

MANUAL MATERIAL TRANSMITTED					
MANUAL: INCOME MAINTENANCE			CHANGE NUMBER: 68		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
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20	8	1/97			
21	8	8/95			
DATE: January, 1997			TO: All Income Maintenance Manual Holders		

This change is being made to update the WV WORKS information in Chapters 7 and 8.

In addition, references to GA for DA were removed.

Questions should be directed to the IM Policy Unit in the Office of Family Support.

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B. TANF and WV WORKS

Cases meeting the following criteria are required to report quarterly:

- All TANF and WV WORKS cases with earned income.

For TANF: The Worker must not code Block 78 to generate the QR form when earned income is coded in Block 84 and/or 85.

NOTE: When the benefit group has earnings, but none is coded in the data system because the amount of the Standard Work Deduction equals or exceeds the amount of earnings, Block 78 must be coded.

For WV WORKS: The Worker must code Block 78 to generate the QR form since Blocks 84 and 85 in the C-219 system are not used for WV WORKS.

- TANF and WV WORKS cases which, according to the Worker's judgement, require QR. The Worker must code Block 78 to generate the QR form.

C. MEDICAID

QR does not apply to Medicaid.

7.4 QUARTERLY REPORTING (QR) FORMS AND PRINTOUT

There are four forms and one printout used exclusively for QR. Use of these is detailed below. Notification requirements in Chapter 6 apply.

A. THE QR FORMS ES-QR-CG-1 AND ES-QR-1

The ES-QR-CG-1 is the form mailed from the State Office to the client. It is computer-generated with case-specific information. The ES-QR-1 is the printed, non-computer-generated form kept in county offices and given to clients. See item 2 below. Except for the computer-generated portion of the ES-QR-CG-1, the forms are identical.

The instruction sheet (ES-QR-1A) is mailed with the ES-QR-CG-1 and contains instructions for completing the form, verification instructions, clients' rights and responsibilities and penalties. The instruction sheet is an integral part of the QR process, but is not part of the QR form in that it need not be returned or, if returned, not filed in the case record.

1. Description of the ES-QR-CG-1

The form contains five questions.

- Question 1 requires specific information about each individual in the home with income during the reporting period.
- Question 2 deals with household composition.
- Question 3 requests asset information.
- Question 4 requests information about current residence and household expenses.
- Question 5 requests vehicle information.

There is a space for the client's signature where the client attests to the correctness of the information provided and states that he has read the accompanying instruction sheet which includes the rights and responsibilities, as well as the penalties for fraud or committing an IPV.

- Proof of earnings for the 2nd month of the report period must be attached, if earnings are reported and are countable for the benefit group. For Food Stamps, unearned income must be verified if there has been a change from the last report form. However, the form is not considered incomplete if verification of unearned income does not accompany the form.
- The form must be signed. For TANF and WV WORKS purposes, it must be signed by the payee. For Food Stamp purposes, any responsible adult member of the benefit group may sign.
- The form must be dated, and the date must be the last day of the report month or later.

NOTE: The client is not required to report or verify receipt of or the amount of TANF or WV WORKS benefits since this is readily available to the Department. The form is not considered incomplete if this information is missing.

B. ES-QR-2, QR REGISTER

A log must be maintained of all ES-QR-1's issued to ensure follow-up action. The ES-QR-2 Register is used for this purpose.

C. ES-NL-C

When the ES-QR-CG-1 is returned, but is not complete, an ES-NL-C is sent. The ES-NL-C must specify the information the client must provide or the action he must take to avoid case closure.

D. ES-QR-4, CHANGE TO NON-QUARTERLY REPORTING

When a QR case becomes a non-QR case, the Worker must send the client an ES-QR-4 within 5 days of the date of the data system action which removes the client from QR.

7.5 WORKER ACTION

The Worker is responsible for all follow-up action after the mailing of the QR form to the client. There are some variations in policy and procedure depending upon the Program involved. When there is a difference, it is specified. Action is taken as follows:

A. QR FORM NOT RECEIVED BY SEVENTH OF THE PROCESSING MONTH

NOTE: If the seventh of the month is not a work day, the form is due on the first work day following the seventh of the month.

