

The Worker must also enter the amount of the maximum dental service on an initial referral. This amount is \$2400 and is shown as the balance following Dental Services.

After a referral expires, the Worker may issue the client another one, provided the client meets eligibility criteria as explained below and has not received the maximum allowable benefit. On a second or subsequent referral for dental services, regardless of the date of the first referral, the Worker must obtain the amount of the remaining balance from OMCFH by calling 558-5388 or 1-800-642-8522 and enter it on the DFA-R-1. Vision referrals may be made annually for qualified individuals.

To be eligible to receive vision and/or dental services, the client must be in either of the 2 following groups:

1. Participating

To qualify based on participation in an activity, the client must meet both of the following requirements.

- The client must be a Work-Eligible Individual in an active WV WORKS case, PL period, or EAP participant, when the referral is made. Receipt of DCA alone does not qualify the individual for these services. Once the referral is made, it is valid for one year whether or not the WV WORKS case remains open; and
- The individual is participating in an activity listed in Sections 24.6 through Section 24.13 or 24.16. The participation rate required to qualify for these services is the rate shown on the individual's PRC.

2. Sole Barrier to Participation

When the sole barrier to the client's participation in a work activity listed in Section 24.5 is the need for vision and/or dental services, a referral may be made. Once the referral is made, it is valid for one year, whether or not the WV WORKS case remains open.

OMCFH has signed agreements with service sites which detail the allowable services, reimbursements, scope of services, etc. In addition, OMCFH will provide a list of all providers to the appropriate county. The client may choose his own provider from this list and must make his own appointments.

There is a maximum lifetime limit on the payment for these services. This limit is monitored by OFMCH. Closure of the vision and/or dental services case by OFMCH occurs when services are completed or the maximum allowable benefit is reached. An appropriate notice is sent to the local office to file in the case record.

## L. VOCATIONAL ASSESSMENT

Additional testing, assessments, and evaluations may be necessary for WV WORKS participants with physical and/or mental disability issues in order to determine appropriate placements in training and employment. Referrals to the WVU CED Assessment Specialist or an alternate approved provider, for vocational assessments for WV WORKS participants are made when a participant meets one or more of the following conditions:

- Determined unable to work for more than six months due to a physician's statement;
- Determined incapacitated for WV WORKS by MRT and a referral to the Division of Rehabilitation Services (DRS) is indicated on the ES-RT-3; or
- Scores below a 6<sup>th</sup> grade level in reading on the Test for Adult Basic Education (TABE) and who scores 12 and above in Sections A–D of the Learning Needs Screening or answers “yes” to question #13 in Section D.

All WV WORKS participants who meet the criteria listed above **must** be referred to **West Virginia University Center for Excellence in Disabilities (WVU CED)** or an alternate approved provider, unless the Worker and the Supervisor determine there are documented and verified circumstances which prevent the effective administration and completion of the vocational assessment. Appropriate documentation must be provided and corresponding case comments must be made in CMIC. These circumstances must be reviewed monthly.

**NOTE:** There may be a limit to the total number of vocational assessments in each DHHR Region that can be completed during the contract period. When the maximum number of completed vocational assessments under these contracts is reached, the local offices are notified. The Worker must indicate in Work Program comments a referral to the contractor for the participant cannot be made and may be scheduled later.

Priority for referrals must be given first to those not in an activity. If the individual is already employed or is in an activity which will likely lead directly to employment, i.e., full-time vocational training, college, etc., a referral for a vocational assessment is not appropriate.

### 1. Vocational Assessment Referral Process

Referrals to the vocational **assessment** provider are made by completing form DFA-WVW-80 which must be signed by the WV WORKS Supervisor. The original goes to the provider and a copy is filed in the client's case record. A copy is given to the client.

For referrals to DRS, a chart listing the designated Vocational Assessment Specialist and the District Office locations is found on the DFA Intranet under Desk Guides.

Completion of form DFA-WVW-ADA-1 is required for individuals referred to the provider. It is not necessary to send a copy to the provider. A copy is filed in the case record and a copy is given to the client. The Worker must also complete the follow-up form, DFA-WVW-ADA-1A, for the case record. Workers must advise clients that testing involved with the vocational **assessments** may take an entire day to complete. Copies of the appointment letters are sent to the Worker. Clients are scheduled by the provider for vocational assessments within 15 business days following receipt of the written referral. A written report with the results of the vocational **assessment** is provided to the Department within 30 days following completion of the testing. The Worker and the provider must maintain close contact throughout this process.

**NOTE:** In addition to meeting at least 1 of the conditions listed above, individuals referred must be able to sit for up to several hours at a time in order to complete the vocational assessment. The Worker must discuss this with the individual to determine if he is able to meet this requirement, and if so, the Worker must indicate this by checking the box “yes” on the referral form. **Individuals should be encouraged to bring a lunch or a snack on their vocational assessment day.**

Copies of the following documents, when available, must be attached to the DFA-WVW-80 upon referral:

- TABE results;
- Emotional Health Inventory (EHI);
- Learning Needs Screening (LNS);
- **Work Keys;**
- MRT packet;
- **WV WORKS Initial Self-Sufficiency Appraisal, OFA-WVW-3A; and**
- Most recent PRC, Part II.

