



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

July 1, 2015

Temporary Assistance for Needy Families Manual

Transmittal #56

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 and forms for both the TANF and VIEW Program. Unless otherwise stated, the provisions included in this transmittal are effective for all TANF eligibility determinations and VIEW Program assessments and reassessments completed on or after July 1, 2015.

This transmittal is available on SPARK at <http://spark.dss.virginia.gov/divisions/bp/tanf/manual.cgi> and on the public site at <http://www.dss.virginia.gov/benefit/tanf/index.cgi>.

Significant changes to the manual are as follows:

Page(s) Changed	Significant Changes
Main Table of Contents, Page 5; 201.5, page 3a; Chapter 400 Table of Contents, page 1; 401.2, pages 2a, 2b, 2c; 401.3, p. 5; 401.3, pages 6a, [6b - 6c were removed]; 401.4, pages 7, 7a; 401.4, page 9; Chapter 400, Appendix II, page 1, 502.6, page 6; 503.7, page 2d; 503.8, page 4; 601.2, page 2a; 602.5, pages 6a - 6b; 901.13 - 901.14, pages 12, 13, 14; Index, page 8	Interim reporting is no longer required for TANF and all references to interim reporting have been removed from guidance. In some cases, other references have been substituted for interim reporting references. Pages on which guidance changes in addition to those related to interim reporting are also listed separately in the cover letter. Staff must continue to take required actions on TANF cases based on information received from other sources, including changes reported on SNAP interim reports.

Page(s) Changed	Significant Changes
Section 105.2, page 2	If a hearing request is received prior to the effective date of a decrease in TANF benefits, the benefits will continue until the appeal decision is rendered. An explanation of the validation process for an appeal has also been added.
Section 200, Table of Contents, page 2; Section 201.1, page 3d; Section 201, Appendix IV, pages 1 - 2	Appendix IV has been added to guidance. The new appendix provides instructions for the eligibility worker to enter information in ADAPT to continue providing TANF benefits beyond sixty months.
Section 201.4 – 201. 5, page 1	A statement has been added at 201.5A defining marriage and providing the date that same sex marriage became legal in Virginia.
Section 201.7, pages 1b-1e	We updated information about how to address changes in alien status and how agencies should evaluate eligibility for assistance. We clarified that sponsor deeming applies only to individual sponsors.
Section 305.2, page 14	The heading of item A incorrectly equated gross earnings with profit and was changed so that it is clear that two separate definitions follow. Subsequent guidance discusses the two types of income correctly.
Section 401.1, page 3	We added electronic applications as a method of application and provided the CommonHelp link. Additionally, we added the reminder that a signed Statement of Facts is necessary when the application was made using the Request for Assistance.
Section 401.2, page 2	We added language to 201.2B explaining the applicant’s responsibility to report changes during the application process and the

401.3, page 4

responsibility of the eligibility worker to verify and act on those changes.

We clarified that a TANF renewal is made up of three elements: an application, an interview, and reevaluation of required eligibility factors. We added a description of the types of renewal applications at item B – electronic via CommonHelp, or through use of the Renewal Application for Auxiliary Grants (AG), Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF). A Statement of Facts must be printed and signed by the applicant if the renewal interview is conducted by telephone. The description of the renewal interview was moved to item C.

Section 401.4, page 9

An additional notice to the client is not needed at the end of the 12-month VIEW Transitional Payment (VTP) period. The system-generated Notice of Action provided when the VTP is approved serves as notice for all VTP closures, except for closure at client request.

Section 500, Table of Contents, page 1;
Section 503.5 – 503.6, page 1b;
Section 503.6 - 503.7, page 2

The heading for 503.6 in the Table of Contents has been changed from Waiver of Certain Overpayments to Suspension of Collection for Certain Overpayments. The heading at 503.6 has been changed to Suspension Of Collection For Certain Overpayments. A statement has been added regarding resumption of overpayments temporarily suspended. Item A has been renamed and addresses permanent suspensions of certain overpayments. Item B has been renamed and addresses situations in which an overpayment can be temporarily suspended. The overpayment amount that triggers either action has been changed from \$35 to \$125 in both items B and C.

Page(s) Changed	Significant Changes
Section 503.8, page 4	We revised the heading of item D so it better described the information contained in the section.
Section 601.3, pages 4 - 5	We reordered the layout of pages 4 and 5. We clarified the wording regarding the stepparent's responsibility for support in item D and divided the item into two paragraphs. A statement was added to item E(3) explaining that the Acknowledgement of Paternity can be obtained from the local health department. It is not a VDSS form.
Section 602.1 - 602.3, page 1	Section 602.2, item C, was expanded to address how child support paid as arrearages on an intermittent basis should be counted in determining eligibility and the benefit amount.
Section 801.5, p. 2	Individuals applying for Diversionary Assistance (DA) do not have to meet the TANF conditions of eligibility outlined in Section 201.B, which include participation in VIEW. Section 801.5A was revised to make clear that since VIEW participation is not required, neither is signing the VIEW APR.
Section 801.6 – 801.8, pages 4 – 5;	We have clarified that supervisory approval is needed for all DA payments. Additionally, it is the supervisor's responsibility to make sure that any DA payment is made by check, not debit card.
Section 901.3, page 4	Item L was revised to drop the reference to a 12-month trial policy for volunteers (which ended effective 10/1/14) and to clarify the mandatory status of individuals who give up exemptions to participate in VIEW.
Section 901.5, page 5b	The applicant for Diversionary Assistance does not have to sign the VIEW APR. (See 801.5, p. 2) A statement to that effect was added to item

Page(s) Changed	Significant Changes
901.13 – 901.14, pages 11 - 15	<p data-bbox="792 344 1411 411">A which addresses requirements for the VIEW APR.</p> <p data-bbox="792 453 1411 774">We reorganized Section 901.13 which provides guidance for establishing and terminating the VTP. We added an example of when a VIEW client might be eligible for a VTP despite not having a current component assignment. Guidance for the Full Employment Program (FEP) now begins on page 13. Information from page 14a was moved to page 14; page 14a was eliminated.</p>
Section 1000.4, page 17	<p data-bbox="792 821 1411 1031">Initial job search can be waived for an individual who is in an employment and training activity at the time she comes into VIEW if the activity has been approved by the VIEW worker and incorporated into the client’s Activity and Service Plan.</p>
Section 1000.6, page 20	<p data-bbox="792 1077 1411 1287">An individual with a mandatory VIEW status who fails to comply and is sanctioned will continue as a mandatory participant when the sanction period and compliance requirements are met. An exception was given for the V1 exemption status.</p>
Section 1000.13, pages 36 - 36a	<p data-bbox="792 1333 1411 1507">Item 3c which explained the specific circumstances under which up front job search could be waived for an individual in self-initiated education or training has been removed. Page 36a has been eliminated.</p>
Section 1000.13, pages 56 - 57	<p data-bbox="792 1554 1411 1797">Item D(2) was revised to add AmeriCorps as a type of OJT placement that may pay less than minimum wage and to explain that the minimum wage requirement is waived in that circumstance. A statement was added clarifying that the AmeriCorps stipend is treated as earned income.</p>

Page(s) Changed	Significant Changes
Section 1000.13, pages 58 - 58a; Section 1000.14, pages 60 – 62; Section 1000.17, page 66	<p>We have eliminated “self-initiated training” as a separate category. Rather, if training is an approved activity in the Activity and Service Plan, then it will be allowable whether or not it began prior to the individual’s entry into VIEW.</p> <p>Guidance on pages 58 and 58a that referenced Self-Initiated Vocational Education and Training was removed, and page 58a was eliminated.</p> <p>Guidance listing the requirements for Self-Initiated Post-Secondary Education meeting the definition of Job Skills Training has been removed from guidance.</p>
Section 1000.22, pages 81 - 82	<p>Individuals who are in self-initiated employment or training activities at the time they come into VIEW may be enrolled in a program of more than 24 months. In those circumstances, the VIEW worker can approve the activity and incorporate it into the client’s VIEW plan even though her maximum VIEW participation of 24 months will end before the activity has been completed.</p> <p>Child Care no longer charges a standard 10% fee for Transitional Child Care paid from Child Care funds. Wording now refers to the payment as a co-pay rather than a fee. The reference to alternative child care fee scales has been dropped since these have been eliminated.</p>
Section 1000.22, page 83	<p>The generic Notice of Action for Services Programs is now obsolete. The reference at 1000.22 has been changed to refer to the new VIEW form, the VIEW Transitional Transportation Notice of Action, which replaces it for VIEW.</p>
Section 1000, Appendix I, pages 1 - 4	<p>We have updated the contact information for programs providing employment services to refugees.</p>

Page(s) Changed

Significant Changes

Section 1000, Appendix H, pages 6 - 9 and 13

The Work Number was dropped as a possible source of documentation for Paid College Work Study and Paid Internships in the OJT section on page 6.

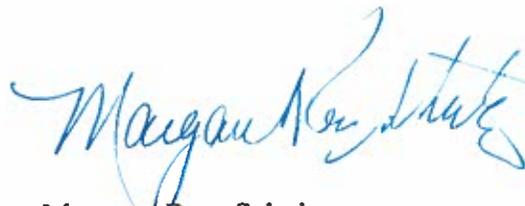
AmeriCorps had been incorrectly listed on page 13 under the Job Skills Training section and as a non-core work activity. It is now listed correctly under OJT on page 7 since the AmeriCorps stipend is treated as a wage. Component and descriptor information have been changed, and the work activity type has been changed to "core."

Changes to pages 6 and 7 resulted in changes to the layout of pages 8 and 9.

Form VIEW Transitional Transportation Notice of Action, Form 032-03-0901

A new form, the VIEW Transitional Transportation Notice of Action, has been developed to replace the old Notice of Action for Services Programs, a generic form that is now obsolete. The VIEW Transitional Transportation Notice of Action will be sent to provide a 10 day notice prior to the termination of Transitional Transportation. Also see revised guidance at 1000.22, p. 83.

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

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2. **Provisions Regarding Continuation of Assistance –If a hearing request is received prior to the effective date of any proposed reduction in benefits or discontinuance of benefits, assistance will be continued in the original amount without interruption until a hearing decision is rendered, unless the client requests in writing that benefits not be continued.** If the client does not want benefits to continue in the original amount she must submit in writing to the local agency or the Appeals Office, a statement indicating her desire to refuse such assistance.

Once the Appeals and Fair Hearings Office receives an appeal request, a Local Agency Validation Form is sent to the local agency. This begins the validation process. The local agency completes the bottom portion of the form indicating whether or not the appeal was filed within 30 days of the mailing date of the Notice of Action. Appeals filed within this time frame are considered valid. (The 30 day period ends on the 31st day following the date of the agency's Notice of Action.) The agency also completes the section on the form indicating whether or not the appeal was filed within the applicable time frame for continuation of benefits. (The agency also indicates on the form if action has been taken to continue benefits). The local agency does not have to wait for the validation form to continue benefits. Once the form is received the local agency has five days to send it back to the Appeals Office. If the worker receives the request for an appeal timely, she must continue the benefits.

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

If continuation of assistance in the original amount is declined by the recipient in writing and the hearing decision is in the recipient's favor, the agency will correct the underpayment(s). If the decision of the hearing officer is in favor of the agency and the client did not continue to receive benefits no action will be taken. If the client did continue to receive benefits during the appeal process benefits are subject to recovery by the agency. (Refer to [106.1 E](#)).

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

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

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

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

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

See Appendix IV for instructions on adding months beyond sixty to the sixty-month clock.

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

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

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

201.5 LIVING ARRANGEMENTS - The child must be living with a parent or other relative (Subsection A., below) in a residence maintained as a home (Subsection B., below) by one or more such relatives. For TANF-UP, both natural or adoptive parents of at least one child must be living in the home. (Refer to 701.2.) Note: In some situations, a child who is in foster care may be placed with a parent or relative on a temporary basis, such as for a trial visit, and would be considered living with the parent or relative. No foster care maintenance payment would be made on behalf of the child and the family could be eligible for TANF assistance during the temporary placement.

- A. Relatives - The relative with whom the child is living, who is designated as the caretaker, must be a relative by blood, marriage, or adoption. Relationships by marriage exist even after the marriage has been terminated by death or divorce. **(Note: A marriage is a legal relationship between two individuals. Depending on the laws of a state at the time of a marriage, a marriage can be between individuals of the opposite sex or between individuals of the same sex. Same sex marriages performed legally in other states are recognized by Virginia effective 2/14/14, including marriages performed prior to that date. While same sex marriages became legal in Virginia as of 2/14/14, the first same sex marriages performed legally in Virginia occurred on or after 10/6/14.)**

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

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

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

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

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

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

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

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

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

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

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

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

- 4) an alien who is a Cuban-Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980.*
- d. Exception for Veterans and Persons on Active Duty and Their Relatives - An alien lawfully residing in the state meets the alienage requirement regardless of the date of entry into the U.S., provided he is:
- 1) a qualified alien and is a veteran discharged honorably and not on account of alienage and who has served a minimum of 24 months or the period for which the person was called to active duty. "Veteran" also includes individuals who served in the Philippine Commonwealth Army during World War II or as Philippine Scouts following the war;**
 - 2) a qualified alien and is on active duty (other than active duty for training) in the Armed Forces of the U.S.; or
 - 3) the spouse or unmarried dependent child of an individual (not deceased) described in 1) or 2) above, or the surviving spouse of an individual (deceased) described in or 2) above, provided the surviving spouse has not remarried and was married to the deceased veteran:
 - (a) before the end of a 15-year period following the end of the period of military service in which the injury or disease causing the death of the veteran was incurred or aggravated; or
 - (b) for one year or more; or
 - (c) any period of time if a child was born of the marriage or was born to them before the marriage.**

The spouse or unmarried dependent child is not required to be a qualified alien.

