

**EXAMPLE:** A client is physically unable to come to the local office for appointments made to keep her benefits. A reasonable accommodation is for the Worker to arrange to do a phone interview and/or a home visit, if necessary.

**EXAMPLE:** A client who has limited mobility comes into the office for a redetermination of benefits. An accommodation for this person is to ensure that an interview room equipped for disabled individuals is available for this client at the time of his appointment. If no such room is available, the Worker may assist the client to an appropriate work station to conduct the interview.

c. Complaint Procedures

Any person, who believes that he has been the subject of discrimination on the basis of race, color, national origin, sex, age, religion, political affiliation or disability, has a right to file a complaint. This complaint can be filed by the individual or his representative.

Procedures to file a complaint are:

The individual may make the complaint using form IG-CR-3, by phone or in person **to the Civil Rights Compliance Officer**, within 180 days of the incident to the following address or phone number.

**Civil Rights Compliance Officer**

West Virginia Department of Health & Human Resources  
Office of Inspector General  
State Capitol Complex  
Building 6, Room B-817  
Charleston, West Virginia 25305  
(304) 558-**2018**

For Food Stamp Benefits only, send a copy to:

The Regional Civil Rights Director  
Food and Nutrition Services  
Mercer Corporate Park  
300 Corporate Boulevard  
Robbinsville, New Jersey 08691-1598

**The individual may also report concerns for federal review to the following address:**

**Secretary  
Department of Health and Human Services  
Washington, DC 20201**

A written complaint should include the following information:

- The name of the person(s) felt to have been treated unfairly
- The date and description of the alleged discriminatory action
- The name(s) of other persons, if any, who were present when this action occurred
- The date the complaint is made
- The signature of the person or representative making the complaint

Each complaint received must be investigated and corrective action taken, if appropriate. The investigations and corrective actions are handled in conjunction with DHHR's Office of Inspector General, **Civil Rights Compliance Officer**.

Each office must post the ADA/Section 504 Notice in a prominent area to provide information regarding rights under the ADA and Section 504.

## B. OVERVIEW OF THE ELIGIBILITY DETERMINATION PROCESS

The components of the eligibility determination process and a brief description of each follow:

### 1. Application Process

This process determines initial eligibility for one or a combination of programs. **Depending on the program or coverage group for which an individual applies, the process may involve an interview with a signed application, a signed mail-in application or submission of an online application using inROADS. See item K below for inROADS applications.**

The application may be held, pending receipt of necessary information or verification, but there are processing time limits which must be met. All applications must have a final disposition and the client must be notified of the decision.

## 2. Redetermination Process

Periodic reviews of total eligibility for recipients are mandated by law. These are redeterminations and take place at specific intervals, depending on the Program or coverage group. Failure by the client to **complete a redetermination** usually results in ineligibility. If the client **completes the redetermination process by the specified program deadlines** and **remains** eligible, benefits must be uninterrupted and received at approximately the same time.

- Explaining the applicant's reporting requirements.
- Providing the applicant with a list of verifications needed to determine eligibility, using form ES-6 or the RAPIDS verification checklist. He must also be told the penalty for failure to provide the verifications and what he must do if he finds he cannot obtain it by the deadline.
- Explaining other resources within the agency from which the client may benefit.
- Finding resources to meet the client's emergency needs by referral to a community resource or by an application for Emergency Assistance.
- Ensuring that information about available community resources addressing domestic violence issues is made available to all persons who could benefit from it.
- Referring all clients who request assistance in dealing with domestic violence to a local domestic violence agency, so that an interview may be conducted the same day. When this is not possible, referring the client to Social Services.
- Providing each Medicaid applicant with a copy of the Department's Notice of Privacy Practices (NOPP). This includes clients who are completing a redetermination of Medicaid eligibility. In addition, the Worker must answer any questions the client may have about the document or about HIPAA or must refer the client to another source of information, such as the Regional or State-level DHHR HIPAA Privacy Officer. When no in-office Intake Interview is conducted, the Worker must mail the NOPP with a notice about how to obtain more information. This must be done at each mail-in **or online** Medicaid application and redetermination.

