a double caretaker assistance unit in which one parent is incapacitated, the eligibility worker must refer the other caretaker for participation unless he can provide a written doctor's statement indicating that the incapacitated caretaker is unable to care for the child under twelve months.

NOTE: A parent who gives birth to a child subject to the family cap provision (refer to Section 201.12) may be granted a temporary exemption of not more than six weeks after the birth of the child. For these individuals, use V2 - Exempt 6 weeks after birth of family cap child, on the ESP/VIEW/FSET (AEGNFS) screen. **This exemption status will also be used for a parent who has reached the 12 month lifetime limit for use of the V1/V9 exemption then gives birth to another child (who is not capped).**

In the VIEW Program, a parent whose needs are removed from the grant must participate unless otherwise exempt. Reasons why the parent's needs have been removed from the grant include, but are not limited to, noncooperation with DCSE; disqualification for IPV violation; a drug felony conviction; failure to provide a Social Security number; **and failure to establish citizenship, eligible alien status, or legal presence.** In addition, a parent whose needs are not included in the grant due to the stepparent deeming requirements, 305.4.F., or due to the sponsored alien deeming requirements, 305.4.D., must participate in VIEW, unless otherwise exempt.

A parent who does not meet TANF categorical requirements (parent is an SSI recipient or parent who is an illegal alien) is not required or eligible to participate in VIEW. For illegal aliens, use Exemption Code VU - Exempt, Illegal Alien, on the ESP/VIEW/FSET (AEGNFS) screen.

Unless otherwise exempt, a parent who is a court convicted offender serving a sentence while still living in the home should be referred to VIEW if he is allowed by the court to leave home to work or attend education/training activities.

TANF-UP - In a TANF-UP case, both parents must be referred for participation, unless one meets an exemption; only one parent can be exempt. If both parents meet an exemption criterion, they must decide who will be referred for participation. If the household's situation changes and the recipients wish to change the VIEW participant, they may do so upon request and after advisement from the ESW or EW. Exception: The recipients may not switch VIEW participants in order to avoid termination of the case or in order to avoid or cure a sanction.

When both parents are under the age of 18 they are exempt. However, they may volunteer until they attain the age of 18. Any months in which the individual participates in VIEW will be counted toward the 24-month limit on the receipt of TANF. For this reason, these individuals should be encouraged to stay in school to continue their educations instead of volunteering for VIEW.

Volunteers - Recipients of SSI benefits and illegal aliens are ineligible for inclusion in the TANF assistance unit and therefore cannot volunteer to participate in VIEW.

To the extent that funding is available, agencies may serve TANF recipients who are exempt from VIEW and who choose to volunteer. **Applicants can volunteer for VIEW only after the TANF application has been approved. They are eligible for the VIEW enhanced disregards in the month following the month the VIEW APR is signed.** The eligibility worker must advise all volunteers that once they enter VIEW by signing the Agreement of Personal Responsibility they have the same rights and responsibilities as mandatory participants. **If the individual is not able to meet the same participation requirements as a mandatory recipient, the individual will not be enrolled in the VIEW program.**

VIEW volunteers are given a trial period of up to 12 consecutive months of participation. During this trial period, volunteers will not be sanctioned for failure to comply with VIEW program requirements. If the volunteer fails to participate as agreed, the VIEW worker will advise the client to terminate her volunteer status and again become exempt or will take this action on the client's behalf. The client will not be able to volunteer a 2nd time during the 12 month trial period and maintain her volunteer status. She has forfeited the balance of her trial period by her failure to participate as agreed. Volunteers who elect to volunteer a 2nd time during the 12 month trial period or to continue in VIEW beyond the 12 month trial period, are required to participate and will be sanctioned if they fail to do so without good cause.

Exception: If a volunteer becomes totally disabled during the 12 month trial period (verified by a Medical Evaluation Form) or if the volunteer becomes a caregiver for a relative living in the same residence, (verified by the Statement of Required Presence of Caregiver Form) the volunteer's original twelve month period can be interrupted as long as the TANF case is still open. Once the individual is no longer totally disabled, or is no longer needed to provide care for the relative, she may volunteer again for the remainder of the 12 month volunteer period as long as she continues to be exempt from mandatory participation in VIEW.

A former VIEW volunteer whose TANF case is closed may reapply for TANF, and, assuming she continues to be exempt from VIEW, may once again volunteer to participate in VIEW and be granted a new 12 month trial period.

Note:

Non-parent caretakers who meet the financial requirements of Section 304.2 and are included in the assistance unit must participate in VIEW unless otherwise exempt. These individuals are mandatory VIEW participants, not VIEW volunteers. **However, these individuals are not subject to sanction for failure to participate as required. Instead, the non-parent caretaker will be removed from the TANF grant and the TANF case will remain open as a child only case. If the case closes and the household reapplies for TANF, the non-parent caretaker who was removed from the TANF grant for failing to participate in VIEW must be referred to VIEW (unless otherwise exempt) if the individual wishes to be included on the TANF grant.**

901.3 RESPONSIBILITIES OF THE ELIGIBILITY WORKER - Regarding VIEW, the eligibility worker must:

- A. Determine VIEW or exemption status prior to the initial approval, at redetermination when adding an individual to the assistance unit, or when a change in the individual's situation would affect her VIEW status. Such determinations should be documented in the case record. Additionally, the appropriate system VIEW status code should be entered on AEGNFS.

Explain the exemption criteria to all applicants at application and to recipients at redetermination, and explain their obligation to report changes affecting their status. The recipient must provide information and verify all reported changes in exemption status. The eligibility worker must change the exemption status in the month in which the change is verified.

Exempt individuals who lose their exemption status must be referred to VIEW in the month in which the exemption ends. Mandatory individuals who become exempt must be advised of the status change and their right to participate in VIEW as volunteers. Note: Changes that result in VIEW status changing from exempt to non-exempt but which are reported late, do not constitute an overpayment.

- B. Provide a copy of the completed "Do You Have a Disability?" form (for the adult applicant or payee who completed the application for TANF) to the ESW for the VIEW record when the adult is referred to or volunteers for VIEW.
- C. Explain the requirements of the VIEW Program and the related supportive services to all applicants/recipients at application and redetermination. Information should also cover the transitional child care and transitional transportation benefits available when the TANF case closes. All applicants and recipients, including non-parent caretakers in the assistance unit, who are not mandatory must be offered the opportunity to volunteer for the VIEW Program.
- D. Advise all applicants/recipients of the sanctions/penalties that apply for failing/refusing to participate in VIEW, without good cause. The VIEW worker will evaluate good cause.
- E. Refer those individuals who have been determined to be exempt from participation on the basis of incapacity to the appropriate state vocational rehabilitation agency using the Referral to Rehabilitative Services Form. The eligibility worker should provide available medical and other appropriate information with the referral.
- F. Review the individual's exempt/non-exempt status when changes are reported and as a part of the TANF eligibility redetermination process, unless the eligibility worker determined the individual to be 60 years old or older, or permanently incapacitated.
- G. Enter the date that the APR was signed on AEGNFS then run ED/BC. As of March, 2008 the EW will only have Inquiry access to the 24-month clock.

Note: The ESW will be responsible for starting and maintaining the 24-month clock in ESPAS.

- H. Advise applicants/recipients who are exempt from VIEW that they may volunteer to participate in VIEW, unless they are SSI recipients, convicted offenders serving sentences while still living in the home, or illegal aliens.

In the case of a recipient who has become employed and wants to volunteer for VIEW in order to receive the VIEW enhanced disregards, the EW will advise the individual to contact the VIEW Worker to schedule the VIEW initial assessment appointment.

- I. Advise all volunteers that once they enter VIEW by signing the VIEW Agreement of Personal Responsibility that they have the same rights and responsibilities (**including the number of required hours of participation each week**) as mandatory participants. As voluntary participants, however, they can withdraw from the VIEW program without penalty at any time within the twelve-month trial period and cannot be sanctioned for failure to comply with VIEW unless they elect to continue in VIEW after the end of the twelve-month trial period.
- J. Make appropriate changes in the computer system which affect the individual's VIEW status. The VIEW worker will be notified via the computer system of these changes. This includes, but is not limited to, the individual's:
1. Being removed from the assistance unit;
 2. Obtaining employment;
 3. Losing his employment;
 4. Changing his exemption status (e.g., changing from exempt to non-exempt and vice versa);
 5. Moving from one locality to another; or
 6. Having a VIEW sanction lifted when advised by the VIEW worker or when a sanctioned individual becomes exempt after the minimum sanction period has elapsed;
- K. Upon notification from the VIEW worker indicating that a non-exempt individual claims to be exempt, verify the exemption claim and notify the VIEW worker of the findings within thirty (30) days. If the eligibility worker is unable to verify an exemption claim, the individual will continue in non-exempt status in VIEW until verification is received.
- L. Sanction the TANF case by suspending the grant based on the VIEW worker's recommendation. The EW will send the ANPA (**032-03-0018**) within three working days of receipt of the notification from the VIEW worker.
- M. Upon notification by the VIEW Worker that, prior to the scheduled date of the initial VIEW assessment date, the recipient has made a request that the TANF case to be closed, the EW will close the TANF case per the recipient's request. The EW will send the ANPA (**032-03-0018**) within three working days of receipt of the notification from the VIEW worker.

If the recipient subsequently requests that the TANF case be reopened prior to the effective date of the case closure, she must complete the initial assessment appointment before the TANF case will be reopened.

- N. Upon notification from the VIEW worker that the recipient has refused to attend an initial assessment appointment or refused to sign the Agreement of Personal Responsibility without good cause, close the TANF case. Enter a VB on the AEGNFS Screen. (The client will be required to sign the Agreement of Personal Responsibility as a condition of eligibility if she reappplies for assistance.) The EW will send the ANPA (032-03-0018) within three working days of receipt of the notification from the VIEW worker.
- O. Obtain verification and impact the assistance payment when a recipient obtains employment.
- P. Send the Advance Notice of Proposed Action to the recipient at least sixty days prior to the case termination effective date when the 24-months time limit is to expire.
- Q. Upon notification from the VIEW worker indicating that the VIEW participant is being placed in a Full Employment Program (FEP) placement, suspend the TANF payment per 901.14. The eligibility worker must conduct a prospective determination of eligibility in the last month of the FEP placement.
- R. When closing a TANF case with a VIEW participant, determine VTP eligibility. Inform the ESW when a VTP is started or terminated in ADAPT.
- S. Close the VTP case when the client is no longer eligible.
- T. Transfer the VTP case when a client moves to another locality in Virginia. Note: It is the responsibility of the receiving agency to determine if the client continues to meet all of the VTP eligibility requirements.

Note: For a complete list of alerts received by the VIEW worker when the EW completes an action in ADAPT, please refer to Chapter L of the ESPAS manual <http://spark.dss.virginia.gov/support/adapt/espas.cgi>.

901.4 RESPONSIBILITIES OF THE VIEW WORKER - The VIEW worker must:

- A. Send a Communication form, within three working days, to advise the EW when a recipient requests the closure of the TANF case prior to the scheduled date of the initial VIEW assessment.

Note: If the recipient subsequently requests that the TANF case be reopened prior to the effective date of the case closure, she must complete the initial assessment appointment before the TANF case will be reopened. The VIEW worker will make every effort to schedule this appointment prior to the effective date of the TANF case closure. Additionally, the recipient will be advised that if she fails to attend the appointment, the TANF case will be closed based on her original request.

- B. Have the recipient sign the VIEW Agreement of Personal Responsibility as part of the initial assessment interview.

Note: Explain Intentional Program Violation (IPV) reporting requirements and penalties to the participant. See Section 102.*

Obtain a copy of the "Do You Have a Disability?" form from the EW. If the EW failed to have the client complete the form, the ESW will complete the form with a client and give a copy to the EW for the TANF record.

- C. Enter the date that the recipient signs the VIEW Agreement of Personal Responsibility as the assessment date in ESPAS. By transmitting from the EECLOC screen, the ESW will start the participation counter in ESPAS that will track the 24-months of TANF eligibility. The ESW will maintain the 24 month clock in ESPAS.
- D. Advise the eligibility worker, within three working days, when a non-exempt recipient refuses to sign the VIEW Agreement of Personal Responsibility.
- E. Determine in which component(s) an individual must participate and whether he complies.
- F. Report to the eligibility worker, within three working days, any changes which financially impact the recipient, which have occurred in the VIEW activities of the TANF or TANF-UP recipient such as securing of employment or entering the Full Employment Program.
- G. Advise the eligibility worker that a case is to be sanctioned and the appropriate sanction period. The EW will send the ANPA (032-03-0018) within three working days of receipt of the notification from the ESW.
- H. The VIEW worker will advise the eligibility worker of the date the individual began to comply. However, the sanction will not be removed until the sanction time frame elapses. If participation begins after the fixed period, the grant will be prorated for the month in which he begins to participate.

* 2002 Acts of Assembly, Item 362

- I. Notify the eligibility worker of changes associated with FEP participation that require action. Changes may include initiation of a FEP stipend, issuance of a supplemental payment to the participant, issuance of a replacement check to the employer, or evaluation of continuing eligibility upon termination of the placement. Notification is sent using the FEP Communication Form (032-03-655). The form is available online and may be sent by email. The online version can be accessed on the intranet at <http://www.localagency.dss.state.va.us/divisions/bp/tanf/forms.cgi>.
- J. Inform VIEW participants that they have a right to request screening at any time if the individual suspects that he or she may be having difficulty at an assigned activity as the result of a disability, and if the screening indicates that the individual is likely to have such a problem, he or she has the right to be referred for an assessment by a qualified professional to determine whether the individual does have such a problem.
- K. Inform VIEW participants that screening and assessment to identify disabilities and other barriers to program participation are voluntary. Ensure that a copy of the "Do You Have a Disability?" form is in the VIEW record.
- L. Inform VIEW participants that they have a right to meet with the VIEW worker to discuss the need to revise the Activity and Service Plan to reflect disabilities, or those of household members that affect the ability to engage in work activities or require accommodations.
- M. Inform VIEW participants that they have a right to an Activity and Service Plan that includes the supports, services and any needed accommodations that will be provided to the individual that will enable the individual to participate in work activities or other program requirements.
- N. Complete job follow-up for VTP and inform the EW when the participant is no longer eligible for the VTP.
- O. Federal regulations require that protective services be made available to any child on whose behalf TANF is being requested or received when it appears that the child is being neglected, abused, or exploited or is in a situation which is otherwise detrimental to his welfare. If the VIEW worker has reason to believe that a child, on whose behalf TANF is being applied for, or received, is in an unsuitable environment because of known or suspected instances of physical or emotional injury, it is the responsibility of the VIEW worker to make a referral to the services staff for protective services.

Known or suspected instances of physical or emotional injuries include instances of sexual abuse or exploitation, and negligence and/or maltreatment of such child under circumstances which indicate that the child's health or welfare is threatened.*

Note: For a complete list of alerts received by the EW when a VIEW worker completes an action in ESPAS, please refer to Chapter L of the ESPAS manual <http://spark.dss.virginia.gov/support/adapt/espas.cgi>.

901.5 PARTICIPATION AND COOPERATION REQUIREMENTS

- A. Agreement of Personal Responsibility - As a condition of eligibility, all non-exempt individuals must sign a written Agreement of Personal Responsibility (APR). **Except in the circumstance outlined in D below, an individual who signs an APR is a VIEW participant at the point the TANF application is approved and will be considered to be participating in VIEW unless notice is received from the VIEW worker that he has failed or refused to participate.**

The **Agreement of Personal Responsibility** will, at a minimum, explain the 24-month time limit and **the following participant responsibilities:**

1. To seek employment to support his own family.
2. To participate in assignments made by the case manager.
3. To notify the case manager of any change in the participant's circumstances which will impact the participant's ability to satisfactorily participate in the program.
4. To accept a job offer. Refusal to accept a job offer may result in a sanction if so determined by the VIEW worker.
5. To arrange and find transportation and day care. The case manager will assist the participant if he has tried, but has been unable to find transportation or day care.

B. When an APR Must Be Signed:

1. **At the initial VIEW assessment and upon re-referral following a reapplication or a period in which the individual was exempt.**
2. **When a TANF case was closed while a sanction was still in effect and the sanctioned individual later reapplies for TANF, a new APR must be signed at the time the individual returns to the VIEW program. (The individual will return to the VIEW program only after the sanction has been lifted because the minimum fixed sanction period has been served and the individual has completed an act of compliance.)**
3. **At the time of application if the client reapplies for assistance after the case was previously terminated for failure to sign the APR.**

- C. Refusal to Sign the Agreement of Personal Responsibility (APR) - If the VIEW Worker advises the EW that a mandatory individual has refused to sign the Agreement of Personal Responsibility the TANF case must be closed as soon as administratively possible. **(Note: If the individual who failed to sign the APR is a non-parent caretaker, the EW will remove that individual's needs from the TANF grant and the case will remain open as a child only case. The individual cannot be included in the grant until an APR has been signed or the individual has become exempt.)** Refusal to sign the APR means overt refusal to sign or failing to appear without good cause for an initial assessment interview in which the APR was to be signed. The VIEW Worker will notify the EW that the client did not appear for the initial assessment interview by sending a communication form requesting the EW to send the Advance Notice of Proposed Action to the client.
- D. Subsequent Reapplication after Refusal to Sign the APR - Upon a subsequent re-application for TANF, the applicant(s) determined to be VIEW mandatory must sign the Agreement of Personal Responsibility before **a final determination of eligibility and issuance of benefits, if appropriate.** Either the EW or ESW may obtain the applicant's signature on the Agreement (Note: This is the only instance in which the EW may obtain the signed APR). If the Agreement of Personal Responsibility has not been signed within the application processing time frame (refer to Section 401.1.E), the TANF application must be denied. The signing of the APR is not a condition of eligibility for TANF if the case has been closed 24 months.

- Applicant has not received TANF during the past 24 months:
If the applicant has countable earnings and has not received TANF (and subsequently participated in the VIEW program) during the past 24 months, the EW will not enter the date the APR was signed on the AEGNFS screen but will change the "VB" to a "VR" and continue to process the application in accordance with [Section 305](#).

If the applicant is determined to be ineligible based on countable income, the EW will deny the case. The signed APR will be filed in the TANF case record and a Communication Form sent to the ESW to notify him/her that the individual has signed an APR but the TANF application was denied. This APR date will not be entered in ADAPT at any time.

If the applicant is determined to be eligible based on income screenings at Section 305, the EW will replace the existing "VB" on the AEGNFS screen with a "VV" and enter the date the APR was signed. The EW will keep a copy of the APR in the TANF record and will send the original to the ESW so the individual can be enrolled in VIEW. (Note: The copy of the APR serves as notification to the ESW to schedule an appointment for the individual as these individuals do not appear on the VIEW Worker's Queue.) **The VIEW grant calculation will be applied beginning the month following the month the APR is signed.**

- Applicant has participated in VIEW during the past 24 months:
If the applicant has countable earnings and has participated in the VIEW program in the past 24 months, the EW will not enter the date the APR was signed on the AEGNFS screen but will leave the "VB" and continue to process the application in accordance with Section 305.

If the applicant is determined to be ineligible based on countable income, the EW will deny the case. The signed APR will be filed in the TANF case record and the case thoroughly documented so the individual will not have to sign another APR as a condition of eligibility at a subsequent application. Additionally, a Communication Form will be sent to the ESW to notify him/her that the individual has signed an APR but the TANF application was denied. If the individual reapplies, the EW will enter a "VA" and the date of the APR that was signed when the applicant participated in the VIEW program (not the date of the APR that was signed as a condition of eligibility) on the AEGNFS screen.

If the applicant is determined to be eligible based on income screenings at Section 305, the EW will replace the existing "VB" on the AEGNFS screen with a "VV" and enter the date the APR was signed. The EW will keep a copy of the APR in the TANF record and will send the original to the ESW so the individual can be enrolled in VIEW. **The VIEW grant calculation will be applied beginning the month following the month the APR is signed.**

- A. The VIEW payment calculation applies to the following:
1. Unsubsidized employment and,
 2. On the job training or subsidized training listed in Chapter 1000, Section 7.C.4.
- B. This calculation does not apply to the following:
1. FEP Program in Chapter 1000, Section 7.C.2, and
 2. Hardship cases (Section 901.9).

The VIEW payment calculation differs from the grant calculation located in Appendix 3 to 305.

An individual who is working when they sign the Agreement of Personal Responsibility is entitled to the VIEW earned income calculation the month following the month in which they sign the Agreement. If it is not administratively possible to impact that payment, a supplement must be issued.

For those VIEW participants who obtain unsubsidized employment during VIEW participation, the VIEW earned income calculation is to be used for grants effective the month following the month when employment begins. If it is not administratively possible to impact that payment, a supplement must be issued.

VIEW participants do not have earned income screened at 185% and the standard of assistance. They may receive the standard deduction from gross income and 20% of the remainder,* and child or adult care costs as disregards.

To calculate the VIEW payment (TANF grant), the eligibility worker must follow the steps in Appendix 1 to this chapter.

See Chapter 900, Appendix 1 for the VIEW Grant Calculation, Appendix 2 for VIEW Income Examples, and Appendix 3 for the Federal Poverty Level table.

A TANF recipient who enters the VIEW program erroneously, i.e., the recipient did not report earnings that he received or expected to receive prior to entering VIEW that would have made the case ineligible for assistance using the 185% and standard of assistance income screenings, must have continuing eligibility determined by using 185% and standard of assistance screenings (see Section 305.1.A.) If the case does not pass the 185% and standard of assistance screenings, the case must be closed as soon as administratively possible. If the case is eligible at the standard of assistance screening, the VIEW grant calculation is appropriate for the month following the month in which the earnings were reported to the agency. Overpayments should be calculated per 503.7.

