



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

July 1, 2016

Temporary Assistance for Needy Families Manual

Transmittal # 59

This transmittal includes changes to the Temporary Assistance for Needy Families (TANF) Program and the Virginia Initiative for Employment not Welfare (VIEW) Program. The purpose of this transmittal is to provide new guidance for both the TANF and VIEW Programs.

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, 2016.

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:

Pages Changed	Significant Changes
Multiple Sections and Pages: Section 201, Appendix X, pages 1-7; Section 304, Appendix 2; Section 305.4, pages 39-42a; Section 305, Appendix 1; Section 502.2, pages 2-3; Section 503.8, pages 3-3a; Section 800, Appendix 1, pages 1-5; Section 900, Appendix 2, pages 1-5.	A budget amendment included in the state budget for SFY 17 provided for a 2.5% increase in TANF payments. TANF and VIEW program calculations were added and updated to reflect the 2.5% increase.

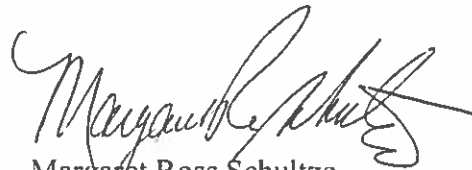
Pages Changed

Significant Changes

Section 1000.13, pages 56 – 57

House Bill 991 was passed in the 2016 General Assembly session and allows the placement of VIEW participants who are in need of job skills and who would benefit from additional job skills training to be placed in an apprenticeship program. This section has been updated accordingly.

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



Margaret Ross Schultze
Commissioner

EXAMPLE #1

A family of three, the mother and two children, apply for TANF. The mother fails to cooperate, without good cause, and is ineligible to be included on the grant. The family resides in a Group I locality and has no countable income. The children are eligible for benefits and the grant is calculated as follows:

Step (1) Calculate reduction by removing caretaker's needs:

\$307.00	SOA for 3 persons
- 240.00	SOA for 2 persons
\$67.00	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$307 = \$76.75$$

Step (3) Calculate additional penalty amount:

\$76.75	25% reduction
- 67.00	SOA reduction
\$9.75	Additional penalty amount

Step (4) Net payment calculation:

\$240.00	SOA for 2 persons/Grant amount
- 9.75	Additional penalty
\$230.25	Net payment
\$230.00	Actual Payment Amount

EXAMPLE #2

A family residing in a Group II locality has been receiving benefits in the amount of \$267 for two persons (the mother and one child). The mother is determined not to be cooperating, without good cause, and must be removed from the grant. The calculation of the new grant amount is as follows:

Step (1) Calculate reduction by removing caretaker's needs:

\$267.00	SOA for 2 persons
- 182.00	SOA for 1 person
\$85.00	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$267 = \$66.75$$

EXAMPLE #2 - Continued

Step (3) Calculate additional penalty amount:

\$66.75	25% reduction
- 85.00	SOA reduction
\$0.00	Additional penalty amount

Step (4) - Net payment calculation:

\$182.00	SOA for 1 person/Grant amount
- 0.00	Additional penalty
\$182.00	Net payment

EXAMPLE #3

A family residing in a Group III locality is composed of the mother and her four children. The mother receives \$120 monthly in countable unearned income. TANF benefits are currently \$444 (\$564 SOA - \$120 income). The mother is determined not to be cooperating, without good cause, and must be removed from the grant.

Step (1) Calculate reduction by removing caretaker's needs:

\$444.00	(\$564.00 SOA for 5 persons - \$120.00 Countable income)
- 354.00	(\$474.00 SOA for 4 persons - \$120.00 Countable income)
\$90.00	

Step (2) Calculate 25% reduction:

$.25 \times \$444 = \111.00

Step (3) Calculate additional penalty amount:

\$111.00	25% reduction
- 90.00	SOA reduction
\$21.00	Additional penalty amount

Step (4) Net payment calculation:

\$474.00	SOA for 4 persons
- 120.00	Countable income
\$354.00	Grant amount
\$354.00	Grant amount
- 21.00	Additional penalty
\$333.00	Net payment

EXAMPLE #4

A family residing in a Group III **locality** is composed of the mother, father, and their three children. A child by a previous relationship of the mother enters the home. The mother does not cooperate, without good cause, in providing information about the child's father. The child's needs are added to the grant; however, the mother's needs must be removed. Calculation of the revised benefits is as follows:

Step (1) Calculate reduction by removing caretaker's needs:

\$599.00	Maximum payment - SOA for 6 persons exceeds maximum
<u>-564.00</u>	SOA for 5 persons
\$35.00	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$599 = \$149.75$$

Step (3) Calculate additional penalty amount:

\$149.75	25% reduction
<u>- 35.00</u>	SOA reduction
\$114.75	Additional penalty amount

Step (4) Net payment calculation:

\$564.00	SOA for 5 persons/Grant amount
<u>-114.75</u>	Additional penalty
\$449.25	Net payment
 \$449.00	 Actual Payment Amount

EXAMPLE #5

A family consists of the mother and two children. Assistance is being provided only for the children because the mother has failed to apply for or furnish a Social Security number for herself. The Eligibility Worker is notified of the mother's failure to cooperate with DCSE, without good cause. The family resides in a Group I locality and has no countable income. Calculate the revised grant amount as follows:

Step (1) Calculate reduction by removing caretaker's needs:

This step is not applicable since the mother's needs have already been removed from the grant for failure to comply in meeting the SSN requirement.

