

MANUAL MATERIAL TRANSMITTED					
MANUAL: INCOME MAINTENANCE			CHANGE NUMBER: 81		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
25 - 26	9	9/95	25	9	9/95
61 - 62	9	1/97	26	9	8/97
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IM-TANF-1	FORM	1/97	IM-TANF-1	FORM	8/97
DATE: June, 1997			TO: All Income Maintenance Manual Holders		

This change is being made to make 3 changes in the WV WORKS policy and 2 changes in the TANF policy. More specific information follows.

1. A person convicted of a felony involving controlled substances is not eligible to be included in the TANF or WV WORKS payment PROVIDED THE CONVICTION OCCURRED ON OR AFTER 8/23/96. The exclusion of this individual was added to Section 9.2 and the date was added to Section 9.21. In addition, the IM-TANF-1 was revised to show the date.

The changes made to the IM-TANF-1 will be effective the next time the form is reprinted. Until the current supply of 60,000 forms is depleted, please write "on or after August 23, 1996" on the form so that the client is not required to report information about convictions prior to that time.

Some individuals have been removed or left out of the TANF or WV WORKS benefit group because the Manual did not previously

**EXAMPLE:** Mr. and Mrs. T receive AFDC of \$360 for themselves and their three children. They adopt Sam and he receives \$200 non-excluded adoption assistance.

Step 1: \$360 AFDC Benefit Group of 5, excluding Sam

Step 2: Sam's \$200 non-excluded adoption assistance reduces the AFDC payment for a 6 person benefit group of \$413 to \$213.

Because \$213 is less than \$360, and the benefit is reduced, Sam must be excluded from the benefit group.

**EXAMPLE:** Same as the preceding example, except that, Sam receives non-excluded adoption assistance of \$50.

Step 1: \$360 AFDC/U Benefit Group of 5, excluding Sam

Step 2: Sam's \$50 non-excluded adoption assistance reduces the AFDC 6 person benefit group payment of \$413 to \$363.

Because \$363 is greater than \$360, and the benefit is not reduced, Sam is included in the benefit group.

- Individuals who are ineligible due to failure to fulfill an eligibility requirement. This includes the following individuals:
- The specified relative who fails to cooperate with CAO, or who, after assigning rights, fails to cooperate without good cause
  - The mandatory participant who refuses to cooperate with JOBS
  - The individual who fails to be enumerated
  - Any mandatory referral to DRS who refuses referral or services, except surgery, without good cause
  - The caretaker relative, who is not a parent of the dependent child and who fails, without good cause, to apply for and accept a

The decision regarding care and control must be made on a case-by-case basis. If the Worker cannot make a

### 3. Who Cannot Be Included

- Parents who have been convicted in Federal or State court within the past ten years for receiving TANF (WV WORKS), Title XIX, or Food Stamps simultaneously in two or more states. Only the individual convicted is not included.
- Parents or siblings who are fugitive felons, or who have violated a condition of probation or parole under Federal or State law. Only the individual who is a fugitive felon or parole violator is not included.
- A parent who is on strike results in the entire family being ineligible for WV WORKS.
- A mp who does not live with his or her parents without good cause.
- A child of a mp, when the mp does not live with his or her parents without good cause.
- Parents and siblings who are aliens and are ineligible for WV WORKS because they have been sponsored by a private or public agency or organization or because of deeming income from sponsor to alien.
- Parents and siblings who are aliens and are ineligible for WV WORKS because they do not meet the citizenship and alienage requirements.
- A child who is a recipient of federal, State or local foster care maintenance payments.
- A child of a minor parent, when the minor parent is a recipient of federal foster care payments.
- A child who is a recipient of an Independent Living Subsidy through the Office of Social Services.
- A child of a minor parent, when the minor parent is a recipient of an Independent Living Subsidy.
- Individuals who are ineligible due to failure to fulfill an eligibility requirement. This includes the following individuals:
  - The specified relative who fails to cooperate with CSED, or who, after assigning rights,

When the mp lives with the MP(s), the income of the MP(s) is countable as they must be included in the benefit group.