Note: For a case that contains an individual who is a VIEW participant, the VIEW grant calculation applies to the total countable earnings of all required assistance unit members.

901.8 VEHICLE VALUE LIMIT - Repealed effective December 1, 2003.

901.9 TWENTY-FOUR MONTH LIMIT FOR TANF ELIGIBILITY - An assistance unit participating in the VIEW Program is limited to twenty-four months of TANF eligibility. The twenty-four months of eligibility is an accumulated period of time, which includes any month that an individual was a mandatory participant on the first day of the month.

A month in which the TANF grant is suspended is counted as a month of participation. When a mandatory VIEW participant becomes exempt, the case is placed in inactive status, or the TANF case closes, the 24-month count stops. If a TANF case closes with months remaining in the 24-month period, the count will resume at the point it stopped, when a new TANF application has been approved and a new Agreement of Personal Responsibility has been signed.

An assistance unit (AU) that had time left on the clock when the TANF case closed begins a new twenty-four month period if the AU did not receive TANF for at least twenty-four months after case closure. **(Note: This does not apply to cases that were not closed but were in a suspended status. For TANF purposes, a suspended TANF case is considered to be an open TANF case even though no benefits are issued for the month of suspension. Therefore, if the reason the AU did not receive TANF for a particular month was due to suspension instead of closure, that month will not be included in the count of months in which the AU did not receive TANF.)** Sanctions will not carry over into a new twenty-four month period.

Hardship Exception to the Twenty-Four Month Time Limit:

The VIEW worker may grant a hardship exception according to the hardship criteria found in Section 1000.24. The VIEW worker must notify the eligibility worker when the hardship exception is to end, allowing time for the ten-day Advance Notice of Proposed Action to be mailed by the eligibility worker to the participant. The eligibility worker must close the TANF case. A hardship exception is an extension of the time limit and cannot be granted during the period of ineligibility (see 901.11).

A TANF case that is granted a hardship extension is not eligible for the VIEW grant calculation. (See 901.7.)

24-Month Time Limit Rules for Two-Parent Cases:

Prior to March, 2008, the 24-month clock advanced simultaneously for both parents even if only one parent participated in VIEW. Effective March 1, 2008, the 24 month clock will advance based on actual months of VIEW participation for each parent.

1. Each parent will have his own VIEW clock. The months on the clock will advance only when the parent participates in VIEW, or is in a VIEW sanction.

When a VIEW participant leaves the assistance unit for any reason, the time on his clock stays on his individual clock. If the other parent did not participate in VIEW, she does not have a 24-month clock. If she has participated in VIEW, her VIEW months will stay with her.

Note: When either parent reaches 24 months on the VIEW clock, the TANF case will close. All family members in the household at the time of the TANF case closure will be subject to a VIEW period of ineligibility.

assistance unit member during Ms. Smith's VIEW participation in which the period of eligibility had expired. Joe will remain ineligible for receipt of TANF until the entire 24-month period of ineligibility has expired.

Example #2: Ms. Smith, who is a TANF recipient with her sons Josh and Joe, began participating in the VIEW Program in March 1996. Josh moved out of Ms. Smith's home in June 1996 to move in with his aunt. The aunt applied for TANF, on Josh's behalf, in June 1996. The aunt's TANF application for Josh may be approved, if Josh is otherwise eligible, because Ms. Smith's TANF case was not in a period of ineligibility when Josh left.

- A. EXCEPTIONS: (1) If the caretaker dies during the period of ineligibility, the children may receive TANF with another relative, if otherwise eligible. (2) A minor parent or child who turns 18 during the period of ineligibility may apply and receive TANF in her own right for herself and her child(ren), if otherwise eligible. (3) If it is determined that the caretaker (both caretakers in a two-parent TANF household) became totally disabled during the period of ineligibility or became required to care for a disabled family member living in the household, and such a disability or situation prevents the individual from being self supporting, the caretaker and children in the family may receive TANF benefits without regard to the period of ineligibility. The worker must assist the parent in pursuing other benefits, as appropriate. (4) If a child is removed from the home of a parent as a result of a child protective services report or complaint during the period of ineligibility and is placed in the home of a relative, the relative may be eligible to receive assistance if otherwise eligible.

A Medical Evaluation (032-03-0654) completed by a medical professional will be used to verify the disability of the caretaker. (The client's disability will be considered total if the medical indicates that she cannot work **20** hours a week or more). The disability must be re-evaluated based on new verification at the end of the anticipated duration as noted on the medical statement or every 90 days whichever occurs first. If the medical form is incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical.

When the caretaker is needed on a substantially continuous basis to care for a family member who is living in the household (the family member does not have to be included on the TANF grant), the family member must have a verified physical or mental disability and must have caretaking needs that prevent the caregiver from being self supporting. These caretaking needs include the need for attendance, supervision, and home care, and other needs related to the family member's disability. A medical professional must complete a Statement of Required Presence of Caregiver form (032-03-0020) to verify the family member's condition, and the need for the caregiver to be available on a substantially continuous basis. If the disabled family member is out of the home for substantial portions of the day, the caretaker will not be considered to be needed on a substantially continuous basis, and the TANF benefits will not be extended beyond the 24th month.

When the disabled caretaker is eligible to receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), on-going verification of the disability will not be required. When the disabled family member who requires a caregiver is eligible to receive SSI or SSDI, additional verification of the need for a caregiver for the disabled family member will

The FEP placement and stipend periods are a fixed six-month period **unless the case will reach either the 24-month or 60-month limit on the receipt of TANF. Under those conditions, a shorter placement (of at least three months) can be established so that the placement end will coincide with the end of the receipt of TANF benefits.** The placement begins the month FEP employment begins and ends on the last day of the **final month of the placement**, e.g., placement begins June 10 and continues through November 30, and the corresponding stipend period begins on July 1 and ends on December 1. The begin date of placement cannot be a date within the last 11 days of the placement month **due to notification requirements for TANF recipients (as the TANF payment is suspended during the FEP placement).**

Any caretaker who is participating in VIEW may participate in FEP. **Generally, only one person in a case should be in FEP at any time. However, if the employer agrees (in writing) to accept one stipend for two case members who will be assigned to an FEP placement for the same time period, the ESW can enroll more than one person in FEP.** No member of a case serving a VIEW sanction can participate in FEP unless the minimum sanction period has elapsed.

- A. **TANF PAYMENT DIVERTED TO EMPLOYER** - When notified by the VIEW worker of the FEP placement, the eligibility worker must take action in ADAPT to enroll the individual as a FEP participant and divert monthly payments to the employer. The EW must send an Advance Notice of Proposed Action (032-03-0018-29) informing the recipient that the TANF payment will be suspended. Note: Suspension in the context of FEP participation means that no monthly payment will be issued to the FEP participant while in the placement. It does not mean that action to suspend the payment should be taken in ADAPT, as this would prevent issuance of the monthly stipend to the employer. The recipient is enrolled in FEP by completing the VIEW Full Employment Program (AEVFEP) and Case Information 2 (AECAS2) screens in ADAPT. The AEVFEP screen must be completed first. In order for the stipend to be issued to the employer, AECAS2 must be completed using a payee type of FP.

If the Eligibility worker receives notification of a FEP placement during the 10 day notice period, the ADAPT system should not be updated until the first of the following month. It will be necessary to issue the initial employer stipend out of Benefit Adjustment. The EW should act on the reported change within 3 business days whenever possible. However, the EW must act on the reported change within 10 days.

Example: On May 23 the Eligibility Worker receives the FEP Communication Form from the VIEW Worker indicating a FEP Placement began on May 18. The Eligibility Worker should wait until June 1 to enter the information into the ADAPT system. A TANF payment will be made to the client for June. This is not an overpayment since the Eligibility Worker was not able to provide timely notice. The initial employer stipend for the month of May should be issued out of TANF Benefit Adjustment at the beginning of June. The June employer stipend will be issued through the monthly batch process and will be received by the employer at the beginning of July.

- B. **TANF ELIGIBILITY DURING FEP PLACEMENT** - A participant remains eligible for TANF for the duration of the FEP placement, with two exceptions:

1) no eligible children remain in the home and 2) a VIEW sanction is imposed on the FEP case.

Eligibility continues during FEP participation even though changes reported would otherwise cause the case to be ineligible, e.g., a parent with income in excess of 130 percent of the federal poverty level.

1. During placement in FEP employment, the recipient must continue to report required changes (Section 401.2.B.2.), and the changes must be entered in ADAPT. Although the information entered does not affect eligibility of the TANF case, the changes must be evaluated in accordance with SNAP and Medicaid requirements and may impact the assistance unit's eligibility for SNAP or Medicaid.
2. If a redetermination is due anytime during the FEP placement and the case is receiving TANF and SNAP, the redetermination must be completed when due. Changes in the participant's circumstances will not affect TANF eligibility during the FEP placement, except as noted in paragraph B above.
3. If the case is TANF only, the eligibility worker may postpone the redetermination until the last month of the FEP placement, since a full evaluation of eligibility must be completed at that time. In determining ongoing eligibility following termination of the FEP placement, the EW must take into account any changes that have occurred during the placement. If the FEP participant is retained by the employer following termination of the placement, wages received are evaluated the same as for unsubsidized employment.
4. If the FEP participant meets the criteria for interim reporting during the FEP placement, an Interim Report will be sent. However, no negative action can be taken if the Interim Report is not returned and/or completed. ADAPT keeps FEP cases active so as not to interrupt issuance of the stipend to the employer.

C. ISSUANCE OF STIPEND PAYMENTS TO THE EMPLOYER - The employer stipend is a monthly payment paid as partial reimbursement of expenses incurred by the employer for wages and training provided to the FEP participant. The stipend is a predetermined, fixed amount of \$300 monthly. Stipends are normally issued on the first of each month through the monthly batch process. However, the first stipend must be issued through Benefit Adjustment when ADAPT cannot be updated because of the 10-day timely notice period.

Stipends are paid beginning the month after the participant enters a FEP placement. FEP stipends are issued for **up to** six consecutive months unless notified by the VIEW worker to discontinue the payments **prior to the end of the placement**. In no instance are stipends to be paid for more than six months.

D. ISSUANCE OF TANF PAYMENTS DURING THE FEP PLACEMENT - A supplemental payment to the recipient may be issued in the following situations:

1. The EW is notified by the ESW that the participant worked less than an average of 20 hours per week, with good cause. Good cause means

that the failure to work was outside the control of the FEP participant, such as, but not limited to, loss of child care, transportation, illness of the FEP participant or a family member, or another emergency situation. The number of hours worked and good cause are determined by the VIEW worker. If the ESW determines good cause does not exist, no supplement is to be issued.

The EW will issue a supplemental payment through Benefit Adjustment using gross earnings information provided by the ESW and other countable income received in the month for which the supplement is issued. The amount of the payment is determined using the VIEW calculation. Use ADAPT Option 11 to create the payment. If an overpayment or penalty is in effect, the payment to the FEP participant must be reduced accordingly.

2. Both a TANF payment and monthly FEP stipend must be issued in the final month of the FEP period.

- E. ISSUANCE OF EMPLOYER BONUS - The VIEW worker will notify the eligibility worker on the Full Employment Program Communication Form (032-03-655) when a bonus payment must be issued. The bonus payment is a predetermined, fixed amount of \$500 payable to the employer. A bonus is paid if the participant is hired permanently at any time during the placement period or within 30 calendar days after the placement has ended. The EW will issue the bonus payment through Benefit Adjustment. Only one bonus payment may be issued per VIEW participant per FEP placement.

The bonus cannot be issued in the same month a stipend has been issued. For example, if the final stipend payment is issued in October, the bonus payment cannot be issued until November.

- F. TREATMENT OF CHILD SUPPORT PAYMENTS - FEP participants must continue to redirect all support to the Division of Child Support Enforcement (DCSE) while in a FEP placement. DCSE will issue to FEP participants all child support payments they would otherwise be entitled to receive. This includes \$100 disregard payments and other support payments they would receive if they were receiving a TANF payment.
- G. REPLACEMENT OF STIPEND OR BONUS CHECKS - The FEP employer will contact the ESW if check replacement is necessary, and the ESW will notify the EW using the Full Employment Program Communication Form (032-03-655). If a stipend is reported as lost, stolen, or mutilated, follow procedures in Section 502.5.D and [Appendix I](#) to Chapter 500 to stop payment.

The employer must complete the required three copies of the Affidavit on Check Endorsement. The employer will determine the appropriate person to complete and sign the affidavit. This is usually an employee in the accounting department with responsibility for endorsing checks received. If the employer endorses his checks with a stamp, the endorsement stamp should be stamped once on the signature section at the end of the affidavit.

ADAPT coding applicable to FEP check replacements is the same as for reissuing or replacing TANF or Diversionary Assistance checks. Once the worker is notified of a lost/stolen/mutilated/returned check, the worker must update the status of the check in Check Handling. If the check was cancelled or mutilated, the replacement check must be issued through TANF Benefit Adjustment. If a Stop Payment is placed against the check, the stipend must be reissued through Check Handling. Under no circumstances should a local check be written to replace the original check **as no process exists to reimburse the locality.**

VIEW GRANT CALCULATION

STEP 1: Determine the total gross earned income of all required assistance unit members. Compare the total gross earned income to the Federal Poverty Level (see Federal Poverty Level Chart found in Appendix 3 of this Chapter) for the appropriate AU size. The federal poverty level is to be applied uniformly in all of the three groupings of localities in Virginia.

If the gross countable earned income equals or exceeds the federal poverty level, the case is ineligible.

If the countable gross earned income is less than the federal poverty level, go to STEP 2.

STEP 2: Determine countable unearned income and compare to the standard of assistance for the AU. If the countable unearned income equals or exceeds the standard of assistance, the case is ineligible.

If the countable unearned income is less than the standard of assistance, the difference is the deficit amount. Go to STEP 3.

STEP 3: Use the gross earned income total of all required assistance unit members.

In the following order:

- a. Deduct the standard deduction* as defined in Section 305.3.B.3. per assistance unit from total gross earned income if the assistance unit qualifies for this deduction and the income is not exempted.
- b. Deduct 20% of the remainder.*
- c. Deduct anticipated expenses, up to the allowable maximum as specified in Section 305.3.B.5 for care of each child or incapacitated adult included in the assistance unit if the member qualifies for this disregard.

* 22 VAC 40-295-60

VIEW GRANT CALCULATION

Example 1 - Earnings

Assistance unit of 2 in a Group II locality. Mom earns \$450 gross income each month.

Step (1) - Screening at Federal Poverty Level

\$ 450.00	Gross Monthly Earnings
\$1,215.00	Monthly Federal Poverty Level for 2

Step (2) - Unearned Income

\$254.00	Standard of Assistance for 2
<u>0</u>	Unearned Income
\$254.00	TANF Deficit

Step (3) - Earned Income Disregards

\$450.00	Gross Monthly Earnings
<u>-142.00</u>	Standard Deduction for 2
\$308.00	x 20% = 61.60
<u>- 61.60</u>	
\$246.40	Net Earned Income

Step (4) - Add Net Earned Income and TANF Deficit

\$246.40	Net Earned Income
<u>+254.00</u>	TANF Deficit
\$500.40	< Monthly Federal Poverty Level for 2

\$254.00 = VIEW Payment (TANF Grant)

Example 2 - Earned and Unearned Income

Assistance unit of 2 in a Group II locality. Mom earns \$300 gross monthly and the assistance unit also received \$120 unearned income monthly.

Step (1) - Screening at Federal Poverty Level

\$ 300.00	Gross Monthly Earnings
\$1,215.00	Monthly Federal Poverty Level for 2

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DEFINITIONS

The following words and terms, when used in this **guidance**, shall have the following meaning:

Adult Basic Education (ABE) - remedial or other instructional activities aimed at enhancing basic educational performance levels including reading, writing and mathematics.

Agreement of Personal Responsibility (APR) - the written individualized agreement of personal responsibility outlining the responsibilities of the VIEW participant as required by the Code of Virginia 63.2 - 608 and this **guidance**.

AmeriCorps – AmeriCorps is a national network of programs that provide individuals with opportunities for community service. AmeriCorps includes local programs operated through the state or national AmeriCorps organizations, AmeriCorps VISSTA, and the AmeriCorps National Civilian Community Corps. Information about AmeriCorps is available at <http://www.americorps.org>.

Applicant - a person who has applied for TANF or TANF-UP benefits and for whom the disposition of the application has not yet been made.

Basic Literacy Level - a literacy level equivalent to grade 8.9 or greater.

Case Management - the process of assessing, monitoring, coordinating, delivering and/or brokering activities and services necessary for VIEW participants to enter employment or employment-related activities.

Case Management Services - services which include, but are not limited to, assessment, placement in program activities, arrangement of supportive services, and monitoring.

Case Manager - the worker designated by the local department of social services to provide case management services. The case manager can be a local agency employee, or the employee of another public agency, private sector contractor, or private community-based organization including non-profit entities, churches, or voluntary organization that provides case management services.

Child Care Program - a regularly operating service arrangement for children in which during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of 13 (or for a child up to 18 years of age if the child is physically or mentally incapable of caring for herself or is subject to court supervision) for less than 24 hour period.

Child Care Services - the arrangement and/or purchase of child care in order to assist eligible families to obtain or maintain employment, education or training.

Community Work Experience Program (CWEP) – unpaid work in a public or private non-profit organization designed to improve the employability of the participant.

Component - one of several activities in which a person may participate while in the VIEW Program.

Core Work Activity – an activity in which a client must participate for a minimum of 20 hours weekly prior to any additional assignments so that the participant's total hours of participation can be counted in the federal participation rate calculation. The core work activities are unsubsidized employment, the full employment program (FEP), on-the-job training (OJT), community work experience program (CWEP), public service program (PSP), vocational education and training, and job search/job readiness. Both vocational education and training and job readiness/job search are time limited and do not count toward the 20 hour core activity requirement once those time limits are reached.

Limited English Proficiency – the limited ability of a person whose native language is one other than English, or who lives in a family or community environment where a language other than English is the dominant language, to speak or understand the English language.

Local Agency or Local Department - any one of the local social services or welfare agencies throughout the Commonwealth that administers the TANF and VIEW programs.

Local VIEW Annual Plan - a yearly plan submitted to the department by each local agency which describes the locality's VIEW program.

Making Good Progress / Satisfactory Progress - A consistent standard of progress based on written **guidelines** as developed by the educational institution or training agency and measured periodically at intervals of less than one year such as a term or quarter for VIEW clients in educational or training placements.

Non-Core Work Activity - one of the activities to which a participant can be assigned and which can be included in the federal participation rate calculation once a minimum 20 hour assignment to a core activity has been made if the total hours equal the federal requirement. The non-core work activities are education below the post secondary level and job skills training.

On-the-Job Training (OJT) – a type of paid employment in which an employer provides training to an employee in order to increase the employee’s skills on the job.

Other Activities – an activity to which a participant may be assigned to increase her employability but which does not meet the definition of a work activity or count in the federal participation rate calculation. “Other locally developed” is the only Other Activity.

Other Locally Developed – an activity developed or used by a local agency to increase a client’s employability, but which does not meet the definition of a work activity, or the definition of post secondary education, and which will not be included in the federal participation rate calculation.

Participant - a TANF or TANF-UP recipient who has signed the Agreement of Personal Responsibility and is participating in the VIEW program.

Part-Time Employment - employment less than 30 hours per week at minimum wage or greater.

Pending - a non-active program component to which a participant who cannot move immediately into an active component is assigned.

Post-Secondary Education - a program of instruction beyond the high school level offered by an institution of higher education as determined by the Secretary of Education in accordance with the Higher Education Act of 1965.

Public Service Program (PSP) — unpaid work in a public or private non-profit organization designed to improve the employability of the participant while providing a clearly defined public service. Public Service Program placements must be limited to projects that serve a useful community purpose in

fields such as health, social service, environmental protection, education, urban and rural development, welfare, recreation, public facilities, public safety, and child care.

Queue – the list of TANF recipients who are referred by the eligibility worker for mandatory participation in the VIEW program.

Reasonable Distance – for VIEW placements, a reasonable distance is considered to be no more than one hour travel time each way from the participant's place of residence to the site of the activity.

Sanction – a suspension of a VIEW participant's TANF grant for non-compliance with program requirements; to suspend a participant's TANF grant for noncompliance.

Satisfactory Participation – participation in a program activity equal to the hours assigned to the activity for a stated time period. For job search assignments, satisfactory participation equals the completion of all required job search contacts, or employment.

Self-Initiated Participant - a participant who has enrolled in post-secondary education or in training activities prior to enrollment into the VIEW program.

Supplemental Nutrition Assistance Program (SNAP) Employment and Training (SNAPET) - The employment and training program for SNAP recipients.

Standard Operating Procedures (SOP) – a guide developed by the local agency that specifies the procedures to be followed in administering the VIEW program. The SOP is part of the local VIEW Annual Plan.

Subsidized Employment – employment in which government funds are used to directly subsidize the participant's wages. The Full Employment Program (FEP) is considered subsidized employment.

Supportive Services - services such as child care and transportation provided to a VIEW program participant with an open TANF case to enable the participant to take part in program activities or to work.

TANF-UP – a 2-parent TANF household in which the parents have at least one child in common and in which neither parent is disabled.

Termination – closure of the TANF case for failure of a mandatory VIEW recipient to sign the Agreement of Personal Responsibility.