When the QR Form is not returned, without good cause, by the seventh of the processing month, advance notice of case closure must be sent. The notice must be sent within 5 days, or in time to allow the 13-day notice period to expire within the processing month, whichever is earlier.

When properly coded, the data system generates a letter to provide advance notice of the case closure.

When the client receives benefits due to late notification, TANF and WV WORKS benefits must be recouped, but no claim is established for Food Stamps.

When it is determined that the client has good cause, information must be treated as if it were received in a timely manner.

B. QR FORM RECEIVED BY SEVENTH OF THE PROCESSING MONTH

Action taken when the QR form is returned by the seventh of the processing month depends upon whether or not the form is complete.

1. QR Form Is Complete

When the QR form is returned on time and is complete, the Worker must:

- Determine if additional verification or information, not previously requested on the QR form, is needed. If so, the Worker contacts the client to obtain this needed information or verification. The client must be contacted within

7.6 ACTION WHEN CLIENT FAILS TO PROVIDE A COMPLETE QR FORM OR REQUIRED VERIFICATION

The action taken for failure to provide a complete QR form or required verification varies depending upon the program and the item(s) not verified as follows.

A. FOOD STAMPS

1. Earned Income

When the benefit group does not verify earned income, without good cause, the QR form is incomplete.

2. Utility Expenses

When the benefit group using actual costs, claims costs in excess of the SUA, but does not verify the amount of the excess utility costs, no deduction is allowed for utilities. When the benefit group using actual costs claims costs below the SUA, the SUA is used if the client qualifies for it. Otherwise, the actual expenses below the SUA, as reported on the QR form, are used.

When the benefit group using the SUA reports expenses below that amount, the SUA is continued. When the benefit group using the SUA, reports expenses in excess of the SUA the Worker must record this and let the client decide at redetermination if he prefers to use actual expenses instead of the SUA.

3. Other Changes

When other changes, including unearned income, dependent care expenses, etc. are reported on the QR form, and these are items which require verification which was not provided, the Worker must:

- Act on the reported change when it decreases benefits or leaves them unchanged
- Not act on the reported change when it increases benefits.

Once the reported change is verified, action is taken.

7.7 REAPPLICATION AFTER CASE CLOSURE

The procedures followed when the client reapplies after case closure for failure to provide a complete QR form depend upon the Program.

A. FOOD STAMPS

Reapplications in the processing month or the first month of the new quarter, are approved if the client is otherwise eligible, after both of the following conditions are met:

- The client provides a complete QR form for the report period about which he failed to report.
- The missing QR form is returned on or before the last day of the first month of the new quarter.

Benefits are not prorated from the date of application. A full month's coupon allotment is issued.

Reapplications after the last day of the first month of the new quarter are treated as any other Food Stamp application.

EXAMPLE: A QR form sent in August is due by September 7th, but is not received. The ES-NL-C giving 13 days advance notice of closure is sent on September 8th. There is still no response from the client, and the case is closed effective September. On October 15th, the client brings in his completed form. If the client is otherwise eligible, the case is reopened for October and the full month's CA is issued for October.

B. TANF and WV WORKS

Reapplications for TANF or WV WORKS benefits after case closure for failure to provide a complete QR form are approved, if the client is otherwise eligible. Benefits are prorated from the date eligibility is established. The client must supply the information which was required on the QR form, along with any other information needed to determine eligibility. See Chapter 1 for requirements for applications.

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8.1 INTRODUCTION

The purpose of this Chapter is to show eligibility requirements common to the Food Stamp, TANF, WV WORKS and Medicaid Programs. Details of the requirements may vary from program to program, but all programs have the requirements shown here.

actually lives, including dormitory or campus housing.

B. TANF

NOTE: There is a restriction on the amount of time that a benefit group member can be out of the home and still be included in the benefit. This requirement is found in Chapter 9 since it does not necessarily involve the state of residence.

1. Determining State of Residence/Movement Between States

When an individual receiving cash assistance from another state, moves to West Virginia and applies for TANF, the Worker must determine if the case in the other state is closed. Whether the case is still active for the entire month or not, the individual may be eligible to receive TANF in West Virginia, provided all other eligibility requirements are met. The amount from the other state is counted as unearned income.