3. Verification of immigration status is required at application, redetermination, and as individuals are added, using U.S. Citizenship and Immigration Services (USCIS) documents provided by the alien or, if the individual is a victim of human trafficking, using documentation from the federal Office of Refugee Resettlement. A copy of the document must be filed in the case record and the comment screen documented. If an applicant/recipient's alien status changes or an individual who was an alien becomes a U.S. citizen, his eligibility for assistance must be evaluated under the new status.

Exception: When the status of an alien changes to legal permanent resident, eligibility for assistance must be evaluated under the original status.

* Public Law 96-442

** Public Law 105-33

If an alien presents expired documents as evidence of his immigration status, or has no documentation, refer the alien to the local USCIS office to obtain documentation of status. In unusual cases involving aliens who have physical or mental disabilities that limit their ability to obtain or provide the required evidence, the worker should make every effort to assist the individual to obtain the required evidence. If the alien can provide an alien registration number, the worker should file Form G-845S Document Verification Request along with the alien registration number and a copy of any expired USCIS document presented with the local USCIS office to verify status.

Note: If a USCIS receipt for a replacement document was used to verify qualified alien status, obtain a copy the actual replacement document at the next renewal.

B. Sponsored Aliens

Aliens may be sponsored by either an individual or an agency/organization. Sponsorship satisfies a requirement of the USCIS that an individual petitioning to come to the U.S. is not likely to become a "public charge".

1. Agency/Organization Sponsor - If sponsored by an agency/organization, eligibility for TANF does not exist for the first three years of U.S. residence unless the agency/organization no longer exists or is financially unable to provide support.

Certain Soviet Jewish refugees have been admitted to the United States under a Memorandum of Understanding (MOU) between the U.S. Department of State and two private Jewish agencies, the Council of Jewish Aid and the Hebrew Immigrant Aid Society. The MOU states that the sponsoring agency will ensure that these refugees do not require cash, medical or **SNAP** assistance for two years after their admission to the U.S. Refugees admitted under this MOU will possess USCIS Arrival-Departure Records (I-94) which contain the following statement:

"This refugee is sponsored by the Hebrew Immigrant Aid Society and (name of local Jewish organization). Private resources are available. If assistance is sought, please call (name of local Jewish agency) at (phone number)."

The sponsorship statement is to be regarded by the worker as a lead that other income and resources may be available to meet the refugee's needs. The sponsoring agency must be contacted to determine the actual availability of any income and/or resources and use such verified information in the determination of the unit's eligibility. It is not, however, appropriate to deny an application for assistance solely on the basis of the sponsorship statement on the refugee's I-94.

2. Individual Sponsor - Individuals who petition USCIS to become a sponsor of an alien must execute an affidavit of support. In some situations, an alien may be sponsored by more than one individual. Refer to Section [305.4.D.](#) regarding sponsor deeming requirements **and alien groups exempt from sponsor deeming. Sponsor deeming requirements apply only to individual sponsors.**

C. Declaration of Citizenship or Alien Status

Federal law requires that all TANF applicants/recipients, as a condition of eligibility, provide, or have provided on their behalf, a signed statement attesting, under penalty of perjury, to their citizenship or alien status.* The declaration of citizenship is to be obtained at the time of application or when a new member, including a newborn, is requested/required to be added to the assistance unit. While required, the declaration of citizenship is a statement only. It is the responsibility of the agency to verify the applicant's or recipient's claim of citizenship or alien status following procedures outlined at [201.7D](#).

The declaration requirement is met when the applicant/recipient age 18 or older completes and signs the "Application for Benefits (032-03-0824) or "Eligibility Review - Part A" (032-03-0729A) form, as applicable, or signs the "ADAPT Statement of Facts." In the absence of an adult in the assistance unit, the applicant will sign for all unit members.

Any individual for whom there is no declaration of citizenship or alien status shall not be included in the assistance unit. If the individual is a required member of the assistance unit, the income of the individual will be considered available to the assistance unit as provided in Section [305.4.E.1.e](#).

D. Verification of Citizenship or Alien Status; Legal Presence

Children and Other Applicants under age 19 - Citizenship or Alien Status: In order to meet TANF categorical eligibility requirements, the citizenship or eligible alien status of each applicant child, including newborns, and other applicants under age 19, must be verified before the individual can receive assistance. Citizenship or alien status can be verified by birth certificate or by other documents as specified in Chapter 200, [Appendix II](#) or [Appendix III](#). Note: In the case of a newborn, the proof-of-birth letter furnished by the hospital to the parent is sufficient documentation to add the child to the assistance unit. A copy of the child's birth certificate, or other documentation verifying citizenship as specified in Chapter 200, [Appendix III](#), should be obtained no later than the next renewal.

Applicants age 19 or older - Citizenship or Alien Status; Legal Presence: The citizenship or alien status of an applicant age 19 or over must be verified by the documents specified in Chapter 200, [Appendix II](#) or [Appendix III](#). When citizenship or alien status is verified, the legal presence requirement is also met.

If the applicant is not able to prove citizenship or alien status at the time of application, a provision in the legal presence requirement allows the applicant to receive assistance while seeking to verify his status. Under this circumstance, assistance is limited to a maximum of 90 days, or until it is determined that the applicant is not legally present, whichever comes first.* If the case closes and the individual subsequently reapplies, he will not be given another 90-day period to provide verification of legal presence. If the verifications are not provided with the standard 30-day processing time, the individual is not eligible for assistance.

E. Systematic Alien Verification for Entitlements (SAVE) Program

1. The Immigration Reform and Control Act of 1986 (IRCA), requires the verification of the immigration status of aliens applying for certain types of benefits, including TANF.

* Code of Virginia, 63.2-503.1

Local agencies should not use the SAVE system to confirm the status of human trafficking victims since their status is verified by the federal Office of Refugee Resettlement.

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

Verification is obtained through two processes:

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

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

3. Primary Verification

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

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

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

* Public Law 99-603, Section 121

How To Add Months Beyond 60 On The TANF 60-Month-Clock In ADAPT

A TANF case may receive beyond 60 months of TANF if the client makes a request and verifies a mental or physical disability. The case may also receive more than 60 months of TANF if the client is providing care on a substantially continuous basis for a relative living in the home that is physically or mentally incapacitated. If it is a TANF-UP household, both adults must be disabled. The following instructions allows months to be added beyond 60 months on the TANF 60-month clock when the case is on-going, on a new application, or being rescinded, because the client is disabled or the client is providing care on a substantially continuous basis for a relative in the home that is disabled. Code ADAPT following the instructions below.

When the client has a disability, follow the steps 1-9 below. If the client is providing care for a relative, follow steps 6-9.

1. From the ADAPT Main Menu Select Option 3-Application Entry. Transmit.
2. Select Option 4-Non Financial Application Menu. Transmit.
3. Select Option 26-Individual Disability. Enter “u” for update, case number and person number. Transmit.
4. Complete the Individual Disability (AEDIS) screen. Transmit.
5. Update the AEGNFS (ESPAS, VIEW, FSET) screen for the disabled person. Transmit. The 60-month counter screen should appear. If it does not, follow the remaining steps.
6. From the ADAPT Main Menu select Option 3, Option 4, Option 34- 60 month clock. Press f8, (help screen) and scroll until you come to the table TCLOCK.
7. Scroll down and select the appropriate code. Transmit.
8. Enter “Y” in the AESANC field at the bottom right hand side of the screen. Transmit. Review the AESANC screen for a Period of Ineligibility (POI) for the 60-month clock. If there is no POI completed for the 60-month clock, transmit.
9. Run EDBC.

When the client submits a new application after the receipt of 60 months of TANF, follow the steps below:

1. From the screen AEDEM4 (Individual Demographic Information 4) enter Y in the field for disability. This will queue the Individual Disability Screen AEDIS.
2. Complete the AEDIS screen. Transmit.
3. Complete the AEGNFS (ESPAS, VIEW, FSET) screen with the appropriate code. Transmit. Complete the AEVIPP screens.
4. On the AE60 month counter screen, Counter for 60-Month TANF Limit, enter “ y” in the counter field.
5. For reason code, enter a question mark in the field or press f8, (help screen). Scroll down until you see the table TCLOCK.

6. Select the appropriate code and transmit.
7. Enter a “y” in AESANC field at the bottom right hand corner of the screen. Transmit. The AESANC screen will appear. (AESANC can also be accessed from the ADAPT Main Menu by selecting Option 3, Option 4, Option 16, “u “ for update case # and person number.)
8. Enter the date for the end of the POI for the 60-month clock for everyone on the case in AESANC. Be sure to end the POI for the Sixty Month Clock and not an IPV.
9. For the End Reason, press F8 and select “END” End of Sanction. Transmit.
10. Run EDBC if there are no other screens to complete.

Rescinding a closure after 60 months are already on the clock, because the client is physically or mentally incapacitated or a relative in the home is incapacitated for whom the caretaker is providing care on a substantially continuous basis. For this process, 60 months have to already be on the clock.

1. Select Option 4 Case Utilities. Transmit.
2. Select Option 4, Rescind a Program.
3. Enter “U” for Access and case number. Transmit.
4. Enter “TA” for program.
5. Enter 63-Verified Physical Disability, 64- Verified Mental Disability, or 67-Caretaker of Disabled Relative. Transmit. This will put the case in pending.
6. From the ADAPT Main Menu select Option 3-Application Entry, Option 4, and Option 25.
7. Enter a “Y” in the field for Disabled for the person that is disabled. Complete the Individual Disability (AEDIS) screen. Transmit. The 60-month clock should appear.
8. Enter “Y” for Decrease/Increase Counter.
9. Use F8 for the help screen to select the appropriate disability code.
10. Enter “Y” for AESANC screen. Transmit.
11. End date the POI for the 60 month and enter a reason. Enter a question mark in the reason field. Select END. Be sure to end the POI for the Sixty Month Clock and not an IPV. Do this for everyone on the case who will be receiving benefits. Transmit.
11. Make sure information is correct on all other screens and transmit.
12. Run EDBC.

305.2 EARNED INCOME – Earned income is defined as income earned by an individual through the receipt of wages, salary, and/or commissions, or through profit from activities in which he is engaged as a self-employed individual.* Earned income includes pay for jury duty, severance pay, and vacation pay. Sick/disability pay from the employer or from employer obtained insurance is counted as earned income as long as the payment is made directly from the employer to the employee. If the payment is made from the insurance company to the employee, the income is counted as unearned income.

Note: income received from a supplemental sickness or disability insurance policy that was obtained solely by the employee (and payments are issued directly from the insurance company to the employee) will be counted as unearned income.

Self-employment is defined as a business, farming or commercial enterprise in which the individual receives income earned by his own efforts, including his active engagement in management of property. Income from property when the individual is not actively engaged or when no managerial responsibilities are involved is not considered earned income.** In addition, for TANF purposes, self-employment situations include, but are not limited to, domestic workers, companion service providers, and child care providers.

Contract earnings are defined as wages guaranteed by a contract. This does not include work on an hourly or piecework basis or self-employment. A guaranteed wage is one which is received by an individual employed on a contractual basis and paid over a period of time. Earnings of this nature will be prorated according to [305.1.B.2.a.4](#)).

When income is received from property, the eligibility case record must clearly indicate the basis for determining whether or not the individual produces it by his own efforts or whether or not he is actively engaged in management.

A. **Definitions of Gross Earnings and Profit**

1. Gross earned income from wages, salary or commissions means the total amount of pay, irrespective of deductions, withholding or work expenses.*** It is not the "take home" pay. Exception: Money advanced from an employer prior to the regular pay date must be counted as part of the gross income in the month of receipt. Any amount withheld to repay an advance in salary received prior to the that month shall be deducted from gross earnings or profit for the month in which it is withheld.
2. Gross earned income of child care providers means the income of a TANF recipient who provides child care in her home minus an allowance for the cost of meals and snacks that are provided. The allowance is not given for children included in the child care provider's TANF AU or for children excluded from her AU. The allowance is the same as those in the Supplemental Nutrition Assistance Program (SNAP) formerly Food Stamp Program Manual, at [Part XII.A.7](#), under Allowable Costs of Producing Income for Child Care Providers.