**NOTE:** It is preferred that referrals for vocational assessments are made only after the TABE, EHI, and LNS have been completed. If the client has declined completion of the EHI and/or LNS, the Worker must indicate this under the comments section of the referral form. If the participant is not required to complete the TABE (example: college graduate), then it must be noted in the comments section of the referral form. This information is needed by the provider in order to administer the appropriate testing instruments for the vocational assessments. However, referrals for vocational **assessments** made prior to completion of assessment testing must note in the comments section of the referral form,

DFA-WVW-80, the date the TABE, EHI, and LNS are scheduled. **The referral is not accepted by the contractor until the assessment testing results are received.** Results of the TABE, EHI, and Learning Needs Screening must then be forwarded by the Worker to the provider.

Other appropriate documents, such as physician's statements or other assessments, may be provided if they are relevant in assisting the provider's staff in completing the vocational assessments. For release of the above documents or other appropriate documents, the Worker must complete form OFS-Release-1. A copy of this release is attached to the referral and a copy is filed in the case record.

**NOTE:** WV WORKS participants who have a documented disability must be placed in the AD component in Work Programs, in addition to other component codes.

## 2. Scheduling Appointments for Vocational Assessments

Appointments are scheduled by the provider using the following procedures:

- If an individual misses his scheduled vocational assessment appointment without cancelling the appointment, he is not automatically rescheduled. Instead, the provider notifies the Worker who must complete a new referral form.
- If an individual calls to cancel prior to his appointment and has a legitimate excuse, he is rescheduled only 1 time.
- If an individual cancels his 2nd appointment, the provider contacts the Worker to determine if there are exceptional circumstances that warrant the individual being rescheduled.
- The provider contacts the Worker by e-mail or telephone the same day that an individual does or does not keep his scheduled appointment.

## M. LEGAL AID OF WV (LAWV) WV WORKS LEGAL SUPPORT PROJECT

The purpose of the WV WORKS Legal Support Project is to assist in eliminating the need for legal services as a barrier to work or self-sufficiency.

### 1. Appropriate Referrals

Work-Eligible Individuals in an active WV WORKS case and those eligible for continued support service payments may be referred for legal matters including, but not limited to:

## WV WORKS Activities/Requirements

- Obtaining Supplemental Security Insurance/Social Security Disability Insurance (SSI/RSDI);
- Issues surrounding Domestic Violence situations;
- Employment related rights;
- Housing (landlord-tenant issues);
- Visitation orders or parenting plan compliance;
- Expungement of criminal records; or
- Driver's license suspension or fines.

**NOTE: LAWV does not pay fines or fees.**

If the Worker has questions regarding other possible services, he should contact LAWV **at 304-343-3013 or 1-866-255-4370.**

**Child only TANF cases with legal obstacles may also be referred for legal matters including, but not limited to:**

- **Obstacles to work;**
- **Obstacles to self-sufficiency; or**
- **Legal issues involving child safety and welfare.**

## 2. Referral Process

Referrals to the WV WORKS Legal Support Project are made by using the Referral to Legal Service Provider Referral Form located on the DFA Intranet site. The form is self-explanatory and all requested information on the form is mandatory. The Worker must fax **or mail** the Legal Service Provider Referral Form to:

**Legal Aid of West Virginia  
922 Quarrier Street, 4<sup>th</sup> Floor  
Charleston, WV 25301  
Fax: 304-414-0418**

## 3. Vendor Responsibilities

LAWV will fax an Action Form to the local office within 30 working days of receiving the referral. When the vendor notifies the Worker of approval or denial for participation in the program, the Worker must record the appropriate information in RAPIDS. LAWV will be responsible for determining the level of representation and services rendered.

**NOTE:** At no time shall any client be sanctioned for failure or refusal to comply with or accept legal support services.

## 24.5 WORK REQUIREMENT ACTIVITIES

**NOTE:** The definitions of 1-Parent and 2-Parent Families in Section 24.3,A apply here.

To meet the State's participation rate found in Section 24.2, clients must be engaged in certain work activities listed below for the number of hours specified in Section 24.3. More details of each type of activity are in Section 24.6 - 24.13. Questions about client participation in programs or activities not clearly identified in Sections 24.6 - 24.13 must be forwarded to the Family Support Policy Unit for clarification and, if appropriate, guidance for placement in the correct Work Programs component. WV WORKS participants who have a documented disability must be placed in the AD component in addition to other component codes.

### A. DEFINITIONS OF ACTIVITIES

1. For purposes of meeting the minimum required core hours of participation for Two-Parent Families and All-Families, following are the 9 Core Work Activities:

- Unsubsidized employment
- Subsidized private sector employment
- Subsidized public sector employment
- On-the job training (OJT), such as EIP and other agency's OJT programs
- Job Search and Job Readiness Assistance, which includes SPOKES, EXCEL, other agency's job readiness/job search programs, life skills training, substance abuse treatment, mental health treatment, and rehabilitation activities.

**NOTE:** Job Search and Job Readiness Assistance programs are time-limited. See Section 24.8.

- Work Experience, such as JOIN, CWEP, or other work experience programs available in the community
- Community Service Programs are structured programs in which participants perform volunteer work for the direct benefit of the community under public or nonprofit organizations.