EXAMPLE: A mother and child move to West Virginia from Pennsylvania. The case was closed on February 9th, and she received her last check from Pennsylvania on February 3rd. Pennsylvania's checks are issued semi-monthly. She received one check of \$150. The case is approved in West Virginia, effective February, with \$150 counted as unearned income.

NOTE: When the client, who received cash benefits in another state, moves to WV and has the payment from the other state counted as income in WV, the benefits received count as only 1 month of benefits toward the client's lifetime limit on the receipt of cash assistance. The client has received 1 payment from each state, but the payments were for the same month.

2. Institutional Status

An individual must not be a resident of a public or private institution, defined as follows:

he does not meet the residency requirement of the state in which he lives.

c. Medical Care

If the individual temporarily leaves the State to obtain medical care or treatment, he is considered a West Virginia resident.

EXCEPTION: Long-term care.

4. Students Not Living With A Parent or Other Responsible Adult

The state of residence of a student is the specified relative's state of residence.

C. MEDICAID

1. Determining State of Residence/Movement Between States

When an individual receiving Medicaid from another state, moves to West Virginia and applies for Medicaid, the Worker must determine when payments by the previous state of residence stopped. See Chapter 17 for long-term care cases. Medicaid coverage in West Virginia will begin the month the client establishes residence in West Virginia.

2. Institutional Status

An individual must not be a resident of a public or private institution, defined as follows:

Public Institution: Institution which provides shelter, custody and care, and for which a governmental unit has responsibility or exercises administrative control.

Private Institution: Non-governmental institution which provides shelter, custody and care, and which is required by State law to have a license to operate.

An individual is not a resident of an institution under the following circumstances:

4. Students Not Living With A Parent or Other Responsible Adult

For AFDC/U-Related, Deemed AFDC/U Recipients, TM: The state of residence of a student is the specified relative's state of residence.

Qualified and Poverty-Level Children: The state of residence of a student is the state of residence of the parent or other adult with whom the child lived prior to becoming a student.

All Others: The state of residence of a student is the state in which he lives.

D. WV WORKS

NOTE: There is a restriction on the amount of time that a benefit group member can be out of the home and still be included in the benefit. This requirement is found in Chapter 9 since it does not necessarily involve the state of residence.

1. Determining State of Residence/Movement Between States

When an individual receiving cash assistance from another state, moves to West Virginia and applies for benefits, the Worker must determine if the case in the other state is closed. Whether the case is still active for the entire month or not, the individual may be eligible to receive benefits in West Virginia, provided all other eligibility requirements are met. The cash assistance amount from the other state is counted as unearned income.

EXAMPLE: A mother and child move to West Virginia from Pennsylvania. The case was closed on February 9th, and she received her last check from Pennsylvania on February 3rd. Pennsylvania's cash assistance checks are issued semi-monthly. She received one check of \$150. The case is approved in West Virginia, effective February, with \$150 counted as unearned income.

NOTE: When the client, who received cash benefits in another state, moves to WV and has the payment from the other state counted as income in WV, the benefits received count as only 1 month of

b. Obtaining Vocational Training or Education

When the Department establishes a plan for an individual to leave the State to obtain vocational training or education, he continues to be a West Virginia resident.

If the individual leaves the State to obtain vocational or educational training, and the plan was not made by the Department, he continues to be a West Virginia resident if he does not meet the residency requirement of the state in which he lives.

c. Medical Care

If the individual temporarily leaves the State to obtain medical care or treatment, he is considered a West Virginia resident.

EXCEPTION: Long-term care.

4. Students Not Living With A Parent or Other Responsible Adult

The state of residence of a student is the specified relative's state of residence.

8.3 CITIZENSHIP AND ALIEN STATUS

To be eligible to receive Food Stamps, TANF, WV WORKS or Medicaid, the individual must be a resident of the United States, as a citizen or in a qualifying alien status. See Chapter 18 for instructions regarding citizenship, alien status and refugees.

