



CHANGE NOTICE FOR MANUAL

DATE: June 19, 2009

MANUAL: WORK FIRST MANUAL
CHANGE NO.: 2-2009
TO: County Directors of Social Services
EFFECTIVE: July 1, 2009

I. BACKGROUND

The changes that are addressed in this notice are to provide policy clarification, incorporate updated Federal guidance, and to address additional concerns cited by the Office of Civil Rights. Throughout Manual sections 102, 104 and 111 revisions were made to ensure the individual's right to apply for Medicaid in conjunction with or in lieu of the Work First application for services are upheld. In addition, language was added to these policy sections to make sure policy is in compliance with the requirements of Title IV and the Americans with Disabilities Act (ADA). Local agencies have made significant strides in recognizing and accommodating individuals with disabilities. To further assist with these efforts the following websites are recommended by the Office of Civil Rights; the [UPI Toolkit](#) and [OCR Guidance on TANF and Disability](#). The Division strongly encourages local Work First agencies to use the DSS- 8228, Application and Review Documentation Workbook. If a county wishes to develop their own form or to automate the form, they **must** ensure that all of the language and data elements are represented. Failure to do so could result in a monitoring or audit finding. Language was updated throughout the aforementioned sections to ensure policy consistency and to reflect program updates. For ease of use, references to figures and manual sections have been removed and replaced with hyperlinks to the appropriate form and/or manual section on the DHHS Online Publications web site. All through the revised material, there is delineation between citizenship/identity elements. The references now read citizenship/immigration status and a separate notation for identity. Further information regarding these and other changes in the affected manual sections are cited below.

II. SPECIFIC CHANGES

Work First Manual Section 102

Where appropriate, the term "caseworker" has replaced the use of the term "you". References to Food Stamps are changed to Food and Nutrition Services. The terms immigrant or qualified immigrant are used in lieu of "alien/alienage". The term "applicant" has replaced the term "family", where appropriate.

A. Section I

1. Language was added to ensure applicants for Work First are advised they may apply for Medicaid prior to or in lieu of Work First. Also the worker must disclose that information provided during the interview such as social security numbers, citizenship, identity, and immigration status will automatically be used as part of the Medicaid application. The applicant's response must be documented in the case file.
2. The definition and uses of Benefit Diversion is changed to be consistent with Federal definition. Benefit Diversion is designed to meet a specific family crisis or episode of need through the use of non-recurring short term benefits. It can not be used for the sole purpose of diverting families from public assistance. The assessment for Benefit Diversion must identify the specific family crisis or episode of need. The DSS-8657 was revised to allow for the documentation of the crisis or episode of need.

B. Section II

1. Language was added regarding reasonable accommodations.
2. There is a hyperlink to the Services Information System (SIS) manual.
3. The fourth bullet under Work First services was amended to add "and the maintenance" of two parent families.

- C. Section III, Figures 1 and 2 were removed and replaced with a hyperlink to the DSS-8225, Eligibility Worksheet. A series of question were added to the form to further comply with Title VI and ADA. Also the DSS-8225(rev 04/09) was revised to include the Federal Poverty Limits for 2009.

Work First Manual Section 104

Language was added to ensure applicants for Work First are advised they may apply for Medicaid prior to or in lieu of Work First. Also the worker must disclose that information provided during the interview such as social security numbers, citizenship, identity, and immigration status will automatically be used as part of the Medicaid application. The applicant's response must be documented in the case file. Throughout Section 104, wording was added to reiterate that citizenship/immigration status and/or social security numbers are not requested for individuals not applying for assistance. Policy statements are added throughout this section to ensure applicants are made aware of the availability of reasonable accommodation and the documentation of any provisions of said accommodations.

- A. Section I, policy was changed to allow a court document that establishes legal custody or legal guardianship to be signed by other Officers of the Court in addition to a Judge.

