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Application Processing

100 APPLICATION PROCESSING

101 Definitions

101.1 TANF/Supplemental Nutrition Assistance Program (SNAP)

The Temporary Assistance for Needy Families (TANF) Cash program has the following four purposes:

a. Provide assistance to needy families so children may be cared for in their own homes or in the homes of relatives;

b. End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;

c. Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and

d. Encourage the formation and maintenance of two-parent families.

The Supplemental Nutrition Assistance Program (SNAP) is federally funded and helps qualifying low-income families or individuals buy nutritious food from local retailers. The amount of SNAP benefits issued to each household size is based on the U.S. Department of Agriculture's Thrifty Food Plan, which is an estimate of how much it costs to buy food to prepare nutritious, low-cost meals. This estimate is changed every year to keep pace with food prices. See manual section C-210 charts for maximum allotments and income levels.

Nevada SNAP benefits are deposited into an Electronic Benefits Transfer (EBT) account for the household to access with an EBT debit card. SNAP benefits can only be used to purchase USDA approved food items. Once approved, the household's ongoing benefits are available the first day of the calendar month.

101.2 Prudent Person Principle

The policies and procedures included in the **manual** are rules for determining eligibility. It is impossible to foresee and give examples for all situations; therefore, staff must use reason and apply good judgment in making eligibility decisions when rare and unusual situations are encountered. Reasonable decisions made by staff based on the best information available using good judgment, program knowledge, experience, and expertise in a particular situation is referred to as the prudent person principle.

Document the rationale used to make a decision and any applicable **manual** references and policy interpretations. When it is impossible or inadvisable to follow the prudent person principle because of a lack of information or program knowledge, follow local office procedures for obtaining an interpretation from Eligibility and Payments (E&P) Program Specialists in Central Office, or submit Form 6018, Policy and Procedure Inquiry requesting clarification or directives, to the Chief of E&P.

Note: Suspicious circumstances should be referred to I&R using Investigative Referral Form (2683-EE).

110 APPLICATION REQUESTS

111 Request for Application

The household or their representative may request an application by contacting the local Division district office or downloading an application from the Division's Web Page at http://dwss.nv.gov. In addition, applicants can be referred to ACCESS Nevada, DWSS's online electronic application.

On the same day the request is received by the Division, mail or directly provide the household a packet that includes:

- Form 2905, Application for Assistance.
- Appropriate program pamphlets
- A return envelope if requested or the application is mailed to the applicant
- Form 2043-EE, Agreement of Cooperation
- Form 2906-EG, Non-Custodial Parent (NCP) Form, for each absent parent

112 Application Assistance

If an individual needs help completing the application, a volunteer or staff member must help. Anyone helping complete the paper application form must initial the parts completed or sign the form showing they helped complete it. Assistance will also be given, if needed, when the household is completing the application online through ACCESS Nevada.

120 APPLICATION EVALUATION

121 Receipt of Form 2905-EG–Application Form or Other Designated Forms

Accept any application form designated for the TANF and/or SNAP programs. Applications may be submitted over the counter, through the mail, faxed or through ACCESS Nevada (DWSS's electronic application). The application must contain the applicant's name, address, and the signature of:

1) the applicant (head of household). The applicant's signature establishes an application for themselves and automatically includes all required household members regardless if anyone is an "ineligible or excluded" member; OR
2) an authorized representative, if the applicant is incapacitated or incompetent.

the applicant (head of household), other responsible household member, or authorized representative. Only one person is required to sign the application for the household.

An application for TANF must be signed by a person 18 years of age or who is legally emancipated.

Individuals under 18 years of age may sign the SNAP application as long as they are not under the parental control of an individual age 18 or older.

An application which is not signed by the head of household or an authorized representative is an inquiry only and must be returned to the household for signature. Do not date stamp nor register these applications into the system.