Section III of the ES-2 provides spaces for signatures to attest to the citizenship or alien status of each individual in the benefit group. Policy governing who must sign in the spaces is as follows:

A. FOOD STAMPS

The applicant signs his own name once. This one signature is sufficient for the entire benefit group.

B. TANF, WV WORKS AND MEDICAID

Each member of the benefit group who is 18 years old or older, must sign his own name attesting to his own citizenship or alien status.

For members under age 18, the parent, or other responsible adult, with whom the child lives, signs his own name to attest to the citizenship or alien status of the child. For Medicaid only, when the child does not live with an adult, the child must sign for himself.

8.5 LIMITATIONS ON RECEIPT OF OTHER BENEFITS

The following general rules apply to the receipt of other Income Maintenance benefits:

A. FOOD STAMPS

Food Stamp benefits may be received concurrently with TANF, WV WORKS and/or Medicaid.

The same client may not receive Food Stamps in more than one case for the same month. **EXCEPTION:** Residents of shelters for battered women and children.

B. TANF

An SSI recipient must not be a TANF recipient, but may be the payee of a TANF case.

A TANF recipient receives TANF and Medicaid under the TANF case number. He must not be included in a separate Medicaid case. He must not be included in more than one TANF case for the same month.

Food Stamp benefits may be received concurrently with TANF and/or Medicaid.

C. MEDICAID

Medicaid is provided automatically for TANF clients. See item B above.

Food Stamp benefits may be received concurrently with Medicaid.

No person can receive Medicaid coverage under more than one case number concurrently, unless he receives coverage under one case number and is payee only for another.

An individual must not have separate Medicaid and TANF cases.

8.6 NON-DUPLICATION OF BENEFITS

A client may not receive Food Stamps, TANF, WV WORKS or Medicaid concurrently in more than one county in West Virginia or more than one state. In addition, he may not receive different types of benefits in more than one county or state at the same time, except as specified below. The possibility of intentional misrepresentation must be explored when it is discovered that the client is receiving benefits of any type in more than one county at the same time. See Common Chapters Manual for procedures involving misrepresentation.

In some cases involving county transfers, different types of benefits may legitimately be received in different counties.

EXAMPLE: A TANF case without Food Stamps is active in County 98. The client requests his case be transferred to County 99. Before the transfer is completed, the client requests Food Stamps in County 99. Because the Worker can determine that benefits will not be duplicated, the client is approved for Food Stamps in County 99 and has Food Stamps added to the TANF case, once the transfer is complete.

There are some disqualification penalties for those who intentionally receive duplicate benefits. These vary by program, as follows.

A. FOOD STAMPS

An individual who has made a fraudulent statement or representation about his identity or place of residence in order to receive multiple Food Stamp benefits simultaneously, is ineligible to receive Food Stamps for a 10-year period. The 10-year period begins on the date the client is found guilty in a federal or state court or in an ADH. This applies to multiple benefits received in more than one state or in the same state. Conviction of, or ADH finding of, attempting to receive such multiple benefits carries the same disqualification penalty as actual receipt of the benefits.

B. TANF AND WV WORKS

An individual who has made a fraudulent statement or representation about his place of residence in order to receive TANF, WV WORKS, Food Stamps, Medicaid or SSI benefits simultaneously from 2 or more states, is ineligible to receive TANF or WV WORKS benefits for a

8.7 ENUMERATION

A. THE ENUMERATION REQUIREMENT

Enumeration is the requirement which mandates that benefit group members furnish their Social Security number (SSN) to the Department.

1. Food Stamps

The SSN must be verified and entered into the data system to satisfy the enumeration requirement.

NOTE: If the Food Stamp benefit group is Categorically Eligible, the enumeration requirement is presumed met.

2. TANF, WV WORKS and Medicaid

The SSN must be provided and entered into the data system to satisfy the enumeration requirement. Verification is not routinely required.

Once the SSN is obtained and verified, if appropriate, the client must not be required to provide or verify it again unless the identity of the individual or the validity of the number is questionable.

At the time of application, or when an individual requests to be added to an existing case, the Worker must explain both the eligibility requirement of enumeration and the penalty for failure to comply with the requirement.