Temporary Assistance for Needy Families (TANF) - the cash assistance program for families with children in Virginia, based on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) as amended by the Deficit Reduction Action (DRA) of 2005.

Time Limitations – limitations on the period of time a family is eligible for TANF assistance based on federal and state statutes

Transitional Services – a category of services available to former VIEW participants once the TANF case is closed. Transitional services include services such as child care, transportation, Transitional Employment and Training services (TET), and the VIEW Transitional Payment which may be provided to a VIEW participant whose TANF case has been closed.

Unsubsidized Employment - employment in which the participant is paid at least minimum wage and for which no government funds are used to subsidize the wages earned by a participant.

1000.2 – PARTICIPATION REQUIREMENTS

A. VIEW Program Requirements

The participation requirements that govern the VIEW program are:

- 35 hours per week for TANF families; 30 hours if the participant is employed full time at minimum wage, including employment in an On the Job Training (OJT) position.
- 35 hours per week for each parent in a TANF-UP household in which both parents are required to participate (70 hours total); 30 hours for each parent who is employed full time at minimum wage, including employment in an OJT position.
- 35 hours per week for TANF-UP families in which only one parent is required to participate; 30 hours if the participant is employed full time at minimum wage, including employment in an OJT position.

Note: Refugee families receiving TANF or TANF-UP payments are subject to VIEW participation requirements. (Refugee families who are not eligible for TANF or TANF-UP, but who receive Refugee Cash Assistance (RCA), are not eligible to participate in VIEW.)

The participation requirements are designed to meet the needs of participants, assist participants in achieving self-sufficiency and to meet the federal work participation rate. In some respects, the VIEW requirements are different from the federal requirements regarding work participation rate calculations.

B. Federal Work Participation Rate Requirements

A participation rate is a ratio. The federal work participation rate represents who is participating in work activities out of all those expected to participate. To count toward the numerator of the monthly participation rate, a TANF recipient must be in an allowable activity for at least a minimum average number of hours per week:

- 20 hours per week for single parents with children under 6,
- 35 hours per week for two-parent families (55 hours if child care is provided),
- 30 hours per week for all other families.

Each State must meet two separate work participation rates:

- the two-parent rate--based on how well it succeeds in helping adults in TANF-UP families participate in work activities, and
- the overall rate--based on how well it succeeds in placing adults in both TANF and TANF-UP families in work activities. Each State must achieve an overall participation rate of 50% and a two-parent rate of 90%.

If the state fails to meet either minimum work participation rate for a fiscal year, it is subject to a severe financial penalty. The state loses 5% of the TANF block grant (\$7.9 million) for failing to meet the rate. In addition, the state must increase state spending to make up the loss of federal funds and such spending does not count toward the state's spending requirement. Additionally, the state's spending requirement increases by \$8.5 million. Local funding for VIEW will be impacted if the state is penalized.

C. Computation of the Overall Federal Work Participation Rate

The overall participation rate for a fiscal year is the average of the state's overall participation rates for

each month in the fiscal year. The monthly participation rate is computed as follows:

- (1) The number of families receiving TANF assistance that include an individual who is engaged in a work activity for the appropriate number of hours for the month (i.e., the numerator), divided by,
- (2) all families receiving TANF assistance or the VIEW Transitional Payment minus:
 - a) cases with a child under age one; and
 - b) cases which do not include an adult receiving assistance unless such a person is a parent (payee cases);
 - c) cases in which the only adult(s) receives SSI or SSDI;
 - d) cases in which the only adult(s) is ineligible to receive assistance due to her immigration status;
 - e) cases in which a parent is providing care for a disabled family member living in the home who does not attend school on a full-time basis, provided that the need for such care is supported by medical documentation.

Cases subject to a VIEW sanction are not included because they are not receiving assistance.

Example:

Numerator:	10,000	cases engaged in work activities with sufficient hours
Denominator:	35,000	total cases receiving assistance
	- 9,000	9,000 payee cases
	- 1,500	1,500 SSI cases
	- 500	500 SSDI cases
	- 2,500	2,500 cases with a child under age one
	- 1,000	1,000 cases with ineligible aliens
	- <u>500</u>	500 cases with a parent caring for a disabled household member
Adjusted Denominator:	20,000	

Federal Work Participation Rate $10,000 / 20,000 = 50\%$

D. Computation of the Federal Two-Parent Work Participation Rate

The two-parent participation rate for a fiscal year is the average of the state's two-parent participation rates for each month in the fiscal year. The two-parent work participation rate is computed as follows:

- (1) The number of two-parent families receiving TANF assistance that include an adult or minor child head-of-household divided by,
- (2) The number of two-parent families receiving TANF assistance during the month.

If a family includes a disabled parent, the family is not considered to be a two-parent family.

E. Countable Work Activities for the Federal Work Participation Rate

- (1) The countable work activities are:
 - Unsubsidized employment;
 - Subsidized private-sector employment (FEP);
 - Community work experience (CWEP);
 - On-the-job training (OJT);
 - Job search and job readiness;
 - Public Service Program;

To make sure that the locality and state get credit for all of the cases that are engaged in work activities and to avoid the possibility of a sanction, it is imperative that work participation data is accurately entered into ESPAS by the 15th of the following month. **When recording participation hours in ESPAS, the final result of calculated hours must be rounded up or down using the standard rounding rules (.50 or greater is rounded up; .49 and below is rounded down).** Virginia will not receive credit for the cases that do not have current work participation rate data entered into ESPAS.

Actual hours of participation must be entered in the system and must be supported by documentation in the case file. With the exception of unsubsidized employment and OJT, the hours entered into the system on a monthly basis must be verified each month. Self-reporting by a participant is not sufficient documentation.

For unsubsidized employment and OJT, the ESW may enter projected actual hours of participation for up to six months based on current, documented actual hours of work. Verification of employment may be obtained from the EW, but a copy of the verification must be retained in the VIEW record. After six months, or at any point the ESW becomes aware that the hours of employment have changed, the actual hours of participation in unsubsidized employment or OJT must be verified. After the changed employment hours are verified, projected hours of participation should again be entered for up to six months.

Actual hours are defined separately for paid employment, including OJT positions, and for unpaid activities.

Employment and OJT: Actual hours for participants who are employed or in OJT mean hours of paid employment, including paid vacations, paid sick leave, and paid holidays observed by the business.

Job Readiness, Group Job Search, CWEP, PSP, Vocational Education and Training, Job Skills Training, Education below Post-Secondary: Actual hours for participants in unpaid activities, with the exception of individual job search, are actual hours of participation, and hours during which the client would have participated but was unable to because the placement was not available due to holiday closure. Based on federal requirements, only the following ten holidays can be included in the calculation of actual hours of participation for participants in unpaid activities: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after, and Christmas Day. Closures for other holidays, or closures by educational or training institutions for quarter or semester breaks during which the placement is not available to the participant cannot be considered as holiday closures.

In addition to the 10 holidays, 80 hours of excused absences may be counted toward participation in the preceding 12-month period for clients in unpaid activities. Excused absence hours should be counted toward participation only when the hours will enable the client to meet the participation requirement which otherwise would not have been met.

Excused absences that may be counted as actual hours of participation include:

- court dates
- appointments with CPS or Division of Child Support Enforcement (DCSE) which cannot be scheduled outside participation hours
- unavailability of the scheduled activity due to strike, lockout, or shutdown
- unavailability of the scheduled placement site due to closures for holidays not included in the list of the ten holidays specified by federal requirements
- unavailability of the scheduled placement site due to closures due to weather or natural disasters
- illness or medical need of the participant or family member residing in the home
- interruptions in child care arrangements
- domestic violence issues
- transportation problems or auto accident funeral or death of a family member

1000.4 - VIEW Program Flow

The VIEW Program is designed to promote the self-sufficiency of program participants through intensive and continuous engagement in program activities until the client finds employment. This may result in periods during which a client may be assigned to an activity that promotes self-sufficiency but which does not contribute to the agency's overall participation rate. It is expected that each local agency will meet the work participation rate of 50% for the locality.

- A. The ESW will complete an initial assessment of the participant within 10 **business (working)** days of the referral from the EW. The **10** days begins with, and counts, the date the client was assigned to the queue.

The assessment will include an explanation of VIEW program opportunities and requirements. Additionally, it may include an explanation of the availability of screening for learning disabilities, mental health problems, and alcohol and substance abuse, and of reasonable accommodations if needed. The participant must be told about the availability of disability screening within 90 days of signing the APR if it is not explained at the initial assessment.

- B. The ESW will review and explain the Agreement of Personal Responsibility (032-02-0310-03) individually with the participant at the time of the initial assessment, and then both the ESW and the client will sign the document.

- C. **In most situations, the client's initial assignment will include one of the following program activities:**

1. Individual Job Search
2. Group Job Search
3. Job Club

The client may also be assigned to Job Readiness, a separate component activity, as part of the overall initial job search assignment. Job Readiness may be offered before, during, or after an assignment to one of the three job search components.

The length of the initial job search assignment will depend on the type of job search and the point in the month at which the assignment is made.

Clients who are assigned to individual job search should have the assignment begin immediately, as long as any needed supportive services are in place, and continue through the end of the month. If the client does not find employment, she should be reassigned to **a full month** of job search beginning **on the first day of the next month. If the client and/ or agency needs to arrange supportive services before the client can begin to participate in the program, this will be completed during the month of the initial assessment and the first assignment will begin on the first day of the month following the initial assessment.**

Agencies who operate 4-week group job search or job search programs may wish to begin the programs at the start of the month and assign the client to individual job search until that time. Agencies who operate their 4 week group job search programs on a Monday-Friday basis may need to begin the activity at the end of one month, continue through the next month, and add an individual job search assignment at the end in order to have the client fully engaged for the **entire** month.

Agencies who are able to offer longer group job search or job club programs can assign the client immediately once the initial assessment is completed, and then reassign the client to 4 weeks of the activity beginning with the next month.

In the following specific circumstances, the initial assignment to job search and/or job readiness may be waived:

- when the client is working full time and earning at least minimum wage
- when the client has already completed an assignment to job search/job readiness during her current 2-year period of TANF eligibility and would benefit from direct assignment to a component activity designed to lead to employment
- when the client is in the last three months of pregnancy and would benefit from an assignment to another VIEW activity.
- when, under some circumstances, the individual is participating in self-initiated education or training activities. See [1000.13.A.3](#).

(Note: The agency should be aware that an assignment to Job Search/ Job Readiness activities will not count toward the TANF Work Participation Rate if the client has already completed the maximum number of hours in Job Search/ Job Readiness activities during the previous 11 months.)

- D. The ESW may assign the client to activities for the month of assessment (which may be a partial month. Additionally, the ESW must assign the client to activities for the next three full months after the month of assessment. All assignments will be recorded on an Activity and Service Plan (032-02-0302) and will be entered into ESPAS no later than 3 working days after the Activity & Service Plan is completed. (Note: The worker will enter the initial job search assignment into ESPAS immediately. The additional assignments will not be entered into ESPAS until the required reassessment is completed at, or near the end of, the job search assignment.) If it becomes necessary to change an assignment included on the initial Activity and Service Plan, a new plan will be completed.**
- E.** If the participant obtains full-time employment (30 hours a week or more at minimum wage or greater), she will not be required to participate in other VIEW activities. While the client is not required to participate in other program activities, she is required to respond to any correspondence from the ESW and to keep all appointments, including reassessment appointments.
- F.** If the participant obtains employment that is not full-time or employment less than minimum wage, she will be required to fully participate in VIEW program activities designed to help her find full time employment. She will be assigned to activities that combined with employment hours, total at least 35 hours a week.
- G.** If the participant has not obtained unsubsidized full or part-time employment at minimum wage or greater at the completion of the job search component, she will be reassessed and placed immediately into another program activity.

It is anticipated that the client's specific program assignment will be to an activity/activities that most directly leads to employment and which allows the client's participation to be included in the federal participation rate calculation.

- H.** At the end of each component assignment, the client will be reassessed and assigned to another work activity. The focus of the reassessment will be on the client's progress in the activity, and an evaluation of the client's needs for additional program activities and services in order to secure unsubsidized employment.

The reassessment will include an exploration of any barriers, including a verified disability, limited English proficiency, lack of reasonable accommodations or support services, or other barriers, that may make it difficult for the client to search for or obtain employment.

The ESW will offer the client screening for learning disabilities, mental health problems, and alcohol and substance abuse if a disability determination has not been made and if it seems likely that a disability may be affecting the client's progress in the program. All VIEW participants must be offered the screenings within 90 days of signing the APR. If the screening indicates that the client may have a disability, the ESW will refer the client to a qualified professional for an in-depth disability evaluation.

The client's Activity and Service Plan will be revised and updated to reflect all needed services and any accommodations relating to disabilities or other barriers to participation.

- I.** Unless the client is employed full time and earning at least minimum wage sixty days prior to the end of her two-year limit on assistance, the ESW will reassess the client and assign her to Individual Job Search, Group Job Search, or Job Club and to either FEP, CWEP, PSP, or OJT. If the participant is currently working at least 30 hours at minimum wage or greater 60 days prior to the two-year time limit, she is not required to participate in additional component activities.

If a VIEW participant is employed full time and earning at least minimum wage 60 days prior to the end of her 24-month period then loses her job, her hours decrease to less than 30 hours per week, or her wages decrease to less than minimum wage, she will be assigned to Individual Job Search, Group Job Search, or Job Club, and also to either FEP, CWEP, PSP, or OJT for the remainder of her VIEW enrollment.

This assignment will be made even if the client has already participated in the maximum 6 weeks of countable Job Search for the fiscal year.

- J.** A participant can apply for a hardship exception during the 60-day period prior to the end of the two-year time period. Clients who are granted a hardship exception will have the period of TANF eligibility extended.
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1000.6 – VIEW VOLUNTEERS

- A. To the extent that funding is available, agencies may serve TANF recipients who are exempt from VIEW and choose to volunteer. **It should be made clear to these individuals that the individual will be subject to the same participation requirements as a mandatory VIEW participant. If the individual is not able to participate for the required number of weekly hours even when provided an accommodation as described at 1000.7, the individual will not be enrolled in the VIEW program.**

VIEW volunteers are given a trial period of up to 12 consecutive months of participation unless they become mandatory and lose volunteer status. During this trial period, volunteers will not be sanctioned for failure to comply with VIEW program requirements. If the volunteer fails to participate as agreed, the ESW will advise the client to terminate her volunteer status and again become exempt. **If the volunteer fails to terminate her volunteer status, the ESW will take this action on the client's behalf and notify the volunteer when this action has been taken.**

The client will not be able to volunteer a 2nd time during the 12 month trial period and maintain her volunteer status. She has forfeited the balance of her trial period by her failure to participate as agreed. Volunteers who elect to volunteer a 2nd time during the 12 month trial period or to continue in VIEW beyond the 12 month trial period are required to participate and will be sanctioned if they fail to do so without good cause.

Exception: If a volunteer becomes totally disabled during the 12 month trial period (verified by a Medical Evaluation Form) or if the volunteer becomes a caregiver for a relative living in the same residence, (verified by the Statement of Required Presence of Caregiver Form), the volunteer's original twelve month period can be interrupted as long as the TANF case is still open. Once the individual is no longer totally disabled (**and this is documented by a Medical Evaluation Form**), or is no longer needed to provide care for the relative, she may volunteer again for the remainder of the 12 month volunteer period as long as she continues to be exempt from mandatory participation in VIEW.

- B. A former VIEW volunteer whose TANF case is closed may reapply for TANF, and, assuming she continues to be exempt from VIEW, may once again volunteer to participate in VIEW and be granted a new 12 month trial period.
- C. Applicants can volunteer for VIEW only after the TANF application has been approved. They are eligible for the VIEW enhanced disregards in the month following the month the VIEW APR is signed at the initial assessment. Note: The APR cannot be signed prior to the initial assessment except when it must be signed prior to TANF approval as a condition of eligibility. (See 1000.9)

1000.8 - VIEW Initial Assessments

A. Overview - Local Agency Responsibilities.

Each local agency will establish a process so that the initial assessment of VIEW clients includes the following:

1. An identification and evaluation of the participant's job readiness skills, occupational skills and interests, education, work history, and family/life circumstances including disabilities.
2. A determination of the participant's functional literacy if the participant does not have a GED, associate degree, or bachelor's degree.
3. An initial identification of the program activities that will be needed if the client does not find full time employment.
4. A detailed evaluation of child care and other supportive service needs.
5. The signing of the Agreement of Personal Responsibility (APR).

B. Scheduling the Initial Assessment Interview

1. The ESW will assess the participant within 10 **business (working)** days after assignment to the queue.
2. The assessment will take place during an individual, face-to-face interview between the participant and the ESW. The assessment interview will be scheduled at a time that does not conflict with work hours, or with previously scheduled medical or mental health appointments, whenever possible. When necessary, the worker can meet with the participant at a mutually agreed upon location outside the agency.
3. The ESW will send the participant a letter informing her of the date of the assessment interview. The letter will explain that appearance for the assessment interview is a condition of continued eligibility for TANF and that failure to attend the interview and sign the Agreement of Personal Responsibility (APR) may result in termination of the TANF grant. The letter will also tell the participant how to contact the ESW if she is unable to attend the interview and needs to reschedule it.

Note: When the VIEW client is a refugee in a locality served by a Refugee Resettlement agency, the local agency should initiate contact with the resettlement agency to coordinate employment and training services. (See Appendix I for refugee resettlement agency contact information and local agencies served.) The resettlement agency will be responsible for sending the local agency a copy of the refugee's Individual Employment Plan (IEP) which details the employment services the resettlement agency will provide. Some of these services may count toward the client's VIEW participation requirement, but the overall responsibility for insuring that the refugee meets VIEW program requirements, including assignment of additional hours if needed, and verification of participation, remains with the local agency.

Refugees who receive Refugee Cash Assistance (RCA) rather than TANF or TANF-UP are not eligible to participate in VIEW and are not referred to the VIEW program. The responsibility for meeting their employment and training needs rests solely with the refugee resettlement agency serving the locality.

C. Client Failure to Attend the Initial Assessment Interview

If the recipient requests the closure of her TANF case prior to the scheduled date of the initial assessment

appointment, the ESW will send a Communication form to advise the EW to close the case. If the recipient subsequently requests that the TANF case be reopened prior to the effective date of the case closure, she must complete the initial assessment appointment and sign the Agreement of Personal Responsibility before the TANF case will be reopened. The VIEW worker will make every effort to schedule this appointment prior to the effective date of the TANF case closure. The recipient will be advised that if she fails to attend the appointment, the TANF case will be closed based on her original request.

1. If the participant does not appear for the interview, the ESW must attempt to contact the client verbally. If the ESW determines from the contact that the participant did not have good cause for missing the appointment, or if the ESW is unable to contact the client verbally, the ESW must take action to begin the termination process. Based on agency procedures, the ESW will either send the client the VIEW Notice of Sanction/ Termination (032-02-0307) or the Advance Notice of Proposed Action within 3 business days of the missed appointment. Alternately, the ESW will immediately notify the EW who will send the ANPA within 3 business days of receipt of the notification.
2. The ANPA notifies the client that she must contact the ESW within 10 days from the date of the notice with documented good cause or the agency will take action to terminate the TANF case.
3. If the client decides to be interviewed by the ESW and to sign the APR, and does both prior to the effective date of case closure as specified on the ANPA, the case will not be closed.

D. Client Failure to Attend the Initial Assessment Interview After Having Signed the APR as a Condition of TANF Eligibility.

If a client's TANF case is closed because she refused to sign the APR, she must sign the APR as a condition of eligibility if she reapplies for TANF. If her TANF case is approved and she is referred to VIEW, and if she then fails to keep the appointment for the initial assessment interview, her case will be sanctioned, not terminated.

E. The VIEW Assessment Interview

The ESW will conduct a face-to-face interview with the client to determine her prior education, training, work experience, service needs and current job readiness. The interview will be strength-based, and will focus on the client's strengths in all areas of life and work rather than on deficits or barriers.

The interview will include:

1. An identification and evaluation of the participant's job readiness skills, occupational skills and interests, education, work history, and family/life circumstances. The assessment will focus on the skills and abilities the participant already possesses that would allow her to find immediate employment. The VIEW Assessment form (032-02-0303), or other assessment instrument approved by the agency's TANF/VIEW Field Consultant, will be used to record the information obtained in the interview.
2. A determination of the participant's functional literacy. If the participant does not have a GED, associate degree, or bachelor's degree, her functional literacy will be determined through use of the Information Sheet (032-03-0311) or other literacy assessment tool such as the Test of Adult Basic Education (TABE). Prior test scores such as the TABE, which

establish an approximate educational/basic literacy level, can be used in place of the Information Sheet if the score is no more than one year old. [Note: The literacy determination can be made at the initial assessment, or can be conducted later; in all cases, it must be completed by the first reassessment].

3. An initial identification of the client's employment/educational goal(s) and the types of program assignments that may be completed throughout the client's VIEW participation. The VIEW Assessment form, Part 2 (032-02-0303) will be used to record this information.
4. A detailed evaluation of child care and other supportive service needs.
5. An initial discussion of possible disabilities of the client or family household member that may interfere with the client's ability to participate in VIEW and/or to work. A copy of the "Do You Have a Disability" form must be in the case record.
 - a. All VIEW participants must be offered screening for learning disabilities, mental health disabilities, and alcohol and substance abuse within 90 days of signing the APR. Examples of valid screening tools can be found in "Screening for Employment Barriers: Issues and Tools" which can be accessed from the TANF Guidelines and Procedures page on SPARK at <http://spark.dss.virginia.gov/divisions/bp/files/tanf/policy/employmentbarriers.pdf>
 - b. Participants whose screenings indicate the possible presence of a disability will, with the client's agreement, be referred for an in-depth evaluation.
 - c. All individuals, including those who choose not to be screened, and those who have been screened and referred for an in-depth evaluation, will be assigned to an appropriate program activity based on the initial assessment.
 - d. If the in-depth evaluation indicates the existence of a disability, treatments and/or services to address the disability will be made part of the client's required program assignments and will be recorded on the Activity and Service Plan.
6. An evaluation of other issues that may clearly affect program participation or employment. Such issues may include verified barriers to employment.

