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DATE: JANUARY, 2000 TO: ALL INCOME MAINTENANCE MANUAL HOLDERS					

Section 1.25,G: Domestic Violence was added to the information which must be discussed during the WV WORKS interview.

Section 1.25,T: The requirement for completion of one PRC per AG was changed. Effective with this change, one PRC for each adult AG member is completed. This provides an opportunity for the Worker to discuss PRC issues separately and facilitate the disclosure of domestic violence issues out of the presence of the alleged abuser when possible. It is not a requirement that the PRC interviews be conducted separately and the Worker must not insist that this be done, even if he suspects domestic violence is an issue.

Instructions for monitoring the client's PRC plan, when a referral to a domestic or family violence agency is involved have been included. Again, the safety of the individual must be insured in the process.

Section 1.25,U: The Department's election of the Family Violence Option and the benefits of disclosure of domestic violence must be explained during the orientation for WV WORKS.

Appendix A: The appendix was updated.

## **CHAPTER 2**

Section 2.1,B: Domestic violence was added to the information of which the new county must be notified prior to receipt of the case record. This is particularly important in these cases in order to insure the safety of the family. In addition, the separate file which contains domestic violence information must be forwarded to the new county and maintained as such when received.

## **CHAPTER 4**

Section 4.1: Information was added to instruct the Worker that the alleged abuser, his friends or relatives must never be contacted when domestic violence is disclosed.

Section 4.2. Item 7, Domestic Violence, was added as an item which requires verification for WV WORKS when the client requests an exemption from work participation requirements or time limits.

## **CHAPTER 10**

## **APPENDIX A**

This change updates the TRIP Income Amounts to correspond with the SSI increases effective January, 2000.

## **CHAPTER 13**

Section 13.8: Item 8, Domestic Violence, was added as a temporary exemption from work requirements for WV WORKS.

- Adhere to the Department's policies and procedures to establish eligibility, including those regarding timely action and/or decision.
- Assist the client in obtaining information required to establish his eligibility.
- Maintain the confidentiality of all information received from or about the client.

**EXCEPTION:** Written requests for information about Food Stamp recipients from federal, state or local law enforcement officers is provided when the officer provides verification that:

- The individual is fleeing to avoid prosecution, custody or confinement for a felony,
- The individual is violating parole or probation,
- The individual has information necessary for the officer to conduct an official duty related to either of the two statements immediately above.

The Worker provides only the individual's last known address and SSN and, if available, a photograph of any member of the individual's household. It is the responsibility of the CSM to review and approve for release all such requests.

When the client discloses a domestic violence situation, extreme caution must be taken to safeguard any information about the individual's location or living situation. The Worker must not contact the individual named as the abuser or his relatives or friends for any information or verification required from the client. The RAPIDS case must be coded with the domestic violence indicator to alert all who access the case about the client's situation. The indicator is coded with either of the following:

- Domestic Violence Disclosed - Referral Accepted
- Domestic Violence Disclosed - Referral Refused

The codes indicate disclosure of domestic violence and whether or not the client accepted a referral to a community domestic violence agency. See Section 13.8,G.

- Ensure that information about available community resources addressing domestic violence is available to all persons who request it, or who, in the Worker's judgement, may benefit from it. In addition, the Worker must make an immediate referral to the appropriate domestic violence or community agency when the client requests such assistance. When possible, the referral must be made the same day. If the agency cannot make arrangements to see the client the same day, a referral to Social Services must be made the same day, if possible.

E. CLIENT RESPONSIBILITY

The client's responsibility is to provide information about his circumstances so the Worker is able to make a correct decision about his eligibility. When the client is not able to provide required verification, the Worker must assist him. The client must be instructed that his failure to fulfill his obligation may result in one or more of the following actions:

- Denial of the application
- Closure of the active case
- Removal of the individual from the benefit group
- Repayment of benefits
- Reduction in benefits

The action taken by the Worker depends on the specific requirement. These actions are found with the specific policy or in this Chapter under the Program-specific information.

Prior to taking any of the actions described above, the Worker must determine whether or not the client is able to cooperate. If he is able, but has not complied, the appropriate action described above is taken. If not, the Worker must assist the client in providing the required information.