\$240.00	SOA for 2 persons
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EXAMPLE #5 - Continued

Step (2) Calculate 25% reduction:

$$.25 \times \$240 = \$60.00$$

Step (3) Net payment calculation:

\$240.00	SOA for 2 persons/Grant amount
<u>- 60.00</u>	Penalty
\$180.00	Net payment

If the caretaker provides her SSN while she is still subject to a penalty due to noncooperation with DCSE, the grant amount must be recalculated as follows:

Step (1) Calculate reduction by removing caretaker's needs:

\$307.00	SOA for 3 persons
<u>-240.00</u>	SOA for 2 persons
\$67.00	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$307 = \$76.75$$

Step (3) Calculate additional penalty amount:

\$76.75	25% reduction
<u>- 67.00</u>	Amount of SOA reduction
\$9.75	Additional penalty amount

Step (4) Net payment calculation:

\$240.00	SOA for 2 persons/Grant amount
<u>- 9.75</u>	Additional penalty
\$230.25	Net payment
 \$230.00	 Actual payment amount

EXAMPLE# 6

A mother residing in a Group II locality receives TANF for one child. The mother's needs are not included on the grant since she receives SSI. There is no countable income. The Eligibility Worker is notified of the mother's failure to cooperate with DCSE, without good cause. Calculate the revised grant amount as follows:

Step (1) Calculate reduction by removing caretaker's needs:

This step is not applicable since the mother is categorically ineligible to receive benefits for herself while receiving SSI.

\$182.00 SOA for 1 person

Step (2) Calculate 25% reduction:

$.25 \times \$182 = \45.50

Step (3) Net payment calculation:

\$182.00 SOA for 1 person/Grant amount

- 45.50 Penalty

\$136.50 Net payment

\$136.00 Actual payment amount

EXAMPLE #7

A mother residing in a Group I locality receives TANF for herself and seven children. There is no countable income. The Eligibility Worker is notified of the mother's failure to cooperate with DCSE, without good cause. Calculate the revised grant amount as follows:

Step (1) Calculate reduction by removing caretaker's needs:

\$465.00 Maximum payment - SOA for 8 persons (\$625) exceeds maximum

\$465.00 Maximum payment - SOA for 7 persons (\$557) exceeds maximum

Because the SOAs are above the maximum payment amount of **\$465**, there is no reduction when the caretaker is removed.

Step (2) Calculate 25% reduction:

$.25 \times \$465 = \116.25

EXAMPLE #7 – Continued

Step (3) Calculate additional penalty amount:

\$116.25	25% reduction
<u>- 0.00</u>	SOA reduction
\$116.25	Additional penalty amount

Step (4) Net payment calculation:

\$465.00	SOA for 7 persons (\$557) exceeds maximum. Use maximum.
<u>-116.25</u>	Additional penalty
\$348.75	Net payment
\$348.00	Actual payment amount

EXAMPLE #8

A family of four - a mother, her son, her daughter who is a minor caretaker, and the daughter's baby - apply for TANF. The family resides in a Group II locality and has no countable income. The mother cooperates with DCSE, but her daughter, the minor caretaker, refuses, without good cause, to cooperate in securing support for her child. (Note: The minor caretaker does not claim that the father of the baby is unknown, and so cannot sign the ATL.) She is ineligible to be included on the grant. (See 201.10.C regarding cooperation requirements for a minor caretaker). The mother, son, and the daughter's baby are eligible for benefits and the grant is calculated as follows:

Step (1) Calculate reduction by removing the minor parent's needs:

\$401.00	SOA for 4 persons
<u>-336.00</u>	SOA for 3 persons
\$65.00	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$401 = \$100.25$$

Step (3) Calculate additional penalty amount:

\$100.25	25% reduction
<u>-65.00</u>	SOA reduction
\$35.25	Additional penalty amount

Step (4) Net payment calculation:

\$336.00	SOA for 3 persons/Grant amount
<u>35.25</u>	Additional penalty
\$300.75	Net payment
\$300.00	Actual payment amount

EXAMPLE #9

A non-parent caretaker in a Group II locality receives TANF for one child. The non-parent caretaker is not in the AU. There is no countable income. The Eligibility Worker is notified of the caretaker's failure, without good cause, to cooperate with DCSE. Calculate the revised grant amount as follows:

Step (1)	\$182.00	SOA for 1 person
Step (2)	Calculate 25% reduction:	
	.25 X \$182 = \$45.50	
Step (3)	Net payment calculation:	
	\$182.00	SOA for 1 person/Grant amount
	- 45.50	Penalty
	\$136.50	Net payment
	\$136.00	Actual payment amount