B. Section II

1. Individuals temporarily absent from the home may be included in the Work First family unit.

2. All parents living in the household are required family unit members.
 3. Parents with a mutual child living in the same household can not receive Work First Family Assistance in separate cases.
 4. Additional individuals were added to list of those who can not be included in the WFFA case.
- C. Section III
1. Wording was changed throughout the Rights and Responsibilities from “complete your application” to “determine your eligibility”. Also language was added to state the monthly check may be terminated or withheld.
 2. Incapacity of a parent, when coded I, requires third party verification.
- D. Section IV, policy was added to require the caseworker to explain Emergency Medicaid to applicants and document the case file accordingly.
- E. Section V
1. Additional services to be explained during the application process include EPSDT, Emergency Medicaid and the Family Planning Waiver Program.
 2. Policy is revised throughout the section to update and clarify Medicaid program instructions and terminology.
 3. The DMA-5046 must be completed at application and review.
- F. Counties are strongly encouraged to use the DSS-8228, Application and Review Documentation Workbook. The form was revised to reflect additional commentary from the Office of Civil Rights. However, if an agency chooses to use an alternate form, the agency must ensure that the alternate form includes all eligibility criteria, provides the applicant with all required notices and complies with Title VI of the Civil Rights Act and the Americans with Disabilities Act as outlined in the DSS-8228.
- G. The DSS-8146A, Notice of Information Needed to Determine Your Eligibility for Work First Family Assistance was revised to reflect current policy.

Work First Manual Section 111

- A. Section I, a detailed list of Qualified Immigrants was added to policy.
 - B. Section II, policy was clarified regarding the definition of a U.S. citizen
- C. Section III
1. A change in an individual immigrant's status requires re-verification of status.
 2. Current or former LPR applicant/recipients were removed from the list of individuals exempt from providing proof of U.S. citizenship and identity.

3. A brief definition of Title IV-E and Title IV-B is provided.
4. The charts that list acceptable forms of documentation of citizenship and identity for U.S. citizens were updated for clarity and consistency with the Division of Medical Assistance. Systematic Alien Verification for Entitlement (SAVE) can be used to verify citizenship of Naturalized citizens.

D. Section IV

1. The section title was amended to include the wording "Otherwise Eligible".
2. Guidance is provided for when expired documents are presented or an individual is unable to present any documents evidencing immigration status.
3. The Immigrant Rules Chart was amended to change all statements concerning the 5 year bar to reflect the following, "If Entered August 22, 1996, or after, ineligible for 5 years from the date the person acquired qualified immigrant status. Eligible after 5 year exclusion period. Refer to V and VI for exceptions".
4. The chart was also amended to exempt all humanitarian statuses (shown below) from the 5 year bar.
 - Amerasian
 - Refugee
 - Cuban/Haitian
 - Asylees
 - Deportation withheld
 - Victims of Human Trafficking
5. Section IV.B, was added to provide guidance regarding Iraqi and Afghan Special Immigrants.

E. Section V

1. The list of exclusions to the five year bar was amended to include:
 - American Indian born in Canada
 - Iraqi or Afghan Special Immigrant
 - Unmarried dependant children of Armed Forces Veterans or Active Duty under 21 years of age.
2. A hyperlink is provided for access to the G-845, Documentation Verification Request.

F. Section VI

1. The following statement was added to policy, "It can not be required of applicants to furnish SSNs or citizenship/immigration status of other family or household members who are unwilling to do so, nor can benefits be denied to eligible applicants when other family or household members refuse or do not provided documentation.

2. The address for submitting referrals related to Sponsored Immigrants and reporting Illegal Presence was updated.

III. IMPLEMENTATION INSTRUCTIONS

This change notice is effective July 1, 2009. Please review the Refugee Status Code (REF CODE) to determine if there are Afghan Special Immigrants that may benefit from the change in Federal law. If there are such cases, immediately contact the families to inform them of their potential eligibility for additional benefits/services. Please document all action taken on these cases.

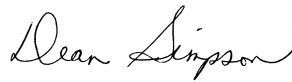
This change notice obsoletes FSCWS Administrative Letters 02-2008 and 05-2008.

IV. INSTRUCTIONS FOR MAINTENANCE OF THE WORK FIRST MANUAL

	Remove			Insert	
Section		Pages		Section	Pages
102		All		102	1-19
104		All		104	1-19
111		All		111	1-28

If you have any questions, please contact you Work First Representative.

Sincerely,



Dean Simpson, Chief
Economic and Family Services Section

DS/sdm

Attachments:

[WF102](#)

[WF104](#)

[WF111](#)

[DSS-8146A](#)

[DSS-8225](#)

[DSS-8228](#)

[DSS-8657](#)

cc: Sherry S. Bradsher
Jack Rogers
Sarah Barham
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Work First Local Support
Local Business Liaisons