

1.25 WV WORKS

When WV WORKS applicants are also Food Stamp applicants, requirements in 1.4 also apply to the Food Stamp portion of the case. Eligibility for Medicaid is a separate determination. When eligible for Medicaid, the requirements in Sections 1.6-1.22 apply.

A. APPLICATION FORMS

An OFS-2 is used.

NOTE: When an application has been made for WV WORKS and/or Medicaid and the application is denied, withdrawn or approved for DCA, the AG must not be required to make an additional application for Food Stamps. Food Stamp eligibility must be determined based on the information provided for the other programs.

B. COMPLETE APPLICATION

The application is complete, when the client signs an OFS-2 or OFS-5 which contains, at a minimum, his name and address.

NOTE: When the applicant has completed the interactive interview, and there is a technical failure that prevents the printing of the OFS-2, Form OFS-5 must be signed by the applicant, attached and filed in the case record with the subsequently printed OFS-2. The OFS-RR-1 must also be completed and signed. He must not be required to return to the office to sign the OFS-2 when the OFS-5 has been signed.

An application is considered incomplete when the client chooses not to sign the OFS-2. It is a withdrawal, and appropriate data system action and client notification must be completed. The recording in Case Comments must specify that the client did not want to sign the application and the reason for his decision. The client must be encouraged to sign the application so there is no misunderstanding that he was denied the right to apply.

C. DATE OF APPLICATION

The date of the application is the date that the OFS-2, which contains, at a minimum, the applicant's name and address, is signed.

If the client, who became ineligible due to a lump sum payment requests recomputation, the date of application is

the date of his request.

D. INTERVIEW REQUIRED

A face-to-face interview is required.

E. WHO MUST BE INTERVIEWED

NOTE: Information in this item applies only to the intake interview. While it is possible to have only one parent participate in the intake interview, it will usually be necessary for both parents to be interviewed about the PRC and other WV WORKS requirements. A representative of the specified relative may participate in the intake interview, but the specified relative must be interviewed about the PRC and other WV WORKS requirements.

The specified relative with whom the child lives must participate in the intake interview.

If the child is living with both parents or a parent and a stepparent, both must be interviewed unless:

- One parent or stepparent is hospitalized; or
- One parent or stepparent is incarcerated; or
- One parent or stepparent is employed and his working hours preclude participation in the interview during the agency's normal working hours.

When the specified relative with whom the child lives has a legal committee, the committee must be interviewed.

If the child is living with only one specified relative who is unable to participate in the interview, a representative may participate in the intake interview. A written statement, signed by the specified relative, which gives the representative authority to apply on his behalf, is required.

F. WHO MUST SIGN

The individual(s) who is interviewed must sign the OFS-2. If the child(ren) lives with both parents or a parent and a stepparent, both must sign, even if separate interviews are conducted.

G. CONTENT OF THE INTERVIEW

In addition to the requirements outlined in Section 1.2, the following specific requirements apply.

- BCSE: Explain redirection requirements, good cause, penalties for failure to cooperate without good cause, possible referral to BCSE for signature of paternity acknowledgment, and obtain the signature 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.

For cases in which the caretaker relative is not a natural or adoptive parent, form OFS-WVW-10 must be explained. The form must be signed and completed prior to approval, but not necessarily during the intake interview. The Worker must explain the option of being included or excluded from the AG and answer the client's questions about the consequences of each choice. Refusal, or other failure, of the caretaker relative to sign the form results in denial of eligibility for the caretaker relative for at least 12 months. Eligibility continues to be denied beyond 12 months, for as long as the caretaker fails to choose. The original form must be filed in the case record and the client must be given a copy. See Section 9.21 for details about the limited choice for the caretaker.

