

- An individual(s) with income is added to the Income Group; or
- An individual(s) is removed from the Needs Group

2.17 WV WORKS

A. SOURCES OF INFORMATION

In addition to the sources in Section 2.1, case maintenance action may also originate from the following sources:

- Division of Children and Adult Services: This includes, but is not limited to, Child Care, CPS and Foster Care.
- Bureau for Child Support Enforcement (BCSE): This may include the return of the absent parent or the receipt of child support in excess of the WV WORKS check. The OSCAR System is used by BCSE. Workers can inquire into this system to determine the child support an AG is receiving each month. Information is used to determine unearned income and whether or not the AG is eligible for the Child Support Incentive Payment.
- WV WORKS/**SNAP** E&T and BEP: This may include a change in work registration status, a request for application of a penalty or sanction or a report of new income or a change in income.
- DFA-FS-2: Although this form is used by the client to report changes in his **SNAP** benefits, the information may affect the WV WORKS benefit.
- Periodic Reporting Form: Although this is a mail-in redetermination for Medicaid, the information may affect the WV WORKS benefits.
- RAPIDS System Alerts: These alerts notify the Worker that changes have occurred or are expected to occur and the information must be reviewed and appropriate action taken. All actions must be recorded in case comments. The following alerts directly effect WV WORKS eligibility but a chart of all alerts can be found in Appendix H of the RAPIDS User Guide:
 - Social Security Information
 - 124 – Incorrect SSN
 - 126 – SDX need to evaluate (Social Security has confirmed benefits)
 - 501 – SDX need to open (Social Security has approved SSI)
 - 511 – Name mismatch with Social Security
 - 513 – Social Security number provided not on file

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An individual who is added to an existing AG is treated as an applicant. No OFS-2 is required. Benefits for the individual are prorated from the date that all eligibility requirements are met, including signing the PRC and attending orientation. Eligibility cannot begin earlier than the date the individual entered the home.

NOTE: If a non-recipient Work-Eligible Individual enters the household, he must complete orientation and a PRC as a condition of eligibility. Although he is not included in the AG, if he fails to cooperate in completing these activities, the AG will be ineligible for WV WORKS.

Deletions: Deletions from the AG are effective the month after the change occurs and the advance notice period expires. Repayment is sought for any overpayment that occurs. When a parent leaves the household, referral procedures to BCSE apply.

4. Continued Benefits After Case Closure

a. Continuation of **SNAP** Benefits After WV WORKS Closure

If a WV WORKS AG, also certified for **SNAP** benefits, is closed and there is sufficient information, **SNAP** must continue uninterrupted.

A new OFS-2 is not required. See Chapter 1 for establishing the redetermination date.

The closure notice sent to the client must state that the AG continues to be eligible for **SNAP** benefits. If the benefit increases or decreases, appropriate notification must be sent. See Chapter 6.

b. Medicaid Eligibility When a WV WORKS Case is Closed

Because Medicaid eligibility is not linked to receipt of WV WORKS, Medicaid eligibility does not end automatically when WV WORKS eligibility ends. However, the circumstances which led to ineligibility for WV WORKS may have some bearing on Medicaid eligibility, so the Worker must evaluate continuing Medicaid eligibility based on the new circumstances. See Chapter 16 for details about all Medicaid coverage groups.

c. Ineligibility for **SNAP**

When the WV WORKS recipient is ineligible for **SNAP** benefits for any reason, such as excess income, the **SNAP** AG is closed and the WV WORKS AG, if eligible, remains open.

5. Change In The Personal Responsibility Contract And Self-Sufficiency Plan

The Worker is responsible for ensuring, on an ongoing basis, that the participation status of each recipient is consistent with the terms of his Personal Responsibility Contract. Any changes in household circumstances must be evaluated and the PRC changed as appropriate.

6. Special Procedures

a. Child Care

When a WV WORKS client requests, or the Worker otherwise recognizes the need, a referral for assistance with child care expenses is made to Division of Children and Adult Services. The referral is made using a DHS-1 which shows the client's name, case number, address, telephone number and the reason child care is needed. The Child Care Worker is responsible for determining eligibility for such assistance and for notifying the client of his status.

b. Protective Payments

NOTE: The client may request a Fair Hearing any time he is placed on protective payments or he questions the substitute payee selected.

Protective Payments are payments which are made to a substitute payee or by vendor payment.

There are two situations which require that the client be placed on protective payments. These are:

(1) Money Mismanagement

A Social Worker, providing protective services to the family, may request the case be placed in protective payment status.