Verified barriers to employment include mental and physical disabilities, learning disabilities, substance abuse and domestic violence. Barrier codes are entered into ESPAS after verification of the barrier by another agency or professional qualified to identify the specific barrier. Verification may be provided by agencies such as domestic violence shelters or substance treatment programs, as well as by professionals qualified to assess learning disabilities, health or mental health conditions. In all cases in which the worker receives documented confirmation of the condition or situation from the referral source, the worker will enter the appropriate code or codes:

- 01** – Learning Disability
- 02** – Domestic Violence
- 03** – Mental Health
- 04** – Physical Disability
- 05** – Substance Abuse

Note: The barrier codes are used to record a client's verified barrier(s) and are

considered in making program assignments. They are not the basis on which hours of participation can be reduced except in the case of domestic violence when the specific VIEW assignment is identified as putting the family's safety in jeopardy. All other reductions in the hours of participation must be based on a Medical Evaluation signed by a medical professional. (See 901.2C)

7. An explanation to the client of the following:
 - a. program goals and philosophy
 - b. program requirements, including an explanation of the responsibilities and expectations of participants in the VIEW program
 - c. the right to disclose a disability to the agency, and the benefits of doing so
 - d. role of the Agreement of Personal Responsibility in describing the mutual responsibilities of the client, worker, and agency
 - e. the consequences of not signing the Agreement of Personal Responsibility
 - f. the beginning of the two-year limitation on the receipt of TANF benefits which begins the month after the month the Agreement of Personal Responsibility is signed
 - g. the requirement to be involved in work activities throughout the two-year period of VIEW participation
 - h. the benefits of immediate employment (eligibility for the enhanced disregard, increase in skill level, employability, and income)
 - i. the benefits of "banking" months in order to save TANF eligibility
 - j. penalties for failure to comply with program requirements including sanctions and consequences for hardship exception requests
 - k. good cause reasons for not complying with program requirements
 - l. Intentional Program Violations (IPV) reporting requirements and penalties
 - m. the requirement to respond to all agency correspondence
 - n. the name and phone number of the ESW and/or other agency contact
 - o. the availability of the VIEW Transitional Payment (VTP) as an incentive for retaining employment
8. Signing the Agreement of Personal Responsibility (APR)
9. Following the interview, the ESW will assign the client to the appropriate program activity. **The assignment will be located within a reasonable distance of the participant's home.** The Activity and Service Plan (032-02-0302-05) will be used to record this information.

Client is released to return to work on 09/05/07 and is again referred to VIEW (using a “VA” code). Client must sign a new APR. If she refuses, the TANF case will close.

Example 4: When the TANF case is closed due to the client’s failure/refusal to sign APR, the client must sign a new APR as a condition of eligibility at reapplication for TANF.

TANF is approved effective 12/15/07. Client fails, without good cause, to appear for the initial assessment on 12/24/07. The TANF case is closed effective 01/31/08.

Client reapplies 05/14/08, and does not meet a VIEW exemption. (If the client is exempt at reapplication, she is not required to sign the APR as a condition of eligibility.) She must sign a new APR prior to case approval. If the client fails to sign the APR, the TANF application will be denied. If the client signs the APR then fails to attend the initial assessment interview after TANF case approval, she (and the TANF case) will be sanctioned.

Example 5: After reapplication for TANF (TANF case was closed while client subject to sanction) when the client has served the minimum fixed period and completed an act of compliance to cure the sanction.

Client is sanctioned for 5/1/08 – 7/31/08. Client requests closure of the TANF case on 8/15/08. TANF case closed effective 8/31/08 with sanction still in place as client has not completed an act of compliance.

Client reapplies 10/10/08. EW advises client to contact ESW to cure sanction. Client contacts the ESW on 10/10/08 and completes an act of compliance. ESW advises EW to lift sanction effective 10/10/08. After the TANF case is approved, the ESW will schedule a reassessment appointment with the client to sign a new APR and assign the client to VIEW activities. The EW will enter the new APR date on the AEGNFS screen and run ED/BC.

Note: If the TANF case had not closed (remained open in a suspended status throughout the sanction period), a new APR would not have been required. The ESW would review the 24-month clock and advise the client of the number of months left on the clock as part of the reassessment process when the client resumes her VIEW participation.

- C. If the participant chooses not to sign the Agreement or fails to keep the initial assessment appointment at which the APR is to be signed, the agency will take action to terminate the participant’s TANF grant. If a TANF-UP participant chooses not to sign the Agreement, the entire household will have its TANF benefits terminated regardless of whether another eligible TANF-UP participant is in the household. **If the participant is a non-parent caretaker, his/her needs should be removed from the TANF grant and the TANF case will remain open as a child-only case. (The non-parent caretaker’s needs may only be added to the grant during the current period of TANF assistance when the APR is signed or when the individual becomes exempt from VIEW participation.)**
- D. If the Agreement was signed as a condition of TANF eligibility, the household will be sanctioned rather than terminated for missing the initial assessment appointment.
- E. An individual who has refused to sign the Agreement of Personal Responsibility and has had her case closed must sign the APR prior to approval of the TANF application as a condition of eligibility. The signed APR may be obtained by either the EW or the ESW. (Note: This is the only instance in which the EW may obtain the signed APR). Local agencies should develop a procedure by which the APR is signed as quickly as possible to ensure that the processing of the TANF application will not be delayed. The failure of the client to sign the APR in these circumstances will result in the denial of the application.

In these situations, the queue or start date entered in ESPAS will be the TANF approval date rather than the date the APR was signed. However, the two-year clock will begin the first of the following month after the APR was signed. The eligibility worker will adjust the clock accordingly upon TANF approval.

1000.10 - TERMINATION OF TANF BENEFITS

If a **mandatory** participant fails to report for his initial assessment, or refuses, without good cause, to sign the VIEW Agreement of Personal Responsibility, the household's TANF benefits will be terminated. **Note: If a non-parent caretaker who is receiving TANF assistance fails to report for his initial assessment, or refuses, without good cause, to sign the VIEW Agreement of Personal Responsibility, the non-parent caretaker's needs will be removed from the grant and the TANF case will remain open as a child-only case.**

A. Notice of Termination Procedures

- 1) If the participant does not appear for the interview, the ESW must attempt to contact the client verbally. If the ESW determines from the contact that the participant did not have good cause for missing the appointment, or if the ESW is unable to contact the client verbally, the ESW must take action to begin the termination process. Based on agency procedures, the ESW will either send the client the VIEW Notice of Sanction/Termination (032-02-0307) or the Advance Notice of Proposed Action (ANPA) within 3 business days of the missed appointment. Alternately, the ESW will immediately notify the EW who will send the ANPA within 3 business days of receipt of the notification.
- 2) The Advance Notice of Proposed Action will inform the participant that she failed to meet the specific requirement and that in order to establish good cause the participant must contact the ESW within 10 days from the date of the notice to discuss the reasons for the claim of good cause. Merely contacting the EW or ESW does not constitute good cause. The Notice will inform the participant that her TANF benefits will be terminated if good cause does not exist. If the participant contacts the ESW within the 10 day grace period (with or without good cause) and is given another initial assessment appointment date, the appointment date will be documented in the case record. If a new appointment letter is sent, it should state that the termination will be imposed if that appointment is not kept. A new Advance Notice of Proposed Action is not required.
- 3) If the participant fails to contact the ESW within 10 days to establish good cause or does contact the worker but does not present good cause, the EW will proceed to terminate the household's TANF benefits. The ESW must complete a new communication form, and a copy must be sent to the EW to stop the termination, if the client presents acceptable documentation of good cause for the non-compliance.
- 4) The ESW will not enter the termination in the automated system (ESPAS) until after the effective date of the termination of TANF benefits.

B. Documentation For Failure To Report For The Initial Assessment

- 1) The ESW will notify the participant of the scheduled interview.
- 2) If the participant fails to keep the appointment, the ESW must document the failure in the contact log.
- 3) The ESW must document in the contact log that a telephone call or personal contact was attempted.

1000.11 – VIEW ACTIVITY AND SERVICE PLAN

- A. Based on the information obtained during the assessment, the ESW and participant will develop an Activity and Service Plan.

The Activity and Service Plan will detail:

- 1) the participant's current assignments, and specific responsibilities of the participant and the agency, including but not limited to the expected levels of a) participation, b) attendance and/or c) the requirement to return information to the ESW and report changes which impact employment and/or participation.
- 2) the supportive services needed by the individual to comply with program requirements. The Activity and Service Plan may take the place of a service application for child care.
- 3) a statement explaining the reason(s) for assignment to Pending or Inactive, if applicable, and a list of the steps planned to resolve the issues leading to that assignment.
- 4) a description, begin and end dates, and planned weekly hours of the participant's assignment or assignments.

Note: The Activity and Service Plan developed at the initial assessment will include any assignments for the month of the assessment (which may be a partial month), and the next three full months. The ESW will explain to the client that the assignments, beyond the initial job search, are designed to increase her employability if she does not find employment during the job search. Additionally, the ESW will explain to the client that the Activity and Service Plan will be updated to show employment as her VIEW component if her job search is successful.

- 5) the requirement that the participant contact the ESW if she is considering quitting a job or, if she believes she is in danger of being fired from a job. This information will enable workers to either help the participant retain that position or obtain other employment.
 - 6) Reasonable accommodations needed by an individual to fulfill participation requirements based on recommendations developed as part of an evaluation by a qualified professional.
- B. The ESW must complete a new Activity and Service Plan at initial assessment, reassessment, or whenever there is a change to the participant's activity assignments. Modifications to the Activity and Service Plan due to changes in assignments will not affect the TANF two-year time limitation.

does not perform a verifiable act of compliance despite provision of the supportive services, supportive services will not be authorized again for the same sanction. In such a situation, it will be the responsibility of the client to arrange and pay for any supportive services needed to cure the sanction.

1) Child Care

Child care services are provided to enable the participant to gain and/or keep employment or to participate in program activities.

- a. Arrangement for and/or payment of child care as a supportive service will be provided only when the participant is unable to obtain child care on her own at no cost.
- b. Participants who are parents of school age children are expected to search for a job during the hours that the children are in school. However, if a job interview must take place outside of school hours, child care may be authorized.
- c. Participants who need child care and cannot arrange to find their own may be provided assistance, including payment within child care **guidance** as found in Volume VII, Section II, Chapter D, of the Services manual.

This payment may include the cost of transportation when transportation services are provided by the child care provider and the total cost of all services provided by the child care provider does not exceed the Maximum Reimbursable Rate.

- d. Participants who have been sanctioned are not entitled to child care service while in the sanction status unless it is needed to maintain employment. However, an individual who has been sanctioned may receive child care service upon request, based on the terms outlined above, if the service is necessary in order for the participant to perform a verifiable act of compliance.

2) Transportation and Related Services

Transportation services are provided to enable participants to travel to and from authorized VIEW activities or employment. The need for transportation must be linked to needs identified on the participant's Activity and Service Plan. The participant must be regularly attending the component activity, and, if in an education component, making satisfactory progress, in order to continue receiving transportation services.

- a. The participant will have the primary responsibility to arrange transportation for employment or to participate in activities required by the Agreement of Personal Responsibility. Transportation services will be provided only when the participant is unable to make necessary arrangements.
- b. Transportation can be provided by any of the following means:
 - 1) Individuals other than public conveyors. In this circumstance, payment is made to the individual provider. Such payment must be pre-authorized. A reimbursement-type purchase order may serve as a pre-authorization;

availability of funds and local resources. The agency may wish to restrict some participation or work-related expenses to one time only purchases. Each local agency is encouraged to develop additional guidance and procedures for approving expenses and to include them as part of the Standard Operating Procedures.

A. Criteria for Assessing Need

The ESW will use the following criteria when assessing the need for participation or employment-related expenses for the VIEW participant:

1. The expense is necessary to enable the individual to participate in approved activities or employment;
2. The need for expenses is clearly linked to the needs identified on the APR, Activity and Service Plan, or, in the case of assessment, in the case record; and
3. The participant must be making satisfactory progress in the component/activity.

B. Participation and work-related expenses which are reimbursable include, but are not limited to:

1. Fees for birth certificates;
2. License fees;
3. Registration/graduation fees;
4. Picture ID costs;
5. Uniforms or other clothing or shoes;
6. Safety equipment and tools;
7. Car repairs and insurance.

C. Additional work-related expenditures may be made to enable a participant to accept a job offer or maintain employment. These expenses include, but are not limited to:

1. purchase of an initial set of tools or equipment;
2. uniforms;
3. safety equipment;
4. professional fees and licensing required for the occupation.

5. VIEW Emergency Intervention Services

This service provides assistance during crisis situations which may affect the individual's participation in an activity or employment. Examples are emergency provisions of food/utilities, or other items necessary for the client to gain and/or keep employment or participate in other VIEW activities. Automobile expenses are not covered under this section. VIEW emergency intervention services are intended to assist the participant in gaining and/or retaining employment. They are not intended as a method of funding assistance for any emergency that may arise. The local agency should include **guidance** regarding the use and limitations of VIEW Emergency Intervention Services in its Standard Operating Procedures.

- c. For the purpose of discussing progress of the job search, and ensuring that the contacts made are reflective of the participant's job skills, weekly or bi-weekly contact between the participant and the ESW is recommended.
- d. Local departments must work with public and private providers of job development/job placement services, including the VEC, the Workforce Investment Board (WIB), and the local Department of Economic Development to facilitate job development and job placement.

2. Outcome of the Job Search

- a. A participant must accept a bona fide offer of employment. Participants who refuse to accept a bona fide offer of employment will be sanctioned.
- b. If the participant finds full-time employment paying at least minimum wage, the job search will terminate.
- c. If the participant finds part-time employment paying at least minimum wage, the ESW may decide whether to terminate the job search or require the individual to continue looking for full-time employment. The participant will be required to fully participate in other work activities designed to assist her in obtaining full-time employment.

- What barriers does she have that might affect a work site placement?
- What kind of work site position will appeal to her?

Once the ESW has the answer to these questions, work can begin on matching the client with a work experience position, or on developing a position for the client. The client can identify her own work site placement as long as it with a public or private non-profit organization willing to enter into a work site agreement with the agency.

There may be some situations in which a participant was sanctioned for non compliance at a CWEP or PSP sites. The client has completed an act of compliance and the sanction is lifted. The ESW would like to assign the participant to another CWEP or PSP, but due to a negative history at assignments for CWEP and PSP there are no other placements available. In this circumstance, the participant should be encouraged to develop her own worksite.

The agency will work with the client to secure any evaluations, counseling, or treatments needed to resolve the reasons for the non-compliance, or which would support the client being exempted from VIEW due to a verified physical or mental health condition.

3. Limitations on Work Site Assignments

- a. The participant will not be required to use her public assistance income or personal resources to pay costs incurred while participating on a work site assignment.
- b. The work site must be within a reasonable distance from the participant's home. The travel time from the participant's home to the work site cannot be more than one hour each way, based on transportation available to the participant.**
- c. The participant cannot be permanently placed in the position of a worker who is on sick leave, annual leave, leave without pay, or any other granted leave with or without pay. The participant cannot displace persons currently assigned to established, unfilled positions. The participant must not perform tasks which would have been undertaken by current employees or which would have the effect of reducing the work hours of paid employees.
- d. The participant will not be assigned to work sites which are totally involved in political, electoral or partisan activities. The participant may be assigned to sites developed in the office of an elected official, however the participant cannot be required to engage in political, electoral, or partisan activities.

4. Criteria for CWEP Placements

- a. A client can be assigned to CWEP immediately after the initial job search.
- b. A client whose initial job search was waived because she had previously participated in VIEW during her current 2 year period of TANF eligibility may be assigned immediately to CWEP following assessment.
- c. The initial assignment to CWEP shall be for a period of six months. Due to ESPAS system limitations, the assignment will be entered as two consecutive enrollments of three months each. (Note: only one Activity and Service Plan is required.)

- d. The weekly number of hours of a CWEP assignment equal the total TANF dollar amount plus the SNAP benefit amount divided first by the federal minimum wage and then by 4.3.

The number of hours of a CWEP assignment is calculated at the time of the placement and is fixed. They do not vary from week to week or month to month. The hours are recalculated at each reassessment and at any time there is a change in the size of the assistance unit which also changes the benefit amount. Note: Mass changes to the SNAP allotment amounts and changes to the federal minimum wage amount will be addressed at the next reassessment after the change.

- f. CWEP hours are not reduced by travel time to and from the placement. All CWEP hours are to be worked; meals and breaks can be included with hours worked or can be subtracted based on how they are treated for paid employees of the work site.
- g. Calculation of Work Hours for TANF and TANF-UP Cases: Combine the total TANF dollar amount with the SNAP benefit amount received by members of the TANF household. Do not include the value of SNAP benefits received by household members who are not included in the TANF grant. Divide the total of the TANF grant plus SNAP benefits by the federal minimum wage, to determine the number of CWEP hours to be worked each month. Divide that result by 4.33 and round the final result down to the next whole number to determine the number of hours to be worked each week in the CWEP assignment.

CWEP placements cannot exceed 32 hours a week. The weekly CWEP assignment will be reduced to 32 hours if the calculated hours exceed that number.

- h. CWEP Assignments for TANF-UP Cases: Both parents in a TANF-UP case may be placed in CWEP. In that circumstance, each will be required to participate the calculated hours. For example, if the calculation requires 25 hours of participation, and if both parents are assigned to CWEP, each individual will participate 25 hours a week. **Additionally, each individual will have to be assigned to another activity for an additional 10 hours per week to meet his/her VIEW participation requirement.**
5. Referral of the Client to the Work Site: After the client's hours of CWEP participation are determined, and a good work site match is made, the ESW will work with the client and the work site to schedule an appointment for the client to be interviewed for a position. The ESW will complete the VIEW Referral To Work Site (032-02-3000), make a copy for the record, and give the referral to the client to take to the interview. The work site supervisor will complete the bottom portion of the form, copy it for the work site, and send it back to the ESW showing the outcome of the interview. If the work site accepts the client for the placement, the worker will proceed with putting the client in CWEP and in arranging any needed supportive services.

If the client does not have Medicaid coverage, the worker will provide both the client and the work site supervisor with a signed copy of the Notification of Workers' Compensation Requirements and Procedures form (032-03-675) and will explain the responsibilities of all parties should there be an injury at the work site.

6. Concurrent Assignments: Since it is not possible for a CWEP assignment to meet the 35 hour participation requirement, all participants assigned to CWEP must also be assigned to another component that will enhance employability.

F. PUBLIC SERVICE PROGRAM (PSP)

The public service program (PSP) shares many of the characteristics of CWEP. It provides an unpaid work placement in a public or private non-profit organization with the goal of improving the participant's employability. Unlike CWEP, the PSP placement must provide a clearly defined public service. Examples of public service activities include court-ordered unpaid work, as well as participation in other programs or placements that benefit the community.

Public service program assignments may be made for a maximum of 35 hours, with the exception of court-ordered assignments which will be made at the discretion of the court and may be for more than 35 hours. Participants assigned to PSP for less than 35 hours must also be assigned to another work activity order to meet the 35 hour participation requirement. Each assignment to PSP should be for a period of six months.

VIEW participants placed in the public service program are not considered employees of the Commonwealth for purposes of the Worker's Compensation Act. PSP placements can be made only for participants with Medicaid coverage unless the PSP site agrees to provide coverage under its own Workers' Compensation plan.

The development of PSP worksites, assignment and referral of participants to PSP worksites, limitations on the PSP positions, and PSP worksite monitoring follow CWEP **guidance**, with the exception that the public service provided through the placement must be a consideration in development of the site, and must be clearly documented in the record.

G. ON THE JOB TRAINING (OJT)

On-the-job training is a type of paid employment in which an employer provides training to an employee in order to increase the employee's skills on the job.

1. The following are examples of on-the-job training that may be counted as a work activity in the VIEW Program:
 - (a) On-the-job training offered through the WIA;
 - (b) Work study offered through a community college or a four year college program;
 - (c) Apprenticeship programs;
 - (d) Paid internships offered by colleges or training providers in which the participant receives a wage or stipend for working and receiving training while on the job;
 - (e) AmeriCorps Program placements in which the participant receives a stipend for living expenses; or
 - (f) Sheltered workshop employment

Note: A number of occupations, including cosmetologist, automobile mechanic, and dental assistant, can be trained either as a paid apprenticeship or as unpaid vocational education and training or as unpaid job skills training. Apprenticeship combines paid OJT and a specified number of classroom training hours. (Information about apprenticeship requirements, apprenticeable occupations, and employers offering apprenticeship opportunities in Virginia is available at http://www.doli.virginia.gov/apprenticeship/registered_apprenticeship.html)

Whether training is classified as apprenticeship (OJT), or as vocational education and training, or as job skills training, is based on the specific nature of the training program and whether it is paid or unpaid, not on the occupational title.

