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TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

Chapter 900 - The Virginia Initiative for Employment Not Welfare Program
(VIEW)

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The Virginia Initiative for Employment not Welfare Program (VIEW) is a program of employment opportunities to assist individuals in attaining the goal of self-sufficiency.*

The program goals are to offer Virginians living in poverty the opportunity:

- To achieve economic independence by removing barriers and disincentives to work and by providing positive incentives to work;
- To provide work skills necessary for self-sufficiency;
- To allow families living in poverty to contribute materially to their own self-sufficiency;
- To set out the responsibilities of and expectations for recipients of public assistance;
- To obtain work experience through the Virginia Initiative for Employment Not Welfare (VIEW).

NOTE: All policy in this manual also applies to VIEW participants except for the specific differences indicated below.

901.1 PARTICIPATION - As a condition of eligibility, each recipient of TANF and TANF-UP must participate, as required in VIEW, unless otherwise exempt.

The eligibility worker in the local agency must determine which applicants and recipients are not required (exempt) to participate and which are required to participate (non-exempt). The eligibility worker will refer to the VIEW Program a non-exempt individual at the time of application approval or when an individual's VIEW status changes. Any previous or existing registrations or participation under another category of assistance no longer apply.

NOTE: JOINT TANF AND FOOD STAMP APPLICATIONS: In situations requiring joint processing of TANF and Food Stamp applications, the work registration form or affidavit, whichever is appropriate, is to be used for food stamp purposes in the event that the TANF application is denied. (Refer to Volume V, Part VIII, A. of the [Food Stamps Certification Manual](#).)

901.2 EXEMPTION CRITERIA - An applicant/recipient of TANF or TANF-UP must participate in the VIEW Program unless the individual meets one of the following exemption criteria:

- A. Any individual, including minor caretakers under 18 years of age.
- B. Individuals at least 18, but no more than 19 years of age, who are enrolled full-time in elementary or secondary school, including vocational or technical school programs. The vocational or technical school must be equivalent to secondary school.

- C. Individuals unable to participate because of a temporary medical condition that prevents entry into at least 10 hours per week of employment and training activities, as determined by a medical professional. 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 applies in exemption F below also.

The individual must provide the local agency a completed Medical Evaluation (form 032-03-0654-eng) 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.

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.

If the individual is unable to participate in VIEW for at least 10 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 for the condition is more than 12 months, or if the disability is identified as permanent, a new medical must be obtained every 90 days.

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.

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.

- D. Individuals who are incapacitated, as determined by receipt of Social Security Disability benefits or Supplemental Security Income. 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. This exemption cannot be granted to either parent in a TANF-UP case. If there are two parents in the assistance unit and one parent meets this exemption, the case is a TANF case rather than a TANF-UP case.

- E. Any individual 60 years of age or older.
- 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 individual must have caretaking needs that prevent the individual 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.

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 90 days.

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.

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.

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, or failure to provide a Social Security number. 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 the VIEW exemption code 'VU' on the 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 who are exempt from VIEW may volunteer to participate in VIEW. Recipients of SSI benefits, convicted offenders serving sentences while still living in the home, and illegal immigrants, are ineligible for inclusion in the TANF assistance unit and therefore cannot volunteer to participate in VIEW. 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.

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.

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.

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.

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.**

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 immigrants.
- I. Advise all volunteers that once they enter VIEW by signing the Agreement of Personal Responsibility that they have the same rights and responsibilities 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 (032-03-0307-01-eng) within three working days of receipt of the notification from the ESW.
- M. Close the TANF case upon receipt of information from the VIEW worker that the recipient has refused to sign the Agreement of Personal Responsibility.
- N. Obtain verification and impact the assistance payment when a recipient obtains employment.
- O. 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.

- P. 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.
- Q. When closing a TANF case with a VIEW participant, determine VTP eligibility. Inform the ESW if the VTP is started or terminated in ADAPT.
- R. Close the VTP case when the client is no longer eligible.
- S. 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. Have the recipient sign the VIEW Agreement of Personal Responsibility as part of the initial assessment interview.