EXAMPLE #10

A non-parent caretaker in a Group II locality receives TANF for one child. The non-parent caretaker is not in the AU. The child receives \$50 monthly in countable unearned income. The Eligibility Worker is notified of the caretaker's failure, without good cause, to cooperate with DCSE. Calculate the revised grant amount as follows:

Step (1)	\$182.00	SOA for 1 person
Step (2)	Calculate grant amount:	
	\$182.00	SOA for 1 person
	- 50.00	Countable unearned income
	\$132.00	Grant Amount
Step (3)	Calculate 25% reduction:	
	.25 X \$132.00 = \$33.00	
Step (4)	Net payment calculation:	
	\$132.00	Grant amount
	- 33.00	Penalty
	\$ 99.00	Net payment

ASSISTANCE STANDARDS

GROUP I

Size of Assistance Unit	Standard of Assistance
1	\$151
2	240
3	307
4	372
5	439
6	494
7	557
8	625
9	683
10	748
Each person above 10	\$65
MAXIMUM REIMBURSABLE PAYMENT	\$465

ASSISTANCE STANDARDS

GROUP II

Size of Assistance Unit	Standard of Assistance
1	\$182
2	267
3	336
4	401
5	474
6	530
7	592
8	661
9	720
10	784
Each person above 10	\$65
MAXIMUM REIMBURSABLE PAYMENT	\$503

ASSISTANCE STANDARDS

GROUP III

Size of Assistance Unit	Standard of Assistance
1	\$254
2	339
3	409
4	474
5	564
6	617
7	682
8	751
9	810
10	873
Each person above 10	\$65
MAXIMUM REIMBURSABLE PAYMENT	\$599

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 \$1,999 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	\$1,999.00
Less \$90 deeming disregard	<u>- 90.00</u>
	\$1,909.00
Less standard of assistance for 1 (Group II)	<u>-182.00</u>
Amount deemed available to Ms. P.	\$1,727.00
Standard of assistance for a 4-person AU	\$ 401.00

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	\$1,999.00
150% of poverty guidelines for 2 (monthly)	<u>-1,992.00</u>
Amount exceeding 150% of poverty guidelines	\$ 7.00
Standard of assistance for a 3-person AU	\$ 336.00
Less total countable income (\$7.00 - amount of Mr. P.'s income which exceeds 150% of poverty guidelines, plus \$50 - Ms. P.'s unearned income, plus \$150 - the children's unearned income for a total of \$207 in countable income)	- <u>207.00</u>
Grant amount	\$ 129.00

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 assistance for 1 (Group II)	<u>- 182.00</u>
	\$ 528.00
Less support paid by Mr. J. to non-household dependents	<u>- 400.00</u>
Income deemed available to Ms. J.	\$ 128.00
Standard of assistance for a 3-person AU	\$ 336.00

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 a 3-person AU	\$ 336.00
Less countable income (Ms. J.'s unearned income)	<u>- 100.00</u>
Grant amount	\$ 236.00

EXAMPLE #3:

Ms. L. is applying for TANF for herself and her 2 children. Her husband (not the children's father), Mr. L., is employed and earns \$2,074 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	\$ 2,074.00
Less \$90 deeming disregard	- 90.00
	<u>\$ 1,984.00</u>
Less standard of assistance for 2 (Group II) to include Mr. L. and his child	<u>- 267.00</u>
Income deemed available to Ms. L.	\$1,717.00
 Standard of assistance for a 3-person AU	 \$ 336.00

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	\$2,074.00
150% of poverty guidelines for 2 (monthly)	<u>-1,992.00</u>
Amount <u>exceeding</u> 150% of poverty guidelines	\$ 82.00
 Standard of assistance for 2-person AU	 \$ 267.00
 Less total countable income (\$82.00 – amount of Mr. L.'s income which exceeds 150% of poverty guidelines)	 <u>- 82.00</u>
Grant amount	\$ 185.00

The two children are eligible for TANF. Though Mr. L.'s gross income exceeds 150% of poverty guidelines, his countable income 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.

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

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:

Gross Income of Senior Parent	\$1760
Less \$90 Deeming Disregard	- <u>90</u>
	\$1670
Less Standard of Assistance for 1 person, Group III	- <u>254</u>
Amount deemed available to AU	\$1416
Standard of Assistance for 2, Group III	\$ 339

\$1416 > **\$339** (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:

Gross Income of Stepparent	\$ 550
Less \$90 Deeming Disregard	- <u>90</u>
	\$ 460
Less Standard of Assistance for 1 person Group, II	- <u>182</u>
Amount deemed available to AU	\$ 278
Support paid by the stepparent	- <u>0</u>
Amount potentially available to AU	\$ 278
Standard of Assistance for 3, Group II	\$ 336

\$278 < **\$336** (SOA for 3) — AU remains eligible.