Example 1: Client is enrolled in an undergraduate social work program. The professor in one of her classes encourages (but does not require) students to volunteer in their communities. Volunteering is not a class requirement and does not impact class hours or grades. Client volunteers two hours a week at the public housing site where she lives. The client's volunteer hours do not count toward participation.

Example 2: Client is enrolled in an associate's level occupational therapist program. One of her classes requires the students to volunteer two hours a week in a nursing home as part of the course requirement. Since the two hours of volunteer time are a requirement, they can be counted as participation. Hours for unsupervised study or homework cannot be counted for the volunteer activity unless the study or homework is specifically required by the class instructor.

Hours for distance learning classes will be counted as participation if attendance and participation are documented on an Education and Training Activities Attendance Report which is signed by the instructor. It is the responsibility of the worker to determine through contact with the institution and/or instructor that the hours for a distance learning class can meet the documentation requirements. Distance learning hours that cannot be documented cannot be counted toward meeting the participation requirement.

Documented hours for distance learning can be counted under the following three circumstances:

- **when the individual logs in by computer to a class delivered on a specific day and at a specific time. The hours tracked for an individual participant can count as hours of participation.**
- **when "clock time" is tracked for an on-line class as long as the clock is stopped when there is no interaction by the student with the on-line course material. The hours tracked as "clock time" for an individual participant can count as hours of participation.**
- **when an institution tracks "seat time" for participants based on progress in an on-line course. The hours counted as "seat time" for an individual participant can count as hours of participation.**

Other types of distance learning courses offered through virtual classrooms or as independent tutorials will be evaluated and approved on a case-by-case basis. Hours of participation will be reported only if attendance and participation can be verified by the instructor.

2. Self-Initiated Vocational Education and Training

- a) Self-initiated vocational education and training is training that meets the definition of vocational education and training that was initiated by the participant and in which the participant is enrolled at the time of initial assessment.
- b) Participants who enroll into training programs prior to coming into VIEW will be required to meet the requirements of the program.
- c) The ESW will use the following procedures to approve self-initiated training:
 - (1) All recipients who are enrolled in self-directed training must have their training approved by the ESW in order to pay for needed supportive services. If the training is not approved, supportive services cannot be provided.
 - (2) The ESW will complete an Assessment form, an Agreement of Personal Responsibility, and an Activity and Service Plan for each participant prior to approving the self-initiated training.

- d) If child care is needed, the ESW will notify the child care staff of the approval or disapproval of the self-initiated training. Child care staff will not authorize child care in cases in which the ESW has not approved the self-initiated training.
- e) The training must be for jobs available or likely to become available in the community.
- f) If grades have been issued for the training activity, the participant must have met the satisfactory progress requirements of the provider.
- g) If the participant is already enrolled in training which will require more than two years to reasonably complete, the participant may be allowed to continue in the activity if she is satisfactorily progressing but will be ineligible for a Hardship Exception based on a one year extension for training.
- h) The participant must also meet the conditions described in the section 1000.17 regarding satisfactory attendance and progress.

1000.14 – Program Component – Non-Core Work Activities

Hours assigned to non-core activities are used in the calculation of the participation rate only after the minimum 20 hour assignment to a core activity has been met.

A. JOBS SKILLS TRAINING

Jobs Skills Training is training that prepares an individual for employment, or job specific training required by an employer in order to obtain, keep, or advance in a specific job or occupation or training needed to adapt to the changing demands of the workplace. Each assignment to Job Skills Training should be for a period of time that will coincide with the length of training/education program whenever possible but should not exceed six months.

Job skills training includes the following types of training:

- Individual courses or a series of short term courses in such topics as keyboarding, or computer literacy, or training in a specific software application.
- All training and education programs, including post-secondary certificate, associate, or baccalaureate level programs, that are included in the definition of Vocational Education and Training at 1000.13H. Post secondary education can be provided in nontraditional as well as traditional settings. (Note: All post-secondary education-certificate, associate, baccalaureate level-must be directly related to employment in order to count as a work activity. Post-secondary education that is not related to employment is not allowable as any VIEW component or element of a component, including Other Locally Developed.)
- Instruction in a second language for participants who have a high school diploma or GED, or unpaid practicums or internships offered by a college or training program, or by an employer.

The choice of job skills training offered may vary in each locality, depending upon local labor market conditions. However, job skills training must have a direct relationship to employment as described above. Up to one hour of unsupervised study or homework time can be counted as job skills training for each hour of scheduled class time. The need for unsupervised homework/study time must be confirmed by the education or training program. Unless specifically required by the instructor, unsupervised study or homework time cannot be counted as job skills training when the training is outside the classroom and the activity does not support counting unsupervised study or homework hours. Supervised study time verified by the education or training program may also be counted as participation.

Example: Client is enrolled in a certificate medical assisting program. Students are required to visit various medical settings and talk to medical assistants about the nature of the work they do in those settings. These visits help the students better understand more about the profession and the types of employment opportunities available. Ten hours of visits are required each semester. Because the visits are required, they can be counted (along with the classroom hours) as participation. However, no unsupervised study or homework hours will be counted for the visits.

Hours for distance learning classes will be counted as participation if attendance and participation are documented on an Education and Training Activities Attendance Report which is signed by the instructor. It is the responsibility of the worker to determine through contact with the institution and/or instructor that the hours for a distance learning class can meet the documentation requirements. Distance learning hours that cannot be documented cannot be counted toward meeting the participation requirement. A complete list of allowable distance learning activities is provided in the Vocational Education and Training section, 1000.13H(1).

- (3) The education must be for jobs available in the community or are projected to become available in the community.
- (4) Participants, for whom grades have been issued, must have a "C" average in order to have the self-initiated post-secondary education approved.
- (5) If the participant is enrolled in education which will require more than two years to reasonably complete, the participant may be allowed to continue in the activity if she is making satisfactory progress. However, the participant will not be eligible for a Hardship Exception based on the extension of education for up to one year beyond the two-year time period.
- (6) The participant must also meet the conditions described in section 1000.17 regarding satisfactory attendance and progress.

B. EDUCATION BELOW THE POST-SECONDARY LEVEL

Education below post-secondary is an allowable program activity for participants who have not received a high school diploma or GED certificate and whose employability would be enhanced by additional education. It includes ABE, GED, and ESL programs as well as secondary school and may be offered in non-traditional as well as traditional settings. Each assignment to this type of activity should be for a period of time that will coincide with the length of the program whenever possible but should not exceed six months.

1. Educational Activities

- a. Participants assigned to this component will be those identified as needing certain educational activities to become ready for further education, training or job entry. Participation in education programs below the Post-Secondary level will be limited to one year.

Hours for distance learning classes will be counted as participation if attendance and participation are documented on an Education and Training Activities Attendance Report which is signed by the instructor. It is the responsibility of the worker to determine through contact with the institution and/or instructor that the hours for a distance learning class can meet the documentation requirements. Distance learning hours that cannot be documented cannot be counted toward meeting the participation requirement. A complete list of allowable distance learning activities is provided in the Vocational Education and Training section, 1000.13H(1).

- b. Educational activities are defined as basic and remedial education that will provide an individual with a basic literacy level equivalent to at least grade 8.9.
 - (1) education designed to prepare individual for a high school degree or its equivalent (GED).
 - (2) Community based literacy programs that provide education activities for individual who require remediation to acquire a grade 8.9 literacy level.

1000.18 - Job Follow-Up

Job Follow-Up

- A. Job follow-up is provided to all VIEW participants once they find full or part-time employment. Follow-up is provided for a minimum of **three** months unless the client begins receiving a VIEW Transitional Payment (VTP). (See **1000.22 B** for information about VTP including job follow-up requirements).
1. Job Follow-Up - Open TANF Case

Job follow-up is carried out each month for each employed (**either full or part-time**) VIEW participant with an open TANF case. Job follow-up will continue for up to 24 months if the participant is employed throughout her VIEW participation and the TANF case is still open.
 2. Job Follow-Up - Closed TANF Case Without VTP

Follow-up will continue for each employed (**either full or part-time**) VIEW participant once the TANF case has closed if the minimum **three contacts** have not been made and the client is not receiving a VTP payment. **The VIEW enrollment will be closed and follow-ups ceased once the minimum three contacts have been completed or three months after the TANF case is closed – whichever comes first.** The VIEW enrollment will remain open in ESPAS during the follow-up period **but should be closed when the follow-ups are complete.**
- B. Job follow-ups must be made on or after the last day of the employment month and entered into ESPAS by the 15th of the following month. For example, the client begins employment on October 25th. The first follow-up will be made on or after October 31st and the data will be entered in ESPAS by November 15th. The second follow-up will be made on or after November 30th and the data will be entered in ESPAS by December 15th.
- Whenever possible, the first follow-up contact will be a face-to-face meeting between the worker and the client. All other follow-up contacts may be completed by telephone or face-to-face. The date and result of the contact will be recorded on the [Job Follow-Up Contact – Current VIEW Participants](#) form (032-03-0403-eng). If the client does not have a telephone or cannot be reached, the ESW will mail the client the [VIEW Job Follow-Up](#) form (032-03-0402-00-eng) and record the date mailed on the Job Follow-Up Contact form.
- Follow-up calls should be made between the last day of the month and the 5th of the next month so that any VIEW Job Follow-Up forms which have to be mailed can be returned by the client and follow-up entered into the ESPAS system by the 15th.
- Clients for whom the follow-up contact could not be successfully completed by telephone, and who are sent but do not return the VIEW Job Follow-Up form, will be referred for sanction if the TANF case is still open. If the client complies with program requirements and responds to the job follow-up request prior to the implementation date of the sanction, the sanction will not be imposed.
- C. Job follow-up consists of two separate activities: on-going client contact to support job retention/career advancement, and wage verification.
1. Job Retention/Career Advancement Follow-up: The basic purpose of job follow-up is to assist the client in resolving any problems that may affect her employment. This purpose can best be

achieved through a conversation with the client in which problems can be discussed. Problems may relate directly to the job, or may involve difficulties in other areas of the client's life.

Additionally, job follow-up provides the worker the opportunity to help the client in the area of career advancement – either with her current employer or through a move to a new position. Specific services which may be provided include:

- a. job retention counseling
 - b. career exploration focused on employment with better wages, hours, benefits, or other factors that make a job a better fit for the client and lead to increased self-sufficiency
 - c. referrals to other program activities including education or training
 - d. provision of job leads or other resources for additional job search
 - e. work-related workshops or seminars
2. Wage Verification: The client's hourly rate of pay and number of hours of employment per week must be verified by the first job follow-up. Verification may consist of information from the EW based on employer verification, pay stubs, wage forms, or direct contact with the employer by the ESW. The VIEW record should contain a copy of any wage and hours verification in the TANF record.

The hours and rate of pay verified at the first follow-up will be entered into ESPAS at that time. They will remain unchanged at the time of the 2nd, 3rd, 4th, 5th, and 6th monthly follow-ups unless a change is reported by the client.

If the client continues to have an open TANF case, the worker will schedule a face-to-face reassessment for the 6th month of follow-up and will again verify the hours and rate of pay at that time. That information will be entered into ESPAS at the time of the follow-up in the 7th month, and when the 8th, 9th, 10th, 11th, and 12th follow-ups are made unless a change is reported by the client. The same procedure will be followed at the time the client has the next face-to-face reassessment in the 12th and 18th months of participation.

D. There are three possible outcomes to a job follow-up contact:

1. The participant is employed
2. The participant has left employment
3. The ESW is unable to contact the participant, or the participant does not respond to the job follow-up contact

Job follow-up information is recorded in ESPAS as well as on the Job Follow-Up Contact – Current VIEW Participants form. The ESW may also document follow-up information on the contact sheet or in the narrative.

Example: The VIEW client becomes employed effective October 4th. Complete a new Activity and Service Plan showing the client's employment and outlining her responsibilities regarding monthly follow-ups. Enter the employment, wages, and hours information into ESPAS. This action will result in the client's name being added to the monthly Job Follow-Up Report beginning with month 2.

A face-to-face meeting or follow-up call will be made between October 31st and November 5th which will focus on job retention and career advancement. The ESW will complete the Job Follow-Up Contact form documenting the meeting or the call. If the wage and hours verification was not made at the time the employment information was entered into ESPAS, the ESW will verify that information at the follow-up.

The ESW receives notification that the TANF case will close effective December 31st. If the client is not eligible for VTP, enter the December follow-up information in ESPAS and continue doing regular VIEW job follow-ups until the required **three** minimum follow-ups have been completed. (See **guidance** at [1000.22.B](#) for information regarding eligibility criteria for VTP).

1000.20 - SANCTIONS

A sanction is the suspension of the household's entire TANF grant for program noncompliance. SNAP benefits may also be affected. Federal participation requirements differ in some respects from VIEW program requirements and are not considered in determining non-compliance.

All TANF and TANF-UP recipients who are determined eligible for the VIEW Program and have already signed an Agreement of Personal Responsibility are required to participate in VIEW. Recipients are subject to sanction if they fail to participate without good cause.

A. Good Cause for Failure to Participate

- 1) When a client is not in compliance with VIEW, the agency must attempt to contact the client by phone to encourage participation, explore good cause, and/or notify the client of a possible sanction. If the ESW determines from the contact that the participant did not have good cause for missing the appointment, or if the ESW is unable to contact the client verbally, the ESW must take action to begin the sanction process. Based on agency procedures, the ESW will either send the client the VIEW Notice of Sanction/ Termination (032-02-0307/01-eng) or the Advance Notice of Proposed Action within 3 business days of the missed appointment. Alternately, the ESW will immediately notify the EW who will send the ANPA within 3 business days of receipt of the notification.
- 2) A participant who has good cause for noncompliance will not be sanctioned. Good cause will exist if:
 - a) The participant's inability to fulfill program requirements is due to circumstances outside her control or is the result of a change in circumstances over which the participant had no control. This includes but is not limited to situations in which the reason for the participant's non-compliance was that the participant had a disability or a family household member had a disability that was not identified or was identified but not addressed. The worker must allow the client 30 days to verify the disability prior to referring for sanction.
 - b) Acceptable child care is not available when necessary for an individual to accept employment or enter or continue in the program. To be acceptable, the child care must meet all of the following criteria:
 - (1) The child care must be arranged:
 - (a) by the participant, or
 - (b) if the participant cannot arrange for the child's care, it must be arranged by the local department of social services with a legally operating provider;
 - (2) The child care must be within a reasonable distance from the participant's home or work site. This means that the travel time from the child's home to the child care provider and the work site is generally no more than one hour, based on transportation available to the parent;

- (3) The child care arrangements must be affordable. This means the cost of the child care is less than or equal to the payment amounts specified in the Child Care Services **guidance** (Volume VII, Section II, Chapter D); and
- (4) If the child care is with a relative, it must meet the requirements for relative care in the Child Care Services **guidance** (Volume VII, Section II, Chapter D).

The participant is responsible for demonstrating that she is unable to find child care for one or more of the above reasons.

While one of the criteria for acceptable child care is affordability based on the payment amounts specified in child care **guidance**, the client's selection of child care arrangements whose costs exceeds the payment amounts is not a good cause reason for program non-compliance when other child care arrangements meeting the acceptable child care criteria are available.

The local agency is responsible for determining if the information provided substantiates that needed child care that meets the above criteria cannot be arranged. The ESW must consult with the Child Care worker in evaluating whether a sanction is appropriate.

- c) Accepting employment would result in a net loss of cash income for the assistance unit. Net loss of cash income would result if the family's gross earned income, less necessary work related expenses, was less than the TANF payment which the recipient was receiving at the time the offer of employment was made.
- 3) The good cause investigation **will include** of an evaluation of information in the case record. When there has been no recent contact with the participant, efforts will be made to determine if the participant has contacted the **EW or Child Care Worker** to discuss the problem, given a reason for not attending an ESP interview, or for not completing an assignment, or having not kept any program-related appointment.

In all cases, in order to ensure that the participant understands the mandatory nature of the program and has an opportunity to explain the reason for noncompliance, the VIEW worker will attempt to contact the client by telephone or by personal contact. The worker will document the record that the contact was made or attempted.
 - 4) Prior to imposing a sanction, the ESW is to complete the VIEW Non-Compliance Checklist. Once the form is completed, the supervisor must review the form and circumstances of the proposed sanction to ensure that the participant has been screened for disabilities or screening has been offered and refused, reasonable accommodations have been provided if needed, and the agency has attempted to notify the client verbally. The supervisor must not approve the sanction if any of these steps have not been taken. The supervisor or designee must sign the VIEW Non-Compliance Checklist. The completed checklist must be placed in the case record.

C. Reasons for Applying VIEW Sanctions

The following are reasons for applying VIEW sanctions:

- 1) Failure to report for reassessments, job interviews or other required interviews;
- 2) Failure to actively participate in any VIEW component or activity or to complete requirements designated in the Agreement of Personal Responsibility or Activity and Service Plan, the local Employment Services Plan and State policy. This includes failing or refusing to complete and/or return forms or provide other information by the required date;
- 3) Failure to accept bona fide job offers. A bona fide job offer is an actual job offer given in good faith without dishonesty, fraud or deceit. The job offer must:
 - a) not be beyond the physical or intellectual capabilities of the participant;
 - b) provide at least federal minimum wage or the prevailing wage for an occupation not covered by minimum wage standards;
 - c) **not require travel time from the participant's home to the jobsite that exceeds one hour each way, based on the transportation available to the participant.**
- 4) Termination of employment without good cause. A sanction will be imposed in the following circumstances:
 - a) removal from a community work experience or public service program work site for misconduct or violation of employer rules governing the work site;
 - b) termination from unsubsidized or subsidized employment by the employer due to problems with attendance and/or performance or inappropriate behavior, without good cause;
 - c) non-participation for the assigned hours in a component other than FEP. Participants in FEP will only be sanctioned if the employer requests that the participant's placement be terminated;
 - d) quitting a job, refusing a bona fide offer of increased work hours, or requesting a reduction in work hours without good cause, including FEP.

D. Documentation Required for Failure to Report for Assessment, Reassessment, Job Interviews or Other Required Interviews;

- 1) Correspondence advising the participant of the scheduled interview. The required contents of this correspondence are described at 1000.8.
- 2) The Activity and Service Plan (unless the recipient fails to appear for assessment, or appears but refuses to participate in the assessment) identifying the VIEW activity to which the participant was assigned and any actions required by the participant.

- 3) Contact log documenting all contacts with the participant.
 - 4) A copy of the communication form sent to the EW to sanction/terminate the case.
- E. Documentation Required for Failure to Report to or Complete Job Search, Job Readiness, Vocational Education and Training, Job Skills Training, Education Below Post-Secondary.
- 1) An Activity and Service Plan form showing that the participant was assigned to Job Search, Job Readiness, Vocational Education and Training, Job Skills Training, Education Below Post-Secondary and stating the actions required by the participant.
 - 2) Any letters and phone calls which may have been made prior to the scheduled activity (such contacts are not required by **guidance**).
 - 3) Any referrals to the education, training or service provider, or employer.
 - 4) Contact log documenting all contacts with the participant.
 - 5) Any records of participant's performance or progress in an activity.
 - 6) Any records of participant's attendance or the VIEW Attendance/Performance Rating Sheet.
 - 7) A copy of the communication form sent to the EW to sanction the case.
- F. Documentation Required for Failure to Report to or complete a Work Experience, Public Service Program, or Full Employment Program Assignment
- 1) Activity and Service Plan showing that the participant was assigned to Work Experience, Public Service Program, or Full Employment and stating the actions required by the participant.
 - 2) VIEW Referral to Work Site form.
 - 3) Work Experience Attendance and Performance record/Employee Rating Form.
 - 4) Contact log documenting all contacts with the participant.
 - 5) A copy of the communication form sent to the EW to sanction the case.
- G. Documentation Required for Failure or Refusal to Accept a Bona Fide Job Offer
- 1) Description of the job offer, including OJT positions, and the circumstances surrounding the refusal including an analysis of whether the job offer met the definition of a bona fide job offer.
 - 2) All contacts with the employer.
 - 3) Contact log documenting all contacts with the participant.
 - 4) A copy of the communication form sent to the EW to sanction the case.

1000.21 – COMPLIANCE

- A. Compliance occurs when the participant who failed to comply and has been sanctioned performs a verifiable act of compliance to lift the sanction during or after the fixed sanction period. A verifiable act of compliance for the participant will be either continuing in, or completing an assigned activity.

When the TANF case closes with a sanction in place: If the TANF case is closed during the sanction period, the act of compliance may be met during the pending status of a reapplication. The client is responsible for contacting the ESW to learn how she can comply with program requirements.

Once the client has complied, the ESW will communicate this information to the EW as soon as possible. If the minimum fixed period has not passed at the time the client complies, the sanction will be lifted effective with the end of the fixed period. (Note: If the case is approved in a sanction, and the payment suspended, each of the months of suspended payment, including a partial month, will count toward the fixed sanction period.) If the minimum fixed period has passed once the client complies, the sanction will be lifted effective with the date of compliance.

If the TANF case is approved, the ESW will complete an assessment and have the client sign a new APR and complete a new Activity and Service Plan. The new APR will show the months of VIEW eligibility remaining. The ESW will open a new enrollment in ESPAS with the new assessment date as the start date. As part of the ESPAS data entry, the ESW will review the VIEW clock and make adjustments if needed. The ESW will send a communication form requesting that the EW update AEGNFS with the new APR date and run ED/BC.

If the client complied but the TANF application was not approved, the ESW will document the compliance in the record.