121.1 Signature Validation

An application (electronic, faxed, or paper) with the original signature of the applicant (head of household) or authorized representative is required. The following signatures are considered an original signature;

- Original signature on a paper application submitted directly to DWSS either in person, through the mail or in a local office drop box.
- An electronic signature when the application is submitted through ACCESS Nevada.
- A signature on a faxed or scanned application.

122 Determining the Application Date

The application date is the day the district office receives an application form containing the applicant's name, address, and appropriate signature. Applications received by the agency outside of normal business hours, either through ACCESS Nevada, faxed or local office drop boxes, are considered received and date stamped the next business day. This is the first day these applications are available to the agency for processing.

Each office must ensure drop boxes are emptied at the close of business and that those applications received during business hours are date stamped the date of receipt and those received after 5 pm are date stamped the next business day.

Page one of the Application for Assistance must be accepted and date stamped on the day of receipt for TANF and SNAP to preserve the actual application date and begin the application process. The remainder of the application form can be requested by mail or obtained at the interview. Households should be encouraged to complete the application form.

***Page one of the application*, with only the applicant's name, address and signature, is always acceptable for SNAP** without the remainder of the application form being completed by the household. SNAP rules require that households be allowed to file a one-page application. However, all essential information and verification needed to make an eligibility determination must still be obtained. The case manager must review the information that appears on the application, and must explore and resolve with the household unclear and incomplete information. The case manager must advise households of their rights and responsibilities during the interview, including the appropriate application processing standards and the household's responsibility to report changes.

123 Scheduling the Appointment

Interviews must be scheduled as promptly as possible to ensure eligible households receive an opportunity to participate within required processing time frames.

TANF TANF TANF TANF TANF TANF	SNAP SNAP SNAP SNAP SNAP SNAP
A decision on the TANF application must be processed within 45 days of the application date. Interviews should be scheduled no later than the 20th calendar day from the receipt of the application. This will allow 10 days for the applicant to provide needed verifications and 10 days for the case manager to process the case to ensure benefits are available no later than the 45th day. **Note:** Joint TANF/SNAP applications must have the interview scheduled within the SNAP time frames. Households applying for both TANF and SNAP must have one single interview. **Exception:** Deny the application without scheduling a face-to-face interview if information on the application form indicates the applicant is ineligible.	Screen the application for expedited service processing. The case record must contain documentation verifying the application has been screened for expedited processing. Expedited service households should be seen the date of application or the next business day in the week of the application to ensure receipt of SNAP benefits by the 7th day after the application date (benefits must be approved on or before the 6th day to meet this requirement). Day one of the 7 days is the day after the date of the application. Households not meeting expedited services should be scheduled no later than 7 days from the application date to ensure benefits are available to the household by the 30th day following the application date. This will allow days for the applicant to provide any needed verifications and 10 days for the case manager to process the case, ensuring benefits are available no later than the 30th day.

124 Registration of the Application

All applications must be entered into the system the day the application is received or the next business day. This is also done for individuals requesting to be included for assistance on an ongoing or pending case. Pending household members must be registered in the system to ensure other agencies/states can obtain correct eligibility information. Mailed/faxed applications are entered into the system the date received in office.

An additional program can be added to the pending application up to and including the day of the interview. If the applicant requests to add either TANF or SNAP to the current application, document the additional program in the case record and update the system. Process the additional program following the appropriate program policy. The effective date of the new program will be the original application date.

If the household requests medical coverage during the interview, complete Form 2110-EM Medical Assistance Addendum.

124.1 Duplicate Assistance Screening

During the registration process, all household members applying for or requesting initial or continued assistance must be screened by **Social Security Number** and **name** to avoid duplicating assistance. Applications received from a household reporting a move from another state must have duplicate assistance verified from the other state by the case manager. Case managers must also verify if any member of the household is currently serving an Intentional Program Violation (IPV) in another state.

Note: Individuals receiving food assistance from Puerto Rico are not considered to have received duplicate assistance from the SNAP program.