* 45 CFR 233.20 (a)(6)(iii)

** 45 CFR 233.20(a)(6)(vii)

*** 45 CFR 233.20(a)(6)(iv)

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- F. Method of Application – **Applications may be made either electronically or in writing. Applications made electronically are made at <https://commonhelp.virginia.gov>. Written applications are made by submitting a signed Request for Assistance (032-03-0875). A signed Application for Benefits (032-03-0824) may be used if required by another program or in situations in which a telephone interview will be conducted. If the Request for Assistance or the Application for Benefits is not signed, the signature must be obtained or the application must be denied.**

When the initial request is made in the local agency, the individual must be given the opportunity of completing his interview on the day assistance is requested. If an interactive interview cannot be conducted on the day assistance is requested, the agency must arrange an interview at the earliest date convenient to the applicant. If the applicant wishes, he may be given an Application for Benefits or Request for Assistance form to complete elsewhere.

The applicant must be informed that if he withholds or gives false information which affects his eligibility for assistance that he is subject to the penalties of perjury.* It is important that the client understand fully his responsibility for the accuracy and completeness of his statements and the consequence if he withholds or gives false information.

If the Request for Assistance is used but the applicant does not make herself available for an interview, the application is to be denied. In ADAPT, the worker must register the application then deny the registration.

- G. Date of Application - The date of application is the date the signed Request for Assistance or the Application for Benefits form is received by the local agency. If the application form is mailed in or brought in, the date of receipt by the agency must be stamped thereon to identify the date of application. In the case of an applicant who initially applies for another program then decides to also apply for TANF while the application for the other program is still pending, the date of application for the TANF benefits is the date the applicant requests TANF (not the date the application for the other program was provided).

1. Persons Added to an Ongoing Case
 - a. The date of application for adding a required unit member to an approved TANF case is:
 - 1) The date the individual entered the home if it is reported timely; or
 - 2) The date it is reported that the individual is in the home if not reported timely.

* Code of Virginia, Section 63.2-502

B. Substantiation of Eligibility Factors

1. Initial Eligibility

The applicant must be advised of the need to substantiate eligibility factors (e.g., categorical requirements and income) **including changes to the eligibility factors that may occur during the application process. The applicant must be advised that changes that occur after the initial interview and before the date of the Notice of Action to approve must be reported within 10 days. Changes that occur within 10 days following the date of the Notice of Action to approve must also be reported.**

The responsibility of the eligibility worker is to secure, evaluate, substantiate, and record the facts regarding each element of eligibility, including the date of substantiation and the method of securing the information. **This responsibility includes acting on information reported by the applicant during the application processing period as noted above.** This information must be entered in the applicant's ADAPT case.

In determining initial eligibility, the EW will verify the following eligibility factors through inquiries into the relevant systems:

- Alien Status – SAVE
- Alien Number - SOLQ-I, the State Online Query-Inquiry System, via SPIDeR (if not entered into the ADAPT record and/or verified at registration)
- Social Security Number – SVES (State Verification and Exchange System) or SOLQ-I (if not entered into the ADAPT record and/or verified at registration)
- Child Support - DCSE APECS system, via SPIDeR
- SSA/SSI – SOLQ-I
- Unemployment Income – VEC, via SPIDeR
- Earned Income – Work Number, via SPIDeR, but only when information cannot be verified through other means

The EW must document the date and results of the systems inquiries in the comment box on the appropriate non-financial or income screens in ADAPT. If a system inquiry confirms that an individual does not have unearned income, the EW will document that in the comment box on the AEAUTA screen.

At the time of application, there should be a joint decision between the client and the worker as to how necessary verification will be secured and who will assume the responsibility for securing each. The worker must provide any assistance unit that needs and wants help, assistance in obtaining any necessary verifications. If the individual has a disability that impairs the individual's ability to gather the information necessary to establish eligibility for benefits, the worker must offer to assist the individual in gathering such information. In addition, if after the worker and applicant initially divide the responsibility for obtaining verification the applicant is, due to a disability, unable to secure information he or she agreed to obtain, the worker must revise the initial division responsibility and assist with obtaining additional information.

If, after advising the applicant of the necessary information, the applicant is reluctant or unwilling to provide verifications and refuses to permit the worker to secure them, the worker must consider carefully with him his reasons and explain that without the required verification, eligibility cannot be established.

Exception: If the child does not meet the conditions of eligibility, that child will be excluded; however, it may be possible to determine eligibility for the remaining assistance unit members.

If the client decides to assume the responsibility for obtaining the required verification, he must be advised that the information must be provided to the agency within ten (10) days and that failure to do so may affect the decision of eligibility. If the client cannot obtain the necessary information, because of circumstances beyond his control, and requests the worker's assistance in securing such information, the agency worker must then assume the responsibility for obtaining the needed verification.

When the responsibility for obtaining verification has been assumed by the worker, the client must be advised that if the agency or person from whom verification has been requested does not respond to the request, eligibility cannot be established. In these situations, the Notice of Action must be sent and the case record documented to reflect attempts made to obtain verification. Copies of all relative correspondence must also be in the case record.

If eligibility is established within the original 30-day processing time, the original application date is protected when an application is denied as a result of lack of required verification. The initial application date must be used if subsequent information substantiates the applicant's eligibility. (See [401.3.F.5.](#))

2. Ongoing Eligibility

When changes occur within the renewal period that affect eligibility or benefit amount, the agency must evaluate the change and take action to adjust the benefit amount, if necessary. The responsibility for changes lies with both the TANF AU and local agency. The individual must report changes in the household income and assistance status. The agency must make adjustments in entitlement and benefit amount based on reported changes and for changes the agency initiates.

a. Changes That Must Be Reported

- 1) The following changes must be reported by the TANF AU following case approval:
 - Changes in address (a new physical or mailing address);
 - Changes in income that places the monthly income of the household above 130 percent of the federal poverty level (FPL) for the number of people in the TANF AU (composition at approval or most recent renewal). ("Household," for the purposes of determining income changes that must be reported, means the AU plus any other required unit members who reside together with the AU members. These required unit members include step-parents, parents who are not U.S. citizens or eligible aliens, and others whose needs are not included on the grant.

See 302.7D and 302.7E for a comprehensive list of these individuals. The income of these related, but ineligible individuals, would have been considered in determining the TANF grant amount for AU);

- Changes in household composition resulting from one of the following individuals entering or leaving the home:
 - an eligible child, including a newborn,
 - the father or mother of an eligible child, including a newborn;
- Changes that affect participation in the VIEW Program. This would include changes in the need for transportation, child care, or any other supportive service.

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

In addition, the recipient should be asked to report changes to his telephone number.* Because telephone number changes do not affect eligibility or benefits, the agency will not take negative action if a telephone number change is not reported.

2) Local Agency Action on Changes

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

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

*63.2-501.1

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

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

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

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

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

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

401.3 RENEWAL OF ELIGIBILITY - Eligibility for TANF recipients must be redetermined on all eligibility factors subject to change at least every 12 months, unless a shorter renewal period is required by SNAP. **The renewal process is made up of the following three elements: a renewal application, a renewal interview, and reevaluation of all required eligibility factors. All elements are necessary in order for TANF eligibility to be renewed.**

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

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

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

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

B. Renewal Application

A renewal application may be made either electronically at <https://commonhelp.virginia.gov> or in writing by completing the Renewal Application for Auxiliary Grants (AG), SNAP, and TANF (032-03-729A). A renewal application made on line is considered signed by the applicant when submitted. The written application, Renewal Application for AG, SNAP, and TANF, must be signed by the applicant to be valid. Note: If a renewal interview is held without a formal application via Commonhelp or by use of the Renewal Application for AG, SNAP, and TANF, the Statement of Facts (SOF) must be printed and signed by the recipient to meet the renewal application requirement.

C. Renewal Interview

1. An interview must be completed with the recipient once every 12 months. An interview may be conducted in the office of the local department of social services, the home of the recipient, or a place agreeable to both parties which will insure privacy and confidentiality, or by telephone. Home visits may be made as deemed necessary by the eligibility worker based on the recipient's circumstances.

2. The recipient's rights and responsibilities must be reviewed and explained. (Note: Secure the client's acknowledgement that rights and responsibilities have been reviewed orally and in writing at renewal if this information was not documented in the record at the time of application.)
- C. Joint Processing - The Food Stamp Act of 1977 requires that renewals for TANF and SNAP be handled in a single interview when the following conditions exist:
1. When all persons in the case receive TANF and SNAP benefits as the same household, and
 2. When the SOF is completed prior to the month or in the same month in which the certification period ends. (Refer to the [SNAP Manual, Volume V](#), Part 2, H.) The provisions in Section [401.1.A](#). also apply to renewals.
- D. Overdue Renewals - In the event that a renewal of eligibility is not completed according to the above, the worker will adjust the time frame by scheduling the intervals at no later than 12 months from the month in which the application is completed. Example: The regularly scheduled renewal was due to be completed in January; however, it is not done until March to be effective April 1. The next renewal will be due in March.
- E. Establishing Separate Assistance Units - A new application must be completed when an individual or family separates from a family group which is receiving assistance and forms a separate assistance unit. The new application must be processed in accordance with guidance.
- F. When Completion of a New Application Is Not Required
1. Adding an individual to an existing assistance unit. Verification of all eligibility requirements must be obtained on the new individual and an evaluation of the new assistance unit's need and eligibility must be made. (See [401.2 B.2.c. and d.](#))
 2. Changing the case name in a case receiving only TANF (or TANF-UP) when the parent or caretaker relative who is the case name leaves the household for any reason or dies. When a parent who is the case name is no longer in the home, the case name can be changed to that of another parent who remains in the home with the children. Likewise, when a caretaker relative who is the case name is no longer in the home, the case name can be changed to that of another caretaker relative who remains in the home.

Note: The case name cannot be changed from a parent to caretaker relative, or vice versa, even if both were residing in the home with the child. A new application will be required. A new application will also be required when an individual not already living in the home wishes to join the household and become the case name.

Example A: The father in a two-parent TANF or TANF-UP household leaves the household. The case can be put in the mother's name.

Example B: A grandmother and grandfather are both in the home with the grandchildren. Neither is needy and neither is part of the assistance unit. Following the death of the grandmother, the case can be put in the grandfather's name as payee.

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

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

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

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

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

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

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

The notice shall be sent immediately following the case action or at the expiration of the time standard for processing applications, as appropriate.

* 45 CFR 206.10(a)(4)

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

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

* 45 CFR 206.10(a)(4)

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

1. The date the form is mailed to the recipient and the first day of the following month are not counted in the 10 days before the day the action becomes effective.
 - a. When the action being taken is a reduction, the effective date is the first of the following month.
 - b. When action is being taken to suspend or terminate benefits, the date of non-issuance is the first day of the following month.
 2. The notice must include a statement of what action the agency intends to take.
 3. It must include the reasons for proposed action. If the proposed action is to suspend assistance due to the inability to verify a change in the client's circumstances (see Section [401.2.B.2.](#)), the Advance Notice of Proposed Action must also include a statement that if necessary verification is provided, assistance will not be reinstated if such verification renders the case ineligible
 4. The specific TANF Manual citation requiring the proposed action must be entered.
 5. In cases of grant reduction, the new amount of the grant must be entered.
- D. IPV Notice Requirements - Refer to Sections [102.5](#), [102.8](#) and [102.13](#) regarding notice requirements relating to IPV guidance and ADH procedures.
- E. Action Requiring Neither Adequate or Timely Notice - Neither a timely notice nor an adequate notice is necessary when:
1. **The** agency acts to reduce or terminate benefits which have been continued in the original amount during an appeal, and the hearing decision is adverse to the recipient.
 2. **A** VTP case closes due to one of the following reasons: the employment hours become less than 30; hourly pay becomes less than minimum wage; all of the eligible children leave the home; in a two parent household when a parent who is receiving a VTP leaves the home; **and, at the end of the 12-month VTP payment period. (Note: ADAPT will automatically close the VTP case at the end of the 12-month period.)** Exception: when a VTP case has been transferred and the new locality determines that the client is no longer eligible to receive the VTP, an adequate notice is required.

The National Voter Registration Act of 1993 (NVRA) requires local social services agencies to offer each customer of TANF, SNAP and Medicaid an opportunity to apply to register to vote. **TANF applicants will be offered this opportunity at initial application. TANF recipients will be offered this opportunity at renewal.** Additionally, voter registration application services must be provided any time a change of address is reported to the local agency in person. If the change of address is not made in person, the Voter Registration Agency Certification (SBE 032-03-945 07/09), and a voter registration form <http://spark.dss.virginia.gov/divisions/bp/voter.cgi>, must be mailed to the client's new address. The worker must document the case record indicating the forms have been sent. In complying with the requirements of the NVRA, local agency staff must provide each applicant and recipient the same degree of assistance in completing their voter registration application as they do in completing the application for public assistance. Local staff must be trained annually for the NVRA. The training module is located in the Knowledge Center <http://spark.dss.virginia.gov/divisions/bp/voter.cgi>.

- I. Prohibitions - Local social services agencies and agency staff are prohibited from the following activities when providing voter registration application services:
 - A. seeking to influence a customer's political preference;
 - B. displaying any political preference or party affiliation;
 - C. making any statement to the customer or taking any action the purpose or effect of which is to discourage the individual from applying to register to vote; or
 - D. making any statement to a customer or taking any action the purpose of which is to lead the individual to believe that a decision to register or not register has any impact on the individual's eligibility for assistance or the benefit level that they may be entitled to receive.