When the TANF case remains open during the sanction: If the case was open at the time the client complied, the ESW will reassess the client and advise the client of the number of months of VIEW eligibility remaining and complete a new Activity and Service Plan. A new enrollment will be opened in ESPAS with the new assessment date as the start date. The ESW will review the VIEW clock and make adjustments if needed.

If the individual is applying for SNAP as well as TANF, the TANF sanction is not necessarily cured by complying with SNAPET requirements. The individual must complete an act of compliance that matches the reason for the VIEW sanction. If that action is no longer available or appropriate, any other verifiable act of compliance deemed acceptable by the ESW will cure the sanction. This determination should be made on a case-by-case basis.

A TANF-UP case that is referred for sanction or in a sanction may not switch the individual who is participating in VIEW to avoid or cure the sanction. Once the sanction is cured, and the recipients wish to change the VIEW participant, they may do so upon request and after advisement from the ESW or EW.

Supportive services may be provided to a participant during the time she is performing a verifiable act of compliance. (See 1000.12C for guidelines). Ongoing supportive services may also be provided to the other mandatory participant in a TANF-UP household who has continued to comply even when the sanctioned participant remains in the fixed period of sanction. Reasonable accommodations must be provided to individuals with verified disabilities during the time they are performing verifiable acts of compliance and to make it possible for individuals to perform verifiable acts of compliance.

1. Employment which meets the following conditions represents a verifiable act of compliance for all situations: the employment is verified, it was obtained after the sanction was imposed, it is for **20** hours per week or more and pays at least minimum wage, it continues for at least two weeks after the client reports the job to the agency, and the client is still employed at the end of the fixed sanction period. The participant is still required to comply with other program requirements in conjunction with employment when applicable.
 2. A verifiable act may be defined in these situations as follows:
 - a. For failure or refusal to report for an appointment or required interview (excluding the initial assessment interview) - keeping another scheduled appointment or interview.
 - b. For failure or refusal to complete and/or return forms or other information to the agency by a required date - returning and/or completing the required form or other information.
 - c. For failure or refusal to begin, to continue in or participate in an assigned activity - beginning, continuing in or participating in an activity for up to two weeks to show a good faith effort to comply.
 - d. For failure or refusal to complete an assignment to a program activity - completing an assignment.
 - e. For failure or refusal to obtain or accept employment – if the client obtains employment during the sanction, the employment must be maintained through the end of the sanction period.
 - f. If the assignment from which a participant has been sanctioned is no longer available or appropriate, compliance may consist of participating in or completing a different activity. In the case of a participant who was sanctioned for failure to participate in her CWEP or PSP assignment, the client will be allowed the opportunity to develop her own worksite in order to comply.
- B. The Activity and Service Plan should reflect the activity the client is to complete in order to comply and the date by which the activity is to be completed. The information from the Activity and Service Plan developed to assist the client in complying with program requirements will not be entered into ESPAS. Once the participant has performed a verifiable act of compliance (with the exception of compliance based on employment), the sanction is lifted at the end of the fixed sanction period, or retroactively to the date the participant complied if compliance was after the end of the fixed period.
- C. Effective Date of Compliance:
1. The effective date of compliance for an appointment/ interview or for forms/ other information not completed or returned to the agency, is the date the client keeps the appointment, participates in the interview, or completes/returns the forms/information.
 2. Compliance for a program activity must meet the conditions for a verifiable act of compliance outlined in 1000.21A. Once those conditions are met, the effective date of compliance for activities other than employment is the date the client completed the activity.

3. For employment that meets the conditions for a verifiable act of compliance outlined in 1000.21A, the effective date of compliance will be:
 - a. the end of the fixed sanction period, or
 - b. the date the participant complied, if compliance was after the end of the fixed sanction period, or
 - c. the date the employment was verified, whichever comes last.

EXAMPLE: The client is in a one month sanction for the period 1/1 through 1/31. On 1/12, the client reports that she has found employment and is asked to submit verification of her employment, wages and hours. She does not submit the required verifications until 2/6. If the client's employment meets the conditions outlined at 1000.21A(1), the EW will be notified and the sanction will be lifted effective 2/6 with benefits prorated for the balance of the month.

1000.22 - TRANSITIONAL SERVICES

Former VIEW participants are eligible for transitional services once they leave TANF, either because they have reached the end of the two-year time period, or because the TANF case has closed for another reason. Eligibility for specific transitional services is based on the client's employment status. During the first three months after TANF case closure, a client may receive transitional services, with the exception of TET or a VTP, if otherwise eligible, even if the case was referred for a VIEW sanction, or closed while in a VIEW sanction. For a two parent household with both parents enrolled in VIEW, the participant's eligibility for Transitional Supportive Services listed in 1000.22A will be evaluated on an individual basis. This may result in one parent receiving these services while the other parent is ineligible due to sanction.

Eligibility for transitional services starts the first day of the month after TANF case closure and may continue through the last day of the 3rd month after TANF case closure, or through the last day of the 12th month after TANF case closure, depending upon the specific transitional service. Note: an individual who is participating in VIEW while residing in a two parent household will not be eligible for transitional services if he leaves the home.

An ESPAS record must be opened for three of the transitional services - Transitional Transportation (TT), Transitional Employment and Training (TET), and the VIEW Transitional Payment (VTP). ESPAS is accessed through the ADAPT main menu, option 14. For detailed instructions, refer to the ESPAS Manual at <http://localagency.dss.virginia.gov/support/adapt/files/espas/espasmanual.pdf>.

If a client with a closed TANF case reapplies and is found eligible for TANF, she will no longer qualify for transitional services. VTP enrollments are closed at reapplication rather than at TANF case approval and are not reopened even if the application is denied. Clients who are referred to or volunteer for VIEW after TANF case approval are eligible for VIEW supportive services. (See 1000.12). If the TANF case closes again, the client may again be eligible for transitional services.

The local agency should include **guidance** regarding the use of, and any limitations on, transitional services in its Standard Operating Procedures contained in the VIEW Annual Plan. The ability of a local agency to pay for the following transitional supportive services - transitional medical/dental, transitional work-related, and transitional emergency intervention services, or for Transitional Employment and Training (TET) - is based on the availability of funds.

Non-parent caretakers whose needs have been removed from the TANF grant for any reason (e.g. noncompliance, excess income for an AU of 1, etc.) are not eligible to receive transitional services if they are still receiving a TANF payment for the child.

A. Transitional Supportive Services

1. Transitional Child Care paid from Child Care funds – 12 month maximum. Child care assistance may be provided for up to twelve consecutive months, after the TANF case closes, to any former TANF recipient (VIEW or non-VIEW) who meets the eligibility requirements outlined in child care **guidance** (Vol. VII, Section II, Chapter D). Child care can be provided for employment or for education. Transitional child care can start no earlier than the first day of the month after the month of TANF case closure. The eligible participant will be required to pay 10% of monthly gross income as a fee, unless the locality has been approved to use an alternative child care fee scale.

2. Transitional Child Care paid from VIEW funds – 3 month maximum. If the participant is determined ineligible for transitional child care based on income, and needs child care in order to work, the agency may pay for child care from VIEW funds for up to 3 months beginning with the month after TANF case closure. The client will not have to pay the 10% fee but will be required to pay any amount over the maximum reimbursable rate.
3. Transitional Medical/Dental Services – 3 month maximum. Payment for medical or dental services not covered by the state Medical Assistance Plan (Medicaid) may be made for working clients if the service relates directly to employment. Medical/dental Services include medical statements or other necessary medical verifications, dentures, glasses, orthopedic shoes, or other items needed to maintain or upgrade employment.
4. Transitional Work-Related Expenses – 3 month maximum. The client may be assisted with on-going or one-time expenses related to work when the service will help the client retain or upgrade employment. Examples of work related expenses include: fees for birth certificates, professional and license fees; registration/graduation fees; picture IDs; uniforms or other required clothing or shoes; safety equipment or tools; car repairs and insurances.
5. Transitional Emergency Intervention Services – 3 month maximum. Assistance may be provided in emergency situations to help a former VIEW participant retain employment. Examples of emergency intervention services include the provision of food or help with shelter costs when the need for such services arises from an emergency situation and the client's employment will be jeopardized if the services are not provided. Automobile expenses are not allowable as an emergency intervention service.
6. Transitional Transportation – 12 month maximum. Transitional transportation may be used to pay for any **paid** employment-related transportation expense, **including transportation expenses for paid employment classified as On-the-Job Training, which** is allowed under VIEW guidelines for open TANF cases. **(Section 1000.12 contains guidance about the provision of transportation services as a supportive service for participation in any VIEW assignment. Transitional transportation is limited to transportation related to paid employment only.)**

A former VIEW participant may apply for transitional transportation any time during the 12 month period following TANF case closure. If she applies after the 12 month period has started, she will be eligible only for the remaining months in the period.

A client whose case was referred for a VIEW sanction, or closed while in a VIEW sanction, must have or find employment of at least **20** hours a week at minimum wage or greater within 3 months of TANF case closure in order to be eligible for Transitional Transportation.

C. Transitional Employment and Training Services (TET)

Transitional employment and training services are available for up to twelve months after TANF case closure for qualified VIEW participants contingent on local agency VIEW funding. All TET services must be approved by the ESW and detailed on an Activity and Service Plan following general guidelines at 1000.11(A). A new Activity and Service Plan will be completed whenever there is a change in TET assignments. Transitional employment and training services include all activities listed at 1000.13 and 1000.14 except FEP and CWEP. Participants receiving TET services may also be eligible for other transitional services listed at 1000.22 if they meet the eligibility criteria.

To qualify and continue to be eligible for transitional employment and training services, the following criteria must be met:

1. The activities are designed to maintain employment income, increase employment income or prevent the loss of employment income by the participant.
2. The participant was enrolled in the VIEW program at the time of case closure.
3. The TANF case of which the individual was a member is closed.
4. The case was not in a VIEW sanction or referred for VIEW sanction at the time of the TANF case closure.
5. Any activity to which the participant is assigned must be completed within 12 months or less.
6. If the TET participant is not employed, any transitional employment and training assignment must be designed to lead to employment within 60 days. If the individual is not employed at least **20** hours per week and earning at least minimum wage by the 60th day, the TET case must be closed.
7. Only individuals who have not completed an associate, four-year, or higher degree may participate in an education or training activity.
8. Education and training activities must prepare participants for jobs in the community or jobs projected to be available in the community.
9. Participants enrolled in education or training must meet the satisfactory progress requirements of the educational institution. For education below the post-secondary level, including ABE and GED, the individual must obtain one grade level increase every three months. Workers are to use VIEW attendance forms and review grades each grading period to monitor satisfactory progress.

1000.24 - HARDSHIP EXCEPTIONS

Exceptions to the two year limit on TANF assistance may be granted under certain circumstances which are specified by the Code of Virginia and outlined below.* (See 901.11 for reasons that the client might be eligible for assistance during the POI based on disability rather than hardship).

- A. Application for An Exception - The client is notified that an extension of benefits is possible by the TANF 24-Month Advance Notice of Proposed Action (032-03-0368). This notice is sent by the eligibility worker 60 days prior to the end of the 24-month TANF eligibility period.

The ESW will explain the criteria for a hardship exception to all VIEW participants who are in the final two months of receipt of TANF. However, the ESW is only required to evaluate the individual for approval of a hardship exception when the participant provides a written request to be considered for an exception. The client must submit a signed and dated written request to the ESW, postmarked within the 60-day period prior to the effective date of TANF case closure shown on the notice, identifying the specific type of exception requested. The agency may assist a client who is illiterate in writing the request, but the request must be submitted timely and must be signed and dated by the client. An individual who has exhausted the 24-month TANF eligibility period and whose TANF case has already been closed may not apply for an exception.

- B. Exceptions and Eligibility for TANF and VIEW - If a hardship exception is granted, TANF benefits will **be issued** for the period of the exception as long as all TANF eligibility factors continue to be met. The client will be a mandatory VIEW participant and will be eligible for supportive services.

- C. Criteria for Granting Hardship Exceptions - Hardship exceptions may be granted under the following circumstances provided the client meets all general and specific eligibility criteria:

1. Exceptions of up to one year
 - a. The client lives in an area of high unemployment.
 - b. The client has been enrolled in employment-related post-secondary education or skills training unless the education or skills training was self-initiated.
2. Exceptions of up to 90 days
 - a. The client is unable to find employment.
 - b. The client has lost her job.

- D. General Eligibility Criteria for Hardship Exceptions

In order to be considered for a hardship exception, the participant's program participation must be evaluated. Determination must be made that:

1. The participant was not sanctioned **more than one time for** failure to satisfactorily participate in

* Code of Virginia 63.2-613

any assigned component activity while in the program. Assigned component activities must be reflected on the client's Activity and Service Plan.

2. The participant was not sanctioned for leaving employment **without good cause** while enrolled in VIEW.

In the case in which a sanction was improperly imposed, including situations in which the sanction was the result of non-compliance caused by the verified disability of the participant or the verified disability of a household member in the care of the participant, the sanction will be removed and the participant may be considered for a hardship exception if otherwise eligible.

E. Conditions Under Which a Hardship Exception May Be Granted for Up to One Year

A hardship exception may be granted by the local agency for any period of time, up to one year, based on a lack of job availability or for completion of employment-related education or training if the client meets the general eligibility criteria outlined above. The client must participate in the VIEW program and carry out all program assignments. The hardship exception will be reevaluated every 90 days to ensure that the basis for the exception continues to exist and that the participant continues to meet all program and exception requirements.

1. Factors relating to job availability are unfavorable
 - a. The client lives in an area where the unemployment rate has been 10% or higher for the **six months** preceding the client's **request for a hardship exception**. Unemployment rate information is available from the Virginia Employment Commission **and on SPARK** at <http://spark.dss.virginia.gov/divisions/bp/tanf/tools/view.cgi>
 - b. The client is registered with the Virginia Employment Commission, is assigned to a job search activity and to any other activity that the agency believes will facilitate employment, and is actively seeking employment.
2. The client is in an employment-related post-secondary education or training program which can be completed within one year
 - a. Participants enrolled in **a self-initiated education or training program that began prior to his/her entry into the VIEW program** are not eligible for an education or training-related hardship exception.
 - b. The participant must have been enrolled in employment-related post-secondary education or skills training for at least 9 of the previous 12 months, have been satisfactorily participating, and must be able to complete the course of study in no more than one year of full time enrollment if the exception is granted.

- c. In the case of a participant with a verified disability, or a household member with a verified disability cared for by the participant, the participant must have been enrolled for at least 6 months out of the previous 12, have been satisfactorily participating for those 6 months, and be able to complete the course of study in no more than one year if the exception is granted. The ESW will work with the participant and the educational institution or skills training program to arrange any accommodations needed by the participant in order to complete the course.
- d. For purposes of this hardship exception, the following education activities are not considered “employment-related education or training”: adult basic education (ABE), General Educational Development (GED), English as a Second Language (ESL, ESOL), High School.

F. Conditions Under Which a Hardship Exception May Be Granted for Up to 90 Days

A hardship exception of up to 90 days may be granted by the local agency based on the participant’s inability to find employment or loss of employment if the participant meets the general qualifying criteria outlined above.

1. The client is actively seeking but is unable to find employment
 - a. The participant is enrolled in a job seeking activity and has been satisfactorily participating, but has been unable to find employment that, in combination with all other income (**this includes earned and unearned income**) or sources of assistance available to the individual, would pay an amount equal to or exceeding the TANF cash benefit plus a standard deduction of **\$142**.
2. The client has been employed but has lost employment due to factors not related to job performance.
 - a. The participant has applied for unemployment compensation from the Virginia Employment Commission and has been denied.
 - b. The participant is able to provide a copy of the determination of ineligibility for unemployment compensation from the Virginia Employment Commission.
 - c. The Virginia Employment Commission determination of ineligibility verifies that eligibility for unemployment compensation would have existed if the participant had worked sufficient hours to qualify.

G. Responsibilities of the ESW – Decision on Exception Request

1. The ESW will notify the participant within 5 working days that the request for a hardship exception as been received. The notification to the participant will provide the date by which a decision will be made. The date will be no longer than 30 days from receipt of the client’s hardship exception request.

2. The ESW will evaluate the request based on **current guidance** and will complete the Hardship Exception Determination Form (032-03-0376) and submit it to the Employment Services supervisor for approval of the recommended action.
3. The ESW will send the client a [Notice of Hardship Exception](#) (032-03-0377) notifying the client of the approval or denial of the hardship exception request, and the reason for approval or denial.
4. If the hardship exception request is denied, the notice will also inform the client of the TANF case closure date. **The client may appeal the denial of the hardship exception as well as the closure of the TANF case.**
5. If the hardship exception request is approved, the notice will explain the terms of approval including the begin (start) and end date of the exception. Additionally,
 - a. The ESW will determine the length of an employment-related education or training exception, up to a maximum one year, based on the time necessary for the participant to complete the course of study.
 - b. The ESW will determine the length of an exception based on **an unfavorable** labor market, up to a maximum one year, or on an exception based on unemployment or loss of employment, up to a maximum of 90 days, based on the client's individual situation, local labor market considerations, and planned outcomes from program participation.
6. If the hardship request is approved, the notice will set a first exception reassessment date no later than 90 days after the date of the notice.

H. Responsibilities of the ESW– Management of Approved Exceptions - General

1. The ESW must monitor all approved exceptions in order to verify that the reason for the exception still exists and that the client continues to participate in assigned program activities. If the reason for the exception ceases to exist, or if the participant ceases to participate in assigned activities and would be sanctioned during regular program participation, the ESW will notify the EW who will send the client the [Advance Notice of Proposed Action](#) (032-03-0018) terminating the case at the earliest possible date.
2. At the same time, the ESW must attempt to contact the client immediately by letter and telephone to determine if the client has good cause for failure to participate in program assignments. If the client has a good cause reason for failure to continue with program assignments, and, in the case of a verified disability, if the reason for non-compliance can be remedied by reasonable accommodations, the agency may allow the client to continue in the activity. The ESW will notify the EW to not terminate the case.

I. Responsibilities of the ESW – Management of Approved Exceptions of Up to One Year

1. In addition to the general management expectations outlined above, the ESW must reevaluate each exception granted based on **an unfavorable** labor market or for employment-related education or training of up to one year at least every 90 days. In the case of exceptions based on employment-related education and training, the ESW will verify that the participant is still enrolled, is making satisfactory progress, and is anticipated to complete the course of study within the period granted by the exception.

J. Responsibilities of the ESW - Extension of Hardship Exceptions

Under some circumstances, a hardship exception of up to 90 days - based on a client's failure to find employment or loss of employment - can be extended. In no case will an exception of up to one year based on **an unfavorable** labor market or for employment-related education or training be extended past the initial date.

1. The local agency may request an extension of a 90-day hardship exception on the behalf of the client. The agency will submit the written request to the Virginia Department of Social Services, Division of Benefit Programs, Economic Assistance and Employment Manager.
2. An extension can be granted only during, or as a continuation of, an existing hardship exception. **90-day** extensions of the 90-day hardship exception will be granted only in very limited circumstances and only to persons who demonstrate extreme hardship. **In no case will the hardship exception period (the original period plus any extensions) exceed a total of one year.**
3. Prior to submitting a request for an extension, the ESW must reassess the client and assign the client to work experience, FEP, or job skills training in addition to a job search activity in order to maximize the client's opportunity to find employment. The extension must be requested at least 15 days prior to end of the participant's original hardship exception. The extension cannot be requested if the original exception period has ended and/or the TANF case is closed.

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INFORMATION SHEET

FORM NUMBER – 032-03-0311-02-eng

PURPOSE OF FORM - This form measures functional literacy levels in English.

USE OF FORM - The form is used for all VIEW participants. Functional education level is recorded on the Assessment Form and in the automated system. Functional education level must be recorded in the automated system by the first reassessment.

NUMBER OF COPIES - One original.

DISPOSITION OF COPIES - Original - Case Record.

INSTRUCTIONS FOR PREPARING FORM - This form will be completed by the VIEW participant to the best of his ability (**without any assistance**). **The form must not be mailed to the participant for completion.** The ESW will determine the participant's functional education level based on completion of Sections A, B, and C.

Section A: grades 0 - 4.0

Complete Question	#1:	grade level 1.0 (record as 01 in automated system)
	#2:	grade level 1.5 (01 in system)
	#3:	grade level 2.0 (02 in system)
	#4:	grade level 2.5 (02 in system)
	#5:	grade level 3.0 (03 in system)
	#6:	grade level 3.5 (03 in system)
	#7:	grade level 4.0 (04 in system)

Section B: grades 5.0 - 8.9

Complete Question	#1:	grade level 5.0 (record as 05 in automated system)
	#2:	grade level 5.2 (05 in system)
	#3:	grade level 5.4 (05 in system)
	#4:	grade level 5.6 (05 in system)
	#5:	grade level 5.8 (05 in system)
	#6:	grade level 6.0 (06 in system)
	#7:	grade level 6.2 (06 in system)
	#8:	grade level 6.4 (06 in system)
	#9:	grade level 6.6 (06 in system)
	#10:	grade level 6.8 (06 in system)
	#11:	grade level 7.0 (07 in system)
	#12:	grade level 7.3 (07 in system)
	#13:	grade level 7.5 (07 in system)
	#14:	grade level 7.7 (07 in system)
	#15:	grade level 8.0 (08 in system)
	#16:	grade level 8.3 (08 in system)
	#17:	grade level 8.5 (08 in system)

Section C: grades 9.0 - 12.9

Completes Question	#1:	grade level 9.0 (record as 09 in automated system)
	#2:	grade level 10.0 (10 in system)
	#3:	grade level 11.0 (11 in system)
	#4:	grade level 12.0 (12 in system)

Score the form as follows:

If the client completes items A.1 – B.9 and then does not answer any other questions, her highest score corresponds with B.9 – 6.6 (6 in ESPAS). If she completes A.1 – B.9 then skips B.10, B.11, B.12, and then answers B.13 – B.17 as well as C.1 and C.2 with statements that are responsive to the questions, her highest score should correspond with C.2 – grade 10.