- Domestic Violence: Explain that information is available throughout the office and from the Worker regarding domestic violence and that this subject is discussed with all clients. No individual is specifically targeted to receive the information. Disclosure of domestic violence may have an affect on any PRC, work requirements or time limits the client is expected to meet while a WV WORKS recipient. A referral to the appropriate community resource or domestic violence program must be made to develop a plan to assist the client in meeting any WV WORKS requirements. See Sections 13.8 for temporary exemptions to the WV WORKS work requirements and Sections 15.6 and 15.7 for WV WORKS time limits.
- Direct Deposit: The Worker must provide an enrollment brochure and explain the following about direct deposit:
 - The advantages of receiving the WV WORKS benefit by direct deposit and that enrollment is optional. The client uses a bank of his choice and once the benefit is deposited, the client is responsible for all dealings with his bank and for all fees and penalties associated with his own bank account. The WV WORKS benefit is deposited on the last State work day of the month prior to the month the benefit is due.
 - How to enroll and dis-enroll in direct deposit
 - That the effective date of the first direct deposit is dependent upon the date of submission for the enrollment form and the accuracy of the information provided and is the responsibility of the Auditor's Office. It is generally the month following the month of enrollment. The

client will continue to receive a check until direct deposit is effective. He may contact his bank or the Auditor's Office to determine when the benefit has been deposited. After the initial benefit, only the monthly WV WORKS benefit is direct deposited.

- Information which must be reported to the State Auditor's Office after enrollment
- When the benefit cannot be deposited into a bank account after enrollment, a check is written and the client must re-enroll in direct deposit. Until the client submits updated information to re-enroll, he will receive a check at his mailing address.
- The Treasure's Office e-mail address at which the client may obtain information about banks in the area in which he lives which provide no- or low-cost services. The Worker may access the information for the client.

H. DUE DATE OF ADDITIONAL INFORMATION

The client and the Worker agree on the date by which additional verification must be obtained.

I. AGENCY TIME LIMITS

By the 10th calendar day following the date of the initial contact when a client expresses an interest in applying for WV WORKS, the Worker must have completed all of the following duties. The initial contact by the client may be in person or by telephone to start the 10-day period.

- Acceptance of the application. This must be completed prior to orientation and prior to negotiation of the initial PRC; and
- The client's orientation, when it appears he will be eligible; and
- The initial PRC, when it appears he will be eligible.

Data system action must be taken to approve, deny or withdraw the application within 30 days of the same date.

EXCEPTION: When the delay is a result of factors outside the control of the Department and the applicant, or when the client request that one of the above actions be postponed. When

action is postponed due to the client's request must be recorded on CMCC.

EXAMPLE: An applicant telephones the office on June 26, 2001 to find out how to apply for WV WORKS. At that time, an appointment is scheduled for him to meet with a Worker on July 5, 2001. The next group orientation is July 11, 2001, which is past the 10-day time limit. Therefore, the Worker must complete an individual orientation session for this applicant, preferably at the appointment on July 5th.

EXAMPLE: An applicant contacts the office by telephone on September 10, 2001 to find out how to apply for WV WORKS. At that time an appointment is scheduled for him to meet with a Worker on September 14th and to attend group orientation on Sept. 19th. The applicant is caring for his mother until she can be placed in a nursing home. Placement is expected on September 25th, so he requests that his appointments be rescheduled for later that same week. He is then scheduled to meet with the Worker on September 26th and to attend group orientation on September 27th. Although the application process is completed outside the time limit, it is due to the client's request which is recorded on CMCC.

J. AGENCY DELAYS

If an application has not been acted on within the required time limit due to agency error, corrective action must be taken immediately.

K. PAYEE

The payee is the individual in whose name the WV WORKS check is written. The payee must use his legal name whenever possible, unless there is some circumstance that justifies the use of another name. If so, the decision to allow use of another name is made by the Policy Unit, based on information submitted by the local office.

The parent with whom the child is residing is the payee. When the child lives with 2 parents, the parents choose the payee. When the child lives with a parent and a stepparent, the parent is the payee. When the child lives with one relative other than a parent, the specified relative is the payee. When a child lives with two specified relatives other than a parent, they must choose who will be the payee.

NOTE: Payments are not issued to minor parents. Instead, the parent or other responsible adult with whom the minor parent lives, or who supervises the minor parent's living arraignment, is the payee.

When a substitute payee is appropriate at application, see Chapter 2.

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 replication made, that AG remains sanctioned until the sanction ends.

M. BEGINNING DATE OF ELIGIBILITY

Eligibility begins on the first day that the AG 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 AG 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.