- II. Voter Registration Services - Each local social services agency must provide the following services:
 - A. distribution of voter registration application forms;
 - B. assistance to customers in completing the registration application form, unless such assistance is refused, and ensuring that all spaces on the form are completed;
 - C. insuring that the certification statement on the application for benefits or statement of facts is completed; and

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B. Transferring Agency Responsibility

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

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

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

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

The transferring agency must send the recipient a Notice of Transfer (032-03-0658) providing notice that their case has been transferred and listing the name, address, and telephone number for the receiving agency. If any changes during the desk review result in ineligibility or a decrease in the grant, procedures with respect to the Advance Notice of Proposed Action (032-03-018) are applicable.

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

503.5 REPAYMENT PROCEDURES - The local department must notify the Division of Finance of the TANF/VIEW overpayment by entering the overpayment information into Application Benefit Delivery Automation Project (ADAPT).

If the overpayment was caused by agency error, it must be entered into both ADAPT and the Locality Automated System for Expenditure Reimbursement (LASER). The Division of Finance will deduct the amount from the next reimbursement made to the locality.

When an overpayment is keyed in ADAPT, the FIPS entered must always represent the originating locality. The originating locality is the locality in which the overpayment occurred. An agency entering a claim in ADAPT, where the overpayment occurred in another agency must enter the originating FIPS on BAT185 (Benefit Adjustment 185% Income Test). This must be done before keying the overpayment information on BATAOC (Create Overpayment/Claim).

503.6 SUSPENSION OF COLLECTION FOR CERTAIN OVERPAYMENTS – Federal regulations allow for the suspension of collection for certain overpayments to individuals no longer receiving assistance.* **In the case of temporary suspension of overpayments, collection efforts will be resumed at the point the individual again begins to receive assistance.**

- A. **Permanent Suspension of Collection for Overpayments less than \$125** - All overpayments to individuals no longer receiving assistance which are less than **\$125** are to be **permanently suspended** after the local agency has: 1) notified the individual, or attempted to notify the individual if his/her whereabouts are unknown, in writing, that an overpayment has occurred which must be repaid; and 2) the individual fails to respond or refuses to cooperate with the request for repayment. No further action to recover the overpayment is to be taken. The case record must be documented. (NOTE: The agency must allow at least 10 days from date of mailing for the individual to respond to the request for repayment prior to **permanently suspending** recovery of the overpayment.)
- B. **Temporary Suspension of Collection for Overpayments of \$125 or More** - In situations where the outstanding overpayment of TANF/VIEW to an individual no longer receiving assistance is **\$125**, or more, the local agency may **temporarily suspend** collection of the overpayment after reasonable efforts to recover the overpayment have been taken and it is determined that further efforts would not be cost-effective. The agency must notify the individual that an overpayment **which must be repaid has occurred** by sending a letter requesting repayment to the individual's last known address. In order to demonstrate reasonable efforts, the agency must take the actions listed below. The actions must be taken in the following order; however, the agency may evaluate whether further efforts would be cost-effective after any one of the actions to collect the overpayment is unsuccessful.
1. Attempt to locate the individual. If the individual's present whereabouts are unknown and attempts to locate the individual has been unsuccessful, the case record must contain documentation of attempts made to locate the individual, such as mail returned to the local agency;
 2. Determine that the former recipient has no means with which to repay the overpayment. The case record must contain documentation of evidence used by the agency to determine the individual has no income or cash reserves;

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

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

Once reasonable efforts to collect the overpayment have proven to be unsuccessful, the agency must document the case record with evidence that further recovery efforts **from an individual no longer receiving assistance** would equal or exceed the amount of the overpayment. Such evidence may include the cost of staff time, the cost of legal/attorney fees, or any other evidence the agency has which demonstrates that further recovery efforts **while the individual does not receive assistance** would not be cost-effective. The agency head, or his designee, will make the final determination as to whether further efforts would be cost-effective.

When a TANF recipient declares bankruptcy and the court decides that the TANF debt will be part of the waived debts for the individual, the TANF overpayment will be waived.

- C. **Retention of Information** - The agency must maintain information on individuals no longer receiving assistance who received an overpayment which was waived, including overpayments less than \$125, for three years. (See 100.4 for information about the Library of Virginia schedule for retention of specific types of information.) The agency must initiate recoupment procedures should one or more of those individuals again be found eligible to receive assistance.
- D. **Intentional Program Violation (IPV)** - In situations involving a TANF/VIEW IPV, the agency must make every effort to collect the overpayment regardless of the amount; the overpayment may not be waived. See Section 102 for guidance on handling Intentional Program Violations (IPV).

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

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

If new support is reported at renewal, the EW will determine if an overpayment exists for any previous month.

4. An overpayment will exist when a TANF recipient fails to report at the time of renewal the receipt of new support.
 5. If the TANF recipient continues to fail to redirect support to DCSE after a renewal has been completed and the receipt of new support discovered, the EW will impose the DCSE non-cooperation penalty and count the support as unearned income. Additionally, the \$100 disregard will not be allowed on this income. These policies will be applicable whether an overpayment has been established or not.
- J. Localities Meeting the Standard of Need - In localities meeting the standard of need, only the standard of assistance State/federal share of the TANF overpayment is to be reported to Financial Management. Each locality is then responsible for recovery of the local share of the overpayment directly from the client.
- K. Calculating a VIEW Overpayment – A VIEW overpayment occurs when a VIEW participant is found to have committed an IPV for receiving a payment or purchase on his behalf which is an amount greater than what he is eligible for or for which he is ineligible.

The worker must determine if the participant is still eligible for services and determine the correct cost of the services that the participant would continue to receive. The case record must be documented with information to support the establishment of the claim or the reason for not establishing the claim.

Example: The agency gives the client a \$50 voucher for work clothing. The client changes the amount to \$500 and the vendor honors the voucher. There is an overpayment of \$450.

- L. Determination of When the Overpayment Began – The agency is to determine when the overpayment began and secure all verifications necessary to calculate the overpayment. The worker is to use the best available evidence including, but not limited to:
1. past and existing vouchers from vendors that were paid in the period that the overpayment occurred,
 2. the history of payments for supportive or transitional services that were paid for by the local agency in the period that the overpayment occurred and,
 3. the amount calculated starting 10 days from when the client had knowledge of the information.

When calculating the overpayment amount the worker is not to include any amounts that the individual paid toward services that were provided in the period the VIEW overpayment occurred.

Note: The client is to repay the calculated amount unless the court orders differently.

Failure or refusal of a current recipient or payee to voluntarily repay the overpayment will result in court action only when recoupment is not possible because the grant amount is less than \$10.00.

- D. **Responsibility for Outstanding Overpayments** Outstanding overpayments must be recovered or recouped when a former recipient or payee reapplies for assistance and is found eligible. The schedule of repayment is to be based on the current situation of the client.

The allowable amount of recoupment or recovery of the overpayment from the client is limited to the total amount of the overpayments.

1. When TANF benefits or VIEW supportive services are overpaid, the caretaker(s) included in the assistance unit at the time the overpayment occurred shall be responsible for repayment of the overpayment. If there is no parent or non-parent caretaker included in the assistance unit, the payee for the case at the time the overpayment occurred shall be responsible for the overpayment. Individuals who were children on the case at the time of the overpayment are not responsible for repaying the overpayment either while they are children or when they become adults. A minor parent is not liable for the overpayment unless she is living with someone who is standing in *loco parentis* and she is coded as a caretaker (PR) on the case.
2. Recoupment process:
 - a. Identify the liable individuals in ADAPT on the Individuals Liable for Overpayment/Claim screen (BATAIL).
 - b. Enter an 'A' in the field 'Action' for each caretaker who was included in the AU when the overpayment occurred. If there was no caretaker in the AU, add the name of the payee on the case and an "A" in the Action field. (If the payee does not have a client ID number, you will need to obtain one before completing this screen.)
 - c. Enter a 'D' in the field 'Action' for each child, including minor caretakers coded as "PC" in ADAPT, who was included in the AU when the overpayment occurred.

Example 1: Ms. Thomas loses her job and requests assistance for her son, her daughter, and her daughter's baby. She returns to work one month after the case is approved but does not report her income (which exceeds 130% of the federal poverty level) until **her next renewal**. The agency establishes an overpayment for Ms. Thomas. The other three persons, including her daughter who is a minor caretaker, are children on the case and are not liable for the overpayment.

Example 2: Mrs. Allen is the payee on a case for her teenage grandsons. She is not needy and is not included on the grant. An overpayment occurs when the children move out to live with their father and Mrs. Allen does not report the change. The agency establishes the claim in ADAPT, entering Mrs. Allen's name with an "A" in the "Action" field on BATAIL before closing the case. Mrs. Allen agrees to voluntary repayment and begins sending the agency a small check each month. After three months, Mrs. Allen refuses to make any more payments. The agency begins to initiate legal action to collect the balance of the overpayment as a debt. (See [503.8C](#)).

It is the responsibility of the eligibility worker to obtain as much information as possible at the time of application and when an individual is added to the TANF case. When any new information regarding the absent parent becomes known to the agency, **including information obtained during the renewal**, this information is to be transmitted to DCSE via the Absence Deprivation/Paternity 501 series screens in ADAPT.

In order for DCSE to have a "workable case," it is vital that certain key information be obtained by the Eligibility Worker when completing the form or transmitting information on the Absence Deprivation/Paternity 501 series screens in ADAPT.

When interviewing the applicant/recipient, concentrate on securing the following information:

- AP's name;
- AP's residence address (current and past);
- AP's Social Security Number;
- AP's employer's name and address (current and past) AP's date of birth; and
- AP's parents' name and address (even if deceased).

Any of the above information, either in whole or a combination thereof will be beneficial to DCSE in locating the absent parent.

If the applicant/recipient cannot give the AP's name or can only provide the AP's name and no other identifying information, the Eligibility Worker should obtain as much information as possible on the Absence Deprivation/Paternity 501 series screens in ADAPT for submission to DCSE.

The following criteria are to be applied when referring an absent parent to DCSE:

1. In all cases where the child's parents are married or were married at the time of the child's birth and when someone other than that parent is identified as the child's father, the putative or acknowledged father is to be referred as well as the legal father.
2. If the father's name appears on the child's official birth certificate issued in 1996 or later by the Virginia Department of Health, Division of Vital Records, or by the vital records section of any other state government, evidence of paternity exists for TANF purposes.

601.3 LEGALLY RESPONSIBLE PERSONS - Under Virginia law the following persons have legal responsibility for support:

- A. Husband, for wife*;
- B. Wife, for husband*;
- C. Parent, natural or adoptive, for child under 18, or child of whatever age who is incapacitated, unless such child is receiving federal or state assistance as permanently or totally disabled or is an adult qualifying for assistance to the blind.
- D. A stepparent residing with a child(ren) of the natural or adoptive parent is responsible for such child(ren) who are receiving assistance and the parent as long as the stepparent lives with the natural or adoptive parent. The stepparent and the natural/adoptive parent will be considered living together regardless of absences due to military duty, employment, or other absences of convenience, as long as they consider themselves to be living as husband and wife.

The stepparent's responsibility for the children does not exist once the natural or adoptive parent is absent from the home because of separation, divorce, or death.

- E. The father of a child born out-of-wedlock, if**
 - 1. the father and mother have made a written statement acknowledging paternity, under oath.
 - 2. the man, unrelated to any court action, voluntarily submitted to genetic blood testing which affirmed at least a 98 percent probability of paternity; or,
 - 3. the court enters judgment on the basis of other evidence that the man is the father. Such evidence as specified in Section 20-49.4 of the Code of Virginia is limited to the following:
 - a. that he cohabited openly or had sexual intercourse with the mother at the probable time of conception;
 - b. that he consented to or acknowledged, by a general course of conduct, the common use of his surname by the child;
 - c. that he claimed the child as his child on any statement, tax return or other document filed by him with any local, state or federal government or any agency thereof;

* Section 20-61, Code of Virginia

** Section 20-49.4, Code of Virginia

- d. results of medically reliable genetic blood grouping tests;
- e. medical or anthropological evidence relating to the alleged parentage of the child based on tests performed by experts;
- f. a true copy of an acknowledgement of paternity made on the Acknowledgement of Paternity (**The Acknowledgement of Paternity Form, VS22, can be obtained from the local health department.**)
- g. an admission by a male between the ages of fourteen and eighteen, provided a court has entered an order establishing paternity of a child based on his admission of paternity under oath or upon such other evidence as may be sufficient to support a finding of paternity. (Note: In most circumstances, the Division of Child Support Enforcement will not pursue support from a minor parent for whom a court has established a support obligation as long as the parent is attending school in compliance with compulsory attendance laws.)

