

## 24.16 CONTINUATION OF SERVICES

Some individuals may continue to receive services for 6 consecutive months following WV WORKS AG closure. This is a one time only service. Services may include case management; support service payments; continuation of and payment for activities such as, but not limited to, job search, job readiness and skill training. All support services available to active WV WORKS recipients are available to those who receive continued services. Item D below also identifies a support service available to only those who have lost eligibility for a monthly WV WORKS check.

**NOTE:** If a case must be reopened in order to process Support Service payments, Supervisory approval is required to reopen the case.

Unless case management services are being provided after AG closure, the client must actually request support services or otherwise make his needs known in order to receive assistance. The client must apply for a support service payment prior to issuance of the payment. Item A below describes the application process.

When case management services are provided, the Worker is responsible for identifying or for soliciting from the client his statement of need.

### A. APPLICATION PROCESS, CONTINUED SUPPORT SERVICE PAYMENTS

All requests for continued support service payments must be made on application form OFS-SS-2. Multiple payments of the same type of support service require an OFS-SS-2 for each payment.

**EXCEPTION:** Ongoing payments for transportation requires completion of an initial OFS-SS-2 only.

#### 1. Application Form, OFS-SS-2

Form OFS-SS-2 may be completed in a face-to-face interview, mailed, faxed, or left at the front desk to give to the Worker. A supply of these forms must be available to the client without having to see a Worker. It is suggested that a supply of forms be provided to the client to mail in as needed. Any additional information may be obtained by telephone or by mail.

Except for ongoing transportation needs, the Worker is required to talk to the client prior to acting on the OFS-SS-2 to confirm the identity of the person making the request and to discuss the need for the payment. Failure to be available at a pre-determined time for these confirmations does not result in application of a sanction; it results only in denial of the requested payment.

## 2. Client Notification, OFS-WVW-NL-3

If the support service payment is issued to, or on behalf of the client, no client notification is necessary.

However, if payment is denied the client must be notified using form OFS-WVW-NL-3.

The Worker must provide a narrative explanation of the reason the payment is denied, in terms that are easily understood by the client.

**EXAMPLE:** A former recipient last received a WV WORKS check in January and applies for payment for vehicle repairs in August.

The Worker includes the following statement in the letter: Your last WV WORKS check was for January \_\_\_\_\_. Payments may be made to former WV WORKS recipients for only 6 months after the last check. Since you applied for the payment in August \_\_\_\_\_, you are not eligible to receive this payment. Your eligibility for these payments ended in \_\_\_\_\_.

**EXAMPLE:** A former recipient last received a WV WORKS check 4 months ago. Five months ago his youngest child had his 19th birthday.

The Worker includes the following statement in the letter: Our records show that Andrew is your youngest child and that he turned 19 on \_\_\_\_\_. Since he is now an adult, you do not meet the requirement of having a dependent child in your home.

Under no circumstances is it correct to give or mail an OFS-WVW-NL-3 to a client without a narrative Worker-composed explanation of the reason for the denial.

The OFS-WVW-NL-3 offers the client the right to a Fair Hearing on this denial and must be mailed or given to the client with a Hearing request form.

## B. DETERMINING THE 6-CONSECUTIVE-MONTH PERIOD

**NOTE:** Payment may be made in the 7th month after case closure for expenses from the 6th (final) month of support service eligibility. Payment may not be made for any expenses from the 7th month. All support service payments for the 6-consecutive month period must be entered in RAPIDS by the last work day in the 7th month.

The following general rules apply.

- The 6-consecutive-month eligibility period begins the month after the effective month of closure and continues through the end of the 6th month. This is the period of time for which support services may be paid.

**EXAMPLE:** When a new WV WORKS AG is closed effective July, his 6 consecutive months begin August 1st and end January 31st.

**EXAMPLE:** A WV WORKS AG is first closed effective November. He receives support service payments for transportation for December and January. In March he begins riding with another employee and support service payments for transportation stop. The employee who was providing transportation to the client leaves his job in April and the client has no reliable transportation to get to work. The Worker and the client agree to repairs to the vehicle he drove before he began car-pooling. He receives a support service payment for repairs and begins receiving transportation payments again in late April. In June, his car needs new brakes and he requests help to pay for the repairs. His 6 consecutive months ended on May 31st, so his request for payment must be denied. Transportation payments also end in May.

Only one time period is available to **the members of the AG at the time of closure**. If the AG splits and the adults are included in different AG's, after having received a period of eligibility for continued support services, neither qualifies for additional payments. Once the time period begins, it runs for 6 consecutive months.

**EXAMPLE:** **Ms. Kirk received WV WORKS and was closed in December 2004 due to her employment. She is laid off from her job in January 2005. Her WV WORKS case is reopened effective February 2005. On March 5, 2005, she obtains employment again and her WV WORKS case is closed. Her 6-month continued support service eligibility period began January 2005 and ends June 2005.**

**NOTE:** Effective March 1, 2004, any WV WORKS AG who received a one time continuation of support service payments period prior to March 1, 2004 or an AG who is currently in a continuation of support service payments period as of March 1, 2004 may qualify for one additional continuation of services period. The AG must meet the general rules in this section (24.16, B.) and the eligibility requirements in 24.16, C to qualify.

**EXAMPLE:** Ms. Smith received WV WORKS and was closed in May 2003 due to her employment. She received continued support services from June to November 2003. Her job ended in January 2004 and she begins receiving WV WORKS again in February. She obtains full-time employment in March 2004 and her case is closed effective March. She is eligible for one more continuation of support services period beginning in April.

