

MANUAL MATERIAL TRANSMITTED					
MANUAL: INCOME MAINTENANCE			CHANGE NUMBER: 115		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
11	2	2/96	11 - 12	2	10/98
12	2	3/97			
10 e - 10 h	9	1/98	10 e	9	1/98
			10 f	9	10/98
			10 g - 10 h	9	1/98
Appendix A	10	8/98	Appendix A	10	8/98
App. B, Pg. 3	10	1/97	App. B, P. 3	10	10/98
1 - 2	20	7/98	1	20	7/98
13 - 14	20	7/98	2	20	10/98
			13	20	7/98
			14	20	10/98
OFS-ABAWD-1	FORM	1/98	OFS-ABAWD-1	FORM	10/98
DATE: August, 1998			TO: All Income Maintenance Manual Holders		

The following changes are being made:

CHAPTER 2

Section 2.2,D,7: Instructions on referrals about selling Food Stamps have been expanded.

CHAPTER 9

Section 9.1: The Department has exercised an option in exempting an additional 15% of ABAWDs who reside and do not meet the work requirement in ILC's from the 3-month limit on eligibility.

The notification must state that the AG continues to be eligible for Food Stamps. See Chapter 6.

7. Selling Food Stamps

Complaints concerning a store trafficking FS, such as a retailer buying coupons for cash or selling ineligible items are referred by the Worker to the USDA FNS Charleston Field Office at (304) 347-5944.

Complaints concerning a recipient who is trafficking FS, must be referred to IFM by the Worker. See Section 20.2.

8. Food Stamps Returned To The County Office By The Client

NOTE: The following procedures are not intended to circumvent client notification procedures found in Chapter 6.

When Food Stamps are returned to the county office, the Worker determines if the amount is a full or a partial month's allotment. Unused Food Stamps may not be redeemed for cash.

Returned Food Stamps are forwarded to the Financial Clerk who disposes of them as follows.

- When a full month's allotment is returned, Form ES-FS-11 is completed and the Food Stamps returned to the State Office within 30 days.
- When a partial month's allotment is returned to repay an overissuance, a claim must be established. See Chapter 20.
- When a partial month's allotment is returned for some reason other than an overissuance, Form FNP-135 is completed and submitted to the Food Stamp Issuance Unit in OFS, along with the Food Stamps which were cancelled by the Financial Clerk.

9. Cost-Of-Living Increases In Federal Benefits

Recipients of federal benefits such as RSDI, SSI, Black Lung or VA Benefits may receive periodic cost-of-living increases (COLA's). RSDI/SSI increases are handled in accordance with instructions in Appendix B of this Chapter. All other federal benefit cost-of-living increases are treated as any other change, except that the client is not required to report the change.

- He no longer meets the definition of an ABAWD; or
- He resides in an NILC; or
- He meets the ABAWD work requirement as specified in item (2); or
- He becomes exempt as specified in item (7) below; or
- He has worked 80 hours in a 30-day period. This does not have to be the 30 days immediately preceding the date of application; or he participates for a month in employment or training activities.

Only individuals who have regained eligibility in this manner can qualify for the additional 3-month period specified in item (6) below.

(6) Qualifying For An Additional 3-Month Period While Not Meeting the Work Requirement or Being Exempt

When eligibility is regained having worked 80 hours in a 30-day period, or by participating for a month in an employment or training program, the individual is eligible to receive FS for up to 3 consecutive months without meeting the work requirement or being exempt. This is the last time in the 36-month period that he can be eligible without meeting the work requirement. After this second 3-month limit expires, he may only become eligible again by complying with the work requirement, residing in an NILC, or becoming exempt as specified in item (7) below.

EXAMPLE: An ABAWD uses his 3 months of eligibility in May, June and July, 1997, without meeting the work requirement and his case is closed effective July. He completes 80 hours of work between August 10 and August 31. He reapplies September 1. If otherwise eligible, he can participate and has gained

NOTE: The last 2 exemptions qualify the individual to participate immediately, if otherwise eligible. Because this is an exemption, the individual is not required to complete any work hours to become eligible again. However, this does not qualify the individual for the additional 3 month period specified in item (6) above until he has worked 80 hours in 30 days.