#### J. HOME VISITS

Home visits may be conducted for any Program during any phase of the eligibility determination process when the Worker or Supervisor believes a home visit is advisable. The client may also request one due to illness or inability to travel, when he has no one to act on his behalf.

**NOTE:** Home visits for Food Stamp AG's may only be made on a case-by-case basis and not because an AG fits an error prone or other profile.

The client may refuse entry to the Department's representative without losing eligibility, as long as he provides the information which prompted the home visit within a reasonable amount of time, to be mutually agreed upon by the client and the Worker.

Eligibility is not affected for any Program by the client's failure to be home for a home visit, unless:

- At least two attempts have been made; and
- At least the second visit was scheduled; and
- The client has not contacted the county office to make other arrangements.

The ES-HV-1 may be left at the client's home, after the first attempt, to advise the client of a return visit. If the ES-HV-1 is used for this purpose, a copy must be retained by the Worker.

**NOTE:** For the Food Stamp Program, home visits must be scheduled. For all other Programs, the visit may be scheduled or unscheduled, at the Worker or Supervisor's discretion. If a home visit is made for another Program, and information is obtained which affects Food Stamp eligibility or benefit level, it is acted upon whether or not the home visit was scheduled.

#### K. MAIL-IN AND inROADS APPLICATIONS **AND REDETERMINATIONS**

##### 1. Applications Submitted By Mail

The Department responds to requests for applications to be mailed to potential applicants and accepts applications submitted by mail. Most Programs and coverage groups still require a face-to-face interview. This may be accomplished by the client's visiting the office, by his appointment of an authorized representative to apply on his behalf or by the Worker's making a home visit. Whether or not a face-to-face interview is required is found in Program-specific sections of this Chapter, along with any information which is specific to a particular Program or coverage group. The following is a general description of the mail-in application process.

**NOTE:** The same basic process applies when the client or his representative picks up and/or drops off an application for the client, without a contact with the Worker, and when the client requests in writing that an application form be mailed to him. The following description does not indicate which form is mailed, because the form depends upon the benefit for which the client wishes to apply. The appropriate forms are shown with each Program and coverage group found in the Program-specific sections which follow.

### 3. Applications Submitted By inROADS From A Community Partner

Some inROADS applications are submitted with the assistance of a Community Partner. This is an agency or organization that assists individuals and families with the application process for Medicaid for Children and Pregnant Women, WV CHIP, Food Stamp benefits, QMB, SLIMB, QI-1, SCA and LIEAP. Community Partners can only submit applications for Medicaid for Children and Pregnant Women and WV CHIP using the E-Signature process. An example of a Community Partner is the Primary Care Association.

A Community Partner may submit an application by inROADS using one of the following methods:

- Submit an application by inROADS. The signed signature page must be returned within 30 days from the date of the application's submission in inROADS. The Community Partner may mail or have the applicant mail or bring the signed signature page to the local DHHR office.

**NOTE:** This time limit does not apply to SCA and LIEAP. See Program Sections.

- Submit an application for Medicaid for Children and Pregnant Women and WV CHIP by inROADS and choose the electronic signature method. The Community Partner or applicant is not required to submit an original signed signature page to the local office when the E-signature option is used. The Community Partner prints and retains the original signed signature page. The Community Partner's organization and the employee name, as well as the applicant's name and inROADS application number, appear on the application signature page.

Community Partners who enter into an agreement with DHHR are permitted to verify the identity of the applicant and submit the application with an electronic or E-signature and an indicator for the verification source. Community Partners may choose either method for application submission. When the E-signature option is not used, Workers follow the procedures to print and mail the signature page when the applicant or Community Partner indicates he did not print the page.

In addition to use of the E-Signature option, the Community Partner may choose to submit any verification to the local office by fax. When the Community Partner chooses this method, he selects the fax option on the inROADS signature page screen. This alerts the Worker that a fax was sent.

See RAPIDS User and Desk Guides for additional information about the inROADS Administration System and INBX.

