



## CHANGE NOTICE FOR MANUAL

**DATE:** July 22, 2015  
**MANUAL:** WORK FIRST MANUAL  
**CHANGE NO.:** 1-2015  
**TO:** County Directors of Social Services  
**EFFECTIVE:** August 1, 2015

### I. BACKGROUND

The North Carolina General Assembly revised North Carolina General Statute 108A-29.1, to require the screening of each applicant for or recipient of Work First Program assistance whom the Department reasonably suspects is engaged in the illegal use of controlled substances. This change notice provides information regarding the revisions to Manual Section 104B, Substance Use and Mental Health Initiative, to support the implementation of the mandated law.

Throughout the manual section the term substance abuse was changed to substance use. References to the Local Management entity now read, Local Management Entity and Managed Care Organization (LME-MCO) contract provider.

The policy and procedures apply to both Standard and Electing Counties.

### II. SPECIFIC CHANGES

#### A. Section I, Background

1. Provides an overview of NC GS 108A-29.1.
2. Defines the criteria used to determine reasonable suspicion.

#### B. Section II, Substance Use Screening and Referral

1. Defines the applicants and recipients who are subject to the substance use screening and testing requirement.
2. The county departments of social services (DSS) has responsibility to administer the AUDIT/DAST-10.
3. Prior to the administration of the AUDIT/DAST-10, each applicant/recipient must be given the DSS-8218A, Substance Use Screening Notice.

4. Any positive score on the AUDIT by an applicant/recipient under age 21 requires a referral to the Qualified Professional in Substance Abuse (QPSA).
5. The following forms are required when referring an applicant or recipient to a QPSA: the DSS-8219, Consent for Release of Confidential Information and the Work First Referral to the Qualified Professional in Substance Abuse.
6. A score of three (3) or more on the DAST-10 requires a referral for substance use testing.
7. If an applicant/recipient does not comply with the substance use screening, the applicant/recipient is ineligible to receive cash assistance. If otherwise eligible, the remaining household members may receive cash assistance.

**C. Section III, Criminal History Screening**

A referral for substance use testing must be made if the Online Verification System (OVS) indicates a conviction relating to illegal controlled substances within three (3) years of the OVS inquiry.

**D. Section IV, Referral Process for Substance Use Testing**

1. The substance use test, a urine toxicology, will screen for five controlled substances.
2. Substance use testing, as required by this policy, is at the expense of the Department of Health and Human Services. If an applicant/recipient disagrees with a substance use test result and/or has a confirmed positive test result, any subsequent tests are at the applicant's/recipient's expense.
3. Each applicant/recipient must be given the DSS-8218B, Work First Program Testing Notice and the Substance Use Information sheet.
4. The case owner must complete the referral for substance use testing by accessing the Fortes Laboratories electronic records management system, eFortes, at <https://www.efortes.com>. The case owner will sign in using their assigned username and selected password.
5. Figure 104B-1, is a desk reference which provides a listing of the statewide collection sites available to the Work First Program for substance use testing.
6. The applicant/recipient must complete substance use testing within four (4) business days of the referral for testing.
7. If an applicant/recipient does not comply with substance use testing, the

applicant/recipient is ineligible to receive cash assistance. If otherwise eligible, the remaining household members may receive cash assistance.

8. Results of the substance use test will be available within two (2) business days unless the initial test result is positive. A review of an initial positive result is conducted by a Medical Review Officer (MRO).
9. A confirmed positive test result will disqualify the applicant/recipient from receiving cash assistance for 12 or 36 months. If otherwise eligible, the remaining household members may receive cash assistance.
10. Schedule an appointment for the applicant/recipient, with the confirmed positive test result, no later than five (5) business days from the date the county DSS is notified of the confirmed positive result to discuss the results.
11. An applicant/recipient who has a confirmed positive test result may request a retest under certain conditions.

**E. Section V, Assignment of a Protective Payee**

A protective payee must be chosen to receive the cash assistance payment if the applicant/recipient does not comply with the substance use screening and testing requirement. The DSS-1665, Protective Payee Agreement, is the required form to establish the protective payee.

**F. Section VI, Non-compliance with the Substance Use Screening and Testing Requirement**

1. Included are the sanctions for non-compliance with the substance use screening and testing requirement.
2. If the sanctioned applicant/recipient is considered to be Work Eligible, they will continue to be Work Eligible.

**G. Section VII, Hearing Rights and Continued Benefits**

An applicant/recipient that is disqualified due to a confirmed positive test result will not receive benefits during the hearing process. If otherwise eligible, the remaining household members may receive cash assistance.

**H. Section VIII, Treatment of Individuals Convicted of Class H & I Controlled Substance Felony Offenses in North Carolina**

Applicants/recipients convicted of a Class H & I Controlled Substance Felony, who are eligible for Work First, are subject to the substance use screening and testing requirement.

**I. Section IX, Applicants and Recipients Currently Receiving Substance Use Treatment/Services**

Applicants/recipients currently participating in substance use treatment are subject to the substance use screening and testing requirement.

**J. Section X, Time Clocks and Participation**

Substance use treatment hours may count toward the work activities requirement.

**K. Section XI, Behavioral Indicator Checklist**

If the case owner administers the DSS-5325, Substance Use Behavioral Indicator Checklist, and it indicates a substance use concern, administer the AUDIT/DAST-10.

**L. Section XII, Voluntary Mental Health Screening**

The Emotional Health Inventory screening, Figure 104B-2, is at the applicant/recipient's option.

**M. Section XIII, Good Cause**

Good cause may be considered when the applicant/recipient does not complete substance use screening and/or testing by the designated deadline.

**N. Section XIV, Reasonable Accommodation**

Reasonable accommodations provided to an applicant/recipient to assist with substance use screening and testing compliance must be reviewed and approved by supervisory staff.

**O. Section XV, Confidentiality for Substance Use Screening and Testing**

1. Alcohol and drug treatment records are protected by federal law and regulation.
2. Included are guidelines for documenting sensitive issues in case records.
3. Counties must establish administrative, physical and technical safeguards to protect substance use screening and test information.
4. Test results are confidential and will not be released to law enforcement.

**P. Section XVI, Coordination of Substance Use Screening and Testing**

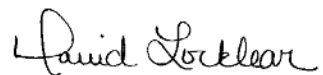
1. County DSS agencies must designate staff to serve as the primary point of contact for communicating with the NC DSS Work First Substance Use Testing Contract Administrator and the contract vendor, Fortes Laboratories.
2. The DSS-8223, Substance Use Referral log, is available for use to track outcomes.

**III. IMPLEMENTATION INSTRUCTIONS**

This policy is effective August 1, 2015. Apply this policy to applications, reviews and changes in situation initiated on or after August 1, 2015.

Please email any questions regarding this policy to DHHS Operational Support Team (OST) at [ost.policy.questions@dhhs.nc.gov](mailto:ost.policy.questions@dhhs.nc.gov).

Sincerely,

A handwritten signature in black ink that reads "David Locklear". The signature is written in a cursive style with a large initial "D".

David Locklear, Chief  
Economic and Family Services Section

DL/WF

[WF104B](#)

[WF104Bf1](#)

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