Maximum Income Chart

<u>Size of Assistance Unit</u>	<u>Group I</u>	<u>Group II</u>	<u>Group III</u>
1	\$279	\$337	\$470
2	444	494	627
3	568	622	757
4	688	742	877
5	812	877	1,043
6	914	981	1,141
7	1,030	1,095	1,262
8	1,156	1,223	1,389
9	1,264	1,332	1,499
10	1,384	1,450	1,615
Each person above 10	120	120	120

502.2 PERIOD COVERED BY PAYMENT

- A. Payment covers need for the entire calendar month of eligibility (Section 401.1.I.), except when eligibility is determined in the same month in which an application for financial assistance is received or when an individual is added to an existing case. No payment may be issued, however, prior to the date of application. The effective date of payment is the date that initial eligibility for assistance or a change in amount of assistance begins.

No payment shall be made on an approved application for periods prior to the date of application. If the beginning date of assistance is not the first of the month, the benefit for that month must be prorated. This is accomplished by dividing the amount payable by 30 days, regardless of the total number of days in such month. This amount is then multiplied by the actual days in the month including and following the date of authorization. Additionally, when an individual is added to an existing case, the individual's portion of the grant must be prorated for the first month of eligibility with the beginning date of payment established in accordance with Section 401.2.B.2.c.

EXAMPLE #1: A Group II locality receives a signed application from Ms. Doe on August 18. She requested assistance for herself and two (2) children and reports no income. The agency determined she is eligible to receive an assistance payment on August 24. The beginning date of assistance for Ms. Doe is August 18. The agency will compute her first month's payment based on the following information:

1. 14 days = number of days for which Ms. Doe is eligible to receive assistance in August.
2. **\$336.00** - payment amount for full month's benefit.

The method of computation is as follows:

$$\begin{aligned} \$336.00 \div 30 &= \$11.20 \times 14 = \$156.80 \\ \$156.00 &\text{ grant (rounded down)} \end{aligned}$$

EXAMPLE #2: A Group II locality receives an application on August 5 requesting assistance for a mother and two (2) children. The family receives Social Security of \$88.50 each month. The agency determines eligibility on August 10. The beginning date of assistance for Ms. Doe is August 5. The first payment will be computed as follows:

$$\begin{aligned} \$336.00 - \$88.50 &= \$247.50 \text{ full month deficit} \\ \$247.50 \div 30 &= \$8.25 \text{ daily rate} \\ \$8.25 \times 27 \text{ days} &= \$222.75 \text{ prorated deficit} \\ \$222.00 &\text{ grant (rounded down)} \end{aligned}$$

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.

Current grant	\$336
Full grant after adding child	\$401 - \$30 = \$371
Child's portion to be prorated	\$371 - \$336 = \$35
	\$35 ÷ 30 = \$1.17
	\$1.17 x 26 days = \$30.42
Supplement for September	\$30.00 (rounded down)

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.

503.8 NOTIFICATION, RECOUPMENT AND RECOVERY OF OVERPAYMENTS - State Board policy, adopted in accordance with federal regulations,* requires the local department to promptly recoup or recover any overpayments including overpayments resulting from assistance paid pending hearing decisions. Repayment by either a former or current recipient of the overpayment can occur through recoupment or recovery or both. The agency should discuss voluntary repayment with the client prior to initiating a recoupment.

- A. Notification to the assistance unit must be given before recoupment or recovery of an overpayment begins. After calculating the total amount of the overpayment, the local department of social services must send the Request for Repayment of TANF Benefits and/or Payments for VIEW Services' form. The form is available in the Forms Drawer on the SPARK page. The first page of the form displays the period over which the overpayment occurred and the total amount of the overpayment. The second page allows the individual to select the method of repayment.

A copy of the form must be sent to the TANF recipient or payee or previous TANF recipient or payee and a signed copy filed in the case record. The signed form must remain in the case record until the overpayment has been satisfied. Note: If the recipient or payee fails to sign the form, the unsigned copy must be retained in the case record.

When the signed form is not returned on an active TANF case or on a case receiving a VIEW Transitional Payment (VTP) within 30 days, recoupment should begin the following month. When the TANF case closes prior to the month in which recoupment was scheduled to begin and the recipient or payee later reapplies for TANF assistance, she will be advised that recoupment will begin in the first month that the case is eligible for assistance.

- B. Recoupment consists of withholding all or part of the assistance payment. An overpayment made to a current recipient or payee must be recouped by reducing the amount of any future assistance payable to any assistance unit of which the individual is a member or payee.
1. When the recipient or payee has no cash reserve or countable income (payment equals the Standard of Assistance for the AU), 10% of the assistance payment may be recouped until the overpayment has been repaid. Enter 10% in the "Terms" field on the Create Overpayment/Claim (BATAOC) screen.

Example: TANF Grant of **\$336**; Recoup 10% (**\$33.60**; **amount of recoupment = \$33.00**); New grant amount is **\$303**.