B. WHO MUST BE REFERRED TO APPLY FOR AN SSN

All individuals included in the Food Stamp, TANF, WV WORKS or Medicaid benefit group must be referred to SSA to apply for an SSN if:

- A number has never been assigned to the individual; or
- A number was assigned, but the individual does not have the number.

A child eligible for Medicaid as a CEN is not required, as a condition of eligibility, to be enumerated. However, the mother should be encouraged to apply for

individual being referred and the reason he cannot visit the office. A representative from that office contacts the individual and processes an application for a SSN.

- Records that the SSA/DHS-3 was completed.
- Ensures that the referral action is recorded on the county office enumeration log. Each county office must maintain a central log which lists the date of referral, case name, case number and name of the individual referred. This is necessary to assist in follow-up action.

D. TIME LIMITS

For Food stamps, TANF and Medicaid, the application for the SSN must be made before eligibility is established. Those individuals who have an SSN must provide the number before eligibility is established. For WV WORKS, the application for the SSN is part of the PRC and is not necessarily required before eligibility is established. Those individuals who have an SSN must provide the number as part of the PRC.

EXCEPTION: Food Stamp Program Only - Individuals who are eligible for Expedited Service must apply for or furnish the number, whichever is appropriate, before the second issuance.

EXAMPLE: A mother and her child apply for TANF. Neither has an SSN. The case must be held pending until the SSA/DHS-3's are returned indicating that applications for SSN's have been made.

EXAMPLE: A mother and her child apply for TANF. The child has an SSN, but the mother does not. If the SSA/DHS-3 is not returned in a timely manner, the case is approved for the child. The mother is added when the SSA/DHS-3 is returned. No retroactive payment is made for the mother, even if the SSA/DHS-3 is returned during the month of application, unless it is returned before the Worker approves the case.

EXAMPLE: A mother and her child apply for TANF. The mother has an SSN, but the child does not. The case must not be approved for the mother only. There is no eligible child in the home, until an application for an SSN is made for the child.

(2) Individual Applied For SSN, But Has Not Yet Received Number

The Worker determines if the individual has good cause for not providing the SSN. If good cause exists, the individual remains eligible. When the individual has applied for but not yet received the SSN, good cause exists.

c. Determination of Good Cause

Generally, the individual has good cause if, due to circumstances beyond his control, he is unable to comply with the requirement.

Good cause includes, but is not limited to, lack of documentary or collateral evidence needed by SSA, as long as the client has made every effort to provide the information, or simply a delay in receipt of an SSN.

Good cause does not include delays due to illness, lack of transportation or temporary absences, because SSA has provisions for mail-in applications.

2. TANF and Medicaid

The Worker contacts the client at thirty-day intervals until the SSN is received. Since application for an SSN is made before case or individual eligibility was established, any delay in the receipt of the SSN is assumed to be a delay at SSA. After receipt of the SSN, the client is issued an ES-6 which specifies the length of time in which he is to provide the number. The time limit is 10 days.

3. WV WORKS

When the client does not provide proof of application for an SSN, according to the plan established by the PRC and does not have good cause, a sanction is applied, after proper notice.

When the client provides proof of application for an SSN, according to the plan established by the PRC, the PRC is then modified to show the date by which he must provide the SSN to the Worker.

of the children must be excluded from the benefit group, the case is closed.

The individual may negate the penalty only by providing the SSN to the Department.

EXCEPTION: Under the CEN Medicaid coverage group, the newborn is not required to be enumerated as a condition of eligibility. However, the mother should be encouraged to apply for an SSN for the child. See Chapter 16. The child must be enumerated when he reaches age 1.

2. WV WORKS

When the client does not provide proof of application for an SSN, according to the plan established by the PRC and does not have good cause, a sanction is applied, after proper notice.

When the client provides proof of application for an SSN, according to the plan established by the PRC, the PRC is then modified to show the date by which he must provide the SSN to the Worker. Failure, without good cause, to provide the SSN, according to the plan established by the PRC, results in application of a sanction, after proper notice.

The sanction is the same used for all instances of failure to comply with the terms of the PRC. This sanction is found in Chapter 13.