



Department of Human Resources  
311 West Saratoga Street  
Baltimore MD 21201

## FIA ACTION TRANSMITTAL

Control Number: #03-04

Effective Date: August 1, 2002

Issuance Date: July 26, 2002

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES  
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT  
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

**FROM: CHARLES E. HENRY, EXECUTIVE DIRECTOR**

**RE: NEW WORK REQUIREMENTS FOR DEAP/TCA CUSTOMERS**

**PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE**

**ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS**

### **SUMMARY:**

Action Transmittals #99-46 (effective July 1999) and #01-39 (replacing #99-46 and effective May 2001) provided local departments with policy and procedures for disabled Disability Entitlement Advocacy Program for Temporary Cash Assistance (DEAP/TCA) adults and children. In AT #02-89, local departments are provided an updated list of the state-funded TCA programs with the work and time limit requirements for each program.

Local departments have expressed concern regarding DEAP/TCA cases that allow the entire assistance unit to be exempt from work requirements. These cases may include an able-bodied adult in the home that is not needed to take care of a disabled child or adult, or a 16-17 year old child who is not enrolled in school.

In response, the work requirements for DEAP/TCA state-funded cases change effective August 1, 2002. Able-bodied adults who are not needed in the home to care for a disabled assistance unit member and 16-17 year old children not in school are subject to the same work requirements as federally funded TCA assistance unit members.

The penalty for non-compliance with work requirements is also the same as federally funded TCA. Impose a full-family sanction for a non-compliant adult and an individual sanction for a non-compliant 16-17 year old child. These individuals are allowed one 30-day conciliation period prior to imposing a sanction.

This action transmittal provides the new work requirements for DEAP/TCA and CARES procedures for DEAP/TCA mandatory work participants.

### **ACTION REQUIRED:**

1. Prior to August 1, 2002 all members of the DEAP/TCA assistance unit were exempt from work requirements.

2. **Beginning August 1, 2002, work requirements for state-funded DEAP/TCA are as follows:**

A. New DEAP/TCA Work Requirements:

The following DEAP/TCA assistance unit members **are subject to work requirements:**

(1) Able-bodied adults who are not needed in the home to care for a disabled child or adult, and

(2) 16-17 year old children who are not enrolled in school.

B. Sanctions:

(1) Impose a full-family sanction when the non-disabled DEAP/TCA adult, who is not needed in the home to care for a disabled child or adult, fails to comply with work requirements without good cause.

(2) Impose an individual sanction when the 16-17 year old child fails to comply with work requirements without good cause.

(3) Follow the conciliation and sanction procedures for work requirements on pages 16-22 in AT #02-47 – the updated conciliation and sanction Guide.

**ACTION DUE:**

Apply the new work requirements for state-funded DEAP/TCA customers at application and the first recertification on or after August 1, 2002.

**NARRATE ALL CASE ACTIVITY CAREFULLY:**

Local departments must ensure that narration of case activity is clear, concise, and complete according to the action taken by the case manager. Good narration also supports the local department decision in the event of a fair hearing or selection of the case for Quality Control review.

**FREE-FORM TEXT ON NOTICES:**

Case managers must add plain English, case specific free-form text to the appropriate CARES notice so that the customer is able to read and understand the reason for the sanction or closing.

## **RIGHT TO APPEAL**

As a reminder, local departments shall advise households of their right to appeal a local department decision and the procedures for requesting a fair hearing. Local departments must also advise households of any legal services that might be available to represent them during a fair hearing. To find out the number of their local Legal Aid office, customers may call Legal Aid's toll-free number, 1.800.999.8904.

## **INQUIRIES**

Please direct TCA policy questions to Edna McAbier at 410.767.8805 or email at [emcabier@dhr.state.md.us](mailto:emcabier@dhr.state.md.us); WO MIS questions to Mark Millspaugh at 410.767.8558 or email at [mmillspaugh@dhr.state.md.us](mailto:mmillspaugh@dhr.state.md.us) and CARES questions to Gina Roberts at 410.238.1297 or email at [groberts@dhr.state.md.us](mailto:groberts@dhr.state.md.us).

c: FIA Management Staff  
DHR Help Desk  
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## **CARES PROCEDURES for New DEAP/TCA Work Requirements:**

Able-bodied adults who **are not needed** in the home to care for a disabled adult or child and 16-17 year old child who **is not enrolled** in school are subject to the same work requirements as federally funded TCA customers. The **WORK** screen should be coded as follows:

- ◆ For TCA in the **Work Requirement** field enter “**YE**”,
- ◆ The **Status** field should remain blank,
- ◆ The **Date** field will automatically populate,
- ◆ Narrate your actions.