Note: Explain IPV (Intentional Program Violation) reporting requirements and penalties to the participant. Have the client sign the Notice of Intentional Program Violation Penalties. This form may be located on the local agency DSS Intranet site (www.localagency.dss.state.va.us). Give a copy to the client and place a copy in the VIEW record. 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.
- B. Enter the date that the recipient signs the VIEW Agreement of Personal Responsibility as the assessment date in ESPAS. By transmitting from the AECLOC 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.
- C. Advise the eligibility worker of the non-exempt recipient's refusal to sign the VIEW Agreement of Personal Responsibility, if applicable.
- D. Determine in which component(s) an individual must participate and whether he complies.
- E. 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.
- F. Advise the eligibility worker that a case is to be sanctioned and the appropriate sanction period. The EW will send the ANPA (032-03-0307-01-eng) within three working days of receipt of the notification from the ESW.
- G. The ESW 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.

- H. 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>.
- I. 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.
- J. 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.
- K. 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.
- L. 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.
- M. Complete job follow-up for VTP and inform the EW when the participant is no longer eligible for the VTP.
- N. 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. A new Agreement must be signed at the initial VIEW assessment and upon re-referral following a reapplication or a period in which the individual is exempt. An individual is considered a VIEW participant when the Agreement of Personal Responsibility has been signed. The agreement will, at a minimum, explain the 24-month time limit and that it is the participant's responsibility:
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 would 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. An individual will be considered as participating in VIEW until such time as a notice is received from the VIEW worker that he has failed or refused to participate. If an individual fails/refuses to participate/cooperate, without good cause, the case is not eligible to receive a grant.
- C. Refusal to Sign the Agreement of Personal Responsibility (APR) - If the VIEW worker advises the eligibility worker that a mandatory individual has refused to sign the Agreement of Personal Responsibility, the TANF case must be closed as soon as administratively possible. Refusal to sign the Agreement of Personal Responsibility means overt refusal to sign or failing to appear without good cause, for an initial assessment interview in which the Agreement of Personal Responsibility was to be signed. The ESW 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.

Upon a subsequent re-application for TANF the applicant(s) determined to be VIEW mandatory must sign the Agreement of Personal Responsibility before the initial payment is issued. 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.

Countable earnings must be screened in accordance with policy in [Section 305](#), and the VIEW grant calculation is applicable beginning the month following the month the Agreement is signed.

901.6 SANCTIONS - Participants who fail to participate in the VIEW Program will be sanctioned.

- A. The sanction will be imposed by suspending the TANF payment for the period of time specified at [901.6F](#).
- B. For needy non-parent caretakers, the caretaker is to be removed from the grant, rather than suspending the payment. **The caretaker may not be added back to the TANF grant during the current period of TANF assistance. If the caretaker files a new TANF application, follow instructions at Procedures Section IX, D) 2c.**
- C. The ESW must advise the EW of the decision to sanction and the sanction count.

- D. The EW is to sanction the participant unless otherwise advised by the VIEW worker.
1. If the EW is aware that the participant might have been exempt during the required participation period, or was unable to participate for reasons of disability or language barrier, the EW must advise the ESW.

The ESW is responsible for making the final decision as to whether to proceed with the sanction. If the ESW determines that the participant was exempt, or was unable to participate for reasons of disability or language barrier, the ESW will advise the eligibility worker to not impose the sanction.

Exception: The EW will not impose the *first* sanction when the client obtains and provides verification of full-time employment (at least 30 hours per week) prior to the effective date of the proposed sanction. The EW will **delete the sanction information from ADAPT and** inform the ESW of the employment and that the 1st sanction was not imposed. Employment prior to the imposition of a 2nd or 3rd sanction will not impact the proposed sanction; the eligibility worker will impose 2nd and 3rd sanctions regardless of client employment status.

2. When a participant becomes exempt during a sanction period, the EW must wait until the minimum sanction period has elapsed before removing the sanction unless notified by the ESW that the sanction was imposed in error, or that the client's failure to participate was due to disability or language barrier. In those circumstances, the sanction must be lifted immediately by the ESW and deleted from the automated system by the EW. The sanction will not be included in the client's overall sanction count.
3. When a sanctioned individual becomes disabled or becomes required to care for a disabled family member living in the household during the 24-month POI, and such disability or situation prevents the individual from being self-supporting, the individual must serve the fixed sanction period before the individual can be eligible for TANF due to his/her disability, or need to care for the disabled family member, during the 24-month POI.