F. APPLICANT RECEIVES BENEFITS FROM ANOTHER STATE

When an applicant states that he is or has been receiving Food Stamps, cash assistance and/or Medicaid from another state and presents a letter which shows the last date for which he received benefits, contact with the other state

If he is residing in an ILC, eligibility must be determined according to Section 9.1,A,2,j. If he is residing in an NILC, the time limit does not apply, but he retains the 36-month period he started in the other state.

- Whether or not the client owes a repayment to any Program

Each Program has specific requirements related to receipt of benefits from other states. Refer to Date of Application under each Program section below.

G. CONTINUATION OF THE CASE NUMBER AND TRANSFER OF A CLOSED CASE

Prior to data system entry for disposition of any application, the Worker must determine if there is an existing case number for the client.

- If the individual still prefers to make an application by mail, an application form is mailed to him on the date of his telephone call. If the client requested the application by letter, an application form is mailed to him on the day the letter is received in the county office.

When the application form is returned and contains at least the applicant's name, address and signature, an application has usually been made and the policy and procedures concerning the formal disposition of the application are applicable.

**EXCEPTION:** Poverty-Level pregnant women must also have all verification included with the application form. See the Program-specific section for these cases.

- The date of application is the date the application form is returned to the county office. The forms must be date-stamped when received

**EXCEPTION:** Poverty-Level pregnant women.

- The application is logged on the ES-15, Application Register, or other register developed by the county office, and assigned to a Worker for processing and completion.

#### 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.

possible, this must be accomplished during the office interview. In order to insure the safety of the individual to whom information about domestic violence is given, it is suggested that the domestic violence information be part of a packet which contains a variety of information. If, during the interview, the Worker observes language or other behavior which is threatening and discussion of such matters could pose a possible threat to the person who is judged to be in need of information the Worker must avoid direct discussion with the client. In those instances, a referral to the local domestic violence program, other available community resource or to Social Services is in order so that a contact can be made without the threat of additional harm to the client.

Each CSM is responsible for coordinating efforts between OFS staff, Social Services and available community resources. The CSM is also responsible for making sure that up-to-date information about domestic violence services is available at all times.



on the OFS-AP-1 of the relative with whom the child lives.

- Work Requirements: Explain the purpose of WV WORKS; DCA payments, if appropriate; TM, child care assistance and job placement.
- Drug Attestation: Form IM-TAN-1 must be completed and signed as part of each application/redetermination for WV WORKS. Failure to complete or sign the form results in ineligibility for the entire AG. All adults normally required to be included must sign the form.
- Personal Responsibility Contract (PRC): Explanation and completion of the PRC is not required to be part of the intake interview, but it may be done at the same time. See item T below for details about the PRC requirements.
- Repayments: Discuss any outstanding repayments. See item L below.
- Eligibility: Explain beginning date of eligibility and the importance of establishing eligibility as soon as possible.
- Medicaid: Explain that Medicaid eligibility is a separate determination and how and when the medical card is issued, if appropriate.
- Lump Sum: If the client indicates he may be receiving a lump sum payment, explain the lump sum policy.
- Pregnancy: Explain the need for the client to report immediately when anyone in the AG becomes pregnant.
- Caretaker Relative Option:

NOTE: When a parent(s) is included with his own child(ren), the OFS-WVW-10 must not be signed. When the AG includes a parent(s), his child(ren) and other children for whom the parent is a specified relative, the parent is required to be included and form OFS-WVW-10 must not be signed. The form is used only when a caretaker relative receives cash assistance only for children to whom he is not a parent.



L. REPAYMENT AND PENALTIES

Before the case is approved, the Worker must determine if there is a WV WORKS, TANF or AFDC/U claim outstanding against any member of the AG. If so, the Worker must initiate appropriate repayment procedures prior to approval.

If the client has been making voluntary payments, he must be informed that repayment must be made, when possible, from his check, i.e., recoupment.

When the AG has been sanctioned for failure to cooperate with WV WORKS, the case is subsequently closed and a reapplication made, that AG remains sanctioned until the sanction ends.

M. BEGINNING DATE OF ELIGIBILITY

Eligibility begins on the first day, after application is made, that the benefit group meets all eligibility requirements, including signing the PRC (See item T below) and participating in orientation (See item U below). There are other circumstances which also impact on the beginning date of eligibility.

- When a parent or other caretaker relative included in the payment quits or refuses employment or training for employment, without good cause, in the 30-day period prior to the date of application, the benefit group is ineligible until 45 days after the employment or training is no longer available. See Chapter 13 for the determination of good cause.