**EXAMPLE:** Mr. Balboa obtains employment on November 25, 2003 and his WV WORKS case is closed effective December 2003. His continued support services period begins January 2004 and continues through June 2004. He is injured in May 2004 and cannot continue his job. He becomes eligible for WV WORKS again in June. In September he obtains another full-time job and his case is closed effective September. He is eligible for a continuation of support services period effective October.

**EXAMPLE:** Ms. Rockne receives WV WORKS and is closed effective February 2004 due to employment. She is eligible for continued support services effective March 2004. She is laid off from her job in October 2004. Her WV WORKS case is reopened effective November. In January 2005 she obtains a full-time job and is closed effective January. She is not eligible for another continuation of support service payments period since she became eligible for the original one-time period effective March 1, 2004.

**EXAMPLE:** Mr. Kirk's WV WORKS case is closed effective January 2004 and he becomes eligible for a continued support services payment period effective February 2004 which ends July 2004. The Worker adds another 6 months of continued support services period of eligibility for Mr. Kirk automatically effective August 2004. Is this correct? No - he must receive WV WORKS again and must meet the eligibility requirements in 24.16, C. before he can obtain an additional continuation of support services period.

- When the AG is closed due to imposition of the 3rd or subsequent sanction, no continued support service payments may be issued during the sanction period, even when the client obtains employment and meets all other eligibility requirements for such payments.
- When the family, but not necessarily the AG, includes an individual who meets all of the following criteria at the time of case closure, special considerations apply.
  - The individual is normally required to be included in the AG, according to Section 9.21,A,1, or has chosen to be in the AG according to Section 9.21,A,2 (non-parent caretaker) and is still within the 12-month inclusion period; and

- The individual is excluded from the AG, according to Section 9.21,A,3; and
- The individual is the sole working adult in the family.

The 6-consecutive-month period begins the month after the effective month of closure and ends at the end of the 6th month. If needed, case management services are provided throughout the 6 months. No payments may be made during this 6 months until the reason for the exclusion ends. If the reason for the exclusion is indefinite or permanent ineligibility, and all of the above criteria are met, the family is not eligible for support service payments. If the exclusion is time-limited and the timed exclusion does not expire within the 6 months, the family is not eligible for support service payments. If the exclusion is time-limited and the exclusion expires within the 6 months, the family is eligible for support services only between the months the exclusion expires and the end of the 6th month.

**EXAMPLE:** An AG is closed effective May due to the receipt of a lump sum payment. At the time of closure, it is determined that the family will remain ineligible for WV WORKS through September. The family has already spent all of the lump sum payment by the end of June. The parents reapply for WV WORKS in June and are denied. In July, the mother and father both begin working part-time. They both request support services in July to help with transportation. Neither is eligible because the family remains in a period of ineligibility due to receipt of the lump sum payment. They ask for assistance again in August and September and remain ineligible for support services. In October, they again request assistance and both qualify for support services. Their 6-month period began in June, the month after closure, and continues through November 30th. However, they are only eligible to receive support services from October, the month the period of ineligibility ends, through November 30th.

**EXAMPLE:** A child-only WV WORKS case is closed effective February due to the new earnings of the mother. The mother was originally included in the AG, but was subsequently removed due to a 1998 conviction for the distribution of a controlled substance. Normally she would not qualify for continued support services since her ineligibility period due to the conviction has no expiration date. However, in May, 3 months after her case is closed, her conviction is overturned on appeal. In August, she requests assistance to help her relocate to another county to accept an offer of a better job. Her 6-continuous-month period runs from March through August. She is eligible to receive support services from May through August, so she qualifies for a payment in August.

### C. ELIGIBILITY REQUIREMENTS

Individuals who meet all of the following requirements may continue to receive support services within the time frame specified in item A above.

- Gross family income is 150% or less of the current FPL; and
- The family resides in West Virginia; and
- One adult in the family meets all of the following requirements:
  - Is employed; and
  - Received a monthly WV WORKS check, not solely a DCA payment, either as a child or an adult; and
  - Has his, or his spouse's dependent child in the home. Dependent child is defined in the WV WORKS parts of Sections 15.2,A,C and D.

**EXAMPLE:** A woman receives WV WORKS for herself and her 2 children. She marries a man who is employed and his earnings close the case effective April. The 6-consecutive-month period begins on May 1st and ends October 31st. In August the family requests support services to fix the husband's car. Even though the family is within the 6-month period, the request must be denied because the working adult has not received a WV WORKS check.

**EXAMPLE:** A husband and wife receive WV WORKS for their 4 children. The 16-year-old child quits school and moves out on his own effective October. He starts working at a fast-food restaurant in October and requests support services to help maintain his employment. Since he last received WV WORKS in September, his 6-consecutive-month period begins October 1st and ends March 31st. Even though he is within the time frame for receipt of support services and is working, he is ineligible for support services for the following 2 reasons: He is not an adult and there is no dependent child living with him.

**EXAMPLE:** A woman receives WV WORKS for herself and her 2 children. She is working part-time and marries a man who is working full-time. Counting his income makes the AG ineligible for WV WORKS effective November. The 6-consecutive-month period begins December 1st and continues through May 31st. In February, the husband has a wreck and they request support services to repair the vehicle. He meets all of the requirements except that he was not a WV WORKS recipient. However, his wife meets all of the requirements so the family qualifies for support services to repair his vehicle.

- The most recent closure of the WV WORKS AG was not due to imposition of a 3rd or subsequent sanction.
- No person, who would be required to be a member of the AG if the benefit were still active, has ever been assigned a previous time period for which he was eligible to receive continued support services.