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

602.2 TREATMENT OF SUPPORT - There are three types of support that are routinely paid to TANF custodial parents which must be considered in determining initial and on-going TANF eligibility:

- A. Current support paid by the non-custodial parent on behalf of TANF eligible children in the AU. Current support paid directly to the client during the application process will be treated as income with the exception of a disregard of up to \$100. Following case approval, current support will be redirected to DCSE. Up to \$100 of the current support payment will be sent by DCSE to the client and will be disregarded in determining the on-going TANF benefit. (See 305.4(E)2 for treatment of support for SSI children and capped children not the AU, and for situations in which support must be prorated for eligible and non-eligible children).
- B. Arrearages paid by the non-custodial parent for periods in the past when the client received TANF. If, during the application process, arrearage payments are made directly to the client, and the period for which the payments are made was a time during which the client received TANF benefits, the payments will be treated as income. For an on-going case, the absent parent should make all child support payments directly to DCSE, including arrearage payments. Arrearage payments made on behalf of eligible children when the custodial parent received TANF on their behalf are retained by DCSE to discharge the non-custodial parent's debt to the state.
- C. Arrearages paid by the non-custodial parent for periods in the past during which the custodial parent did not receive TANF. Such an arrearage payment made directly to the client during the application process will be treated as income. For an on-going case, any arrearage payment which is made to DCSE for a period during which the client did not receive TANF will be sent by DCSE to the client. If the payment is non-recurring, it should be treated as lump sum payments in accordance with 305.4C. If recurring, such payments will be treated as unearned income. **See guidance at 305.1(b)(2)a for determining the amount of unearned income to be counted when there is significant fluctuation from month to month in arrearage payments.**

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

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

* 45 CFR 302.32 (A)

Example 1: TANF case is suspended effective July 1 **because the agency is unable to locate the client. The client contacted the agency on July 12 and reported a new address.** The AU has zero countable income.

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

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

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

Another payment in the amount of \$102 is made to DCSE on July 23rd and **deposited to the client's EPPICard account** on July 27th. The support payment **posted to the client's account will not be considered** an overpayment.

Example 2: The TANF Cases and Current Collected Support report in June shows case with a 'SU 013' - suspended due to excess support. The net support is \$519; the monthly TANF payment is \$320. One asterisk displays in the column 'Net Support'.

ADAPT has suspended this case effective July 1st.

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

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

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

NOTE: This case must not be reinstated.

Example 3:

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

ADAPT has suspended this case effective July 1st.

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

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

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

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

The worker does the following:

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

801.5 ELIGIBILITY FACTORS

Only applicants may be approved for DA. Current recipients of TANF are not eligible. Additionally, a recipient who chose to receive TANF at the time of application may not close her TANF case after approval and become eligible for DA based on her circumstances at the time the TANF application was approved. Example: client applies for TANF on March 15 due to her spouse's incarceration (his wages were the only income for the household). She chooses to receive TANF assistance and is approved for March. On April 18, client requests her TANF case be closed. On May 1, client reapplies for assistance and requests DA based on the loss of income when her husband became incarcerated in March. The client is not eligible for DA.

Receipt of DA will not count toward either the 24 or 60-month limit on the receipt of TANF. However, an assistance unit that is in a period of ineligibility for TANF due to either the 24 or 60-month limit on the receipt of TANF will also be ineligible for DA. The applicant must verify all of the following factors and the worker must document the case record accordingly before an assistance unit can receive DA:

- A. The assistance unit is eligible to receive TANF. A child is eligible for TANF by meeting the TANF requirements in Section [201.1.A](#) (categorical requirements of age, relationship/living arrangements, residency, citizenship/alien status, and financial need).

The **following** conditions of eligibility in 201.1.B (**complying with the school attendance requirement, signing the VIEW APR or participating in VIEW, cooperating with DCSE**) **do not have to be met** to be eligible for DA, but citizenship or alien status of each applicant or other adult who will be included in the assistance unit for DA must be verified prior to case approval. (Note: The legal presence provision that allows up to 90 days for an applicant age 19 and over to verify his status (201.7.D) does not apply to DA.)

The caretaker shall be eligible for TANF unless one of the exceptions specified in 302.7. D or E is applicable. The caretaker does not have to meet the conditions of eligibility (including VIEW participation and cooperation with DCSE). However, if the caretaker has been referred for or is in a VIEW sanction or if the TANF case was previously closed due to DCSE noncooperation and the caretaker is not in good standing with DCSE at the time of the DA application, the entire assistance unit is ineligible for DA. The client cannot "cure" the sanction, or begin to cooperate with DCSE, in order to become eligible for DA. Note: Case closure due to failure to sign the Agreement of Personal Responsibility (APR) is not a VIEW sanction. Therefore, a DA case may be approved after a TANF case was closed for failure to sign the APR.

The "Do You Have a Disability?" form (032-03-0670) must be completed for a DA application. The Notice of Personal Responsibility for the TANF Program (032-03-0750), the Notice of Cooperation and Good Cause (032-03-0036), and the Notice of Intentional Program Violations and Penalties (032-03-0646) forms are not required for a DA application.

- B. The assistance unit meets TANF income limits based on DA guidelines for the treatment of terminated and anticipated income at [801.6](#);

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

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

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

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

- D. Supervisory approval is required for all DA payments. It is the responsibility of the supervisor to ensure that the payment is made by a check to the vendor, or when that is not possible, by a check to the client. In no case is a DA payment to be made by debit card.**

801.7 PERIOD OF INELIGIBILITY

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

3. Divide the diversionary payment amount by the daily amount determined in Step 2 to determine how many days are covered in the payment amount. Round up to the next whole number.
 4. Determine the number of days of ineligibility by multiplying the number of days determined in Step 3 by 1.33. Round up to the next whole number. This number cannot exceed 160 days.
 5. Using the number of days determined in Step 4, determine the date that the period of ineligibility ends. Note: this date is automatically calculated by ADAPT and pre-filled on the AESANC screen.
- B. An assistance unit which has received DA is not eligible for TANF again until the period of ineligibility expires. During this period of ineligibility, the case will be considered a public assistance (PA) case for SNAP purposes. Any AU member that is in a POI for DA is not eligible to receive TANF in any assistance unit until the POI has ended.
- Example: Mr. Raymond received DA in one AU. He is now in a POI for DA. He moves to another AU. Mr. Raymond is not eligible to receive TANF in that AU until his POI for DA has ended.
- C. A child(ren) born to a client who is in a period of ineligibility for TANF due to receipt of a DA payment is not eligible for TANF until the period of ineligibility expires.
- D. An assistance unit can receive DA only once in a twelve- month period.

801.8 VENDOR PAYMENTS

DA payments are to be made in the form of vendor payments whenever possible in order to ensure that the specific emergency or crisis situation is resolved. These payments are issued as TANF supplemental checks to be sent directly to the vendor and are entered in ADAPT on the BATASC screen. The account number, and name on the account, if different from the case name, must be entered on the “secondary line” so the payment can be correctly credited by the vendor. The client should be instructed to contact the vendor when DA has been approved and advise the vendor to expect the check from the Virginia Department of Social Services. The EW should include a reminder about this on the Notice of Action.

Note: If the worker cannot issue a vendor payment due to systems limitations, or if a vendor payment is not appropriate based on the circumstances of the case, a payment may be made directly to the recipient. The recipient should be advised that she is expected to use the payment to pay the vendor.

Prior to beginning the process to reissue a check when a vendor reports non-receipt of a DA check, the worker should review the Check Actions Due Listing in ADAPT. If the check does not appear on the list, the worker should contact the Fiscal Processing Unit at Home Office to confirm that the check has not already been cashed.

- H. Advise applicants/recipients who are exempt from VIEW that they may volunteer to participate in VIEW, unless they are SSI recipients; a parent who is a court convicted offender serving a sentence while still living in the home who is not allowed to leave the home to work or attend education/ training activities; or illegal aliens.

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

- I. Advise all volunteers that once they enter VIEW by signing the VIEW **APR they become mandatory participants subject to the same participation requirements and penalties for non-participation as other mandatory VIEW participants.**
- J. Make appropriate changes in the computer system which affect the individual's VIEW status. The VIEW worker will be notified via the computer system of these changes. This includes, but is not limited to, the individual's:
1. Being removed from the assistance unit;
 2. Obtaining employment;
 3. Losing his employment;
 4. Changing his exemption status (e.g., changing from exempt to non- exempt and vice versa);
 5. Moving from one locality to another; or
 6. Having a VIEW sanction lifted when advised by the VIEW worker or when a sanctioned individual becomes exempt after the minimum sanction period has elapsed;
- K. Upon notification from the VIEW worker indicating that a non-exempt individual claims to be exempt, verify the exemption claim and notify the VIEW worker of the findings within thirty (30) days. If the eligibility worker is unable to verify an exemption claim, the individual will continue in non-exempt status in VIEW until verification is received.
- L. Sanction the TANF case by suspending the grant based on the VIEW worker's recommendation. The EW will send the ANPA (032-03-0018) within three working days of receipt of the notification from the VIEW worker.
- M. Upon notification by the VIEW worker that, prior to the scheduled date of the initial VIEW assessment date, the recipient has made a request that the TANF case to be closed, the EW will close the TANF case per the recipient's request. The EW will send the ANPA (032-03-0018) within three working days of receipt of the notification from the VIEW worker.

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

901.5 PARTICIPATION AND COOPERATION REQUIREMENTS

- A. Agreement of Personal Responsibility - As a condition of eligibility, all non-exempt individuals must sign a written APR. **(Because applicants for DA are not required to meet all conditions of eligibility, including participation in VIEW, they are exempt from signing the VIEW APR).** Except in the circumstance outlined in D below, an individual who signs an APR is a VIEW participant at the point the APR has been signed and will be considered to be participating in VIEW unless notice is received from the VIEW worker that he has failed or refused to participate. If an individual fails/refuses to participate/cooperate without good cause, the case is not eligible to receive a grant.

The APR will, at a minimum, explain the 24- month time limit and the following participant responsibilities:

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

B. When an APR Must Be Signed:

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

901.13 Transitional Benefits - A VIEW participant may be eligible for transitional services for up to 12-months beginning with the month following TANF case closure. VIEW transitional services are child care, medical/dental services, work-related expenses, emergency intervention services, transportation, Transitional Employment and Training Services (TET) and the VIEW Transitional Payment (VTP). The exact period of eligibility will depend on the specific service and the client's employment status. Eligibility criteria for transitional child care paid from Child Care funds are located in the Child Care Guidance Manual. Eligibility for all other transitional services, including transitional child care paid from VIEW funds, 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. (Note: It is important that the EW confirm that the VIEW worker has opened the ESPAS enrollment before closing the TANF case to establish the VTP. The VIEW worker will not be able to open the VTP in ESPAS once the TANF case has been closed.)
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).
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.

Additional Considerations in Establishing a VTP:

1. **An individual is considered a VIEW participant if she has been assessed, has a current APR and an open TANF case, even if she does not have a current component assignment. In most circumstances, a VIEW participant will be assigned to a component activity at the time she becomes eligible for a VTP. In some rare circumstances, this will not be the case but the client will still meet the definition of a VIEW participant and may be determined eligible for a VTP.**

Example: Client is sanctioned, but reports employment after the end of the fixed sanction period, thereby curing the sanction. Prior to any action by the EW, the VIEW worker will open the VIEW enrollment and notify the EW to lift the sanction. If the client's income from employment makes the client ineligible for the next month, the client will still be evaluated and approved for VTP if she meets the VTP eligibility criteria. The VIEW worker will close the VIEW enrollment and open the VTP enrollment in ESPAS. (Note: Individuals who report employment during the fixed sanction period do not meet VTP eligibility criteria.)

2. 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 April 30. Client reports new employment on April 29. The client will have until May 9 to provide verification of the new employment.
3. 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.

The first of the twelve VTP payment months should be the month established by the ADAPT system following TANF case closure. This will be either the month immediately after the TANF case is closed or the next month.

Example: The EW enters the TANF case closure on February 14 effective February 28. The EW does not enter the VTP until February 27, after the February 26 cut-off date. The VTP period will then begin April 1, the first month when the action can be implemented. The client will not receive a TANF payment or a VTP payment for March. However, the client will be entitled to a full twelve months of VTP as long as she continues to meet VTP eligibility criteria. The VTP period will run from April 1 through March 31.

4. VTP payments cannot be established retroactively. Once a VTP is established, the TANF closure should not be rescinded in order to manipulate the VTP date.
5. When the client is eligible for a VTP, the EW will contact the VIEW worker to make sure that the ESPAS enrollment is open prior to closing the TANF case. The EW will then enter information in ADAPT to establish the VTP and generate the monthly payment. The EW will print and mail the Notice of Action (NOA) to notify the individual of the VTP approval and reporting requirements.
6. 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.

7. 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. If the client is no longer eligible, a notice must be sent to advise the client of this.

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. Note: If the only eligible child(ren) in the home at the time the TANF case closed reaches the age of 18 (or has already reached the age of 18 but had remained eligible for TANF because he/she was scheduled to graduate before reaching age 19 and he/she has now graduated) during the VTP period, the caretaker's eligibility for VTP will not be affected.
4. The client files a TANF reapplication.

Additional Considerations in Terminating a VTP:

1. If the VTP closes for any of reasons listed above, or if the VTP is closed automatically by ADAPT at the end of the 12-month period, **no notice is** required prior to case closure. If the VTP closes per client request, a notice is required.
2. 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.
3. 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 unless the case will reach either the 24-month or 60-month limit on the receipt of TANF. Under those conditions, a shorter placement (of at least three months) can be established so that the placement end will coincide with the end of the receipt of TANF benefits. The placement begins the month FEP employment begins and ends on the last day of the final month of the placement, e.g., placement begins June 10 and continues through November 30, and the corresponding stipend period begins on July 1 and ends on December 1. The begin date of placement cannot be a date within the last 11 days of the placement month due to notification requirements for TANF recipients (as the TANF payment is suspended during the FEP placement).