EXCEPTION: AG's which meet all of the following criteria are not subject to the 45-day ineligibility period. Instead, the AG is reopened and a sanction subsequently applied.

- The AG was closed due to earnings of a parent, or a non-parent caretaker included in the payment; and
- The parent, or included non-parent caretaker, quits his job without good cause; and

The quit occurs within the effective month of closure; and

- The parent, or non-parent caretaker, reapplies for a monthly WV WORKS check during the effective month of closure.

Because the parent, or included non-parent caretaker, is a recipient until the last day of the effective month of closure, his violation is treated as it would be for any other active recipient, i.e. a sanction is imposed. If another sanction(s) has been previously imposed, this sanction is imposed at the next highest level.

The AG is approved for the month following the effective month of closure and then is notified of the imposition of the sanction at the next level. As any other active recipient, he must be provided an opportunity to establish good cause and/or comply during the 13-day advance notice period prior to imposition of the sanction.

EXAMPLE: A parent is placed in full-time employment on March 5th. His anticipated earnings make him ineligible and the AG is closed on March 7th, effective March. On March 22nd the parent comes to the office to ask for WV WORKS benefits again and states that he quit his job on March 19th. The Worker determines that he did not have good cause for quitting, but that he met all other eligibility requirements. His eligibility starts April 1st since he already received benefits for March. There is no sanction applied to the April benefits for this offense, but the Worker notifies him immediately about the imposition of a sanction beginning in May and schedules a good cause hearing.

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.

NOTE: When a non-parent caretaker's 12-month period for which he opted inclusion ends, he may again receive WV WORKS for the otherwise eligible child(ren), even when not meeting the 24-month work requirement, as long as he chooses to be excluded from the AG. If he reapplies during the 12-month period for which he chose inclusion, or after the 12-month period ends and he again chooses to be included, he must meet the 24-month work requirement to receive WV WORKS for the child(ren).

Because eligibility for WV WORKS has no bearing on Medicaid eligibility, the beginning date of Medicaid eligibility must be determined according to the coverage group(s), if any, under which WV WORKS recipients receive Medicaid. See Sections 1.6 through 1.22.

N. REDETERMINATION SCHEDULE

Cases are normally redetermined annually. The redetermination schedule is set automatically by the data system, unless the Worker and Supervisor agree that a redetermination must be completed earlier. When a case is reopened without an OFS-2, the Worker must ensure that the client continues in the same redetermination cycle.

Cases may be redetermined more frequently at the discretion of the Worker and Supervisor when any of the following occur:

- There are persons in the AG or Income Group who frequently change jobs or work intermittently.
- QA has found a client error in the case.
- The composition of the AG or Income Group has frequently changed and is likely to continue to change.
- A substantial change is expected.
- The AG has expenses exceeding its income.
- RAPIDS schedules a redetermination due to receipt of another benefit under the same case number.

O. EXPEDITED PROCESSING

There are no requirements for expedited processing. Cases are approved in the order in which eligibility is established.

P. CLIENT NOTIFICATION

See Chapters 6 and the RAPIDS User Guide.

Q. DATA SYSTEM ACTION

Data system action is required to complete the application process. All applications, whether approved, denied or withdrawn, must be entered in RAPIDS.

R. REDETERMINATION VARIATIONS

The redetermination process is the same as the application process with the following exceptions.

1. Redetermination List

RAPIDS selects cases due for redetermination on the Friday which falls between the 8th and 14th of the month prior to the month the redetermination is due. The redetermination list is displayed on the Worker's alert screen.

2. Scheduling Interviews

Use the ES-10 or the RAPIDS letter CSLC or CSLD to notify the client of the appointment.

3. Completion Of The Redetermination

If the client continues to be eligible, the Worker must take data system action to indicate changes in the client's circumstances or to indicate that the

redetermination was completed. If the client is no longer eligible, the case is closed after proper notification.

4. Overdue Redeterminations

For AG's which do not close automatically, RAPIDS issues an alert when the redetermination has not been completed. Upon receipt of the alert the Worker must redetermine eligibility immediately. A case is overdue if changes are not transmitted by the last day of the month in which the redetermination was due, regardless of the effective date.