Example: A VIEW sanction was imposed effective July 1, 2008 for six months. The client's 24th month of assistance is September 2008. The 24-month POI begins October 1, 2008. The client becomes disabled (unable to work) and applies for TANF on October 13, 2008. She still has to serve the remaining two months of the fixed sanction period (in this example, six months) before she can be eligible for TANF due to disability. The earliest date that she can be eligible for TANF due to disability is January 1, 2009.

- E. The EW must apply the sanction effective the month following the month in which they receive notice to sanction, if administratively possible. If this cannot be done, the action must be taken for the second month. The EW must mail the Advance Notice of Proposed Action as soon as possible after receipt of the Notice to Sanction. The advance notice must indicate the duration of the sanction.

F. The sanction time frames are as follows:

1. For the first sanction, the grant will be suspended for a minimum period of one month and will continue to be suspended until the client complies.
2. For the second sanction, the grant will be suspended for a minimum period of three consecutive months and will continue to be suspended until the client complies.
3. For the third and subsequent sanctions, the grant will be suspended for a minimum period of six consecutive months and will continue to be suspended until the client complies.

In determining the length of time that the sanction will be imposed, if the VIEW worker determines that a previous sanction was due to an

unaccommodated disability which prevented compliance, the current sanction should be imposed as if the previous sanction had not occurred. For example, if this would have been the second sanction but the ESW determines that non-compliance with program requirements that resulted in the first sanction was the result of a disability, the second sanction will be treated as if it is the first sanction and the penalty for a first sanction will be applied.

- G. While a grant is suspended for a sanction period, the assistance unit members are considered TANF recipients for all other purposes. The time clock for VIEW participants continues during the sanction.
- H. The ESW will advise the eligibility worker of the **effective date of compliance**. **If the date of compliance is during the fixed sanction period, the sanction will be lifted effective the first day of the month following the end of the fixed period. (Note: If the case is approved in a sanction, and the payment suspended, each of the month(s) of suspended payment, including a partial month, will count toward the fixed sanction period.)** If the date of compliance is after the fixed period has ended, the sanction will be lifted as of that date and the grant for that month will be prorated.
- I. A sanction is removed when the sanctioned individual becomes exempt after the minimum sanction period has elapsed. Once the exemption is verified, the sanction is to be removed effective the date the exemption change is reported. Late reporting of an exemption change does not constitute an underpayment.

Exception: When the ESW determines that the non-compliance with program requirements that resulted in the sanction was the direct result of a disability, the need to care for a household member with a disability, or barriers to employment related to limited English proficiency, the ESW will notify the EW, who will immediately lift the sanction, reinstate benefits, and enter the sanction exemption information into the computer system.

- J. Sanctions and Reapplication - If the sanction is in the fixed period when the case closes, the sanction resumes at approval at the point it left off when the case closed.

Example - The second VIEW sanction was imposed effective January 1, 2005. Customer requested that her TANF case be closed effective January 31, 2005. Customer reapplied for TANF in June 2005, and the application was approved July 12, 2005. The customer is VIEW mandatory. The second month of the fixed period resumes with July 2005.

If the TANF case closed during a sanction after the fixed period, the case is sanctioned at reapproval until the eligibility worker is notified by the ESW that the client has complied.

In both sanctions, the time clock for the twenty-four month time limit resumes at reapproval.

When a sanctioned individual moves from one case to another, the sanction continues uninterrupted, unless the ESW determines that the non-compliance with program requirements that resulted in the sanction was the direct result of a disability, the need to care for a household member with a disability, or barriers to employment related to limited English proficiency.

Example - The second VIEW sanction was imposed effective January 1, 2005. The client requested that her TANF case be closed effective January 31, 2005. She reapplied for TANF in June 2005, and the application was approved July 12, 2005 back to the June application date. The client is VIEW mandatory. The second month of the fixed period resumes with June 2005, the client's first month of assistance. Once the fixed period has ended and the client has complied with program requirements, the ESW will schedule the client for reassessment at which time a new APR will be signed.

If the TANF case closed during a sanction after the fixed period, the case is sanctioned at reapproval until the eligibility worker is notified by the ESW that the client has complied. Once the client has complied and the TANF case status has been changed to GV, the ESW will schedule the client for reassessment at which time a new APR will be signed.

In both sanctions, the time clock for the twenty-four month time limit resumes at reapproval. The client is still allowed the VIEW disregards when employed and in a sanction.