2. In situations where a recipient (but not a payee) has earned income, unearned income, or any combination thereof, in addition to the assistance payment, part or all of the assistance payment may be recouped as long as the assistance unit retains at least 90 percent of the standard of assistance when the total gross income and the amount of the current grant are considered.

To calculate the client's ability to repay the overpayment, the worker will follow steps a - d below:

- a. Determine the amount of the overpayment.

* 45 CFR 233.20(a)(13)(i)

*§63.2 - 512

- b. Combine all gross income including any income that would be disregarded for TANF purposes (such as SSI) and the current grant to determine the amount of income available to the AU.
- c. Determine 90% of the standard of assistance for a family of equal size in the same locality. This represents the amount of money the client must have available.
- d. Subtract the amount in step c from the amount in step b. The difference represents the amount the client is able to repay on the overpayment.

Note: When the additional income or the TANF grant amount is either increased or reduced, the recoupment amount is to be recalculated.

EXAMPLE #1:

Step a: Determine the amount of the overpayment.	
Step b: Available income	\$611.00
(\$344 gross wages + \$267 grant amount)	
Step c: Minimum amount AU retains (\$267 X 90%)	- \$240.30
Step d: Maximum amount that can be paid	= \$370.70

The EW will recoup the entire grant amount of **\$267**.

If the amount that can be paid is equal to or greater than the Standard of Assistance (grant amount), the amount to be recouped will be equal to the grant.

EXAMPLE #2:

Step a: Determine the amount of the overpayment.	
Step b: Available income	\$386.00
(\$50.00 gross wages + \$336 grant amount)	
Step c: Minimum AU retains (\$336 X 90%)	- \$302.40
Step d: Maximum amount that can be paid	= \$ 83.60

The EW will recoup **\$83.00** from the grant.

If the amount that can be paid is less than the Standard of Assistance (grant amount), the amount to be recouped will be equal to the amount that can be paid.

The monthly assistance payment will be reduced according to B (1) and (2) above until such time as the overpayment has been repaid. If, however, income and/or cash reserves have been counted in establishing the client's ability to repay, recovery of the overpayment may also be accomplished through voluntary repayment. This option is to be offered to the client prior to initiating a recoupment.

If recoupment reduces the grant to zero, the case will be retained as TANF eligible with no money payment.

- C. Recovery consists of making arrangements with a former or current recipient or payee for voluntary repayment of all or a portion of the overpayment even though the client may no longer be eligible for assistance. If a former recipient or payee fails to make the voluntary repayment, the agency must initiate action under Section 63.2-512, Code of Virginia, to collect the amount as a debt.

DIVERSIONARY ASSISTANCE EXAMPLES

EXAMPLE #1:

Ms. Elliott applied for diversionary assistance on June 1st for herself and two children. She had been working full time but was laid off on May 24th. She will receive her final paycheck on June 4th in the amount of \$403. She also has a part time job working 15 hours a week at \$8 an hour.

Ms. Elliott is requesting assistance in paying off a \$1200 medical bill. She is no longer able to make payments on it since she lost her full time job and has been threatened with court action. Her situation meets the Diversionary Assistance requirement of a crisis or emergency situation which can be solved by short-term aid.

Because the final check Ms. Elliott will receive is from a terminated source, that income will not be considered in determining her eligibility for diversionary assistance and will not be entered on the income grid. (Note: If the amount of the final paycheck is entered, it will be counted in determining eligibility even though it is from a terminated source.) Ms. Elliott has monthly income from her part time job of \$516 (\$8 per hour x 15 hours per week x 4.3 = \$516). That income is ongoing and will be counted in determining DA eligibility.

Ms. Elliott's monthly income of \$516 is less than **the \$622** maximum family income for a family of 3 in a Group II **locality** and the case passes the 185% income screen. The Standard of Assistance for her family size is **\$336**, but the case is eligible for only **\$47** per month based on Ms. Elliott's income. The total diversionary assistance amount available to the family is **\$188**. Ms. Elliott agreed that this amount would not help her situation. She needed a minimum of \$600 to forestall court action. She decided to proceed with an application for TANF instead of diversionary assistance.

Earned Income	\$ 516.00	(ongoing income)
Standard Deduction for 3	- 155.00	
Sub Total	\$ 361.00	
20% Reduction	- 72.20	
Total Grant Reduction	\$ 288.80	
Grant Amount	\$ 47.00	(Group II, SOA for 3 = \$336; \$336 - \$288.80 = \$47.20)
Maximum DA period	x 4	months Total Diversionary Allowable
	\$ 188.00	
Applicant Need	\$ 1200.00	(medical bill)
Diversionary Issued	None, based on client's decision to apply for TANF	

EXAMPLE #2:

Ms. Ortiz applies for diversionary assistance on November 2nd for herself and her two nieces. She works at a large retail nursery supplying herbs and produce to restaurants and grocery stores in the eastern states. The nursery closes from November 1st to February 28th each year.