7/11

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
TANF PROGRAM

Participant: _____

Case ID#: _____

Date: _____

Months Accrued on VIEW Clock: _____

VIEW/VTP TWA TET

ACTIVITY AND SERVICE PLAN

**CURRENT PROGRAM
ACTIVITY ASSIGNMENT**

**Planned
Begin Date**

**Planned
End Date**

**Planned
Weekly Hrs/Pay
& Location**

Core Activities – minimum assignment of 20 hrs per wk

Currently employed full-time	_____	_____	_____
Currently employed part-time	_____	_____	_____
Job Search	_____	_____	_____
Job Readiness	_____	_____	_____
Full Employment Program (FEP)	_____	_____	_____
On-The-Job-Training (OJT)	_____	_____	_____
Community Work Experience (CWEP)	_____	_____	_____
Public Service Program (PSP)	_____	_____	_____
Vocational Education and Training	_____	_____	_____

Non-Core Activities – countable only after minimum 20 hrs/wk completed in Core Activities

Job Skills Training _____
(Includes Education Above Post-Secondary when it is Directly Related to Employment)

Education Below Post-Secondary _____

Other Work Activities – these hours are not counted toward the participation requirement

Other Locally Developed _____

Pending (Assign for a maximum of 60 days) **Inactive** (Assign up to 3x - 30 days per assignment)

List reasons for assignment to Pending or Inactive and the steps necessary to resolve problem

SUPPORTIVE /TRANSITIONAL SERVICES

Child Care Transportation TET VTP Other (please describe)

VTP Period From _____ to _____

AGENCY RESPONSIBILITIES

PARTICIPANT RESPONSIBILITIES FOR CURRENT COMPONENT ASSIGNMENT(S)



FOR ALL PARTICIPANTS

I understand that I am responsible for keeping the agency informed of my progress and needs. I agree to call my Employment Services Worker (ESW) if I have a problem that makes it impossible to keep an appointment or if I wish to discuss or change an activity. I agree to continue in my current activity until I have discussed any problem I may have with my ESW. **I will notify my ESW of any changes in my employment status (such as obtaining new employment).** I will inform my child care worker of any changes that affect my current activity.

I understand that if I fail to participate without a good reason my TANF benefits/support services will be stopped, and my **SNAP** benefits may be affected.



FOR PARTICIPANTS WHO ARE EMPLOYED

I will contact the Employment Services Worker (ESW) to discuss any problems that may affect my employment. I will not quit my job or put myself in a position to be fired without discussing the situation with my worker. I will notify my ESW of any changes in my employment status (such as obtaining new employment or changing jobs). I will complete the required monthly follow-up contact (by phone or by mail) with my ESW prior to the 15th of each month.



FOR PARTICIPANTS ASSIGNED TO JOB SEARCH

I will carry out the responsibilities as agreed upon on my VIEW Job Search form.



FOR PARTICIPANTS ASSIGNED TO CWEP or PSP

I will carry out the responsibilities as agreed to on my VIEW Work Site Position form. I will make sure that my Supervisor has provided the VIEW Attendance/ Performance Rating Sheet to my ESW by the 5th of each month.



FOR PARTICIPANTS ASSIGNED TO EDUCATIONAL OR TRAINING ACTIVITIES

I will provide the VIEW Attendance Sheet to my ESW by the 5th of each month. I will provide a copy of my grades at the end of each semester/ quarter/activity.



FOR PARTICIPANTS ASSIGNED TO THE FULL EMPLOYMENT (FEP) PROGRAM

I understand that I will not receive monthly TANF benefits while I am employed in a FEP placement. I will call my FEP placement supervisor and my worker if I will be absent from work.



FOR PARTICIPANTS ASSIGNED TO PENDING

I understand that I am not actively participating at this time, but that the months during which I am assigned to this component will count toward my two year time period. I also understand that I must keep all appointments and answer all calls and letters from agency staff since I may be required to participate in the future.



FOR PARTICIPANTS ASSIGNED TO INACTIVE

I understand that I will not actively participate at this time. I also understand that I must keep all appointments and answer all calls and letters from agency staff since I may be required to participate in the future.



FOR PARTICIPANTS ASSIGNED TO VTP

I will complete the 6 month job follow-up and return the verification of my employment to my ESW by _____.



ADDITIONAL PARTICIPANT RESPONSIBILITIES NOT LISTED ABOVE



EXCHANGE OF INFORMATION CONSENT (ALL PARTICIPANTS)

I understand that my worker may contact employers, service agencies, and others to assist me in connection with my assignments. By signing this form, I give permission to my ESW to share information from my case record when necessary to provide or coordinate services on my behalf.

PARTICIPANT'S SIGNATURE _____

DATE _____

WORKER'S SIGNATURE _____

PHONE _____

Activity and Service Plan

FORM NUMBER: **032-02-0302-10-eng (7/11)**

PURPOSE OF FORM - This form outlines a strategy designed by the employment services worker and the VIEW participant to achieve long and short term goals in working toward employment as decided upon during the initial assessment and recorded on the Assessment Form (032-02-303). It details specific activities to which the participant will be assigned. **It identifies any services that will be needed** during assignments to these activities.

USE OF FORM - This form is prepared initially at the VIEW assessment and at the time of each reassessment. It is also to be used for persons assigned to Transitional Employment and Training Services (TET), TANF Work Activities (TWA) and VIEW Transitional Payment (VTP). Activities on this form will correspond to entries in the automated system. This form will serve as the service application for clients requesting child care services and serve as documentation for the continued need for child care services. A copy of each Activity and Service Plan must be sent to the child care worker.

NUMBER OF COPIES - One original and two copies

DISPOSITION OF COPIES - Original - Case Record
1st copy - VIEW Participant
2nd copy – Child Care Worker

INSTRUCTIONS FOR PREPARING THE FORM

CURRENT PROGRAM ACTIVITY ASSIGNMENT - This space is provided for the worker/case manager to list the current component assignment(s) along with planned location, dates, and hours/pay. (**Note: The “current component assignment” following the initial assessment will include any assignment for the month of the assessment as well as the next three full months.**) The information on this list will correspond with information in the Employment Services **Program** Automated System (ESPAS). Any assignment to pending or inactive needs to be explained in the space provided.

SUPPORTIVE SERVICES - Any services needed by the participant to engage in the program activities listed will be identified in this section of the Activity and Service Plan.

AGENCY RESPONSIBILITIES - Outline the responsibilities the agency will assume to assist the participant in carrying out the activities identified.

PARTICIPANT RESPONSIBILITIES FOR CURRENT COMPONENT ASSIGNMENT(S) – The employment services worker/case manager will complete this section by using the check boxes and writing in additional responsibilities as needed. This section will outline the specific steps the participant is required to take in order to comply with program requirements. By signing this section of the form, the VIEW participant indicates they have participated in the planning for activities described, and they understand their responsibilities as a VIEW program participant.

For clients assigned to VTP, verification of continued employment is due by the date on the Activity and Service Plan. This date is approximately 6 months from the first VTP payment.

7/11

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
VIEW PROGRAM

Participant's Name: _____

Case Name/ Case #: _____

Employment Services Worker/ Phone #: _____

VIEW JOB SEARCH FORM

Important! Use this form to record the employer contacts and the number of hours for each contact you are required to make while you are looking for a job.

- You do not need to get the signatures of the employer contacts, but your Employment Services Worker may verify these contacts.
- You can count the hours that you spend in face-to-face interviews, the hours completing and turning in job applications or resumes, and the travel time between interviews (but not to the first interview each day or from the last interview each day).
- If you do not complete and sign each page of the form then return it to your Employment Services Worker by the due date, your TANF or TANF-UP benefits may be suspended!

REMEMBER YOU MUST:

- Spend at least _____ hours per week looking for a job.

From _____ (begin date) to _____ (end date)

- Accept suitable job offers.
- Notify your Employment Services Worker as soon as you get a job.
- Complete and sign each page of the form and:

Return the completed form to your Employment Services Worker by _____.

Keep this appointment with your Employment Services Worker on:

_____ / _____ / _____
Date Time Address

Agency use only

Assigned hours for the month: _____

Holiday hrs used for the month (Group JS only): _____

Excused hrs used for the month (Group JS only): _____

Total countable hrs of participation for this activity for the month: _____

VIEW JOB SEARCH FORM for _____

Company: Virginia Employment Commission Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register Result of Contact: _____ Contact Hours (circle) 1 2 3 4
---	---

Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Submit a Resume <input type="checkbox"/> Submit an Application <input type="checkbox"/> Interview: Result of Contact: _____ Contact Hours (circle) 1 2 3 4
---	---

Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Submit a Resume <input type="checkbox"/> Submit an Application <input type="checkbox"/> Interview: Result of Contact: _____ Contact Hours (circle) 1 2 3 4
---	---

Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Submit a Resume <input type="checkbox"/> Submit an Application <input type="checkbox"/> Interview: Result of Contact: _____ Contact Hours (circle) 1 2 3 4
---	---

Signature of VIEW Participant: _____ Date: _____

VIEW JOB SEARCH FORM for _____

Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Submit a Resume <input type="checkbox"/> Submit an Application <input type="checkbox"/> Interview: Result of Contact: _____ <hr/> Contact Hours (circle) 1 2 3 4
---	---

Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Submit a Resume <input type="checkbox"/> Submit an Application <input type="checkbox"/> Interview: Result of Contact: _____ <hr/> Contact Hours (circle) 1 2 3 4
---	---

Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Submit a Resume <input type="checkbox"/> Submit an Application <input type="checkbox"/> Interview: Result of Contact: _____ <hr/> Contact Hours (circle) 1 2 3 4
---	---

Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Submit a Resume <input type="checkbox"/> Submit an Application <input type="checkbox"/> Interview: Result of Contact: _____ <hr/> Contact Hours (circle) 1 2 3 4
---	---

Signature of VIEW Participant: _____ Date: _____

VIEW JOB SEARCH FORM

FORM NUMBER - 032-02-0301-07-eng (7/11)

PURPOSE OF FORM - This form provides written documentation of the VIEW participant's job search contacts.

USE OF FORM - This form is used by VIEW participants to record employer contacts, contact hours and outcomes during assignment to a job search component.

NUMBER OF COPIES - Original

DISPOSITION OF COPIES - Original becomes a part of the case record when the VIEW participant completes job search and returns the form.

INSTRUCTIONS FOR PREPARING FORM - The first section of the form is completed by the Employment Services Worker (ESW) and the information is discussed with the VIEW participant. **After the form is returned by the participant, the ESW will fill in the Assigned hours for the month, the Holiday hours used for the month, the Excused Absence hours used for the month, and the Total Countable hours of participation for this activity for the month.**

The "Employer Contact List" is completed by the VIEW participant. Employers are not required to sign the form. The first **box** in this section **is** to record the mandatory registration/contact with the Virginia Employment Commission. At the end of the job search assignment or at a time designated by the Employment Services Worker, the form is **to be** returned to the agency. The Employment Services Worker will explain to the VIEW participant how the form is to be returned.

The VIEW participant will sign the form at the bottom of **each** page indicating that the contacts have actually been made and that contact hours are accurate. A statement on the form cautions the VIEW participant that the Employment Services Worker may contact the employer to verify the contact.

7/11

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
EMPLOYMENT SERVICES PROGRAMS
COMMUNICATION FORM- From EW to ESW

To _____, ESW
From _____, EW
Date ____/____/____
Reply Needed By ____/____/____
 Copy Sent to Child Care Worker

Name of Participant _____
Case Name _____
Case Number _____

Participant's Client ID # _____
 SNAPET TANF TANF-UP

Reapplication for TANF - Previous Failure to Sign Agreement of Personal Responsibility. APR signed on ____/____/____ (APR attached). Effective Date of TANF approval: ____/____/____.

Result of reevaluation of non-exempt/mandatory status: _____.

Volunteer no longer wishes to participate.

Non-exempt/mandatory individual now exempt. Reason: _____.

Individual may be unable to participate in ESP/SNAPET because _____.

Individual is not able to Read English Write English

Individual will enter/entered employment at _____ on ____/____/____.
Scheduled # of Hours/week _____. Rate of pay \$ _____ per _____.
Frequency of pay: _____. Date of First Pay: ____/____/____.

Individual/household no longer eligible for SNAP. Case closed effective: ____/____/____ (check reason)
 Sanction; ANPA sent Employment/ benefit reduction/savings information provided below
 Other: _____.

Individual removed from the SNAP household effective ____/____/____ (check reason)
 Sanction: ANPA sent Other _____.

Effective with payment on ____/____/____, benefits will be reduced from \$ _____ to \$ _____.

Individual appealed sanction. Case remains open until appeal resolved. Pre-hearing conference scheduled for ____/____/____.

Sanction ended effective ____/____/____.
 Mandatory registrant has been added back to SNAP unit. TANF case reopened.

24-Month Eligibility Termination date: ____/____/____. Appeal prior to 24-Month Closure
or Appeal of Hardship Denial prior to 24-Month Closure. Appeal scheduled for: ____/____/____.
 Client has requested that case remain open until appeal resolved.

VIEW Transitional Payment established effective ____/____/____.

VIEW Transitional Payment ended effective ____/____/____. Reason: _____.

Amount of SNAP allotment for the month of _____ was \$ _____.

New certification period from ____/____/____ to ____/____/____.

Individual is a refugee. Contact _____ (refugee resettlement agency) at _____ (telephone) prior to conducting VIEW/SNAPET initial assessment.

Other _____

7/11

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
EMPLOYMENT SERVICES PROGRAMS
COMMUNICATION FORM- From ESW to EW

To _____, EW
From _____, ESW
Date ____/____/____
Reply Needed By ____/____/____
 Copy Sent to Child Care Worker

Name of Participant _____
Case Name _____
Case Number _____

Participant's Client ID # _____
 SNAPET TANF TANF-UP

- Volunteer signed APR on ____/____/____. Please update AEGNFS screen and run ED/BC.
- Reevaluation of non-exempt/mandatory status is requested. Reason: _____
- Volunteer no longer wishes to participate. Please update AEGNFS screen and run ED/BC.

- Individual will enter education or training activity on ____/____/____.
- Individual will be a participant in work experience. Please provide the SNAP amount for the month of _____.

- Individual will enter/entered employment on ____/____/____.
Employer _____
Scheduled # of Hours/week: _____. Rate of pay: \$ _____ per _____.
Frequency of pay: _____. Date of First Pay: ____/____/____.
- Please send verification of employment.

- Individual has failed to comply with program requirements of _____. Good cause does not exist.
- Notify ESW if aware of good cause reason.
- Sanction for (check appropriate answer)
 - 1 month and compliance 3 months and compliance 6 months and compliance
- Comparability exists.
- Please provide the dollar amount of SNAP reduction due to employment or sanction.
- Please notify when the sanctioned individual has been added back to SNAP unit.
- Please notify when suspended TANF case has been reinstated.

- VIEW Transitional Payment enrollment opened effective ____/____/____.
- VIEW Transitional Payment enrollment closed effective ____/____/____.
Reason: _____

- Hardship denied on ____/____/____.
- Hardship granted from ____/____/____ to ____/____/____.
- Hardship terminated on ____/____/____.

- Other _____

EMPLOYMENT SERVICES PROGRAMS COMMUNICATION FORM

FORM NUMBER - 032-02-0072-11-eng (7/11)

PURPOSE OF FORM – To exchange information about an employment services participant between the eligibility worker and the employment services worker. To make the child care worker aware of changes that may impact the client’s eligibility for child care services.

USE OF FORM – Either the eligibility worker or the employment services worker may originate the form at the time circumstances change for the participant that require the exchange of information.

NUMBER OF COPIES – Three.

DISPOSITION OF FORM – The form consists of page 50 (EW to ESW) and page 51 (ESW to EW). When the form is printed, page 50 should appear on the front and page 51 on the reverse. When the form is e-mailed, both pages should be sent. A copy of the form will be sent to the child care worker whether it is initiated by the EW or the ESW. A copy of the entire form should be retained in the TANF, VIEW and Child Care files.

INSTRUCTIONS FOR PREPARATION OF FORM

The name of the Eligibility worker and the Employment Services worker, the date the form is sent, and the date the reply is needed is to be entered in the upper right hand corner by the worker who originates the form.

The name of the participant, the ADAPT case name, case number, the employment services participant’s client identification number, and the applicable employment services program are to be entered in the next section of the form by the worker who originates the form.

The remainder of the form is completed when messages must be communicated between the eligibility staff and the employment services staff. The worker will check whichever block communicates the desired information, requests the desired information, or is applicable to the situation. If the worker needs to communicate information that is not listed on the form, he/she should check “Other” and enter the information in that space.

Commonwealth of Virginia
Department of Social Services
Temporary Assistance for Needy Families (TANF)
Virginia Initiative for Employment not Welfare (VIEW)

Case Name

Case Number

MEDICAL EVALUATION

It is our goal to assist the individual named below in becoming economically self-sufficient. This person states that he/she is unable to participate in employment and training activities. Please give careful consideration in completing this medical evaluation. The information that you provide will be used to determine program activities that this individual may be able to perform, even if there are some limitations.

Patient's Name

Address

Phone #

Birthdate / /

Agency Name

Address

Agency Contact

Phone #

ABILITY TO PARTICIPATE IN EMPLOYMENT AND TRAINING ACTIVITIES:

1. Date of examination on which this medical evaluation is based: _____. (Examination must have been conducted within the last 90 days).
2. In terms of participating in employment and training activities and the individual's current health issue(s), check the statement – either A, B, or C – that is MOST appropriate at this time.

A.	<i>Able to participate in employment and training activities without significant limitations or modifications</i>
<input type="checkbox"/>	Skip the remaining questions and complete the Signature section at the bottom of page 2.

B.	<i>Able to participate in employment and training activities at least 20 hours per week with limitations and/or modifications as needed.</i>
<input type="checkbox"/>	Anticipated number of months the limitation or need for modification will last. (check one) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12
	How many total hours per week can the individual participate in employment and training activities? (check one) <input type="checkbox"/> 20 <input type="checkbox"/> 25 <input type="checkbox"/> 30 <input type="checkbox"/> 35
	Skip to page 2, answer questions 3 through 10, and complete the Signature section at the bottom of page 2.

C.	<i>Not able to participate in employment and training activities in any capacity at this time</i>
<input type="checkbox"/>	Anticipated number of months the limitation or need for modification will last. (check one) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12
	Skip to page 2, answer questions 3 through 10, and complete the Signature section at the bottom of page 2.

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3. Based on your knowledge of the individual's medical condition, list any limitations that would affect the individual's ability to participate in employment and training activities.

- Physical Limitations: _____
- Mental Health Limitations: _____
- Other Limitations Not Listed Above: _____

4. Do you recommend that this individual apply for SSI (Supplemental Security Income) or SSDI (Social Security Disability Insurance) benefits at this time? Yes No

DIAGNOSIS AND TREATMENT:

5. Please indicate the primary medical reason for the individual's inability to participate in employment and training activities, or to participate with modifications and/or limitations, in the "primary diagnosis" space below.

Primary Diagnosis: _____

If other medical issues contribute to the individual's inability to participate in employment and training activities, or to participate with modifications and/or limitations, please record those in "secondary diagnosis" space below.

Secondary Diagnosis: _____

6. Would reviewing this form jeopardize the patient's health or well-being? Yes No

COMPLIANCE:

7. If physical therapy, counseling, medication or other treatments were prescribed, is the individual complying?

- Yes No Don't know

8. If the individual is not complying with recommendations, are you aware of the reason for not complying?

- Yes No Don't know

9. Does the individual's condition hinder his/her ability to care for his/her children? Yes No

REFERRALS:

10. Does the individual require additional evaluation and/or assessment to determine current and/or future functioning?

- Yes No If yes, by whom: _____

Field or area of expertise _____ Date Referred: _____

SIGNATURE:

This form may be signed **only** by a medical doctor, including a psychiatrist, a doctor of osteopathy, or by a physician's assistant or nurse practitioner working in the practice of a medical doctor or doctor of osteopathy.

Signature _____ Date form was completed: _____
(Physician or Nurse Practitioner or, Physician's Assistant)

Name _____ (Please print)
Office telephone number: _____
Office Address _____ _____

or

OFFICE STAMP

MEDICAL EVALUATION

FORM Number – **032-03-0654-09-eng**

PURPOSE OF FORM – To provide medical information concerning the mental/physical condition of a Temporary Assistance for Needy Families (TANF) applicant/recipient or a Virginia Initiative for Employment Not Welfare (VIEW) participant.

USE OF FORM – To be used by the local social services agency in securing medical information when a written statement is necessary to determine ability to participate in employment and training activities.

NUMBER OF COPIES – One.

DISPOSITION OF FORM – Submitted to the examining or treating medical professional and, upon return to the local department, filed in the case record.

INSTRUCTIONS FOR PREPARATION OF FORM – The information at the top of the form is completed by the eligibility/VIEW worker prior to submittal of the form to the examining or treating medical professional. The information requested in Items 1 through 10 is entered by the examining or treating medical professional. The medical doctor, physician's assistant, or nurse practitioner is to sign the form and also complete the identifying information in the appropriate spaces.