When the Social Worker determines that protective payments are necessary due to money mismanagement, he sends a DHS-1 to the Worker requesting the case be placed on protective payments and indicates the substitute payee and the date protective payments are to begin. The name of the substitute payee is provided by the Social Worker.

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When the case is placed on protective payments, the bills paid are those chosen by the client or with his participation and consent, to the extent possible.

With the conversion to EBT, any cash benefits which are not directly deposited into a bank account will be deposited into an EBT account. The person named as the protective payee will receive the EBT card and PIN and is able to spend the AG's benefits.

Even though other cash benefits and **SNAP** benefits go into the EBT account, the WV WORKS and CSI benefit can be directly deposited into the local office account so that the check may be written by the Financial Clerk to pay the family's expenses. The client must complete the appropriate direct deposit form and designate the account of the local office. Because only the monthly WV WORKS and CSI benefit is direct deposited, other cash benefits such as DCA or initial or supplemental WV WORKS and supplemental CSI benefits go into the EBT account.

If the direct deposit method is used for the WV WORKS benefit, the Financial Clerk does not have to be designated as the payee in RAPIDS.

In order for the client to access his other cash benefits and **SNAP** benefits, he must be the payee, unless another individual protective payee is chosen for the EBT benefits.

(2) Protective Payments at the Client's Request

When the client requests a substitute payee in writing, the Worker must honor his request and advance notice is not required. The Worker takes the action as soon as possible after the request. The protective payments are discontinued as soon as possible after the client makes a request in writing.

(3) Choosing the Substitute Payee

When a substitute payee is used, the selection of a substitute payee is made by the client, or with his participation and consent, to the extent possible. When it is in the best interest of the client for a staff member of a

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private agency or any other appropriate organization to serve as a substitute payee, the selection is made, preferably, from the staff of an agency or that part of the agency providing protective services.

The substitute payee cannot be an immediate member of the client's family. Immediate family members include parents, grandparents, children, spouse, uncle or aunt, brother or sister. In addition, the substitute payee cannot be living in the same home with the client.

No employee of the Department can be a substitute payee, except when it is in the best interest of the client for a staff member of the Department to serve as such. The substitute payee is selected by Division of Children and Adults Services Protective Service staff. Landlords, grocers or other vendors of goods, services or items who deal directly with the client may not be a substitute payee.

The substitute payee must agree to accept the responsibility, and must be at least age 18.

A review of the way in which a substitute payee's responsibilities are carried out is conducted as frequently as indicated by the client's circumstances, and at least once every 12 months.

See the RAPIDS User Guide.

c. Special Procedure When a WV WORKS Recipient Becomes Eligible for SSI

When a WV WORKS recipient is determined eligible for SSI, SSA is required to count his portion of the cash assistance payment as income. When determining the amount of SSI to which the individual is entitled, the SSA must have this information before the SSI claim can be processed.

Although children are not removed from the WV WORKS check, the child's portion must be determined and provided to SSA.

The following method is used to determine the individual's portion of the check:

If the account activity date is not reset, the RI, after contact with the local office Worker to check for client contact, takes action to apply the benefits to any outstanding claim(s). Any benefits which are not applied to a claim(s) remain in the account until expunged. See item c.

Closure of the WV WORKS AG does not affect or close the EBT account.

c. Expunged Accounts - **360** Days

When the AG does not use cash assistance benefits for **360** days, benefits are expunged, i.e., removed, from the EBT account. An alert is sent to the Worker in the local office and to the RI, when there is an open claim(s) indicated on RAPIDS screen BVCL. A letter is automatically sent from RAPIDS to notify the client that all benefits in his account have been expunged. Expunged cash benefits may be used to reduce any outstanding cash assistance claims.

E. CORRECTIVE PROCEDURES

1. Correcting The Benefit Amount

Prior to issuing a corrective payment, the Worker must determine if the AG owes an overpayment. If so, the corrective payment must be offset by the amount of the overpayment. See Section 20.3, items D,4 and E,3.

NOTE: DCA payments must not be used to offset an overpayment.

a. Underpayments

A corrective payment is made to the client when he did not receive a benefit for which he was eligible, or the amount he received was less than that to which he was entitled.

The amount of the corrective payment is the difference between the benefit the client received and the amount he was entitled to receive, over the period involved, as determined using RAPIDS procedures. See the RAPIDS User Guide.

For current recipients, or persons who would have been recipients, had the error causing the underpayment not occurred, the corrective payment is made when it is discovered. It does not matter when the error occurred or who was at fault. For inactive

clients, the corrective payment is made when it is discovered, no matter who was at fault, provided the underpayment occurred on or after June 1, 1988.