S. THE BENEFIT

The following explains about the WV WORKS benefit and how it is issued. The initial benefit and any benefit other than the ongoing monthly benefit is a check, as described in item a below. The ongoing WV WORKS benefit may also be received by direct deposit into an individual's own bank account. The direct deposit process and procedures are outlined in item b below.

1. The WV WORKS Benefit

a. The Check

A check is made payable to the individual designated as payee and is mailed to the address in the data system. The check cannot be forwarded to a different address.

The check cannot be assigned to someone else, nor can it be attached for payment of debts by any person outside the DHHR.

The check must be endorsed by the payee. The endorsement must show the name of the payee as it appears on the face of the check. When the payee endorses the check by his mark, the endorsement must be witnessed by two persons whose names and addresses are written below the payee's mark.

WV WORKS checks are received on approximately the first day of the month. Initial checks are received a week to 10 days after the approval transaction. To determine the check amount, see Chapter 10.

A check is indicated in RAPIDS on screen IQAF with a warrant number which begins with a 3. Screen IQAD shows an N in the EFT field.

b. Direct Deposit

The client may choose to have his ongoing monthly WV WORKS benefit deposited directly into his own checking or savings account. The account must be in the name of the payee for the WV WORKS benefit.

(1) Enrollment in Direct Deposit and Effective Date

The client must complete an enrollment form, attach any other appropriate information requested on the form and mail it directly to the State Auditor's Office. If he returns the form to the local office, the Worker forwards the form to the Auditor's Office. Questions about the direct deposit process or the individual's effective date, after submission of the enrollment form, must be directed to the Auditor's Office at the toll-free number, 1-800-500-4079 or at 304-558-2251. Enrollment forms must be ordered directly from the Auditor's Office by the local staff.

Direct deposit is generally effective the month following the month in which the form is submitted, when all account information is valid. Until direct deposit is effective, the client receives a check.

(2) Receipt of the Direct Deposit Benefit

The benefit is deposited into the account and available to the client on the last State work day of the month which is prior to the month for which the benefit is due. Workers will use RAPIDS Table TBIC to determine the last State work day. No check stub or deposit information is mailed to the client. Questions regarding deposit of the benefit must be directed to the individual's bank or the Auditor's Office.

Direct deposit of the WV WORKS benefit is indicated in RAPIDS on screen IQAF with a warrant number which begins with a 2. Screen IQAD shows a Y in the EFT field.

When the direct deposit transaction cannot be completed, the Auditor's Office does the following:

- Removes the client's name from the direct deposit data base; and

- Supplies the Accounts Receivable Office with a list of direct deposit transactions which cannot be completed.

Based on the error report list generated by the Auditor's Office, the Accounts Receivable Office updates the benefit issuance history in RAPIDS to indicate that

direct deposit was not completed, i.e., returned. The returned benefit is cancelled. The Worker receives an alert from RAPIDS. The Worker must contact the client to resolve the issue of the returned benefit. After contact with the client, and if appropriate, the Worker reissues the benefit to the client in the form of a check, using appropriate RAPIDS procedures. See the RAPIDS User Guide.

Any time that a direct deposit transaction cannot be completed, the client is removed from direct deposit and he must re-enroll to receive his benefit in this manner. Until such time as he re-enrolls, he will receive a check.

NOTE: Only the monthly WV WORKS benefit may be received by direct deposit.

(3) Dis-enrollment from Direct Deposit

The client must request removal from direct deposit by submitting a written request directly to the Auditor's Office at the address shown on the enrollment form or by calling the Auditor's Office. Identifying information may be requested.

c. The Initial Benefit

(1) Amount

The initial WV WORKS benefit amount may be different than the ongoing benefit amount.

The initial WV WORKS benefit is prorated from the date that all eligibility requirements are met, including signing the PRC and participating in orientation.

The Worker must inform the client of the benefit of returning all necessary information as soon as possible.

The monthly benefit amount is determined according to instructions in Chapter 10 and prorated. Special needs are not prorated. Instead, the full special need amount is added to the prorated amount.

The date eligibility is established must be coded in RAPIDS.

The system's response to approvals includes both the prorated benefit amount for the first month and the full benefit amount for the following month.