In the case of a single parent household, if the medical professional completing the form indicates in Compliance, item 9, that the patient's condition hinders his/her ability to care for the children, contact the agency's child care and/or child welfare staff to determine if services are needed.

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COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF SOCIAL SERVICES
 TANF PROGRAM

Participant Name: _____

Case Number: _____

HOLIDAYS AND EXCUSED ABSENCES FOR PARTICIPANTS IN UNPAID ACTIVITIES

Holidays for unpaid activities (excluding Individual Job Search): Only the following 10 holidays may be included in the calculation of actual hours of participation:

- | | | |
|---|--|---|
| <input type="checkbox"/> New Year's Day (Jan) | <input type="checkbox"/> Independence Day (July) | <input type="checkbox"/> Thanksgiving Day (Nov) |
| <input type="checkbox"/> Martin Luther King Day (Jan) | <input type="checkbox"/> Labor Day (Sept) | <input type="checkbox"/> Day After Thanksgiving (Nov) |
| <input type="checkbox"/> President's Day (Feb) | <input type="checkbox"/> Veteran's Day (Nov) | <input type="checkbox"/> Christmas Day (Dec) |
| <input type="checkbox"/> Memorial Day (May) | | |

Excused Absences for unpaid activities (excluding Individual Job Search): In addition to Holiday hours, **up to 80** additional hours of excused absences may be counted as VIEW participation in **any 12-month** period for clients scheduled to participate in unpaid activities. No more than 16 hours of excused absences may be **counted as participation in a single month**.

- For new clients signing the APR on or after 10/1/09, the first month that excused absences may be counted is the month after the client signs the APR.
- For all other clients, record an absence for the first month in which an absence occurs on or after 10/1/09, and then any absences in the previous 11 months in order to determine countable absence hours, if any.

Mo/Yr	Date/ Hours	Date/ Hours	Date/ Hours	Date/ Hours	Total Hrs Absent/ Month	Total Allowable Hrs/Month. (16 or less)	Cumulative Hours Used
12/09							
1/10							
2/10							
3/10							
4/10							
5/10							
6/10							
7/10							
8/10							
9/10							
10/10							
11/10							
12/10							
1/11							
2/11							
3/11							
4/11							
5/11							
6/11							
7/11							
8/11							
9/11							
10/11							
11/11							

HOLIDAYS AND EXCUSED ABSENCES FOR PARTICIPANTS IN UNPAID ACTIVITIES

FORM NUMBER: - 032-03-0106-03-eng (7/11)

PURPOSE OF FORM - This form is to be used to document holidays and/ or excused absences when they are included in the calculation of actual hours of participation for unpaid activities for the month. In order for the holiday or excused absence to be counted, the participant must have been scheduled to participate in the activity for that time period but was unable to do so due to holiday closure by the site or due to an excused absence. Excused absence hours should be counted toward participation only when the hours will enable the client to meet the participation requirement which would otherwise not have been met.

USE OF FORM - This form is placed in the participant's case record when the initial VIEW assessment is completed. The form should be updated each month that either a holiday or excused absence will be used in the calculation of actual hours of participation for unpaid activities.

NUMBER OF COPIES - Original

DISPOSITION OF COPIES – Original is to be kept in the case record

INSTRUCTIONS FOR PREPARING THE FORM:

HOLIDAYS – This section is to be used to document any holidays that have been included in the calculation of actual hours of participation for unpaid activities during the month. Only the ten holidays listed may be considered holiday closures for Federal reporting purposes.

EXCUSED ABSENCES - This section is to be used to document any excused absences that have been included in the calculation of actual hours of participation for unpaid activities during the month. Only eighty hours of excused absences may be counted as VIEW participation for the preceding 12-month period and no more than 16 hours of excused absences may be approved in any one month.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
VIEW PROGRAM

Participant's Name: _____
ADAPT Case #: _____
ESW: _____
ESW Phone #: _____

VIEW EDUCATION AND TRAINING ACTIVITIES ATTENDANCE SHEET

Name of Class _____ Name of Program/Curriculum _____

Name of Institution _____ Name of Instructor _____

How is Instruction Delivered: Classroom _____ Internet _____ Other (describe) _____

To Be Completed By Participant

This form must be returned to the Employment Services/VIEW Worker (ESW) listed above by the 5th calendar day of the month following the report month. Please feel free to contact the ESW listed above if you have any questions.

Attendance Report for activities completed during _____, 201__.

Please **circle the days your class is scheduled to meet for the month. After each class meeting**, fill in the number of hours that you attended class, labs, or other activities required for the class. If you were not in class, please use one of the codes listed below to explain why you were not in class on that date. Do not fill in the "Homework/Study Hours" or "Total Hours" sections. **Please sign the form and have the Instructor (or designee) to sign the form to confirm that the information is correct.**

Scheduled Class	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Hours or Attendance Code																															

Attendance Code: A - Absent C - Closed H - Holiday

Participant Signature _____ Date _____

To Be Completed By Instructor

Is homework or study time necessary for success in this class? _____ Yes _____ No

Is the attendance information reported above accurate? _____ Yes _____ No

Instructor Signature _____ Date _____

To Be Completed By Employment Services (VIEW) Worker

Homework/Study																														
Total Hours																														

Total Hours for Report Month _____

Assigned hrs for the month: _____

Holiday hrs used during the month: _____ Excused Abs. hrs used during the month: _____

Total Countable Hrs of Participation for the month: _____

VIEW EDUCATION AND TRAINING ACTIVITIES ATTENDANCE SHEET

FORM NUMBER: 032-03-0191-03-eng (7/11)

PURPOSE OF FORM - This form provides a written means for the employment services worker (ESW) to monitor a VIEW participant's attendance in an education or training program on a monthly basis.

USE OF FORM - This form is used by the education or training program instructor to **verify** the participant's attendance. The form is also used by the ESW/case manager to evaluate any need for intervention to enhance the VIEW participant's progress. A separate form is completed for each course.

NUMBER OF COPIES - Original

DISPOSITION OF COPIES - The original is mailed to the agency by the fifth calendar day after the report month and becomes a part of the case record.

INSTRUCTIONS FOR PREPARING THE FORM

The ESW will be responsible for informing the participant of her responsibility to ensure that the form has been completed in its entirety and signed by the instructor/ his designee each month. A sufficient supply of copies of the form for the semester/ quarter/ length of the course should be given to the participant at the time the assignment is made.

All sections of the form need to be completed in their entirety to enable the ESW to verify attendance. The ESW will fill in the Participant's Name, ADAPT Case #, ESW name, and ESW Phone # at the top of the form. The participant will fill in the Name of Class, Name of Program/Curriculum, Name of Institution, Name of Instructor, and How is Instruction Delivered. The participant will circle the days of the month the class is scheduled to meet. After each scheduled class meeting, the participant will fill in the actual hours of attendance, or the appropriate code if the class was not attended. After the form has been completed, the participant will sign it and then have the instructor or designee answer the homework and attendance questions and sign the form.

The ESW will review the form, and, if unsupervised homework or study time is necessary for success in the class (this will be checked by the instructor), will add one hour of unsupervised homework/study time for each hour of scheduled class time and will total the hours of attendance and unsupervised homework/study time, and fill in the Total Hours for Report Month. **The ESW will fill in the Assigned hours for the month, the Holiday hours used during the month, the Excused Absence hours used during the month, and the Total Countable hours of participation for the month.**

Note: Unsupervised homework/study time can be counted for each hour the participant was scheduled to attend, even if the participant was absent from class on a particular day, if the class was not held because the institution was closed on the scheduled class day, or because scheduled day fell on a holiday. If the participant reports that supervised study time is a required part of the class, the worker will obtain verification from the instructor and will note the hours spent in supervised study by date on the form and add them to the Total Hours for the Report Month). The total hours of class attendance, unsupervised homework/study time, plus any supervised study time, will be reported as participation if otherwise allowable.

The participant will be responsible for providing the completed form to the ESW/ case manager by the fifth calendar day after the close of the report month.

7/11

CONTRACT

This Contract is made this _____ day of _____ 20____, by and between

(herein referred to as the "Agency")
and

(herein referred to as "Contractor").

In order to implement the Agency's Employment Services Program, the parties of this Contract agree as follows:

(1) **SCOPE OF SERVICES:** The Contractor shall provide the services to the Agency indicated in the Attachment.

(2) **TIME OF PERFORMANCE:** The services of the Contractor shall commence _____
and terminate on _____.

All time limits stated in this agreement are of the essence.

(3) **COMPENSATION:** The Contractor shall be paid by the Agency

Total obligation of the Agency in all forms of compensation shall not exceed _____ dollars.

(4) **CONDITIONS OF PAYMENT:** All services provided by the Contractor pursuant to this Contract shall be performed to the satisfaction of the Agency, and in accord with all applicable federal, state and local laws, ordinances, rules and regulations. Contractor shall not receive payment for work found by the Agency to be unsatisfactory, or performed in violation of federal, state or local laws, ordinances, rules and regulations.

(5) **LIABILITY:** The Contractor shall indefinitely, and hold harmless the Agency, and when applicable, its designated representatives, from any and all claims, suits, actions, liabilities and cost of any kind, caused by the performance by the Contractor of his/her work pursuant to this agreement.

Neither the Contractor, its/his employees, assignees or subcontractors shall be deemed employees of the Agency while performing under this agreement.

(6) **GENERAL PROVISION:** Nothing in this agreement shall be construed as authority for either party to make commitments which will bind the other party beyond the Scope of Service contained herein. Furthermore, the Contractor shall not assign, sublet, or subcontract any work related to this agreement or any interest he/it may have herein without the prior written consent of the Agency.

(7) **INTEGRATION AND MODIFICATION:** This Contractor constitutes the entire agreement between the Contractor and the Agency. Any alterations, amendments, or modifications in the provisions of this agreement shall be in writing, signed by the parties and attached hereto.

(8) **TERMINATION:** The Agency may terminate this agreement upon _____ days written notice to the other party. Upon this termination for convenience, the Contractor shall be paid only for those additional fees and expenses incurred between notification of termination and the effective date of termination that are necessary for curtailment of its/his work under this agreement.

In the event of breach by the Contractor of this agreement, the Agency shall have the right immediately, to rescind, revoke or terminate the agreement. In the alternative the agency may give written notice to the Contractor specifying the manner in which the agreement has been breached. If a notice of breach is given and the Contractor has not substantially corrected the breach within _____ days of receipt of the written notice, the Agency shall have the right to terminate this agreement.

In the event of recession, revocation or termination, all documents and other materials related to the performance of this agreement shall become the property of the Agency.

(9) COLLATERAL CONTRACTS: Where there exists any inconsistency between this agreement and other provisions of collateral contractual agreements which are made a part of this agreement by reference or otherwise, the provisions of this agreement shall control.

(10) NON-DISCRIMINATION: In his/its performance of this agreement, the Contractor warrants that he/it will not discriminate against any employee, or other person, on account of race, color, sex, religious creed, ancestry, age, or national origin.

(11) APPLICABLE LAWS: This agreement shall be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, by the laws of the Commonwealth of Virginia.

(12) SEVERABILITY: Each paragraph and provision of this agreement is severable from the entire agreement; and if any provision is declared invalid, the remaining provisions shall nevertheless remain in effect.

(13) AUDIT: The Contractor shall retain all books, records, and other documents relative to this contract for five (5) years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. The agency, its authorized agents, and/or State auditors shall have full access to and the right to examine any of said materials during said period.

(14) AVAILABILITY OF FUNDS: It is understood and agreed between the parties herein that the agency shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this agreement.

(15) RENEWAL OF CONTRACT: This contract may be renewed by the local agency upon written agreement of both parties for one successive year periods, under the terms of the current contract, and at a reasonable time (approximately 90 days) prior to the expiration.

(16) CHARITABLE CHOICE:* If this contract is with a faith-based organization, the participant has the right to refuse to actively take part in religious activities and can refuse the services of the faith-based organization.

* Public Law 104-193

SIGNATURES

Signature of Agency Representative

Signature of Contractor Representative

Name of Agency Representative (print)

Name of Contractor Representative (print)

Date

Date

Contact Information
Local Agencies Served by Refugee Social Services Refugee Employment Programs

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Central	Amelia Caroline Chesterfield Goochland Hanover Henrico Hopewell Petersburg Powhatan Richmond City	<p>Refugee Resettlement and Immigrant Services Program of Commonwealth Catholic Charities</p> <p><u>Richmond Office</u> 1512 Willow Lawn Drive, Suite A Richmond, VA 23230 <u>Phone (804) 545-6289</u></p>	Buckingham Charles City Cumberland Essex Fluvanna King & Queen King William Lancaster Lunenburg Middlesex New Kent Northumberland Nottoway Prince Edward Richmond County Westmoreland
	Chesterfield Goochland Hanover Henrico Powhatan Richmond City	<p>Virginia Council of Churches Refugee Resettlement Program</p> <p><u>Richmond Office</u> 1214 W. Graham Road, Suite 3 Richmond, VA 23220 <u>Phone (804) 321-3305</u></p>	
	Caroline	<p>Migration and Refugee Services of Commonwealth Catholic Charities</p> <p><u>Fredericksburg Office</u> 24 Butler Road Fredericksburg, VA 22405 <u>Phone (540) 899-6507</u></p>	

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Eastern	Chesapeake Franklin City Hampton Isle of Wight Newport News Norfolk Portsmouth Suffolk Surry Virginia Beach Williamsburg York-Poquoson	Refugee Resettlement and Immigrant Services Program of Commonwealth Catholic Charities <u>Hampton Office</u> 1615 Kecoughtan Road Hampton, VA 23661 <u>Phone: (757) 247-3600</u>	Accomack Brunswick Dinwiddie Franklin City Gloucester Greensville- Emporia Mathews Northampton Prince George Southampton Sussex
	Chesapeake Hampton Isle of Wight Newport News Norfolk Portsmouth Suffolk Virginia Beach Williamsburg	Virginia Council of Churches Refugee Resettlement Program <u>Newport News Office</u> 11007 Warwick Blvd. Newport News, VA 23601 <u>Phone: (757) 265-8605</u>	

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Northern Virginia	Alexandria Arlington Fairfax Falls Church Loudoun Manassas City Manassas Park Rappahannock Shenandoah	<p>Migration and Refugee Services of the Commonwealth Catholic Charities</p> <p><u>Arlington Office</u> 80 North Glebe Road Arlington, VA 22203 <u>Phone: (703) 841-3876</u></p> <p>Refugee Employment and Training Program of the Lutheran Social Services of the National Capital Area</p> <p><u>Falls Church Office</u> 7401 Leesburg Pike Falls Church, VA 22043 <u>Phone: (703) 698-5026</u></p>	Clarke Fauquier Frederick Greene King George Louisa Madison Page Warren Winchester
	Culpeper Fredericksburg Orange Prince William Spotsylvania Stafford Caroline	<p>Migration and Refugee Services Catholic Charities of the Diocese of Arlington</p> <p><u>Fredericksburg Office</u> 24 Butler Road Fredericksburg, VA 22405 <u>Phone: (540) 899-6507</u></p>	
	Harrisonburg/Rockingham	<p>Virginia Council of Churches Refugee Resettlement Program</p> <p><u>Harrisonburg Office</u> 250 East Elizabeth Street, Suite 109 Harrisonburg, VA 22802 <u>Phone: (540) 433-7942</u></p>	

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Piedmont	Albemarle Charlottesville Rockbridge-Buena Vista- Lexington Shenandoah Valley	International Rescue Committee <u>Charlottesville Office</u> 609 East Market Street, Suite 104 Charlottesville, VA 22902 <u>Phone: (434) 979-7772</u>	Alleghany- Covington Amherst Appomattox Bath Bedford Botetourt Campbell Charlotte Craig Danville Franklin County Halifax Henry-Martinsville Highland Lynchburg Mecklenburg Nelson Pittsylvania
	Roanoke City Roanoke County	Refugee Resettlement and Immigrant Services Program of Commonwealth Catholic Charities <u>Roanoke Office</u> 820 Campbell Avenue SW Roanoke, VA 24016-3536 <u>Phone (540)-342-7561</u>	
Western	None	None	All

SUBJECT	SECTION/PAGE(S)
Prospective Budgeting	305.1, p. 3-10
Protective Payments	502.3-502.4, p. 4; 502.7, p. 7c-10
Protective Services	401.9, p. 14-14a
Putative Father	302.3, p.1; 302.7, p. 3a; 305.4, p. 36a; 601.1, p. 1a; 601.2, p. 2-2a; 602.3, p. 1-2
Qualified Alien Exception to the Requirement	201.7, p. 1,1a, 1b, 1c, 1f 201.7, p. 1-1b
Questionable Information	401.2, p. 2d; 402.1, p. 1
Recoupment/Recovery	503.8, p. 3-3a
Redirection of Support	602.1, p. 1
Reflecting Income	See Changes - Income; and Prospective Budgeting 305.2, p. 12-13
Refugees	204.1., p. 1; 305.4, p. 24b; 401.2, p. 3; 1000.2. p.10; 1000.8, p.22-25; 1000, Appendix I;
Reimbursements	305.2, p. 12; 305.4, p. 33
Relationship	201.4 - 201.5, p. 1,1a,3a; 302.4, p.37
Release of Information to U.S. Citizenship and Immigration Services (USCIS)	103.4, p. 2
Release of Information - Benefits - Aliens	103.3, p. 1
Renewals	401.3, p. 4-6
Rent/Utilities Paid by Spouse Paid by Someone Other than Spouse	305.4, p. 36a; 305.4, p. 45 See Shelter Contributed
Rental Property	305.2, p. 13; 305.3, p. 14
Request for Address of a TANF recipient	103.2, p. 1; 100, Appendix I
Residence	201.6, p. 5; 203.1, p.1

CASE NAME	CASE NUMBER
WORKER NAME	LOCALITY
AGENCY TELEPHONE NUMBER	

CHANGE REPORT

Use this form or call your worker to report changes listed below for your Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance for Needy Families (TANF) case.

Report changes within 10 days of the day they occur; but at the latest, you have until the 10th day of the following month to report the change.

Note: If you have a Medicaid case, you must report **all** changes to your Medicaid worker within 10 days.

GROSS INCOME FOR YOUR HOUSEHOLD GOES OVER THE LIMIT BELOW

Number of People in your Household	Monthly	Weekly	Every 2 weeks	Twice a month
1	\$1,174	\$273.02	\$ 546.04	\$ 587.00
2	1,579	367.20	734.41	789.50
3	1,984	461.39	922.79	992.00
4	2,389	555.58	1,111.16	1,194.50
5	2,794	649.76	1,299.53	1,397.00
6	3,200	744.18	1,488.37	1,600.00
7	3,605	838.37	1,676.74	1,802.50
8	4,010	932.55	1,865.11	2,005.00
For each additional member add	+ \$406	+ \$94.41	+ \$188.83	+ \$203.00

These amounts are good through 10/31/11.

Add together the gross income for all of the people in your household. New income total
\$ _____

*Gross income is the total amount of income before taxes or any other reductions are taken out.

IF YOU RECEIVE TANF, TELL US IF:

Your address changes

New Address (Street, Apt. Number)	City, State, ZIP	Telephone
-----------------------------------	------------------	-----------

A child, including a newborn, enters or leaves your home. (Tell us about this child at the top of the next page).

The father or mother of a child, including a newborn, enters or leaves your home. (Tell us about this father or mother at the top of the next page).

Any change happens that may affect your VIEW participation. Tell us here about the change that occurred. Also remember to tell your VIEW worker about the change: _____

CHANGES YOU MAY WANT TO REPORT

CHANGE IN THE NUMBER OF PEOPLE IN YOUR HOUSEHOLD

Has ANYONE MOVED IN?

Name		Date moved in	Relationship to you	Social Security Number
Date of Birth	Race (not required)		Sex	Marital Status
U.S. Citizen Yes () No ()	If Alien, give alien number, date of entry		Last school grade completed	Currently in School? Yes () No ()

HAS ANYONE MOVED OUT?

Name	Date moved out	Name	Date moved out
------	----------------	------	----------------

CHANGE IN YOUR ADDRESS

New Address (Street, Apt. Number)	City, State, ZIP
-----------------------------------	------------------

CHANGE IN SHELTER EXPENSES

Rent or Mortgage \$ _____ per _____	Property Taxes \$ _____ per _____	Homeowner's Insurance \$ _____ per _____	Electricity \$ _____ per _____
Gas \$ _____ per _____	Oil \$ _____ per _____	Kerosene, Coal, wood, etc. List and give amount	
Water/Sewer \$ _____ per _____	Garbage \$ _____ per _____	Telephone (Basic Service Only) \$ _____ per _____	Installation Fees \$ _____ per _____

CHANGE IN DAY CARE EXPENSES

Person paying for care	Person receiving care	Amount billed \$ _____	How often?
------------------------	-----------------------	---------------------------	------------

CHANGE IN MEDICAL EXPENSES FOR MEMBERS WHO ARE 60 OR MORE OR DISABLED

Name	Type of expense	Amount billed \$ _____

CHANGE IN LEGALLY OBLIGATED CHILD SUPPORT PAID TO ANOTHER HOUSEHOLD

Person paying support	Person receiving support	Amount legally obligated \$ _____ per _____	Amount paid \$ _____ per _____
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HOW LONG DO YOU EXPECT THE CHANGE(S) TO CONTINUE

() YES () NO Do you expect any of the change(s) you listed on this report to continue beyond this month? If YES, explain

I declare that all information I gave on this form is correct and complete to the best of my knowledge and belief.

Signature _____ Date _____

The Virginia Department of Social Services is an equal opportunity provider.