When a sanctioned individual moves from one case to another, the sanction continues uninterrupted, unless the ESW determines that the non-compliance with program requirements that resulted in the sanction was the direct result of a disability, the need to care for a household member with a disability, or barriers to employment related to limited English proficiency.

K. VIEW Appeal Procedures - The following procedures must be followed at all appeals involving VIEW Sanctions:

1. A representative from the Employment Services Program Service Staff (VIEW) must be present during the pre-hearing conference and the appeal hearing.
2. The eligibility worker must notify the Employment Services Program staff of the date and time for the pre-hearing conference. The hearing officer will notify Employment Services Staff of the date and time of the appeal hearing.
3. The summary of facts must be prepared jointly by the Eligibility Staff and Employment Services Staff to ensure that both ESP eligibility and participation issues are stated in the summary.
4. If the appeal is filed timely and benefits continue pending the hearing decision, the sanction must be imposed as soon as administratively possible when the decision sustains agency action. There is no overpayment in this situation.

901.7 VIEW PAYMENT CALCULATION - To reward work, a VIEW participant may earn up to the assistance unit's federal poverty level (or up to 150% of the federal poverty in the case of TANF-UP households) and remain eligible for TANF for up to twenty-four months from the date that the initial Agreement of Personal Responsibility 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. The TANF Match Payment is not considered in calculating the VIEW payment.

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.

* 22 VAC 40-295-60

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 that had time left on the clock when the TANF case closed begins a new twenty-four month period if the assistance unit did not receive TANF for at least twenty-four months after case closure. 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. 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.

Example 1: Mr. and Mrs. X and their children receive TANF-UP. Mr. X enrolled in VIEW in December, and his VIEW clock started in January. He has 6 months on his clock. In June, Mr. X moved out along with one child, and applied for TANF for himself and the child. The months on the VIEW clock for Mrs. X are 0 because she did not participate in VIEW.

2. When one parent leaves, the children are subject to the time limit and period of ineligibility of the parent with which they reside.
3. When a caretaker who has never participated in VIEW is added to a case with a person who has a VIEW clock he is not subject to a clock until he participates in VIEW.

Example 1: Mr. Y and his six month old child move into the home with Mrs. Y. Mr. Y is the father of Mrs. Y's child, so this will be a TANF-UP case. Mr. Y has never received TANF. He does not have a VIEW clock and is exempt from VIEW because he is the caretaker for his six month old child. Mrs. Y has a clock count 10 months. Mr. Y will not have a VIEW clock until he begins to participate.

4. When a caretaker who has participated in VIEW (has a VIEW clock) is added to a case where the other caretaker has also participated in VIEW (has a VIEW clock) each caretaker will retain his/her individual VIEW clock.

Example 1: Both Mr. and Mrs. Y have received TANF and participated in VIEW for the past 6 months. Mr. Y leaves the household and moves in with Ms. A, who is a VIEW participant with a VIEW clock of 3 months. Mr. Y will have a clock count of 6 months and Ms. A will have a clock count of 3 months.

5. When a caretaker who participated in VIEW is added to a case with a non-VIEW participant, he will keep the months on his clock. The non-VIEW participant will not have a clock until she begins to participate in VIEW.

Example 1: Mr. and Mrs. Y receive TANF and each has 6 months on their VIEW clock. Mr. Y leaves the household and moves in with Ms. A and their three month old child. Ms. A is exempt from VIEW as the caretaker for the three month old child and does not have a VIEW clock. Mr. Y will have a clock count of 6 months and Ms. A will not have a VIEW clock until she begins to participate.

901.10 NOTICE AND APPEAL OF THE TIME LIMIT* - ADAPT will generate an Advance Notice of Proposed Action at the beginning of the twenty-second month of VIEW participation that will be mailed to the recipient by the local agency EW. The notice must be mailed, or available at the local agency in the case of an assistance unit which is homeless, at least sixty (60) days before the effective date of the action, excluding the date of mailing and the effective date, to terminate the TANF case due to the twenty-four month time limit. The notice shall also inform the participant of the circumstances which constitute a hardship exception and how to apply for one. In addition, the ESW must make a good faith effort to inform the person verbally.

