



Department of Human Resources
 311 West Saratoga Street
 Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number: 06-32

Effective Date: UPON RECEIPT

Issuance Date: March 23, 2006

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

FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR

**RE: CHANGES IN SUBSTANCE ABUSE TREATMENT AND SERVICES
 (SATS) PROGRAM**

PROGRAMS AFFECTED: TEMPORARY CASH ASSISTANCE AND FOOD STAMPS

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

This action transmittal changes existing signature requirements for customers subject to Substance Abuse Treatment and Services (SATS) screening and drug testing provisions, and procedures for processing non-compliant individuals being added to TCA Assistance Units. Also included are the revised guidelines for the distribution of the SATS forms. Changes to the 1176, 1177 and the 1178 substance abuse forms (Attachments I-III) reflect the policy revision. Updates to the TCA Manual, Food Stamp Manual and the TCA Work Book will be posted on the FIPNet. Please note, when citing COMAR, that the TCA manual section governing substance abuse treatment and services provisions has changed to **07.03.03.09**.

ACTION REQUIRED:

The following procedures are effective upon receipt for all TCA adults and convicted drug felons applying for cash assistance and food stamp benefits who are required to comply with FIP Substance Abuse Treatment and Services (SATS) provisions.

I. Change in Signature Requirements:

This action transmittal obsoletes prior signature requirements. Only TCA customers who screen **positive**, and **customers required to complete a drug test** must sign the Consent for the Release of Confidential Alcohol and Drug Treatment Information (DHR/FIA 1176) form.

II. Distribution of Substance Abuse Treatment Forms

The Addictions Specialist maintains the original copy of the 1176, 1177 and 1178 forms and forwards copies to local department staff and treatment providers as required. New forms have been printed and will be distributed to the local departments. All previous editions are obsolete upon receipt of the new forms.

III. Procedures for Processing Non-Compliant Individuals Being Added to TCA Assistance Units

- A. Individuals being added to TCA assistance units at interim change or recertification are to be treated as **applicants** and are not subject to sanctioning procedures since they have **not** received cash benefits. This provision remains consistent with substance abuse regulations governing TCA eligibility requirements at application.
 - B. Any mandatory applicant being added to a TCA household who refuses to comply with the following substance abuse treatment and services (SATS) requirements – completing the screening requirement, signing the 1176 when the substance abuse screen is positive, or completing the drug-testing component – is ineligible for TCA and must be **denied**.
 - C. The applicant is not entitled to medical assistance in the FO1 coverage group since he/she is not cooperating with the eligibility process. However, a separate determination for medical assistance must be made.
 - D. Count the income and resources of the ineligible member towards the TCA household.
- To calculate earned income of an ineligible parent use the TCA Calculation Worksheet (DHR FIA 428) form to determine the countable net income. Make sure that you allow all disregards. The case record **must** include the calculation worksheet.
 - Count unearned income of the ineligible parent as it is actually received.

Follow these steps to calculate the countable net income amount when the ineligible parent has earnings:

1. Apply the 20% disregard that is given to all new applicants allowing all disregards
2. Apply the 40% gross income test when the customer passes the initial needs test

CARES Procedures

- When it is determined that a mandatory applicant who is being added to a TCA AU refuses to comply with substance abuse treatment and services, case managers **must** take actions in the following order:
 - ✓ Add the mandatory applicant to the TCA AU by completing Options K, O, P and Q. **Do not enter a denial code.**
 - ✓ Once the individual is active in the TCA AU, **on the same day**, access Option R (Interim/Historical Change).
- Remove the customer from the TCA AU by entering reason code **566** (Non-cooperation with eligibility process) on the **STAT** screen in the individual's **RSN** field. **Enter** the customer's income and/or asset information on their ERN1, ERN2, UINC, AST1, and AST2 screens (this information is needed for any associated MA or FS assistance unit).
 - To count the ineligible TCA customer's income and assets toward the TCA household:
 - Enter the customer's assets on another active TCA household member's **AST1** and **AST2** screens
 - Calculate the customer's earned income off-line using the TCA Calculation Worksheet and enter the amount from the worksheet line entitled "**Total Countable Income**" on another active TCA household member's **UINC** screen as **OA** (Other Countable Cash Assistance Only).
 - On the **CAFI** screen, press **PF13** and enter the following additional lines of text:

Individual's Name failed to comply with substance abuse treatment or services or drug testing requirements and is not entitled to TCA benefits.
According to the Code of Maryland Regulations 07.03.03.09

Remember to test the customer for Medical Assistance in another MA category.

Narrate all case activity and specify, for TCA calculations, which customer you entered the ineligible customer's assets and/or income.

FOOD STAMPS

When an individual subject to the drug felon provisions does not comply with drug screening or testing, the individual is not eligible. Consider all resources and income of the ineligible person as available to the remaining household members.

Reminder: Effective October 1, 2005, **all** customers convicted of a drug related felony applying for food stamp benefits who agree to comply with SATS requirements **and** complete the drug testing provision, may be potentially eligible for food stamp benefits if they meet all other program requirements.

Action transmittal #06-09, "Eligibility for Convicted Drug Felons" changed how we process food stamp applicants who are not complying with SATS requirements or the drug testing provision to match the CARES procedures for recipients.

INQUIRIES: Direct substance abuse policy questions to Deborah Weathers at 410-767-7994 and CARES questions to Joyce Westbrook at 410-238-1299. Direct TCA policy questions to Marilyn Lorenzo at 410-767-7933 or Gretchen Simpson at 410-767-7937, and food stamp policy questions to Kay Finegan at 410-767-7939 or Rick McClendon at 410-767-7307. Direct Medical Assistance questions to Eligibility Policy at 410-767-1463.

cc: DHR Executive Staff
FIA Management Staff
Constituent Services
DHR Help Desk