EXAMPLE: An ABAWD residing in an ILC is a recipient of Food Stamps on December 1, 1996 with a redetermination due in March, 1997. At the March redetermination, it is determined the individual did not meet the ABAWD work requirement and was not exempt during December, January and February. His eligibility ends effective March, 1997.

EXAMPLE: An ABAWD receives his first full month's benefits in March, 1997. His 36-month period begins March, 1997. He is certified through May, when it is determined he did not meet the ABAWD work requirement for March, April and May, 1997. His eligibility ends effective May, 1997.

EXAMPLE: The same individual in the example above moves to an NILC and applies for Food Stamps in August, 1997. If otherwise eligible, he may receive for Food Stamps while he resides in the NILC or while the county remains an NILC.

EXAMPLE: An ABAWD receives Food Stamps in January and February, 1997 without meeting the work requirement. These are his first and second months of eligibility. He finds part-time employment of 20 hours per week in March. He is otherwise eligible and receives Food Stamps until October, 1997, when his job ends. He then receives Food Stamps in November, 1997, his third month of eligibility without meeting the work requirements. November, 1997 is his last month of eligibility.

APPENDIX A - INCOME LIMITS

NUMBER OF PERSONS	100% FPL	120% FPL	133% FPL	150% FPL	185% FPL	200% FPL	300% FPL	C/U PAY-MENT	C/U 100% SON	C/U 185% SON	TRIP
1	671	805	893	1,007	1,242	1,342	2,013	149	581	1,075	514
2	905	1,085	1,203	1,357	1,673			201	786	1,454	766
3	1,138		1,513	1,707	2,105			253	991	1,833	841
4	1,371		1,824	2,057	2,537			312	1,196	2,212	916
5	1,605		2,134	2,407	2,968			360	1,401	2,592	991
6	1,838		2,444	2,757	3,400			413	1,606	2,971	1,066
7	2,071		2,755	3,107	3,832			462	1,811	3,350	1,141
8	2,305		3,065	3,457	4,263			477	2,016	3,729	1,216
9	2,538		3,375	3,807	4,695			477	2,221	4,108	1,291
10	2,771		3,686	4,157	5,127			477	2,426	4,487	1,366

NUMBER OF PERSONS	MAXIMUM COUPON ALLOTMENT	FOOD STAMP GROSS/NET TEST			MNIL			QMB	SLIMB	SSI MAX	EMER. ASST.	LIEAP
		GROSS	NET	E & D	1 Mo.	6 Mos.						
1	125	873	671	1,107	200	1,200	671	672-805	494	355	739	
2	230	1,176	905	1,492	275	1,650	905	906-1,085	741	533	995	
3	329	1,479	1,138	1,877	290	1,740				566	1,252	
4	419	1,783	1,371	2,262	312	1,872				711	1,508	
5	497	2,086	1,605	2,647	360	2,160				819	1,765	
6	597	2,389	1,838	3,032	413	2,478				939	2,022	
7	659	2,693	2,071	3,417	461	2,766				1,046	2,278	
8	754	2,996	2,305	3,802	477	2,862				1,165	2,535	
9	848	3,300	2,539	4,187	527	3,162				1,273	2,792	
10	942	3,604	2,773	4,572	547	3,462				1,394	3,048	

NURSING HOMES
 Min. SMS - \$1,357
 Max. SMS - \$2,019
 MAX. FMA/each - \$453
 OLE - \$175

	1	2	3	4	5	6	7	8
10/94		\$134						\$139
10/95		\$138					\$247	\$143
12/95		\$134						
7/96			\$216					
1/97							\$250	
10/98			\$243				\$275	

* Began

** For Each Dependent

20.1 INTRODUCTION

The Department is responsible for accurately determining the client's eligibility for Food Stamps, cash assistance (AFDC/U, TANF and WV WORKS) and Medicaid. When it is discovered that excess benefits have been issued, corrective action must be taken.