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

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

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

Example: On May 23 the Eligibility Worker receives the FEP Communication Form from the VIEW Worker indicating a FEP Placement began on May 18. The Eligibility Worker should wait until June 1 to enter the information into the ADAPT system. A TANF payment will be made to the client for June.

This is not an overpayment since the Eligibility Worker was not able to provide timely notice. The initial employer stipend for the month of May should be issued out of TANF Benefit Adjustment at the beginning of June. The June employer stipend will be issued through the monthly batch process and will be received by the employer at the beginning of July.

- B. TANF Eligibility During FEP Placement – A participant remains eligible for TANF for the duration of the FEP placement, with two exceptions:
1. no eligible children remain in the home, and
 2. a VIEW sanction is imposed on the FEP case as a result of non-compliance with the VIEW program by the FEP participant. See 901.6.

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

1. During placement in FEP employment, the recipient must continue to report required changes (Section 401.2.B.2.), and the changes must be entered in ADAPT. Although the information entered does not affect eligibility of the TANF case, the changes must be evaluated in accordance with SNAP and Medicaid requirements and may impact the assistance unit's eligibility for SNAP or Medicaid.
 2. If a redetermination is due anytime during the FEP placement and the case is receiving TANF and SNAP, the redetermination must be completed when due. Changes in the participant's circumstances will not affect TANF eligibility during the FEP placement, except as noted in paragraph B above.
 3. If the case is TANF only, the eligibility worker may postpone the redetermination until the last month of the FEP placement, since a full evaluation of eligibility must be completed at that time. In determining ongoing eligibility following termination of the FEP placement, the EW must take into account any changes that have occurred during the placement. If the FEP participant is retained by the employer following termination of the placement, wages received are evaluated the same as for unsubsidized employment.
 4. If the FEP participant meets the criteria for interim reporting during the FEP placement, an Interim Report will be sent. However, no negative action can be taken if the Interim Report is not returned and/or completed. ADAPT keeps FEP cases active so as not to interrupt issuance of the stipend to the employer.
- C. Issuance Of Stipend Payments To The Employer – The employer stipend is a monthly payment paid as partial reimbursement of expenses incurred by the employer for wages and training provided to the FEP participant. The stipend is a predetermined, fixed amount of \$300 monthly. Stipends are normally issued on the first of each month through the monthly batch process. However, the first stipend must be issued through Benefit Adjustment when ADAPT cannot be updated because of the 10-day timely notice period.
- Stipends are paid beginning the month after the participant enters a FEP placement. FEP stipends are issued for up to six consecutive months unless notified by the VIEW worker to discontinue the payments prior to the end of the placement. In no instance are stipends to be paid for more than six months.
- D. Issuance Of Tanf Payments During The Fep Placement – A supplemental payment to the recipient may be issued in the following situations:
1. The EW is notified by the VIEW worker 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 VIEW worker 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 VIEW worker and other countable income received in the month for which the supplement is issued. The amount of the payment is determined using the VIEW calculation. Use ADAPT Option 11 to create the payment. If an overpayment or penalty is in effect, the payment to the FEP participant must be reduced accordingly.

2. Both a TANF payment and monthly FEP stipend must be issued in the final month of the FEP period.
- E. Issuance Of Employer Bonus – The VIEW worker will notify the eligibility worker on the Full Employment Program Communication Form (032-03-655) when a bonus payment must be issued. The bonus payment is a predetermined, fixed amount of \$500 payable to the employer. A bonus is paid if the participant is hired permanently at any time during the placement period or within 30 calendar days after the placement has ended. The EW will issue the bonus payment through Benefit Adjustment. Only one bonus payment may be issued per VIEW participant per FEP placement.

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

- F. Treatment Of Child Support Payments – FEP participants must continue to redirect all support to the Division of Child Support Enforcement (DCSE) while in a FEP placement. DCSE will issue to FEP participants all child support payments they would otherwise be entitled to receive. This includes \$100 disregard payments and other support payments they would receive if they were receiving a TANF payment.
- G. Replacement Of Stipend Or Bonus Checks – The FEP employer will contact the VIEW WORKER if check replacement is necessary, and the VIEW WORKER 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 DA checks. Once the worker is notified of a lost/stolen/mutilated/returned check, the worker must update the status of the check in Check Handling. If the check was cancelled or mutilated, the replacement check must be issued through TANF Benefit Adjustment. If a Stop Payment is placed against the check, the stipend must be reissued through Check Handling. Under no circumstances should a local check be written to replace the original check as no process exists to reimburse the locality.

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

- when the client is working full time and earning at least minimum wage
- when the client has already completed an assignment to job search/job readiness during her current 2-year period of TANF eligibility and would benefit from direct assignment to a component activity designed to lead to employment
- when the client is in the last three months of pregnancy and would benefit from an assignment to another VIEW activity.
- when the individual **was** participating in education or training **activities prior to coming into the VIEW Program and the activities have been approved by the VIEW worker and incorporated into the participant's Activity and Service Plan.** See [1000.13.A.3](#).

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

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

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

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

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

1000.6 VIEW VOLUNTEERS

- A. To the extent that funding is available, agencies may serve TANF recipients who are exempt from VIEW and choose to volunteer. An individual who is exempt from participation can volunteer for VIEW only if she is able to participate for the required number of weekly hours after any needed accommodations are provided. (See 1000.7). It should be made clear to these individuals that by volunteering, the individual gives up her exempt status and becomes a mandatory participant subject to the same participation requirements and penalties for non-participation as other mandatory VIEW participants.
- B. If the TANF case of an exempt client who volunteers for VIEW closes, and the client reapplies, the client's exemption status will be determined as part of the eligibility process. The client will be referred to VIEW if she is no longer exempt. If the client's previous exemption was for a temporary medical condition (V5) or for caring for a disabled household member (V7), she must secure a new medical if she states she is unable to participate in VIEW for either of those reasons. If the client is determined to be exempt at reapplication and again wishes to give up her exemption and participate, she may do so if funding is available.
- C. Applicants can volunteer for VIEW only after the TANF application has been approved. They are eligible for the VIEW enhanced disregards in the month following the month the VIEW APR is signed at the initial assessment. Note: The APR cannot be signed prior to the initial assessment except when it must be signed prior to TANF approval as a condition of eligibility. (See 1000.9)
- D. **If a volunteer is assigned to an activity and does not participate as required, that individual will be referred for sanction. A sanction will be imposed unless the individual has good cause for not participating. Following the end of the fixed sanction period and compliance, the individual will continue as a mandatory participant. Exception: In the case of an individual with a V1 exemption who fails to comply and is sanctioned, the individual can reclaim her V1 exemption following the end of the fixed sanction period if she no longer wishes to participate in VIEW. Her V1 exemption will end once she has used the balance of the 12-month eligibility period and she will then be referred to VIEW as a mandatory participant.**

3. Assignment to Job Search

- a. Participants who are not employed full-time and earning at least minimum wage at the time the Agreement of Personal Responsibility is signed, including participants who are self-employed, must be placed into job search. The length of the initial job search assignment will depend on the type of job search and the point in the month at which the assignment is made. See 1000.4, VIEW Program Flow.
- b. In some circumstances, the initial assignment to job search and/or job readiness may be waived. See 1000.4C.
- c. A participant who has not found full-time employment paying at least minimum wage 60 days prior to the end of her 24-month TANF time limitation must be placed in a job search component in conjunction with any other program assignment. This assignment will continue until the participant leaves TANF at the end of the two- year time period.

4. Elements of the Job Search Component

When developing the Job Search assignment, the worker must incorporate the following elements based on the participant's needs:

- a. techniques to help the participant identify good work attitudes, strengths and job skills/transferable skills.
- b. job seeking skills to train the participant to successfully seek and obtain appropriate employment. This instruction/ guidance will enable participants to market themselves in a job interview and on the job. Subjects include, but are not limited to, development of job leads, job interviewing techniques, discussion of local labor market information, employer expectations, and accurate completion of applications.
- c. activities and opportunities for the participant to build self-esteem. A group setting is one of the best ways to build self-esteem. Brief periodic meetings may be held to allow the group members an opportunity to report progress, discuss problems and receive specific help with job search techniques.
- d. use of the telephone as a primary employer contact to develop job leads and obtain interviews. Developing and writing a good phone script and practicing employer contacts will be an effective aid for the participant in the job search.

5. Employer Contacts

- a. The participant has the responsibility to submit enough applications/resumes and participate in enough job interviews to meet the hourly job search assignment. (NOTE: travel time between interviews, but not to the first interview or from the last interview, can be included in determining hours of job search). The ESW provides support and direction in these areas throughout the job search assignment. If, however, the individual has a verified disability or language barrier that limits the ability to arrange for the required number of job search hours, the ESW must assist the individual in arranging for the needed contacts, reduce the number of job search hours required, or both.

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

Note: A number of occupations, including cosmetologist, automobile mechanic, and dental assistant, can be trained either as a paid apprenticeship or as unpaid vocational education and training or as unpaid job skills training. Apprenticeship combines paid OJT and a specified number of classroom training hours. (Information about apprenticeship requirements, apprenticeable occupations, and employers offering apprenticeship opportunities in Virginia is available at http://www.doli.virginia.gov/apprenticeship/registered_apprenticeship.html)

The classification of training as apprenticeship (OJT), or as vocational education and training, or as job skills training, is based on the specific nature of the training program and whether it is paid or unpaid, not on the occupational title.

2. With the exception of sheltered workshop employment **and AmeriCorps placements, OJT positions that pay less than minimum wage do not meet the definition of employment and are not countable work activities.** The minimum wage requirement is waived if the OJT position is sheltered workshop employment **or an AmeriCorps placement.** (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. **AmeriCorps participants receive a stipend related to hours of participation.**)
 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.
- 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.

Example 1: Client is enrolled in an undergraduate social work program. The professor in one of her classes encourages (but does not require) students to volunteer in their communities. Volunteering is not a class requirement and does not impact class hours or grades. Client volunteers two hours a week at the public housing site where she lives. The client's volunteer hours do not count toward participation.

Example 2: Client is enrolled in an associate's level occupational therapist program. One of her classes requires the students to volunteer two hours a week in a nursing home as part of the course requirement. Since the two hours of volunteer time are a requirement, they can be counted as participation. Hours for unsupervised study or homework cannot be counted for the volunteer activity unless the study or homework is specifically required by the class instructor.

Hours for distance learning classes will be counted as participation if attendance and participation are documented on an Education and Training Activities Attendance Report which is signed by the instructor. It is the responsibility of the worker to determine through contact with the institution and/or instructor that the hours for a distance learning class can meet the documentation requirements. Distance learning hours that cannot be documented cannot be counted toward meeting the participation requirement.

Documented hours for distance learning can be counted under the following three circumstances:

- when the individual logs in by computer to a class delivered on a specific day and at a specific time. The hours tracked for an individual participant can count as hours of participation.
- when "clock time" is tracked for an on-line class as long as the clock is stopped when there is no interaction by the student with the on-line course material. The hours tracked as "clock time" for an individual participant can count as hours of participation.
- when an institution tracks "seat time" for participants based on progress in an on-line course. The hours counted as "seat time" for an individual participant can count as hours of participation.

Other types of distance learning courses offered through virtual classrooms or as independent tutorials will be evaluated and approved on a case-by-case basis. Hours of participation will be reported only if attendance and participation can be verified by the instructor.

Limitations on Post-Secondary Education Directly Related to Employment meeting the definition of Job Skills Training:

- (1) Post-secondary activities directly related to employment, (certification, associate, or baccalaureate programs) will be limited to a period of twenty-four months. Participants will not be assigned to an educational activity which cannot be reasonably completed within a twenty-four month period of VIEW participation.

The assignment to post-secondary cannot exceed the number of months remaining in the 24 month period for a former VIEW participant returning to the program.

- (2) The post-secondary education must be related to the jobs which are available in the community or are projected to become available in the community.
- (3) Participants referred to post-secondary activities must have a high school diploma or GED prior to beginning the curriculum.
- (4) Participants with a Certificate or Associate degree will not be assigned to additional post-secondary education except in situations in which the Certificate or Associate degree is more than five years old and the agency determines that additional education or training is needed to enhance the client's employability.
- (5) Participants with a Baccalaureate degree will not be assigned to additional post-secondary education. These participants are considered to have the education and ability needed to obtain employment.
- (6) Reimbursement for tuition, books and fees will be made for only the twenty-four month period unless the participant has been granted a hardship exception of up to one year to enable the participant to complete employment-related education. The participant must apply for all available sources of funding including Pell grants, scholarships, work study or other sources.

B. Education Below The Post-Secondary Level

Education below post-secondary is an allowable program activity for participants who have not received a high school diploma or GED certificate and whose employability would be enhanced by additional education. It includes ABE, GED, and ESL programs as well as secondary school and may be offered in non-traditional as well as traditional settings. Each assignment to this type of activity should be for a period of time that will coincide with the length of the program whenever possible but should not exceed six months.

