

6.3 NOTICE OF ACTION RESULTING FROM A REDETERMINATION OR CASE MAINTENANCE ACTIVITY

Two (2) forms are basic to client notification of a change in benefits, whether this change occurs at redetermination, or as a result of a case maintenance activity. These are the ES-NL-B and the ES-NL-C.

The ES-NL-B is used to notify the client of an increase in benefits, of action taken resulting in no benefit change, and, in very few instances, of a decrease or case closure.

The ES-NL-C is used to notify the client of case closure or a decrease in benefits when advance notice is required.

Closely involved in the determination of whether an ES-NL-B or an ES-NL-C is used is the DFA-NL-5, Waiver of 13-Days Advance Notice. In addition to these forms, the DFA-6 Notice of Information Needed, and the DFA-10, Appointment Letter, may be used for client notification. The use of each of these forms is detailed below.

A. DFA-6, NOTICE OF INFORMATION NEEDED; **OFS-6A**, SPENDDOWN EXPLANATION

If, at redetermination, or the time of any other change in client circumstances, it becomes clear that additional information or verification is needed, the DFA-6 is used to notify the client in writing of the needed information and the date by which the information must be received. The **OFS-6A** is used in addition to the DFA-6 when it is necessary to explain the spenddown process to the client.

1. Case Maintenance For All Programs

The date entered must be no earlier than 10 days from the date the DFA-6 is completed.

If the client fails, without good cause, to provide the information by the established date, an ES-NL-C must be sent to notify the client of the failure and the resulting case action.

2. SNAP Redeterminations

The date entered must be at least 10 days from the date of the DFA-6. If the information is not available by the date indicated, and the client has not contacted the Worker, the AG is closed or the deduction disallowed. The client must be notified of the denial or disallowance of a deduction by form ES-NL-B. Benefits must not be continued beyond the certification period, unless a redetermination is completed and the client remains eligible. See Section 1.4,S.

3. WV WORKS And Medicaid Redeterminations

The date entered must be no earlier than 10 days from the date the DFA-6 is completed.

If the client fails, without good cause, to provide the information by the established date, an ES-NL-C must be sent to notify the client of the failure and the resulting case action.

B. WHAT CONSTITUTES AN ADVERSE ACTION

An ES-NL-C is used for client notification of all adverse actions except those specified in 6.3,C,2. In this case, an ES-NL-B is used. Adverse actions are defined as follows.

SNAP BENEFITS	WV WORKS	MEDICAID
AG closure Decrease in SNAP benefit amount Shortened certification period NOTE: The following are not adverse actions, but do require client notification: <ul style="list-style-type: none"> - When the benefit amount does not increase following an SSI check reduction for repayment of an error caused by the client's intentional misrepresentation. - When the benefit amount does not increase following a reduction, suspension or termination of a federal, State or local means-tested welfare or public assistance program due to the client's failure to comply with the program's requirements. This includes a reduction in WV WORKS benefits due to a sanction. 	AG closure, including closure due to imposition of the 3rd or subsequent sanction Reduction in the benefit amount including reductions due to imposition of the 1st or 2nd sanction. Removal of an individual from the AG, when the benefit amount decreases NOTE: A special notice letter is required to impose a sanction based on failure to comply with the PRC. See item E below.	AG closure Removal of an individual from the AG