**NOTE:** This applies to full-time or part-time employment.

**EXAMPLE:** A parent is placed in full-time employment with a produce shipping company. Two months later, he is laid off. The 45-day waiting period does not apply.

**EXAMPLE:** A caretaker relative included in the payment is hired by a temporary agency. Three months later the temporary job ends. The 45-day waiting period does not apply.

**EXAMPLE:** A parent has been working 25 hours per week at a fast-food restaurant. He quits and it is established he did not have good cause. The 45-day waiting period applies.

- When a client, who became ineligible due to receipt of a lump sum payment, requests recomputation of the period of ineligibility, the beginning date of eligibility can be no earlier than the date of the request. See Section 10.21.
- When an assistance group becomes ineligible due to failure of a parent or caretaker, without good cause, to meet the 24-month work requirement, the beginning date of eligibility cannot be any earlier than the first day on which he participates in an activity which meets the 24-month work requirement. If the non-parent caretaker is no longer in a 12-month period for which he chose to be included, eligibility for the otherwise eligible child(ren) may begin as soon as the 12-month period ends, so long as the caretaker chooses exclusion from the assistance group.

**EXAMPLE:** An applicant has agreed to accept a DCA payment instead of an ongoing WV WORKS payment. In order to accept an offer of employment, he must move his family to another state. The following needs are identified: car repairs, overnight lodging for the family for the trip, food for the family for the trip, rent in a new dwelling for a month, utility deposits and some specialized tools for the new employment. The Worker verifies that the applicant has a car and has the client obtain an estimate of the repair costs. He also verifies the cost of the specialized tools for the new employment based on the client's statement that they are necessary. The client does not want his future employer to know that he is receiving help from the Department to accept the job, so the Worker does not contact the employer to confirm the need for the tools. However, he does contact some local employers of the same type to ensure that such tools would be used. Note that, in this case, it is assumed that the client has written verification of his employment. Otherwise, contact with the future employer would be necessary to verify the employment. The Worker and the client agree on the amount needed for the family for overnight lodging, rent, utility deposits and food. These items are not verifiable, since the client does not yet have a place to live in the new state and does not know where he will stay overnight on the drive. It is reasonable to assume that these costs will be incurred in moving to another state, and the amount is negotiated.

### 3. The Medical Card

Medicaid eligibility for WV WORKS recipients is not automatic with receipt of a payment. See Sections 1.6 - 1.22 for information, according to the appropriate Medicaid coverage group.

### T. PERSONAL RESPONSIBILITY CONTRACT (PRC)

**NOTE:** Guidance for completion of Part 2 of the PRC, the Self-Sufficiency Plan is found in Chapter 24.

The Personal Responsibility Contract (PRC), IM-WVW-2, is an agreement between the adult members of the WV WORKS AG and the Worker as the representative of the Department. There are 2 parts to the form. Refusal or other failure, without good cause, to sign either part of

made with the client, but agreement on a preliminary plan must be reached prior to approval.

Part 2 is a working document and revisions are made when either the client or the Worker believes it necessary. Frequent changes are expected as the client moves toward his goals.

Appendix C is a guide for developing Part 2 of the PRC. It lists some considerations which may be appropriate in developing the self-sufficiency plan, but is not an exhaustive list. Workers and clients are not limited to only the items in the guide, and all items listed are not expected to be appropriate for each client.

One PRC is completed for each adult AG member. When Part 2 of the original form is full, attach another Part 2 sheet and number the attachments consecutively so that there is a continuous record of the plan and its changes.

There is space for the client to place his initials on the form. This is required when amendments are made to the original plan. The client must indicate his agreement by initialing the change.

Refusal or other failure, without good cause, to participate in the development of the self-sufficiency plan (Part 2 of the PRC) or to sign the plan once it is developed, results in ineligibility for the entire AG

Refusal or other failure, without good cause, to adhere to the self-sufficiency plan, results in the imposition of a sanction. See Chapter 13 for information about appropriate sanctions.

During the completion of the PRC, the Worker must make every opportunity available for the individual to disclose domestic violence issues which may affect the client's particular requirements as a WV WORKS recipient. It must be stressed with the client that disclosure may be a benefit in the PRC process. If, based on observation of a couple during an interview, the Worker suspects domestic violence is a factor, he may attempt to set up a separate interview at a later date. However, any attempt to do so must be done in a manner which insures the client's safety. Under no circumstances must the individual's safety be compromised or is the client to be penalized for refusal to conduct a separate interview.

office and from the Worker. The discussion should include the benefits of disclosure of domestic violence as it relates to work participation requirements and program time limits. It should also include information about how to disclose, i.e., to the Worker, another individual, etc.

