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Department of Human Resources
311 West Saratoga Street
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FIA ACTION TRANSMITTAL

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

Charles E. Harvey for

FROM: ROBERT J. EVERHARD, EXECUTIVE DIRECTOR, FIA

RE: REMINDERS, CLARIFICATIONS AND NEW EXPECTATIONS
REGARDING TCA CUSTOMERS REACHING THE 24-MONTH TIME
LIMIT

PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE

ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS

BACKGROUND

Action Transmittal #99-05 outlined the expectations of local departments for their Temporary Cash Assistance (TCA) customers reaching the 24-month time limit on and after January 1, 1999. Customers who have received 24 cumulative months of federal Temporary Assistance to Needy Families (TANF) funded TCA must be in a state-defined work activity.

The Regional Economic Studies Institute is generating monthly reports, based on the data entered on the Work Opportunities Management Information System (WO MIS), that identify customers in each district office who will reach the 24-month time limit and are participating in an activity and those who are not participating in an activity. Local departments have great flexibility in defining the work activities that are included in their customers' Family Independence Plans.

Customers in the state-funded TCA program are not included in the local departments' monthly reports and are not subject to the federal 24-month work requirements.

CLARIFICATIONS AND ACTIONS REQUIRED

- This Action Transmittal is a reminder to each local department that on January 1, 1999 every customer who has reached the 24-month time limit is required to be:
 - in a work activity
 - in a conciliation process or
 - no longer receiving Temporary Cash Assistance.
- Customers are entitled to one 30-day conciliation period for non-compliance with work requirements. As part of the conciliation process, the case manager is required to conduct an investigation into the reasons for non-compliance.
 - **Local departments may extend a customer's conciliation process for up to 90 days immediately following the 24th month of benefits.**
 - **CUSTOMERS IN CONCILIATION MUST NOT RECEIVE BENEFITS BEYOND THE 27TH MONTH.**
 - **We are adding a new requirement: the supervisor must sign-off when a full-family sanction is imposed for customers who have reached the 24-month time limit and have failed to participate in a state-defined work activity. This review ensures that there has been at least an attempt by the case manager to investigate the reasons for non-compliance.**
- Local departments are to impose a full family sanction when adults do not comply with the work activities set forth in their Family Independence Plans.
 - **Clarification: count instances of sanction because of non-compliance with work requirements consecutively:**
 - regardless of the reason for non-compliance with work activities
 - regardless of the type of work requirements involved.
 - **The number of sanction instances determines the length of the sanction penalties.**
 - **Cures for full-family sanctions are as follows:**
 - **First instance – Immediately upon compliance with the work requirement**
 - **Second instance – After 10 calendar days of compliance**
 - **Third and all subsequent instances – After 30 calendar days of compliance**

- Note that the **only exception** to the 24-month work requirement is a single parent caring for a child under the age of 6 who is unable to obtain child care for one or more of the following reasons:
 - Unavailability of appropriate child care within a reasonable distance from the parent's home or work site.
 - Unavailability or unsuitability of informal child care by a relative or others.
 - Unavailability or unsuitability of appropriate and affordable formal child care arrangements.
 - Customers with this problem are considered to be in a work activity called "Seeking Child Care" and are coded OTZ on WO MIS.

EXAMPLE 1:

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| March 19 | Since the customer did not respond to the conciliation letter or telephone calls to investigate the possibility of good cause, the case manager mailed the customer a NOAA to sanction on April 1 for failure to participate in work activities without good cause. First sanction instance. |
| March 23 | Customer comes in to the office and complies with work activities (during the 30-day conciliation period). Benefits are not interrupted and customer receives full April grant. |
| September 1 | Case manager sanctions customer for non-compliance with the required work activities (no conciliation period) without good cause (no response to letter or telephone call to investigate the reasons for non-compliance or the NOAA). Second sanction instance. |
| September 3 | Customer comes into the office, participates in a work activity, and complies for 10 days. The 14-day delay does not apply. Issued full benefits for September. |
| December 21 | Customer will reach the 24-month time limit in January and is not in a work activity. Case manager mails a NOAA to sanction for January 1 when she does not keep an appointment and does not respond to the case manager's letter or telephone call to investigate the reasons for non-compliance. Third sanction instance. |
| January 1 | Effective date of customer's sanction for non-compliance with work activities. |

January 4 Customer calls her case manager and is given an appointment with the job counselor for January 8. Customer begins a work activity effective January 11. She must comply with work activity for 30 days before benefits are issued. The 14-day delay does not apply and full benefits are issued for February once she complies.

NOTE: Authorize a full benefit for the month in which compliance to cure the sanction has been completed.

EXAMPLE 2:

December 18 Case manager mails customer a NOAA to sanction January 1 because he failed to complete his job activity. He does not respond to a letter asking him to call or come into the office to explain. He was also sanctioned in June. **Second sanction** (no conciliation period).

January 1 Sanction customer for non-compliance with work activities.

February 2 Customer calls to report that he had a job in January and received checks on January 15 and January 29 (his last check). He did not keep the December appointment because he was going to work but now he is not working. Mr. Customer must reapply and comply with work requirements for 10 calendar days before benefits are issued. The 14-day delay is applied and benefits are prorated for February.

NOTE: If a full month or more passes with no plan to participate, treat the application for benefits the same as any other application and prorate the case 14 days from the date of application. Make payment after the required compliance time is met.

ACTION DUE

Ongoing as mentioned.

INQUIRIES

Please direct questions or comments to Edna McAbier, Bureau of Policy and Training, at (410) 767-8805.

cc: FIA Management Staff
Constituent Services
DHR Executive Staff