If a case is not in approved status in the system on the first of the month of month twenty-two, the eligibility worker must send a manual Advance Notice of Proposed Action. This notice must inform the recipient that financial assistance is scheduled to terminate due to the twenty-four month time limit and that they and their family will be ineligible for financial assistance for at least twenty-four months after termination of TANF. Information regarding circumstances which constitute a hardship and how to apply for one must also be provided.

If an applicant is reapplying for TANF, and has already received a 60-day notice, the agency must note the number of remaining VIEW months on the Notice of Action to approve the case.

* Code of Virginia, §63.2-612

In the event the notice is not issued in a timely manner, the agency must not close the case due to the 24-month time limit until the full 60-day advance notice period has expired. Any benefits received after the 24th month are an overpayment and must be recovered.

If a hearing is requested prior to the effective date of the proposed change to terminate benefits due to the 24-month time limit, a participant appealing such change shall have the right to continued direct payment of TANF benefits pending final administrative action on such appeal.

Termination of financial assistance due to expiration of the time limit is the only circumstance which requires a 60-day notice. For any other action, adhere to policy found at manual sections 401.1-401.6 regarding notification.

901.11 PERIOD OF INELIGIBILITY - The VIEW participant and all of his natural and adopted children are ineligible for TANF for a period of twenty-four months beginning with the effective date of TANF case closure due to the twenty-four month time limit.

This 24-month period of ineligibility applies to the following individuals:

- A. All natural or adoptive children in the assistance unit who received TANF while the caretaker was participating in the VIEW Program. For income information for children in a VIEW period of ineligibility, refer to Sections 302.6, 303.3, and 305.4.;
- B. A child subject to the family cap provision;
- C. A baby who is born to the participant or to the minor natural or adoptive child of the participant during the period of ineligibility;
- D. All natural or adoptive children of the participant who move into the participant's home during the period of ineligibility, even if the child did not receive TANF with the participant during VIEW participation or received assistance only for part of the time during VIEW participation; and
- E. Any individual who is sanctioned and is an otherwise required member of the assistance unit.

The 24-month period of ineligibility status remains with any participating family member who moves out of the caretaker's home during the period of ineligibility.

The eligibility worker must inform the individual who applies for TANF for such children when the period of ineligibility expires.

Example #1: Ms. Smith's TANF case was closed effective January 1998, due to expiration of the period of eligibility while she was participating in the VIEW Program. Her son, Joe, who was an assistance unit member while Ms. Smith participated in the VIEW Program, moved to his grandparent's home in June 1998.

In that same month, Joe's grandmother filed an application for TANF, for herself and Joe. The application for TANF is denied due to the fact that Joe was an 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.

NOTE: No member of the assistance unit in a period of ineligibility is eligible for the Diversionary Assistance Program. (See [Chapter 800](#).)

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 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 (032-03-0654-03) 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 10 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 does not specify the duration of the medical condition, or is otherwise incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical. If the duration noted on the form is permanent, a new form must be obtained and the incapacity evaluated every 90 days.

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 (032-03-0020-00-eng) 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, then 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 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.

The TANF case is to be closed as soon as administratively possible upon verifying that the caretaker is able to work or is no longer needed to care for a disabled family member living in the home. **Once the TANF case is closed, the 24-month POI will resume.**

Example: Mrs. Waters began her 24-month POI on August 1, 2008. On October 15, 2008 she applied for TANF. On the date of application, she provided a medical form verifying she was expected to be disabled from September 20, 2008 to June 30, 2009. She is approved for TANF beginning October 15. Since any month the client receives TANF is not counted toward the 24-month POI, October will not be a POI month.

Mrs. Waters furnished additional medical forms every 90 days as required to verify her continued disability. A medical form was submitted on June 15, 2009 which indicated she was no longer disabled. The worker closed the case effective June 30, 2009. Mrs. Waters had 22 months (24 months minus the two POI months she completed - August and September) remaining in her 24-month POI. The POI resumed July 1, 2009. Mrs. Waters' ADAPT case was updated to reflect the new POI period and AESANC screens were entered for all AU members for July 1, 2009 to April 30, 2011.