#### 4. Electronic Signature

An agreement between Community Partners and the Department permits these organizations to submit applications using inROADS for clients. These are identified on the inROADS application. The appropriate screen is completed by the Community Partner to indicate the source used to verify the applicant's identity and the Community Partner worker enters their initials on the screen to indicate the person who witnessed the applicant's signature.

The Community Partner or applicant is not required to mail an original signed signature page to the local office when the Electronic Signature option is used. The Community Partner prints and retains the original signed signature page.

**NOTE:** When an application is received from a Community Partner with an E-Signature, the signature and identity was verified.

#### 5. RAPIDS INBX Indicators For inROADS

The Community Partner selection of the check box for the fax or no selection provides an indicator with a "Fax" or "No Fax" beside the "Y" in the Application Type column on the Admin Application Search Results Screen. This is under the "Option" column of "E-Signed Application".

See RAPIDS User and Desk Guides for additional information about the inROADS Administration System and INBX.

#### 6. Redeterminations Submitted by Mail

**Recipients of some Medicaid coverage groups, WV CHIP and other Programs receive an instruction letter and redetermination form which is submitted by mail, along with appropriate verifications. The client must complete, sign and mail or bring the form and other required information to his local DHHR office or the Customer Service Reporting Center as directed by the letter. See item 7 below**

for redeterminations submitted by inROADS. The client may always request a face-to-face interview. See Program Sections for specific information about the redetermination process.

## 7. Redeterminations Submitted by inROADS

Recipients of some Medicaid coverage groups, WV CHIP and other Programs receive an instruction letter and redetermination form. The client may choose to return the completed form and information by mail or complete the redetermination online by use of inROADS. The recipient receives certain information in the letter which must be entered online to use the inROADS redetermination process.

inROADS brings some information from RAPIDS into the online redetermination for some programs and coverage groups. The RAPIDS information shows in the following:

- WV CHIP – alternating years, when the redetermination is passive
- Food Stamp Benefits – 12-month reviews for AG's certified for 24 months
- QMB, SLIMB, QI-1 and PAC

All other inROADS redeterminations only show current basic demographic information from RAPIDS.

No signature page is required and the redetermination is considered electronically signed when the recipient uses this process and enters information from the letter and other identifying information requested.

The online process is available for use through the end of the month the redetermination is due. Redeterminations submitted in inROADS are processed by use of RAPIDS Inbox screen INRV.

The client may also submit an application for another benefit(s) at the time of the inROADS redetermination.

## L. CLIENT NOTIFICATION, WRITTEN AND VERBAL

The client must be notified in writing of the final decision on his application and the reason for it. Notification must be provided for each Program for which the client applied, but notification for more than one Program may be included on one form letter.



**NOTE:** There is specific, court-ordered client notification policy which must be followed. There are also specific forms which must be used and detailed procedures to follow. Chapter 6 is devoted exclusively to client notification.

During the intake interview or during some other client contact prior to written client notification, the Worker may know whether or not the client is eligible and, if so, the amount of the benefit. The Worker may tell the client the status of his application and/or benefit level, if he so chooses. However, even if the client has been told his status and/or benefit level, he must still receive the information in writing. See Chapter 6.

Under some circumstances, the data system automatically generates notification to the client. See the RAPIDS User Guide.

#### M. COMPLETION OF THE APPLICATION PROCESS

The application process is completed when all of the following have occurred:

- Action is taken as follows:
  - To approve the application when all eligibility requirements are met; or
  - To withdraw the application at the client's verbal or written request, when a signed signature page from an inROADS application is not received or when he refuses to sign the application form; or
  - To deny the application when at least one eligibility requirement is not met or the client has failed to establish eligibility.
- The client is notified of the action taken.
- The client receives his initial benefit, if eligible.

#### N. COMMUNICATION WITH SSA

Each CSM is responsible for appointing a contact person to communicate with a contact person in the local SSA Office. This contact person does not interpret policy, but works out communication problems and any problems dealing with the completion and forwarding of forms, including those involved in the joint application process for Food Stamp benefits. The Department's contact works directly with the contact from SSA.

Any matters that cannot be worked out between the local office and the SSA contact person are referred to a DFA Policy Unit and to the SSA District Office by the appropriate staff.