(2) Method of Issuance

The initial benefit is issued by RAPIDS.

d. Ongoing Benefit

The ongoing monthly benefit is determined by the data system, based on income coded in the system prior to the deadline date in the month prior to the issuance month.

2. Diversionary Cash Assistance (DCA)

NOTE: When a case is approved for DCA, the AG must not be required to file a new application for Food Stamps. Food Stamp eligibility must be determined based on the information provided on the WV WORKS application.

NOTE: There is a lifetime limit of one DCA payment for each AG. If an AG contains even one member who benefited from a DCA as an adult or emancipated minor, another DCA payment cannot be made to the AG.

Diversionary Cash Assistance (DCA) is a payment method available only to WV WORKS applicants. This method allows a maximum lump sum benefit of an amount equal to the maximum WV WORKS benefit amount, based on family size, multiplied by 4.

DCA provides an opportunity to relieve a temporary financial need as an alternative to receipt of ongoing WV WORKS payments. When the Worker and the applicant are confident that a one-time payment will meet the temporary need, DCA is explored.

WV WORKS eligibility must be established and an initial assessment conducted by the Worker before DCA is considered.

DCA is available only one time for an applicant family. Acceptance of the DCA payment in lieu of ongoing WV WORKS payments is an option for the client.

a. Determining Financial Eligibility for the DCA

Financial eligibility for the DCA is determined by comparing the gross, non-excluded, countable income of the AG to 100% of the AFDC/U Standard of Need (SON), based on the number of people in the AG.

If the income is equal to or less than the appropriate SON, the AG is financially eligible for the DCA. If the income exceeds the appropriate SON, DCA must not be considered because the client is not eligible for WV WORKS.

It is not necessary to determine the ongoing WV WORKS check amount the AG is eligible to receive to determine DCA eligibility; the only income test is the comparison of gross income to the SON.

b. Determining the DCA Amount

The DCA amount is determined as follows:

- Determine the maximum WV WORKS amount that is payable to a family of the same size.
- Multiply the amount by 4. This result is the maximum DCA payment allowed for the case.
- Determine the amount needed to meet the temporary financial need. The amount may include expenses related to future employment needs and ongoing household expenses.

NOTE: Because payment is limited to one-time-only, the Worker must be certain to include all such needs in this determination. Supplemental payments may not be issued, even if the maximum amount was not used for the first DCA and even if the transaction can be made the same day.

NOTE: Regardless of the amount of the DCA payment, acceptance of DCA does not count toward the 60-month lifetime limit or the 24-month limit. This applies only to applications on 7/1/00 or after. An application approved prior to 7/1/00 has all 3 month counted, even if the payment includes months on or after 7/1/00.

- Compare the amount of the temporary financial need to the maximum DCA amount. If the DCA is sufficient to meet the need, payment is issued for the amount of the temporary need. If the DCA is not sufficient to meet the need, the Worker and the client may determine that the amount that can be met by the DCA is sufficient and that other arrangements can be made to meet the remainder of the need. Otherwise, DCA is not appropriate, and the client is approved for an ongoing WV WORKS check. There are no circumstances under which the maximum DCA payment amount may be exceeded.

c. Determining if DCA is Appropriate

The following guidelines are used to determine if DCA is appropriate.

- The AG must demonstrate a need which cannot be met with current or anticipated family resources.
- A member of the AG must be employed or have a verified promise of employment or other verified source of income within two months of application.
- The AG must be eligible for a WV WORKS check based on the applicant's declaration and the best judgment of the Worker. See Chapter 4 for verification requirements.
- The applicant must agree to accept DCA by signing the Diversionary Cash Assistance Agreement, IM-WVW-3, which lists conditions and expectations.
- Child support received by the parent/caretaker or BCSE belongs to the family and is not used to reimburse the Department for the DCA.
- The applicant must agree to have the WV WORKS application withdrawn. When a DCA payment is accepted, the recipient AG members are ineligible for 4 months, regardless of the DCA amount or the number of months the payment represents. They remain ineligible for 4 months even if they no longer live together. The presence of one AG member who benefited from a DCA, as an adult

or emancipated minor, in the past 4 months, renders ineligible any new AG the member may join. Ineligibility lasts for the remainder of the 4-month period. The first month of WV WORKS ineligibility is the first month for which the DCA is issued.