901.12 TRANSFERS - Active VIEW cases transferred to another agency should be treated as follows:

- A. All attempts should be made to transfer the benefit and VIEW record together within 5 working days of notification.
- B. When a VIEW case with no earned income and not in a sanction transfers to another agency, the VIEW time clock stops until such time as the VIEW worker in the receiving agency completes an assessment and re-starts the clock. The receiving agency is responsible for adjusting the clock after the assessment. The 60-month clock continues to advance for each month TANF is received.
- C. When a VIEW case with earnings transfers to another agency, the VIEW clock continues.
- D. A sanction period continues when a sanctioned VIEW case transfers to another agency.

901.13 TRANSITIONAL BENEFITS - When a VIEW case closes the family may be eligible for transitional benefits during the 12-month period following TANF case closure. These benefits include child care, transitional employment and training* (TET), transitional transportation, and transitional payments. Eligibility criteria for transitional child care benefits are located in the Child Care **Guidance** Manual and **guidance** for transitional transportation **is** located in Chapter 1000 of this manual.

A. VIEW Transitional Payment (VTP)

The purpose of the transitional payment is to encourage job retention. The amount of the VTP is \$50 for each VIEW participant who meets the criteria listed below. The VTP amount is \$100 for a two parent household **in which both parents meet the VTP criteria**. If one parent leaves the home, the payment must be reduced by \$50.

Criteria for Receipt of the VTP:

1. The TANF case closes for any reason other than no eligible child in the home (including a child ineligible due to truancy) or because the client cannot be located.
2. The TANF recipient must not be in an IPV penalty period **for TANF** at the time of the TANF case closure.
3. The TANF recipient is a VIEW participant at time of the TANF case closure.
4. The VIEW participant must be employed at least 30 hours per week, and earning at least minimum wage at the time of TANF case closure. (Note: If the client's scheduled hours of employment for a given week fall below 30, a VTP may still be established as long as the average **weekly** scheduled hours for the month are 30 or more).

Note: Prior to establishing a VTP, the EW must verify the client's wages. For previously reported employment, the wage verification cannot be more than 30 days old. If the wage verification is more than 30 days old, the client must provide current verification of employment prior to the effective date of the TANF case closure. For new employment, the client will have 10 days from the date the new employment is reported to verify the employment. This 10 day period may extend beyond the effective date of the TANF case closure. (For example, TANF case is closing effective 4/30. Client reports new employment on 4/29. The client will have until 5/9 to provide verification of the new employment. The client may be eligible for VTP if he/she meets all other VTP eligibility criteria.) Client statement may be used for prospective calculations to determine ongoing TANF eligibility but not for the establishment of the VTP. In all instances, a VIEW case must already be open prior to the establishment of a VTP.

5. The VIEW participant must not be referred for a VIEW sanction or be in a VIEW sanction at time of the TANF case closure. **Note: In a two parent household, if either parent has been referred for a VIEW sanction or is currently in a VIEW sanction at the time of the TANF case closure, the entire household is ineligible for a VTP.**

The EW will enter information in ADAPT to **establish the VTP and generate the monthly payment. The EW will print and mail the Notice of Action** to notify the individual of the VTP approval and reporting requirements.

If a client who is approved for, and begins receiving a VTP, appeals the TANF case closure and requests that the TANF grant be reinstated during the appeal, the VTP will be stopped. If the client loses the appeal and the TANF case is closed, the EW will again evaluate eligibility for a VTP following VTP guidelines. If the client is eligible for VTP, the 12 month VTP eligibility period will begin with the month after the second TANF case closure.

A TANF recipient may receive a VTP in each 12-month transitional period.

If the client relocates to another locality in Virginia, the agency will transfer the VTP case. The client will continue receiving VTP as long as VTP eligibility requirements are met.

Criteria for Termination of VTP:

1. The client is no longer working at least 30 hours per week.
2. The client's earnings fall below the current federal minimum wage.
3. There are no TANF eligible children in the home.
4. The client files a TANF reapplication.

When employment ends, hours fall below 30 per week, wages decrease to below the current federal minimum wage, or the only eligible child leaves the home, the VTP must be closed and cannot be re-established. The VTP must be terminated if there is a job change causing a break in employment which results in the average hours for the month falling below 30 per week. The VTP must also be ended if the employment is with an educational or training institution and the job ends because the employer closes for summer break (lasting more than thirty days).

Official closures by educational or training institution employers for quarter or semester breaks (lasting less than thirty days) during which the client cannot work will not impact the VTP payment.