Ms. Ortiz works between 25 and 40 hours a week and earns \$8 per hour. She worked 30 hours the last week in October and will receive her final paycheck on November 9th. That paycheck, for gross income of \$240, 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 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 **\$1344**. The diversionary assistance granted is the maximum payment of **1344**. Ms. Ortiz’s sister agrees to give her **\$44** to combine with the maximum diversionary amount so that the crisis situation can be resolved.

The household has no countable income.

Grant Amount	\$ 336.00	(Group II, SOA for 3 = \$336)
Maximum DA period	$\times \frac{4}{1}$	months
Total Diversionary Allowable	\$ 1344.00	
Applicant Need	\$ 1388.00	(\$325.00 car payment + \$900.00 rent + \$163.00 utility bill)
Diversionary Issued	\$ 1344.00	

EXAMPLE #3:

Mr. and Mrs. Carter apply for diversionary assistance on July 25th for themselves and their three young children. Mr. Carter’s employer, a small manufacturer supplying the automobile industry, closed abruptly on March 20th. 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.

The Carter family’s need for rental and utility assistance meets the Diversionary Assistance requirement of a crisis or emergency situation which can be solved by short-term aid. However, the family did not have copies of the children’s birth certificates at the time of application so the agency was unable to immediately establish relationship and approve the DA application.

Mr. Carter returned to the agency on August 11th with the children’s birth certificates and the agency was able to establish relationship. Mr. Carter told the agency at that time that his wife had begun caring for a neighbor’s child after school and would be making \$50 a week through the end of the school year. She was paid \$50 for one week of work on August 9th.

Since the agency had not yet approved the DA application, and since Mrs. Carter has received income which will be ongoing, the agency must re-determine the family’s eligibility for assistance.

Mrs. Carter’s monthly income of \$215 is less than the **\$1043** maximum family income for a family of 5 **in a Group III locality** and the case passes the 185% income screen. The standard of assistance for a family of 5 in a Group III locality is **\$564**. After the earned income disregards are applied to Mrs. Carter’s income, the grant amount is reduced to **\$549**. The maximum diversionary assistance payment is determined by multiplying the grant amount by 4, the number of assistance payments the family could receive in a 4 month period. The actual diversionary payment is the maximum amount, or the eligible needs of the applicant, whichever is less.

Earned Income	\$ 215.00	(ongoing income)
Standard Deduction for 5	- 197.00	
Sub Total	\$ 18.00	
20% Reduction	- 3.60	
Total Grant Reduction	\$ 14.40	
Grant Amount	\$ 549.00	(Group III, SOA for 5 = \$564 ; \$564 – \$14.40 = \$549.60)
Maximum DA period	x 4	months
Total Diversionary Allowable	\$ 2196.00	
Applicant Need	\$ 1225.00	(\$875.00 rent + \$350 utilities)
Diversionary Issued	\$ 1225.00	

EXAMPLE #4:

Mr. Lawrence, a former VIEW participant with 22 months on the 24-month VIEW clock, applied for diversionary assistance on March 28th for himself and one child. He had not been working steadily for some time but found what he believes to be secure employment one week before he applied for assistance. He makes \$12 an hour and will receive his first paycheck in two weeks. He has been living with friends, but has been asked to leave now that he has income. He has located an apartment but needs help in paying the rent and security deposit of \$575 each. His situation meets the Diversionary Assistance requirement of a crisis or emergency situation which can be solved by short-term aid.

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 **locality** is **\$339**. The maximum diversionary assistance payment is **\$1356**. (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	\$ 339.00	(Group III, SOA for 2)
Maximum DA period	x <u>4</u>	months
Total Diversionary Allowable	\$ 1356.00	
Applicant Need	\$ 1150.00	(\$575.00 rent + \$575.00 security deposit)
Diversionary Issued	\$ 1150.00	

EXAMPLE #5:

Ms. Clark applied for Diversionary Assistance on August 15th 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 August 1st, or 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 August 20th. Her first paycheck for one week’s pay will be received on September 3rd.

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	\$ 409.00	(Group III, SOA for 3)
Maximum DA period	x <u>4</u>	months
Total Diversionary Allowable	\$ 1636.00	
Applicant Need	\$ 1187.00	(\$125.00 utilities + \$235.00 car payment + \$827.00 mortgage)
Diversionary Issued	\$ 1187.00	

EXAMPLE #6:

Mrs. Noel applied for diversionary assistance on December 3rd 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 would be cut back to 18 hours per week at least until February. The employer hopes to return all employees to their regular hours and pay at that time. Mrs. Noel makes \$8an hour and received her last full pay check on November 28th in the amount of \$240.

Ms. Noel is concerned that she will be unable to make her mortgage payments for December and January, and possibly February, and still keep up with her other bills. Ms. Noel has been purchasing her Habitat for Humanity Home for three years. Her mortgage payment of \$483 per month is due on the 15th.

Mrs. Noel’s income for December will be \$619.20 (\$8 per hour x 18 hours per week x 4.3 = \$619.20) which is less than the **\$812** maximum family income for a family of 5 in a Group I agency. The case passes the 185% income screen.

