

24.16 CONTINUATION OF SERVICES

Some individuals may continue to receive services for 6 consecutive months following WV WORKS AG closure. 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.

Effective March 1, 2004, every WV WORKS AG meeting the eligibility requirements in 24.16, C. will have a one time 6-consecutive-month period or an AG who is currently in the 6-month period as of March 1, 2004.

EXAMPLE: A WV WORKS AG received a one-time 6-consecutive-month continuation of support services from January through June 2003. The AG applies and is approved for WV WORKS in April 2004. Ms. Smith goes to work and the WV WORKS AG is closed in May 2004. She is eligible for continued support services in June.

EXAMPLE: Mr. Balboa began receiving continued support services in December 2003. Under previous policy his eligibility for continued support services would end after May 2004. However, he will begin his 6-consecutive-month period again in March 2004.

EXAMPLE: A WV WORKS AG is closed effective November. The AG qualifies for support service payments for transportation starting in December and ending in May. His job ends in January and the family begins receiving WV WORKS again. In February he finds other full-time employment and his WV WORKS AG is closed effective February. He is eligible for continued support service payments **effective in March.**

- 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.

D. HEALTH INSURANCE PREMIUMS

One type of support service payment is available only to those who meet all of the conditions described above, but not to current WV WORKS recipients. The Department will pay for health insurance coverage for the employed adult and/or spouse when such coverage is available through the

employer. Payment is limited to a maximum of \$125/month for each adult who is working. If the amount will not buy coverage for the non-working spouse, payment is made for the employed adult only. If the maximum amount will not meet the entire cost of the insurance for the employee and/or spouse, the maximum amount is made available to the client only when he agrees to pay the difference between \$125 and the cost of the coverage. The employer's coverage for the child(ren) must not be included in the payment, except when it is required by the employer as a condition of coverage for the employee.

The Worker must encourage the client to apply for Medicaid and/or WV CHIP coverage for the children when the children have no other medical insurance.

Payment may be made as a reimbursement to the employee(s) when the employer withholds the employee's share from his pay. Payment may also be made directly to the employer when such arrangements are agreeable to all parties. The Worker is encouraged to make such payments to the employer for time periods greater than 1 month to reduce the administrative duties of the payment process. Again, such arrangements must be agreeable to all parties.