Instructions on how to establish, reinstate, reissue, close and cancel a VTP is located in the ADAPT Training Materials located at <http://spark.dss.virginia.gov/support/adapt/training.cgi>.

901.14 FULL EMPLOYMENT PROGRAM - The Full Employment Program (FEP) is a subsidized, training-oriented employment activity for VIEW participants who have been unable to find a job on their own. FEP uses government funds to directly subsidize wages paid by the employer. Wages are paid through the regular employee payroll based upon hours worked in lieu of TANF benefits. A monthly stipend is issued to the employer for the duration of the FEP placement.

The FEP placement and stipend periods are a fixed six-month period. The placement begins the month FEP employment begins and ends on the last day of the sixth month, 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.

A parent or other caretaker-relative may participate in FEP. Only one person in a case can be in FEP at any time. 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 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 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 Food Stamp and Medicaid requirements and may impact the assistance unit's eligibility for Food Stamps or Medicaid.

2. If a redetermination is due anytime during the FEP placement and the case is receiving TANF and Food Stamps, 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 six consecutive months, unless notified by the VIEW worker to discontinue the payments. 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 six-month 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. TANF MATCH PAYMENTS - TANF Match Payments will continue to be issued based on current support paid to DCSE.
- H. 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.

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. TANF Match Payments received are not considered countable income. 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

STEP 4: Add the total net countable earned income and the TANF deficit from STEP 2. The net countable earned income plus the TANF deficit shall not exceed the federal poverty level. If necessary, reduce the TANF payment so that the total of the net earned income plus the TANF payment equals the federal poverty level.

If the TANF payment calculates to \$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 (VIEW) and will be carried as an active TANF case.

TANF-UP GRANT CALCULATION

STEP 1: Determine the total gross earned income of all required assistance unit members. Compare the total gross earned income to 150% of the Federal Poverty Level (see [Appendix 3](#) of this Chapter) for the appropriate AU size. One-hundred fifty percent of 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 150% of the federal poverty level, the case is ineligible.

If the countable gross earned income is less than 150% of 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](#) **for the 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.

STEP 4: Add the total net countable earned income and the TANF-UP deficit from STEP 2. The net countable earned income plus the TANF-UP deficit shall not exceed 150% of the federal poverty level. If necessary, reduce the TANF-UP payment so that the total of the net earned income plus the TANF-UP payment equals 150% of the federal poverty level.

If the TANF-UP payment calculates to \$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-UP (VIEW) and will be carried as an active TANF-UP case.

VIEW GRANT CALCULATION

Example 1 - Earnings

Assistance unit of 2 in a Group II locality. Mom receives a TANF Match Payment of \$135 and earns \$450 gross monthly.

Step (1) - Screening at Federal Poverty Level

\$ 450.00 Gross Monthly Earnings
\$1,167.00 Monthly Federal Poverty Level for 2

Step (2) - Unearned Income

\$254.00 Standard of Assistance for 2
 0 Unearned Income
\$254.00 TANF Deficit

The TANF Match Payment does not impact the TANF deficit.

Step (3) - Earned Income Disregards

\$450.00 Gross Monthly Earnings
-144.00 Standard Deduction
\$306.00 x 20% = **61.20**
 - 61.20
\$244.80 Net Earned Income

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

\$244.80 Net Earned Income
+254.00 TANF Deficit
\$498.80 < **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
\$1,167.00 **Monthly** Federal Poverty Level for 2

Step (2)	-	Unearned Income	
		\$254.00	Standard of Assistance for 2
		<u>-120.00</u>	Unearned Income
		\$134.00	TANF Deficit
Step (3)	-	Earned Income Disregards	
		\$300.00	Gross Monthly Earnings
		<u>-144.00</u>	Standard Deduction
		\$156.00	x 20% = 31.20
		<u>- 31.20</u>	
		\$124.80	Net Earned Income
Step (4)	-	Add Net Earned Income and TANF Deficit	
		\$124.80	Net Earned Income
		<u>+134.00</u>	TANF Deficit
		\$258.80	< Monthly Federal Poverty Level for 2
		\$134.00	= VIEW Payment (TANF Grant)

Example 3 - Earnings Result in Ineligibility

Assistance unit of 4 in a Group III locality. Mom earns \$1,895 monthly gross income.