Her situation meets the Diversionary Assistance requirement of a crisis or emergency situation which can be solved by short-term aid, and she meets TANF income and other eligibility criteria.

The standard of assistance for a family of 5 in a Group I locality is **\$439** but the case is eligible for only **\$101** per month based on Mrs. Noel’s income. The total diversionary assistance amount available to the family is **\$404**. Mrs. Noel decided to rely on her family for help with her mortgage for December and January. The **\$404** will not really help her with her mortgage payments, and she does not want to jeopardize her TANF eligibility in case her employer has to lay off employees in the future.

Earned Income	\$ 619.20	(ongoing income)
Standard Deduction for 5	<u>- 197.00</u>	
Sub Total	\$ 422.20	
20% Reduction	<u>- 84.44</u>	
Total Grant Reduction	\$ 337.76	
Grant Amount	\$101.00	(Group I, SOA for 5 = \$439 ; \$439 - \$337.76 = \$101.24)
Maximum DA period	<u>x 4</u>	months
Total Diversionary Allowable	\$404.00	
Applicant Need	\$1449.00	(mortgage - \$483 per month x 3 months)
Diversionary Issued	None, based on client’s decision.	

VIEW GRANT CALCULATION

EXAMPLE #1 - Earnings

Assistance unit of 2 in a Group II locality. Mom earns \$456 gross income each month.

Step (1)	-	Screening at Federal Poverty Level		
			\$ 456.00	Gross Monthly Earnings <
			\$1,328.00	Monthly Federal Poverty Level for 2
Step (2)	-	Unearned Income		
			\$267.00	Standard of Assistance for 2
			<u>- 0</u>	Unearned Income
			\$267.00	TANF Deficit
Step (3)	-	Earned Income Disregards		
			\$456.00	Gross Monthly Earnings
			<u>- 155.00</u>	Standard Deduction for 2
			\$301.00	x 20% = 60.20
			<u>- 60.20</u>	
			\$240.80	Net Earned Income
Step (4)	-	Add Net Earned Income and TANF Deficit		
			\$240.80	Net Earned Income
			<u>+267.00</u>	TANF Deficit
			\$507.80	< Monthly Federal Poverty Level for 2
			\$267.00	VIEW Payment (TANF Grant)

EXAMPLE #2 - Earned and Unearned Income

Assistance unit of 2 in a Group II locality. Mom earns \$305 gross monthly and the assistance unit also receives \$120 unearned income monthly.

Step (1)	-	Screening at Federal Poverty Level	
		\$ 305.00	Gross Monthly Earnings <
		\$1,328.00	Monthly Federal Poverty Level for 2
Step (2)	-	Unearned Income	
		\$267.00	Standard of Assistance for 2
		<u>-120.00</u>	Unearned Income
		\$147.00	TANF Deficit
Step (3)	-	Earned Income Disregards	
		\$305.00	Gross Monthly Earnings
		<u>-155.00</u>	Standard Deduction for 2
		\$150.00	x 20% = 30.00
		<u>- 30.00</u>	
		\$120.00	Net Earned Income
Step (4)	-	Add Net Earned Income and TANF Deficit	
		\$120.00	Net Earned Income
		<u>+147.00</u>	TANF Deficit
		\$267.00	< Monthly Federal Poverty Level for 2
		\$147.00	VIEW Payment (TANF Grant)

EXAMPLE #3 - Earnings Result in Ineligibility

Assistance unit of 4 in a Group III locality. Mom earns \$2,021 monthly gross income.

Step (1)	-	Screening at Federal Poverty Level	
		\$2,021.00	Gross Monthly Earnings =
		\$2,021.00	Monthly Federal Poverty Level for 4

The assistance unit is ineligible.

EXAMPLE #4 - Maximum Reimbursable

Assistance unit of 6 in a Group I locality. Mom earns \$457 gross monthly income.

Step (1)- Screening at Federal Poverty Level

\$ 457.00	Gross Monthly Earnings <
\$2,715.00	Monthly Federal Poverty Level for 6

Step (2) - Unearned Income

\$494.00	Standard of Assistance for 6
<u>- 0</u>	Unearned Income
\$494.00	TANF Deficit
\$465.00	Maximum Reimbursable Amount

Step (3) - Earned Income Disregards

\$457.00	Gross Monthly Earnings
<u>- 226.00</u>	Standard Deduction for 6
\$231.00	x 20% = 46.20
<u>- 46.20</u>	
\$184.80	Net Earned Income

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

\$184.80	Net Earned Income
<u>+465.00</u>	Maximum Reimbursable TANF Deficit
\$649.80	< Monthly Federal Poverty Level for 6
\$465.00	VIEW Payment (TANF Grant)

EXAMPLE #5 - Earned Income Case with Immunization Penalty

Assistance unit of 2 in a Group III locality. Mom earns \$966 gross monthly income. One member of the AU receives \$60 SSA monthly. There is a \$50 immunization penalty.