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	AFDC/U, DEEMED AFDC/U, TM, QC, P.L. PW AND CHILDREN, GA FOR DA, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS
Y. EDUCATIONAL INCOME				
1. Funded Under Title IV of the Higher Education Act or Bureau of Indian Affairs	1. No	1. No	1. No	1. No
2. Funded From Other Than Title IV or Bureau of Indian Affairs	2.	2.	2.	2.
a. College Work Study (CWS)	a. Earned, unless used for educational expenses. See program section.	a. Earned, unless used for educational expenses. See program sections.	a. Earned, unless used for educational expenses. See program sections.	a. No
b. Other Than CWS	b. Unearned. See program section.	b. Unearned. See program sections.	b. Unearned. See program sections.	b. No
Z. EMERGENCY ASSISTANCE FROM DHHR	No	No	No	No
AA. EMERGENCY CHILD CARE PROVIDER INCOME				
1. Monthly Payment for Beds Maintained	1. Self-Employment	1. Self-Employment	1. Self-Employment	1. Self-Employment
2. Per Diem Rate for Each Child Placed In Shelter	2. No	2. No	2. No	2. Self-Employment

13.15 JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM (JOBS)

Sections which follow, 13.16 through 13.28 below, outline the requirements for JOBS, designate the members of the benefit group to whom the requirements apply and the penalty for failure to meet the requirements.

**NOTE:** Penalties or sanctions applied by other states for failure to cooperate in their work programs do not prohibit eligibility in West Virginia.

West Virginia began a demonstration project under a federal waiver in January, 1996 titled "Joint Opportunities for Independence" (JOIN). Mandatory JOBS participants are randomly selected by the data system for assignment to the JOIN project. JOIN becomes the mandatory participant's JOBS activity. JOIN policy and procedures are the same as those for JOBS unless specified in the following appropriate items.

pregnancy and for 5 additional months after the birth of the child. She may only be exempt for a total of 6 months, since this child is not the first one born to her as a TANF or WV WORKS recipient. Ten months after the birth of her last child, Ms. Smith finds out she is pregnant again. Her doctor orders her to remain in bed for the last 7 months of her pregnancy. Ms. Smith is exempt during this 7-month time period as being temporarily incapacitated. Once the child is born, she chooses to remain exempt for 4 months before she returns to work. She could have chosen to be exempt for a maximum of 6 months after the birth of the child since she did not use any of the 6-month pregnancy exemption in the last trimester of her pregnancy.

5. Relatives providing in-home care for an individual that would otherwise be institutionalized.
6. An individual, caring for a child under age 6, when the individual is unable to obtain appropriate and available child care, for one or more of the following reasons:
  - Unavailability of appropriate child care within a reasonable distance from the individual's home or work site
  - Unavailability or unsuitability of informal child care arrangements, such as care by a relative
  - Unavailability of appropriate and affordable formal child care arrangements

DUE TO THE DELETION  
OF SOME MATERIAL,  
THERE ARE NO LONGER  
PAGES 30 - 31

## 24.5 EXEMPTIONS FROM WORK REQUIREMENTS

Participants who are exempt from the work requirement are still required to sign a PRC.

The following persons are exempt from the work requirements:

1. A parent caring for a dependent child with a life threatening illness
2. Individuals over 60
3. Individuals with a physical or mental incapacity, or suffering from a temporary debilitating injury. The exemption lasts for the duration of the incapacity or injury. The temporary injury must last for more than 30 days. The individual's condition must be evaluated within the time limits specified by his medical practitioner, but no less often than annually. MRT must approve all individuals claiming permanent and total disability.
4. A pregnant woman is exempt for a total of 6 consecutive months. The client may choose which period of time to be exempt, but the 6-month exemption period must be between the beginning of the last trimester of pregnancy and the first 6 months after the birth.

**NOTE:** When a woman gives birth to the first child after becoming a TANF or WV WORKS recipient, she is exempt from the birth of the child until the child is 1 year old. The option of choosing to be exempt during the last trimester of the pregnancy does not exist for such women. The pregnancy exemption lasts from birth until the child's first birthday. However, the woman may be exempt at any time during the pregnancy, including during the last trimester, by meeting one of the other exemption criteria, such as being temporarily incapacitated.

**EXAMPLE:** Ms. Smith has one child. She applies and is approved for TANF or WV WORKS. Six months after approval, she finds out she is pregnant. She has no problems during her pregnancy and maintains her part-time job throughout. Once the child is born, she is exempt and remains exempt until the child is age 1, because this is the first child born to her since she became a TANF or WV WORKS recipient. Ms. Smith discovers she is pregnant again when her youngest child

# TANF/WV WORKS

## DRUG ATTESTATION

This document is part of the application. It must be signed during the application process.

No one in my household has been convicted of a felony drug charge, on or after August 23, 1996, involving possession, use, or distribution of a controlled substance.

\_\_\_\_\_  
Parent/Caretaker Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Other Parent in Two Parent Household's Signature

\_\_\_\_\_  
Date

Someone living in my household has been convicted of a felony drug charge, on or after August 23, 1996, involving possession, use, or distribution of a controlled substance.

That person's name is \_\_\_\_\_

\_\_\_\_\_  
Parent/Caretaker Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Other Parent in Two Parent Household's Signature

\_\_\_\_\_  
Date