1. Educational Activities

- a. Participants assigned to this component will be those identified as needing certain educational activities to become ready for further education, training or job entry. Participation in education programs below the Post-Secondary level will be limited to one year.

Hours for distance learning classes will be counted as participation if attendance and participation are documented on an Education and Training Activities Attendance Report which is signed by the instructor. It is the responsibility of the VIEW worker to determine through contact with the institution and/or instructor that the hours for a distance learning class can meet the documentation requirements. Distance learning hours that cannot be documented cannot be counted toward meeting the participation requirement. A complete list of allowable distance learning activities is provided in the Vocational Education and Training section, 1000.13H(1).

- b. Educational activities are defined as basic and remedial education that will provide an individual with a basic literacy level equivalent to at least grade 8.9.
 - (1) education designed to prepare individual for a high school degree or its equivalent (GED).
 - (2) Community based literacy programs that provide education activities for individual who require remediation to acquire a grade 8.9 literacy level.
 - (3) Education in English proficiency (ESL) for a recipient, who does not understand, speak, read or write the English language.

Up to one hour of unsupervised study or homework time can be counted as education below post-secondary for each hour of scheduled class time. The need for unsupervised homework/study time must be confirmed by the education or training program. Supervised study time verified by the education program may also be counted as participation.

- c. The participant must also meet the conditions described in the section [1000.17](#) regarding satisfactory attendance and progress.

2. Limitations

- a. Educational activities can only be provided in conjunction with a work activity during the participant's two year time period.
- b. Participants who enroll into education prior to coming into VIEW will be required to participate in a concurrent work activity.

1000.15 – Program Components – Locally Developed Activities

Other locally developed activities are activities developed or used by a local agency to increase a client's employability, but which do not meet the definition of a core or non-core activity, or of post-secondary education. Assignments to other locally developed activities cannot be included in the participation rate calculation.

Hours assigned to other locally developed are not used in the calculation of the participation rate.

- H. If neither the VIEW worker nor the instructor believes that there is any likelihood that the individual has a disability that is impeding progress, or if the individual is referred for screening/evaluation and the possibility of a disability is ruled out, or if the participant refuses to undergo screening or evaluation, the worker and instructor will discuss placement of the participant into another activity that may better facilitate the participant's job readiness.
- I. A participant who has not made satisfactory progress after 6 months of participation in an education or training component (two consecutive grading periods in the case of post-secondary education) will be reassessed and assigned to another component which she can be expected to satisfactorily complete. No participant will be allowed to continue in a below post-secondary education component if she has not made a grade level change by the end of the initial six months in the component.
- J. Participants will not be assigned to education or training which requires more than twenty-four months to complete. **Note: An exception will be made for an individual who was in a self-initiated education or training activity of longer duration at the time she enrolled in VIEW if the VIEW worker approved the activity and incorporated it into the client's Activity and Service Plan.** (See [1000.13.H](#) and [1000.15.A.](#)) Approval of a second year of education or training will be made only if the participant can be expected to complete the education or training during the second year, had made satisfactory progress during the first year of education or training, and was enrolled full time.
- K. Vocational education and training is subject to a lifetime limit of 12 months; it cannot be extended for a second year.
- L. A participant who has successfully completed a training program will not be offered additional training unless she meets one of the following conditions:
1. There are no jobs in the community for the occupation in which the participant completed training, nor are there jobs projected in the future for the occupation, or
 2. The participant needs additional training in the occupation in order to become licensed or certified, and certification or license is needed to obtain a job in the occupation
- Every effort should be made to work with a participant who has already successfully completed a training program to find employment in the occupation for which she has been trained.
- M. A participant who has been enrolled in more than one training component while in the VIEW program, and who did not successfully complete the activities for reasons solely within her control, will not be assigned to another training component.

1000.22 Transitional Services

Former VIEW participants are eligible for transitional services once they leave TANF, either because they have reached the end of the two-year time period, or because the TANF case has closed for another reason. Except for Transitional Education and Training (TET), eligibility for specific transitional services is based on the client's employment status. During the first 3 months after TANF case closure, a client may receive transitional services, with the exception of TET or a VTP, if otherwise eligible, even if the case was referred for a VIEW sanction, or closed while in a VIEW sanction. For a two parent household with both parents enrolled in VIEW, the participant's eligibility for transitional supportive services listed in 1000.22A will be evaluated on an individual basis. This may result in one parent receiving these services while the other parent is ineligible due to sanction.

Eligibility for transitional services starts the first day of the month after TANF case closure and may continue through the last day of the third month after TANF case closure, or through the last day of the twelfth month after TANF case closure, depending upon the specific transitional service. Note: an individual who is participating in VIEW while residing in a two parent household will not be eligible for transitional services if he leaves the home.

An ESPAS record must be opened for Transitional Transportation (TT), TET, and VTP. ESPAS is accessed through the ADAPT main menu, option 14. For detailed instructions, refer to the ESPAS Manual at <http://localagency.dss.virginia.gov/support/adapt/files/espas/espasmanual.pdf>.

If a client with a closed TANF case reapplies and is found eligible for TANF, she will no longer qualify for transitional services. VTP enrollments are closed at reapplication rather than at TANF case approval and are not reopened even if the application is denied. Clients who are referred to or volunteer for VIEW after TANF case approval are eligible for VIEW supportive services. (See 1000.12). If the TANF case closes again, the client may again be eligible for transitional services.

The local agency should include guidance regarding the use of, and any limitations on, transitional services in its Standard Operating Procedures contained in the VIEW Annual Plan. The ability of a local agency to pay for transitional supportive services and TET is based on the availability of VIEW funds.

Non-parent caretakers whose needs have been removed from the TANF grant for any reason (e.g. noncompliance, excess income for an AU of 1, etc.) are not eligible to receive transitional services if they are still receiving a TANF payment for the child.

A. Transitional Supportive Services

1. Transitional Child Care Paid From Child Care Funds – Twelve Month Maximum.

Child Care assistance may be provided for up to twelve consecutive months, after the TANF case closes, to any former TANF recipient (VIEW or non-VIEW) who meets the eligibility requirements outlined in Child Care guidance (Vol. VII, Section II, Chapter D). Child Care can be provided for employment, and, if allowable by Child Care guidance, for education. Transitional Child Care can start no earlier than the first day of the month after the month of TANF case closure. The eligible participant will be required to pay **5% to 10%** of monthly gross income **toward the cost of child care. The exact amount of the co-pay, which will be based on family size and income, will be determined by the Child Care worker.**

2. Transitional Child Care Paid From VIEW funds – 3 Month Maximum. If the participant is determined ineligible for transitional child care based on income, and needs child care in order to work, the agency may pay for child care from VIEW funds for up to 3 months beginning with the month after TANF case closure. The client will not have to **make a co-pay** but will be required to pay any amount over the maximum reimbursable rate.
3. Transitional Medical/Dental Services – 3 Month Maximum. VIEW funds may be used to pay for transitional medical/dental expenses for a working client for up to 3 months, beginning with the month after TANF case closure, when the services relate directly to employment. Payment for medical/dental services will be limited to services not covered by the state Medical Assistance Plan (Medicaid). Services include medical statements or other necessary medical verifications, dentures, glasses, orthopedic shoes, or other items needed to maintain or upgrade employment.
4. Transitional Work-Related Expenses – 3 Month Maximum. VIEW funds may be used to pay for transitional work-related expenses for a working client for up to 3 months, beginning with the month after TANF case closure, when the services will help the client retain or upgrade employment. Transitional Work-Related Expenses include one-time and on-going expenses. Examples of work related expenses include: fees for birth certificates, professional and license fees; registration/graduation fees; picture IDs; uniforms or other required clothing or shoes; safety equipment or tools; car repairs and insurances.
5. Transitional Emergency Intervention Services – 3 Month Maximum. VIEW funds may be used to pay for transitional emergency intervention services for up to 3 months, beginning with the month after TANF case closure, to help a working client experiencing an emergency situation retain employment. Examples of emergency intervention services include the provision of food or help with shelter costs when the need for such services arises from an emergency situation and the client's employment will be jeopardized if the services are not provided. Automobile expenses are not allowable as an emergency intervention service.
6. Transitional Transportation – Twelve Month Maximum. Transitional Transportation may be used to pay for any employment-related transportation expense for working clients which is allowed under VIEW guidelines for open TANF cases. (Section 1000.12 contains guidance about the provision of transportation services as a supportive service for participation in any VIEW assignment. Transitional Transportation is limited to transportation related to paid employment, including OJT, only.)

A former VIEW participant may apply for transitional transportation any time during a fixed 12-month period following TANF case closure. A client who applies after the 12-month period has started will be eligible only for the remaining months in the period.

A client whose case was referred for a VIEW sanction, or closed while in a VIEW sanction, must have or find employment of at least 20 hours a week at minimum wage or greater within 3 months of TANF case closure in order to be eligible for Transitional Transportation.

Evaluation of continued eligibility and the need for transitional transportation will be made every 6 months. Minimally, the re-evaluation will verify the former VIEW participant's employment hours. The client's failure to respond to requests for information will result in termination of transitional transportation services. Adequate documentation supporting reasons for termination shall be filed in the case record. When Transitional Transportation services are terminated, a written **VIEW Transitional Transportation Notice of Action (032-03-0901)** or letter **providing the same basic information**, must be sent at least 10 days in advance of the effective date of action.

B. VIEW Transitional Payment (VTP)

1) Eligibility for VTP

The VTP is an incentive payment designed to encourage job retention. The VTP will be provided to employed VIEW participants whose TANF case is closed for any reason, except no eligible child in the home or unable to locate, and whose case is not in a VIEW sanction or referred for a VIEW sanction or in an IPV. Neither participant in a TANF-UP household is eligible for a VTP payment if the other participant is in a VIEW sanction or has been referred for a sanction.

The case must contain at least one VIEW participant who at time of TANF case closure was employed at least 30 hours per week with hourly wages of at least the current federal minimum wage. The VTP payment for one participant is \$50. When both parents in a TANF-UP case are VIEW participants and are each employed at least 30 hours per week with hourly wages of at least the current federal minimum wage, the payment is \$100. If one parent leaves the two-parent household, the payment will be reduced to \$50 dollars.

The VTP is initiated in ADAPT by the EW. A onetime notice is sent to the client by the EW that informs the client that her case is eligible for the payment, the reason for the payment and conditions that will terminate the payment. (See 901.13.) Once the EW opens a VTP, an ALERT will be sent to the VIEW worker informing her that a VTP is open in ADAPT and to open a VTP record in ESPAS. The VTP should be opened within 5 days, but no later than 30 days after the effective date of the TANF case closure.

The VIEW worker must have a copy of the previous month's pay stubs or verification of employment (not over four weeks old) before opening the VTP record. If the worker does not have the previous month's pay stubs or verification of employment, the ESW is to get the pay stubs or verification from the EW. The number of pay stubs will vary based on the client's pay schedule. Once the VTP is opened in ESPAS, the VIEW worker is to send the VIEW participant a new Activity and Service Plan with the appropriate boxes checked for VTP.

If the VIEW worker determines the EW opened the VTP in error (Example: client not working 30 hours per week at federal minimum wage) the VIEW worker is to immediately send a communication to the EW to close the VTP and provide the reason. The VIEW worker should leave the VIEW record open and continue regular job follow-up if necessary.