Investigations and Fraud Management (IFM) consists of three units whose primary functions are to assist with program integrity and to recover overissued benefits resulting from Departmental error, client error or client misrepresentation.

The material that follows, when used in conjunction with the RAPIDS USER GUIDE and the IFM Handbooks for the Front-End Fraud Unit (FEFU), Claims and Collections Unit (CCU) and Criminal Investigations Unit (CIU), provide detailed instructions for repayment and corrective procedures for all programs.

For corrective action related to underpayments, see Chapter 2.

20.3 CASH ASSISTANCE CLAIMS AND REPAYMENT PROCEDURES

For repayment purposes only, cash assistance is defined as payments made under the former AFDC/U Program, WV WORKS, TANF, Emergency Assistance and School Clothing Allowance.

EXCEPTION: DCA overpayments are not subject to repayment, unless fraud is established.

The establishment, notification and collection of cash assistance claims are the responsibility of the Claims and Collections Unit, IFM.

When an AG has received more cash assistance than it was entitled to receive, corrective action is taken by establishing a claim for the overpayment. The claim is the difference between the amount of benefits received and the amount of benefits to which the AG was entitled. The policy by which cash assistance claims are referred, established, collected and maintained follow.

NOTE: Referrals must be made for all overpayments, regardless of the dollar amount. However, claims are not written for under \$100 unless there is a liable debtor certified for cash assistance at the time the claim is processed. Claims under \$100 are written and collected by check reduction. See Item F below.

NOTE: A claim must be written, or a decision made that there is no claim, by the end of the calendar quarter following the quarter in which the referral was received.

Once the claim is established, there are no hardship provisions or exceptions which delay, suspend or terminate efforts to collect the claim.

A. REFERRAL PROCESS

Upon discovery of a potential cash assistance claim, the Worker refers the case to the RO by completion of the BVRFB screen in RAPIDS.

NOTE: If either of the following conditions exist, see the Fraud referral process in Section 20.6:

- The amount of the cash assistance overpayment due to client misrepresentation is greater than \$500, or
- The cash assistance overpayment in combination with other overissued benefits due to client misrepresentation is greater than \$500.

**IMPORTANT FOOD STAMP INFORMATION
FOR ABLE-BODIED ADULTS WITHOUT DEPENDENTS**

The welfare reform law enacted in August, 1996 changed some eligibility requirements for the Food Stamp Program that may affect you if you:

- Are between the ages of 18 and 50; and
- Are not in a benefit group with an individual under age 18.

You may receive Food Stamp benefits for no more than 3 months out of 36 months if you are otherwise eligible and you:

- Do not work at least 20 hours per week, averaged monthly; or
- Do not participate in a work program such as JTPA for at least 20 hours per week.

NOTE: This policy that may limit the time you receive Food Stamps does not apply in all counties of West Virginia. Your Worker must tell you whether you live in a county with time-limited eligibility. These counties are subject to change.

If you lose eligibility because of the time limit, one way you can become eligible again is by working 80 hours in a 30-day period or participating in a work program for a month. If you become eligible again this way, you can continue to receive Food Stamps for as long as you meet all other eligibility requirements including the work requirements. Should you lose your job, you may be eligible for up to an additional 3 consecutive months without having to meet the work requirement.

You are exempt or become exempt from this work requirement and may continue to receive Food Stamps if otherwise eligible and if one of the following applies to you:

- You are responsible for the care of an incapacitated adult;
- You have been medically certified as unfit for work;
- You are receiving Unemployment Compensation and are registered with the Bureau of Employment Programs;
- You are pregnant;
- You are a student enrolled at least half-time in any recognized school, training program or an institution of higher education;
- You are a regular participant in a drug addiction or alcoholic treatment and rehabilitation program;
- You are hired for work of at least 30 hours per week;
- You are hired for work paying the equivalent of at least 30 hours times the minimum wage per week.
- You reside in an Issuance-Limited County and become age 48.

If you have any questions, please contact the county office listed on the enclosed notice.