- Each orientation participant must sign and date the IM-WVW-4 to indicate that the items described above were discussed. The original is filed in the case record and the client must be given a copy. The form also briefly summarizes the material to be covered during the orientation. However, under no circumstances, can delivery of the form to the client with no discussion, substitute for an orientation session or interview.

Refusal or other failure, without good cause, to attend WV WORKS orientation, results in ineligibility for the entire benefit group. Attendance is an eligibility requirement and, as such, must be met prior to approval of the case.

APPENDIX A

COMMONLY USED

ACRONYMS AND ABBREVIATIONS

ABAWD	Able-Bodied Adults Without Dependents
ACF	Administration for Children and Families
ACMC	Assessment and Case Management Centers (BEP)
ACT, the	The Social Security Act
ADH	Administrative Disqualification Hearing
AFDC	Aid to Families With Dependent Children
AFDCU	Aid to Families With Dependent Children - Unemployed Parent
AFDC/U	Includes AFDC and AFDCU
AG	Assistance Group
AIDS	Acquired Immune Deficiency Syndrome
AP	Absent Parent
APPALRED	Appalachian Research and Defense Fund
BCF	Bureau for Children and Families
BEP	Bureau of Employment Programs
BFU	Basic Filing Unit
BMS	Bureau for Medical Services (formerly OMS)
CA	Coupon Allotment (C-219 System)
CAN	Social Security Claim Number
CAO	Child Advocate Office (formerly CSER, now BCSE)
CDCS	Children With Disabilities Community Service Program
CE	Coupon Entitlement (C-219 System)

FMA	Family Maintenance Allowance
FmHA	Farmers Home Administration
FNS	Food and Nutrition Services (formerly FCS)
FPL	Federal Poverty Level
FS	Food Stamps
FSE&T	Food Stamp Employment and Training
FTROP	Federal Tax Refund Offset Program
FVO	Family Violence Option
GA for DA	General Assistance for Disabled Adults (Program discontinued 7/1/96)
GLF	Group Living Facilities
GSYP	Governor's Summer Youth Program
HCB	Home and Community Based Waiver
HCFA	Health Care Financing Administration
HSS	Homeless Shelter Standard
HUD	Housing and Urban Development
ICF/MR	Intermedicate Care Facility/Mentally Retarded
IEVS	Income and Eligibility Verification System
IFM	Investigations and Fraud Management
IG	Income Group
IM	Income Maintenance
ILC	Issuance-Limited County
IPV	Intentional (FS) Program Violation
IV-A	Section of the Act dealing with TANF (formerly AFDC/U)
IV-D	Section of the Act dealing with Child Support
IV-E	Section of the Act dealing with Foster Care



PASS	Plan for Achieving Self-Support
PC	Prorated FS Coupon Allotment, initial month only (C-219 System)
PE	Prorated FS Entitlement (C-219 System)
PG	Prorated cash assistance check amount when there is earned income, initial month only (C-219 System)
PIC	Private Industry Council
PL	Poverty-Level
PNE	Paternity Not Established
POC	Period of Consideration
POE	Period of Eligibility
PRWORA	Personal Responsibility and Work Opportunity Reconciliation Act of 1996
PWE	Primary Wage Earner
QA	Quality Assurance (formerly Quality Control)
QC	Qualified Child
QDWI	Qualified Disabled Working Individual
QI-1	Qualified Individual-1
QI-2	Qualified Individual-2
QMB	Qualified Medicare Beneficiary
QR	Quarterly Reporting
PRC	Personal Responsibility Contract (PRC)
RAPIDS	Recipient Automated Payment and Information Data System
RD	Regional Director
RESA	Report on Economic Services Activity
RRB	Railroad Retirement Board
RSDI	Retirement, Survivors and Disability Insurance

WIC	Women, Infants and Children Program
W&T	Work and Training
WtW	Welfare to Work

a. Automatic Closures

Cases are automatically closed by the data systems under the following circumstances:

- A C-219 system case, with an F prefix, does not have a redetermination completed by the deadline date in the month the case is due for redetermination.
- Phase II of TM ends. Special coding of Block 49 or 55 in the C-219 system is required. See Chapter 23.
- Extended Medicaid coverage ends. Special coding of Block 49 or 55 in the C-219 System is required. See Chapter 23.
- Medically Needy non-spenddown cases, not redetermined in the sixth month of eligibility.
- Medically Needy spenddown cases at the end of the POC.

b. Closure Due To Loss of Contact

Loss of contact occurs when the client moves and does not notify the Department. The Worker may become aware of this when the check, Food Stamps, medical card or other correspondence is returned.