Step (1)	-	Screening at Federal Poverty Level	
		\$1,895.00	Gross Monthly Earnings
		\$1,767.00	Monthly Federal Poverty Level for 4
			Ineligible.

Example 4 - Maximum Reimbursable

Assistance unit of 6 in a Group I locality. Mom earns \$450 gross monthly income.

Step (1)	-	Screening at Federal Poverty Level
		\$ 450.00 Gross Monthly Earnings
		\$2,367.00 Monthly Federal Poverty Level for 6
Step (2)	-	Unearned Income
		\$470.00 Standard of Assistance for 6
		<u> 0</u> Unearned Income
		\$470.00 TANF Deficit
		\$443.00 Maximum Reimbursable Amount
Step (3)	-	Earned Income Disregards
		\$450.00 Gross Monthly Earnings
		<u>-197.00</u> Standard Work Deduction
		\$253.00 x 20% = 50.60
		<u> 50.60</u>
		\$202.40 Net Earned Income
Step (4)	-	Add Net Earned Income and TANF Deficit
		\$202.40 Net Earned Income
		<u>+443.00</u> Maximum Reimbursable TANF Deficit
		\$645.40 < Monthly Federal Poverty Level for 6
		\$443.00 = VIEW Payment (TANF Grant)

Example 5 - Earned Income Case with Immunization Penalty

Assistance unit of 2 in a Group III locality. Mom earns \$960 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
		\$ 960.00 Gross Monthly Earnings
		\$1,167.00 Monthly Federal Poverty Level for 2

Step (2) - Unearned Income

\$323.00	Standard of Assistance for 2
<u>- 60.00</u>	Unearned Income
\$263.00	TANF Deficit

Step (3) - Earned Income Disregards

\$960.00	Gross Monthly Earnings
<u>-144.00</u>	Standard Deduction
\$816.00	x 20% = 163.20

- Deduct 20% from \$816.00

\$816.00	
<u>-163.20</u>	
\$652.80	Net Earned Income

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

\$652.80	Net Earned Income
<u>+263.00</u>	TANF Deficit
\$915.80	< Monthly Federal Poverty Level for 2

Step (5) - Reduce TANF Deficit:

\$1,167.00	Monthly Federal Poverty Level for 2
<u>- 915.80</u>	Net Earned Income + TANF Deficit
\$ 251.20	VIEW Payment (TANF Grant)

Step (6) - Apply Immunization Penalty

\$251.20	VIEW Payment
<u>- 50.00</u>	Immunization Penalty
\$201.20	Net VIEW Deficit

\$201.00 = VIEW Payment (TANF Grant)

Example 5 - TANF-UP Household

Assistance unit of 4 in a Group II locality. Dad earns \$1500 gross income.

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

\$1,500.00	Gross Monthly Earnings <
\$2,650.00	150% of the Monthly Federal Poverty Level for 4

Step (2) - Unearned Income

\$ 382.00	Standard of Assistance for 4
<u>\$ 0.00</u>	Unearned Income
\$ 382.00	TANF Deficit

Step (3) - Earned Income Disregards

\$1500.00	Gross Monthly Earnings
<u>- 147.00</u>	Standard Deduction
\$1353.00	x 20% = \$270.60
<u>- 270.60</u>	
\$1082.40	Net Earned Income

Step (4) - Add Net Earned and TANF Deficit

\$1082.40	
<u>+ 382.00</u>	
\$1464.40	< 150% of the Monthly Federal Poverty Level for 4
\$ 382.00	= VIEW Payment (TANF Grant)

2008 FEDERAL POVERTY LEVEL

<u>Size of Family Unit</u>	<u>Monthly Poverty Guideline</u>
1.....	\$ 867.00
2.....	\$1,167.00
3.....	\$1,467.00
4.....	\$1,767.00
5.....	\$2,067.00
6.....	\$2,367.00
7.....	\$2,667.00
8.....	\$2,967.00

For each additional person add \$300

150% of the Federal Poverty Level
(for TANF-UP Families)

<u>Size of Family Unit</u>	<u>150% of the Federal Poverty Level</u>
1.....	\$1,300.00
2.....	\$1,750.00
3.....	\$2,200.00
4.....	\$2,650.00
5.....	\$3,100.00
6.....	\$3,550.00
7.....	\$4,000.00
8.....	\$4,450.00

For each additional person add \$450