NOTE: A corrective payment for an addition to the AG is made only for the time the new AG member was eligible to be included, but was not.

Corrective payments are made to active and inactive recipients in RAPIDS. See the RAPIDS User Guide.

NOTE: When a corrective payment is used to offset an overpayment, due to fraud or an intentional client error, the amount offset is counted as **SNAP** income, if the corrective payment would normally have been counted. See Chapter 10 to determine when corrective payments are counted as **SNAP** income.

NOTE: Only the monthly WV WORKS and CSI benefits may be received by direct deposit.

b. Retroactive Payments

A retroactive payment is made when, at any time during the appeal process, it is found that, due to a Department error, the client did not receive a payment for which he was eligible, or that the payment he received was less than that to which he was entitled. The appeal process begins when the client requests a formal appeal. The retroactive payment covers the period over which the error occurred and is computed in the same manner as a corrective payment. Payment is made using the RAPIDS system. See the RAPIDS User Guide.

Retroactive payments are also made when eligibility is determined in a month(s) following the month of application and the client is eligible for benefits in the prior month(s).

NOTE: Only the monthly WV WORKS and CSI benefits may be received by direct deposit.

Any WV WORKS cash benefit which is not directly deposited into a bank account is deposited into an EBT account.

2. Correcting The Address

When a WV WORKS support service check is returned to Accounts Receivable, Office of Accounting, the return is entered into RAPIDS and the Worker receives an alert.

When the Worker receives the alert, he must determine the correct disposition of the check and enter the appropriate information in RAPIDS. See the RAPIDS User Guide. The new address must be entered into RAPIDS as soon as possible to insure that the check is mailed to the correct address when released by Accounts Receivable.

The Worker receives an alert when the returned benefit is released.

With the conversion to EBT, cash benefits are not returned due to an incorrect address.

EBT cards which are sent to an incorrect address are returned to the card vendor and destroyed. When the client reports non-receipt of a card, the Worker must correct the address and indicate that a new card is required. A new card is then issued to the correct address. The Worker can check EBT card issuance on the administrative terminal.

NOTE: For EBT, changes in the payee, address and authorized cardholder are sent to the vendor overnight and changes are not restricted to RAPIDS deadlines.

3. Correcting The Payee

Effective May 2003, all WV WORKS benefits are issued by EBT or direct deposit. If the new payee wishes to use direct deposit, he must enroll for himself. Otherwise he will receive an EBT card in his name to access benefits in the EBT account. See item D,1 above for correcting the payee for EBT benefits.

NOTE: For EBT, changes in the payee, address and authorized cardholder are sent to the vendor overnight and are not restricted to RAPIDS deadlines.

4. Canceling The Benefit

When the benefit issued by direct deposit is returned, the Worker receives an alert in RAPIDS. If the client does not report a new address after an attempt to contact him, the AG is closed. The benefit must be cancelled. The Worker uses appropriate RAPIDS procedures. See the RAPIDS User Guide.

When cancellation is requested, data system action to close the AG must be taken. If the benefit issued by direct deposit is returned and cancelled, it is not counted toward the 60-month time limit.

When a WV WORKS AG is closed, EBT benefits remain in the account until the AG uses the benefits or until there is no account activity for **360** days, i.e., no withdrawal or use of benefits. See item D,9 above for expunged EBT benefits. See item 7 below for benefits voluntarily returned from an EBT account.

5. Holding The Benefit

The benefit, either direct deposit or EBT, cannot be held under any circumstances.

6. Reissuing A Returned Direct Deposit

The Accounts Receivable Office receives a list of direct deposits which cannot be completed and updates RAPIDS benefit issuance history and cancels the benefit. The Worker receives an alert in RAPIDS, and after contact with the client, must use the appropriate RAPIDS procedure to issue the benefit by EBT.

See the RAPIDS User Guide. Under no circumstances is a direct deposit reissued by an additional direct deposit. If the client cannot be contacted and information obtained to issue a check, the benefit is cancelled. See item 4 above.

7. Returned EBT Benefits

A client may not return benefits unless he was ineligible for the cash benefits received in the EBT account and wishes to return them. The client is referred to the RI, when such staff is available in the local office. The RI completes a claim and removes the benefits from the EBT account, using the administrative terminal, and credits the benefits as a repayment on the claim. The client must sign form IFM-EBT-1. The RI completes the bottom of the form to indicate the benefits were removed.

If the RI staff is not available in the local office, a Supervisor in the local office completes the IFM-EBT-1, removes the benefits from the EBT account, using the administrative terminal. The Supervisor completes a referral through RAPIDS to IFM for the claim and forwards the original IFM-EBT-1 to the RI.