The Worker must first check the address in the data system. If it is not correct, the Worker must correct it and release the benefits to the correct address.

If the address is correct, the Worker sends an ES-6 to the client requesting his new address and noting Please Forward on the envelope. If the ES-6 is returned as undeliverable, or, if the client does not report his new address by the date indicated on the form, the case is closed, after proper notice.

c. Closure Because Client Moves To Another State

When the client moves to another state and his address is known, the Worker must complete the appropriate notification letter for case closure and send it to the client. In addition, the Worker must include the following statement on the form: "If you want to apply for benefits in (new state), please take this letter with you to show that your West Virginia benefits have been stopped."

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## 4.2 VERIFICATION REQUIREMENTS

## A. ASSETS

ITEM	PROGRAMS	WHEN TO VERIFY	POSSIBLE SOURCES OF VERIFICATION
1. Vehicles, Including Recreational Vehicles.  Verify ownership and value.	All Programs and coverage groups subject to an asset test	Prior to approval, at redetermination and when ownership of a different or additional vehicle is reported	Vehicle title, registration, legal contract, NADA book, ES-V-1, statement of knowledgeable source.
2. Trust Fund Or Other Similar Device, Including Burial Trusts.	All Programs and coverage groups subject to an asset test	Prior to approval, when client reports establishment of a trust	Written agreement
3. Bank Accounts, CD's And Other Liquid Assets  See item 12 below for Dedicated Accounts.	All Programs and coverage groups subject to an asset test	Applicants: Initiate verification prior to approval, do not delay approval until received. Recipients: When client reports an increase	Bank statements, the CD, stock market prices, life insurance policies, statement of stockbroker
4. Value Of Business Equipment And Livestock	All Programs and coverage groups subject to an asset test	Prior to approval, at redetermination and when ownership of different or additional equipment or livestock is reported	Tax receipts, Assessor's records, realtor's statement

<p>7. Domestic Violence</p>	<p>WV WORKS</p>	<p>When the applicant or recipient alleges domestic violence and requests an exemption from work participation requirements or program time limits</p>	<p>Protective orders, hospital records, statements from legal services or domestic violence counseling or shelter staff or witnesses. Paper work from law enforcement agencies, i.e., criminal charges.</p> <p><b>NOTE:</b> To insure the safety of the individual, the Worker must never contact the abuser, his relatives or friends in an attempt to verify domestic violence.</p>
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F. IN-HOME CARE FOR RELATIVE

**NOTE:** Providing care for a relative, as follows, is a legal, temporary exemption from meeting a work requirement and is listed here only for that reason. Providing this care also meets the work requirement as a community service activity and must be used as such.

An individual who provides care in his own home for a relative is temporarily exempt when such care prevents institutionalization.

G. DOMESTIC VIOLENCE

When an individual discloses domestic violence which is a barrier to participation in WV WORKS activities, the individual may receive a temporary exemption from the requirements for up to 6 months so long as the individuals:

- Accepts a referral to a local domestic violence agency; and
- Completes a time-limited service plan with the domestic violence agency which will enable him to gain self-sufficiency; and
- Complies with the requirements of the domestic violence agency plan.

If the client refuses the referral to an appropriate agency, he cannot receive this temporary exemption. The case, however, is coded in RAPIDS with the Domestic Violence indicator. See Section 1.2,D.

The Worker must monitor the plan regularly in order to insure compliance and to continue the exemption. The Worker must maintain close contact with the DV program and the program's statement that the client is engaged in reasonable efforts to remain safe, so long as the barriers exist, is accepted.

If, at the end of the plan period, barriers to self-sufficiency still exist, the temporary exemption may be continued on a month-by-month basis until the barriers no longer exist, so long as the client continues to comply with the domestic violence agency's plan. Plans may be extended after the 6-month limit when extenuating circumstances exist and counseling continues at the recommendation of the DV counselor.