Step (1)	-	Screening at Federal Poverty Level	
		\$ 966.00	Gross Monthly Earnings <
		\$1,328.00	Monthly Federal Poverty Level for 2
Step (2)	-	Unearned Income	
		\$339.00	Standard of Assistance for 2
		<u>- 60.00</u>	Unearned Income
		\$279.00	TANF Deficit
Step (3)	-	Earned Income Disregards	
		\$966.00	Gross Monthly Earnings
		<u>- 155.00</u>	Standard Deduction for 2
		\$811.00	x 20% = 162.20
		<u>- 162.20</u>	
		\$648.80	Net Earned Income
Step (4)	-	Add Net Earned Income and TANF Deficit	
		\$648.80	Net Earned Income
		<u>+279.00</u>	TANF Deficit
		\$927.80	< Monthly Federal Poverty Level for 2
		\$279.00	= VIEW Payment (TANF Grant)
Step (5)	-	Apply Immunization Penalty	
		\$279.00	VIEW Payment
		<u>- 50.00</u>	Immunization Penalty
		\$229.00	Net VIEW Deficit
		\$229.00	VIEW Payment (TANF Grant)

EXAMPLE #6 - TANF-UP Household

Assistance unit of 4 in a Group II locality. Dad earns \$1505 gross income.

Step (1) - Screening at 150% of the Federal Poverty Level

\$1,505.00	Gross Monthly Earnings <
\$3,032.00	150% of the Monthly Federal Poverty Level for 4

Step (2)- - Unearned Income

\$ 401.00	Standard of Assistance for 4
- 0.00	Unearned Income
\$ 401.00	TANF Deficit

Step (3) - Earned Income Disregards

\$1505.00	Gross Monthly Earnings
- 168.00	Standard Deduction for 4
\$1337.00	x 20% = \$267.40
- 267.40	
\$1069.60	Net Earned Income

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

\$1069.60	
+ 401.00	TANF Deficit
\$1470.60	< 150% of the Monthly Federal Poverty Level for 4
\$ 401.00	VIEW Payment (TANF Grant)

C. 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.

PSP 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 PSP 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. If a client is assigned to a PSP site and loses his Medicaid coverage, he is to be reassessed. If an unpaid work placement continues to be appropriate, the client can be assigned to CWEP. Assigned hours will be based on CWEP guidance at 1000.13. The former PSP site can be used for the CWEP placement, or the client can be assigned to another CWEP site. Alternately, the client can be assigned to a different component.

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.

D. 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
2. With the exception of sheltered workshop employment, an OJT position that pays less than minimum wage does not meet the definition of employment and is not a countable work activity. The minimum wage requirement is waived if the OJT position is sheltered workshop employment. (Sheltered workshops are certified by the U.S. Department of Labor to pay commensurate wages which are based on the individual's ability to perform in relation to the performance of a person without a disability).
3. Because OJT is a type of paid employment, the participant will not be required to participate in another concurrent activity if the client works in the OJT position 30 hours per week or

more and earns at least minimum wage. Each assignment to OJT should be for a period of six months.

4. If the hours for any OJT position are less than 30 per week, the participant must be assigned to a concurrent program activity and must meet the 35 hour participation requirement.
5. **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 classroom training hours. Registered apprenticeship is a structured training program that combines on the job training and related technical instruction to train employees in occupations that demand a high level of skill in the private and public sectors. Occupations in construction, manufacturing, and the service industries utilize apprenticeship readily. A registered apprentice completes a minimum of 2,000 hours of supervised on-the-job training and a minimum of 144 hours of related classroom instruction for each year of apprenticeship. Information about apprenticeship requirements, apprenticeshipable occupations, and employers offering opportunities in Virginia is available at http://www.doli.virginia/apprenticeship/registered_apprenticeship.html.**

E. VOCATIONAL EDUCATION AND TRAINING

1. Vocational education and training is training or education designed to prepare the participant for a specific trade, occupation, or vocation. It is a countable activity for 12 months in a lifetime. The months of training do not have to be consecutive. Each assignment to vocational education and training should be for a period of time that will coincide with the length of the training/education program whenever possible but should not exceed six months.

Vocational education and training does not include education beyond the baccalaureate or degree, nor does it include ABE, GED, or ESL instruction. Examples of activities that can be classified as vocational education and training are technology, business, and health sciences programs leading to certificates, associate or baccalaureate degrees in the trades, information technology, medical equipment repair, accounting administration, medical assisting, practical or registered nursing, business, education, criminal justice and health sciences. Prior to entering vocational education and training, a participant must meet any educational or technical requirements of the occupation for which she is preparing or be enrolled in an activity to meet the requirements.

Programs meeting the definition of vocational education and training are offered by a wide range of institutions including vocational-technical schools, community colleges, post-secondary institutions, proprietary schools, and secondary schools offering vocational education. The choice of vocational education and training offered may vary in each locality, depending upon local labor market conditions.

Up to one hour of unsupervised study or homework time can be counted as vocational education and 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 vocational education and 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.