Contact Information
Local Agencies Served by Refugee Social Services Employment Programs

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Central	Amelia Caroline Chesterfield Goochland Hanover Henrico Hopewell Petersburg Powhatan Richmond City	Refugee Resettlement Services Commonwealth Catholic Charities <u>Richmond Office</u> 1601 Rolling Hills Drive Richmond, VA 23229 <u>Phone (804) 545-6290</u>	Buckingham Charles City Cumberland Essex Fluvanna King & Queen King William Lancaster Lunenburg Middlesex New Kent Northumberland Nottoway Prince Edward Richmond County Westmoreland
	Chesterfield Goochland Hanover Henrico Powhatan Richmond City	Church World Service Immigration and Refugee Resettlement Program <u>Richmond Office</u> 3314 N. Parham Road, Suite B Richmond, VA 23294 <u>Phone (804) 658-5279</u>	
	Caroline	Migration and Refugee Services Commonwealth Catholic Charities <u>Fredericksburg Office</u> 325 B Wallace Street Fredericksburg, VA 22401 <u>Phone: (540) 899-6507</u>	

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Eastern	Chesapeake Franklin City Hampton Isle of Wight James City County Newport News Norfolk Portsmouth Suffolk Surry Virginia Beach Williamsburg	Refugee Resettlement Services Commonwealth Catholic Charities <u>Hampton Roads Office</u> 12284 Warwick Blvd, Suite 1-A Newport News, VA 23606 <u>Phone: (757) 247-3600 Ext 20</u>	Accomack Brunswick Dinwiddie Gloucester Greenville- Emporia Mathews Northampton Prince George Southampton Sussex

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Northern Virginia	Alexandria Arlington Fairfax Falls Church Loudoun Manassas City Manassas Park	<p>Migration and Refugee Services Commonwealth Catholic Charities</p> <p><u>Arlington Office</u> 80 North Glebe Road Arlington, VA 22203 <u>Phone: (703) 841-3876</u></p> <p><u>Manassas Office</u> 9200 Church Street, Suite 304 Manassas, VA 20110 <u>Phone(571) 364-8010</u></p> <p>Refugee Immigration Services Lutheran Social Services of the National Capital Area</p> <p><u>Falls Church Office</u> 7401 Leesburg Pike Falls Church, VA 22043 <u>Phone: (703) 698-5026 Ext 110</u></p>	Clarke Fauquier Frederick Greene King George Louisa Madison Page Rappahannock Shenandoah Warren Winchester
Northern Virginia	Culpeper Fredericksburg Orange Prince William Spotsylvania Stafford	<p>Migration and Refugee Services Catholic Charities of the Diocese of Arlington</p> <p><u>Fredericksburg Office</u> 325 Wallace Street Fredericksburg, VA 22401 <u>Phone: (540) 899-6507</u></p>	
Northern Virginia	Harrisonburg/ Rockingham	<p>Church World Services Refugee and Immigration Program</p> <p>Harrisonburg Office 250 East Elizabeth Street, Suite 109 Harrisonburg, VA 22802 Phone: (540) 433-7942</p>	

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Piedmont	Albemarle Charlottesville	International Rescue Committee <u>Charlottesville Office</u> 609 East Market Street, Suite 104 Charlottesville, VA 22902 <u>Phone: (434) 979-7772</u>	Alleghany- Covington Amherst Appomattox Bath Bedford Botetourt Campbell Charlotte Craig Danville Franklin County Halifax Henry- Martinsville Highland Lynchburg Mecklenburg Nelson Pittsylvania Rockbridge, (Buena Vista, & Lexington) Shenandoah Valley (Staunton, Augusta, Waynesboro)
	Roanoke City Roanoke County	Refugee Resettlement Program Commonwealth Catholic Charities <u>Roanoke Office</u> 820 Campbell Avenue SW Roanoke, VA 24016-3536 <u>Phone (540)-342-7561</u>	
Western	None	None	All

Examples of Possible Assignments	Type of Work Activity	How the Assignment Should Be Entered in ESPAS	How the Hours Will Be Reported in the TANF Data (Federal) Report	How the Hours Should Be Documented in the VIEW Case Record
				<p>Employer; or Paystubs; or Printout from the Work Number</p> <p>Monthly Job Follow-Up Contact form or VIEW Job Follow-Up form</p>
Paid College Work Study Programs offered by college or training program	Core	Component 19; descriptor required. Also enter as paid employment at the bottom of the ESPAS enrollment.	On-the-Job Training	<p>At initial employment and every 6 months thereafter: Statement from Employer; or Paystubs</p> <p>Monthly Job Follow-Up Contact form or VIEW Job Follow-Up form</p>
Paid Internships offered by college or training program (Ex: student teaching)	Core	Component 19; descriptor required. Also enter as paid employment at the bottom of the ESPAS enrollment.	On-the-Job Training	<p>At initial employment and every 6 months thereafter: Statement from Employer; or Paystubs.</p> <p>Monthly Job Follow-Up Contact form or VIEW Job Follow-Up</p>

Examples of Possible Assignments	Type of Work Activity	How the Assignment Should Be Entered in ESPAS	How the Hours Will Be Reported in the TANF Data (Federal) Report	How the Hours Should Be Documented in the VIEW Case Record
				form
Paid Sheltered Workshops *Wages for these assignments may be less than minimum wage.	Core	Component 19; descriptor required with 5 at the first digit. Also enter as paid employment at the bottom of the ESPAS enrollment.	On-the-Job Training	At initial employment and every 6 months thereafter; Statement from Employer; or Paystubs Monthly Job Follow-Up Contact form or VIEW Job Follow-Up form
Paid Training offered through WIA	Core	Component 19; descriptor required with 8 as the first Digit. Also enter as paid employment at the bottom of the ESPAS enrollment.	On-the-Job Training	Statement from WIA representative Paystubs
Paid (via stipend) AmeriCorps placement	Core	Component 19 ; descriptor required. First digit of the descriptor will be 9 . Also enter as paid employment at the bottom of the ESPAS enrollment.	On-the-Job Training	Statement from AmeriCorps Coordinator; copy of AmeriCorps stipend agreement

Examples of Possible Assignments	Type of Work Activity	How the Assignment Should Be Entered in ESPAS	How the Hours Will Be Reported in the TANF Data (Federal) Report	How the Hours Should Be Documented in the VIEW Case Record
<p>Vocational Education and Training</p>	<p>Core</p>	<p>Limited to 12 months in a lifetime.</p>	<p>Vocational Educational Training</p>	
<p>Associate degree programs and post-secondary baccalaureate level programs directly related to employment (for up to 12 months). Note: This will include self-initiated education programs</p> <p>Up to one hour of unsupervised study or homework time can be counted for each hour of scheduled class time.</p>	<p>Core</p>	<p>Component 09; descriptor required.</p> <p>First digit of the descriptor for Associate degree programs will be 3.</p> <p>First digit for descriptor for post-secondary baccalaureate level (4 yr) programs will be 2.</p>	<p>Vocational Educational Training</p>	<p>VIEW Education and Training Activities Attendance Report</p> <p>Statement from instructor to verify expected hours of unsupervised homework/study time</p> <p>Proof of grades at the end of the semester/ quarter/ course</p> <p>Copies of Certificate(s) or Diploma received</p>
<p>Certificate program (for up to 12 months)</p> <p>Up to one hour of unsupervised study or homework time can be counted for each hour of scheduled class time</p>	<p>Core</p>	<p>Component 10; descriptor required.</p> <p>First digit of the descriptor will be 3 or 4.</p>	<p>Vocational Educational Training</p>	<p>VIEW Education and Training Activities Attendance Report</p> <p>Statement from instructor to verify expected hours of unsupervised homework/study time</p> <p>Proof of grades at the end of the semester/ quarter/ course</p> <p>Copies of Certificate(s) or Diploma received</p>

Examples of Possible Assignments	Type of Work Activity	How the Assignment Should Be Entered in ESPAS	How the Hours Will Be Reported in the TANF Data (Federal) Report	How the Hours Should Be Documented in the VIEW Case Record
<p>Community Work Experience (CWEP)</p> <p>Maximum assignment of 32 hrs/wk. A calculation (based on SNAP and TANF benefits) must be used to determine assignment hours. See policy at 1000.13E.</p>	<p>Core</p>	<p>Component 21; descriptor required.</p>	<p>Work Experience</p>	<p>VIEW Attendance/ Performance Rating Sheet</p> <p>Copy of VIEW Referral to Work Site form</p>
<p>Public Service Program (PSP)</p> <p>Maximum assignment of 35 hrs/ wk. *To be placed in this activity, the participant must have Medicaid unless the PSP site agrees to provide coverage under its own Workers' Compensation plan.</p>	<p>Core</p>	<p>Component 27; descriptor required.</p>	<p>Community Service Programs</p>	<p>VIEW Attendance/ Performance Rating Sheet</p> <p>Copy of VIEW Referral to Work Site form</p>

Examples of Possible Assignments	Type of Work Activity	How the Assignment Should Be Entered in ESPAS	How the Hours Will Be Reported in the TANF Data (Federal) Report	How the Hours Should Be Documented in the VIEW Case Record
				<p>expected hours of unsupervised homework/study time</p> <p>Proof of grades at the end of the semester/quarter/course</p> <p>Copies of Certificate(s) or Diploma received</p>
Education Below Post-Secondary	Non-Core	<p>Note: These activities may be offered in non-traditional as well as traditional settings.</p>		

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES

**VIEW Transitional Transportation
NOTICE OF ACTION**

Agency	
Case Number	Date

Dear _____

This Notice is to tell you what action this agency is planning to take regarding transitional transportation services provided on your case. This notice refers only to transitional transportation services. It does not affect any financial assistance such as TANF, SNAP, Medicaid, Fuel Assistance, etc.

The action being taken is checked below.

If you are not satisfied with this action, you may appeal. Transitional transportation benefits will not be continued during the appeal period. Instructions about how to appeal are printed on the back of the Notice.

Please get in touch with me at the telephone number listed at the bottom of the page if you have questions.

<input type="checkbox"/> Transitional Transportation Services which you are receiving will be ended for the following reason:	Effective Date
<input type="checkbox"/> Other (Describe):	Effective Date

IF YOU DISAGREE WITH THE ACTION TAKEN, YOU MAY ASK FOR A CONFERENCE WITH YOUR WORKER WHOSE NAME, ADDRESS, AND TELEPHONE NUMBER APPEAR ON THE BOTTOM OF THE PAGE OR ASK FOR A FAIR HEARING BEFORE THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES. THE INFORMATION ON THE REVERSE OF THIS FORM EXPLAINS YOUR RIGHT TO APPEAL **AND EXPLAINS HOW TO ASK FOR A FAIR HEARING.**

WORKER	TELEPHONE NUMBER	DATE OF MAILING	IF YOU WANT FREE LEGAL ADVICE CALL
MAILING ADDRESS			THIS NUMBER IS A LOCAL LEGAL SERVICES AGENCY, NOT THE DEPT. OF SOCIAL SERVICES

APPEALS AND FAIR HEARINGS

If you are not satisfied with the action this agency has taken or plans to take, you may write or call your VIEW worker to request a conference. At the conference, the agency must give you an explanation of its proposed action.

If you are not satisfied with the results of the conference, or decide you do not want a conference, you may request a fair hearing. A fair hearing provides you the opportunity to review the way the social services agency has handled the situation concerning your transitional transportation service. The fair hearing is a private, informal meeting at the local social services agency with you and anyone you wish to bring as a witness or to help you tell your story, such as a friend or lawyer. Your VIEW worker, a local agency supervisor, and possibly other agency staff who know about your case may also be at the hearing to tell how the agency's decision was reached. A hearing officer, who is the official representative of the State Department of Social Services, will also be there.

Your request for a fair hearing must be made within 30 days of this notice. At the the hearing you will have a chance to explain why you think we made a mistake, and a hearing officer or appropriate authority will decide if you are right. Written appeals should be sent to: Hearing and Legal Services Manager, Virginia Department of Social Services, 801 East Main Street, Richmond, Virginia 23219-2901, or you may call me at my number which is listed on the front, or you may call 1-800-552-3431.

You will be notified of the date and time for your hearing at the local social services agency or at a location agreeable to you and the agency. If you cannot be there on that day, call your VIEW worker immediately. If you need transportation, the local agency will provide it.

At the hearing, you and/or your representative will have the opportunity to:

- (1) examine all documents and records which are used at the hearing;
- (2) present your case or have it presented by a lawyer or by an authorized representative such as a friend;
- (3) bring witnesses;
- (4) establish pertinent facts and present an argument for your position; and
- (5) question or refute any testimony or evidence. This will include the opportunity to confront and cross-examine adverse witnesses.

The decision of the hearing officer is based exclusively on evidence and other material introduced at the hearing, except when medical information is requested or other essential information is needed. In such an event, you and the local social services agency have the opportunity to question or refute this additional information.

You will be notified in writing of the hearing officer's decision on your appeal within 60 days of the date your appeal request is received by the Virginia Department of Social Services.

It is YOUR RIGHT TO APPEAL decisions of the local social services agency. If you want more information or help with an appeal, you may contact the local social services agency. It will not cost you anything to request a fair hearing, and you will not be penalized for asking for a fair hearing. If you desire free legal advice, you may contact your local legal aid office.

VIEW Transitional Transportation Notice of Action

FORM NUMBER – 032-03-0901

PURPOSE OF FORM – The purpose of this form is to inform individuals receiving VIEW transitional transportation of the action and the date the change will take place to terminate that service.

USE OF FORM – The form notifies the client that transitional transportation services will be ended and the reason for the termination of services. If the client disagrees with the action that will be taken, they can appeal using the attached Appeal and Fair Hearings instructions.

NUMBER OF COPIES – Two

DISPOSITION OF FORM – The VIEW worker will mail the client the original copy of the form and file a copy of the notice in the case record.

SUBJECT	SECTION/PAGE(S)
Income Tax Refunds	305.4, p. 23
Income vs. Expenses	401.2, p. 2e
Information to be Given Client	401.5, p. 10-14; Section 600, Appendix I
Initial Assessment	Section 1000.8, p.8 and 22
Inheritances See Lump Sum Payments	
Inquiry for Information	401.1, p. 1
Intentional Program Violation (IPV)	102.1, p. 1-3; 102.5, p. 3a
IPV Disqualification Penalties	102.3, p. 2
IPV VIEW Improper Payments	503.1, p. 1; 503.7, p. 2d
IPV Forms	102.2, p. 2
Interest Income	305.4, p. 24a;
Interviews	
Redetermination	401.3, p. 4
Intake	401.2, p. 2e
Job Corps	305.4, p. 23
Joint Processing Temporary Assistance and Supplemental Nutrition Assistance Program (SNAP) (TANF & SNAP)	See Single Interview; 401.3, p. 5
Legal Aid Projects	400, Appendix I, p. 1
Legal Base	100.1, p. 1
Legal Presence	201.7D, p.1d
Legally Responsible Persons	301.1; 302.8; 601.3, p. 4-5