- For applications approved on or after July 1, 2000 the DCA does not count toward the 60-month lifetime limit or the 24-month limit.
- Transitional Medicaid is available only when all the requirements in Section 16.5,C are met. Eligibility is not automatic.
- DCA payments are not subject to repayment unless fraud is established.

d. Method of Issuance

DCA payments are issued by RAPIDS.

NOTE: Only the monthly WV WORKS check may be received by direct deposit.

e. Verification of Temporary Needs

The DCA payment is not limited to only those needs which can be verified. In addition, the amount of the DCA is not limited to only verifiable costs. When possible, the Worker must verify the need and the amount. However, some anticipated expenses cannot be verified. The Worker is expected to use prudent judgement in determining which needs can be verified and which amounts need verification.

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 the form results in ineligibility for the entire AG. Refusal or other failure, without good cause, to perform any task or to take any other action, never results in a sanction unless it was included in the PRC at the time the refusal or failure occurred. If it was, the appropriate sanction, as found in Chapter 13, is applied.

1. PRC - Part 1

Part 1 of the PRC is the same for all clients. It states the purpose of the WV WORKS Program and lists the client's rights and responsibilities. Each adult AG member must sign Part 1. In addition, the Worker must sign the form as the Department's representative. The client's signature indicates that he understands and accepts the responsibility inherent in the Program. The Worker's signature indicates that he has explained the client's rights and responsibilities and the Department's responsibilities to the client. It also indicates that the Worker has addressed all of the client's questions and concerns before requesting him to sign it.

Some of the items listed on the PRC duplicate information on the OFS-2. However, the signature on the OFS-2 does not substitute for the signature on the PRC and vice versa.

Refusal, without good cause, of the adults to sign Part 1 of the PRC results in ineligibility for WV WORKS for the entire benefit group. Part 1 must be signed prior to approval of the case.

Failure, without good cause, to adhere to the responsibilities contained in Part 1 of the PRC results in imposition of a sanction against the benefit group. See Chapter 13 for information about sanctions.

2. PRC - Part 2

Part 2 of the PRC is specific to each case. It lists the goals for each adult and the assignment/activities necessary to accomplish the goals. In addition, the form identifies the circumstances which impede attainment of the established goals and specifies the support services needed to overcome the impediments. It is a cooperative agreement between the Department and the client. Part 2 must be completed prior to approval of the case. The initial plan may not be complete until further contact is 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.

NOTE: When the client's plan involves requirements or exemptions due to domestic violence or plan monitoring with a domestic violence agency, the Worker must take special precautions when recording exemption information on the PRC or in RAPIDS. No copy of any such plan is filed in the record. The Worker may make phone contacts to monitor the plan and record only general information, i.e.; the name of the individual to whom he spoke, but not the organization; a statement that the current plan is being followed satisfactorily, etc. When monitoring the plan, the Worker must not contact the abuser, his relatives or friends, nor leave any messages regarding domestic violence on any home answering machine. The domestic violence indicator in RAPIDS serves as documentation of the reason for the requirements or exemption.

U. ORIENTATION

Each adult included in the WV WORKS AG must receive orientation to the Program. At the discretion of the CSM, orientation may be conducted in groups or individually.

The orientation session must explain the following items:

- The purpose of WV WORKS
- That work is the first priority of the Program

- The work requirements applicable to the specific family
- The purpose and use of the Personal Responsibility Contract and its relationship to the imposition of sanctions. Samples of the PRC should be given to each participant during orientation when one has not already been completed and when completion of the PRC will not take place during the orientation session.
- The time limit for receipt of WV WORKS
- The time limit for participation in a work activity
- The nature and duration of sanctions, including examples of situations which would result in a sanction and a discussion of good cause.
- A discussion of the Department's efforts to protect the safety of clients in domestic violence situations by choosing the Family Violence Option included in welfare reform legislation. Explain that literature is available in different locations throughout the 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 AG. Attendance is an eligibility requirement and, as such, must be met prior to approval of the case.