125 Withdrawal of Application

An individual may voluntarily withdraw an application anytime before a case decision is made.

If the withdrawal request is made (verbally or in writing) by someone other than the head of household, spouse, a responsible household member, or an authorized representative, contact the household to confirm the withdrawal.

Note: An Administrative Closure action is ***only*** allowed when an incorrect program application is registered in the system.

130 INTERVIEW REQUIREMENTS

131 Interviews

All households must have an interview completed at initial application for TANF and SNAP benefits. Interviews may be conducted in person (face-to-face) or over the telephone in some circumstances. Interpretive services must be provided to individuals requesting assistance. See manual section B-1400 for scheduling of interpretive services.

A **face-to-face** interview ***is*** required for TANF at initial eligibility.

The use of an authorized representative in the interview process is allowable when the head of household's participation in the application process is limited because of their incapacity or incompetence.

Exception: A telephone interview for initial TANF eligibility may *only* be conducted if it is impossible for the household to come to the closest district office due to *unusual* circumstances. Unusual circumstances may include impassable roads, lack of available public/private transportation, remoteness /distance to the office etc., as determined by the office manager.

In lieu of the face-to-face interview, case managers may conduct interviews by telephone for all SNAP households. A face-to-face interview may be scheduled if deemed appropriate (i.e., household is homeless or does not have access to a telephone) or at the household's request.

When conducting telephone interviews, the following conditions must be met:

- A Notice of Missed Interview (NOMI) must be provided to the household if the telephone interview is missed; and,
- The quality of the application process must not be negatively affected. The same information should be requested during the interview and the same verification process should be employed regardless of the type of interview conducted.

All interviews must be pre-arranged in writing with the household. The appointment slip must announce the date and time of the interview. If the applicant does not have a telephone number for the agency to call, an internal office number (this must be a monitored number and cannot be Customer Service) must be provided for the applicant to call at the specified time to complete the interview. A home visit or alternative out-of-the-office interview location can be arranged in writing or verbally with the household or their authorized representative when there are special needs and the household is requesting this service.

An interview is only required once in a 12-month period at initial certification and once every 12 months thereafter at recertification. For 12 month certifications an interview must be completed at every recertification and 6 month certifications must be interviewed at every other recertification. A break in the receipt of benefits during the 12-month period would require an interview if the household reapplies.

132 Missed Interview Appointment

Households who fail to keep their TANF intake interview appointment are denied.

Households who fail to keep their scheduled SNAP appointment are sent a Notice of Missed Interview (NOMI) the business day following the appointment advising them of their missed interview appointment. It is up to the household to contact the office to reschedule an appointment or discuss any hardships in keeping an interview appointment. If the household contacts the office within the 30-day application processing period, the office must schedule a second interview. If the household misses the second interview, subsequent interviews will only be scheduled if the interview can be held within the 30-day period.

If the household does not contact the office or respond to the notice, deny the application for non-cooperation thirty (30) days following the date of the application. The date of the application is not counted in the 30-day count. Applications denied for failure to show for the interview must be denied **on** the 30th day.

133 Eligibility Factors

Explore these eligibility factors during the interview process:

- Residency
- Identity
- Age
- Household Composition
- Relationship
- Citizenship
- Social Security Number
- Income
- Resources
- Intentional Program Violations (IPV)
- Out-of-State Benefits–Duplicate Assistance
- Felony Drug Convictions
- Fleeing Felons, Probation or Parole Violations
- Child Care Expenses

- Earned Income Disregards
- NEON participation (Pre-Approval Work Activities-See A-800)
- State and Federal Time Limits on Receipt of Benefits (See A-2400)
- School Attendance-18 year olds and minor parents.

Substantiated victims of domestic violence may be granted a good cause waiver to not participate in any eligibility requirement to establish cash assistance (see manual section A-2200).

- SNAP E&T Registration/Sanctions
- Shelter Expenses
- Medical Expenses
- Child Support Expenses
- ABAWD Status

133.1 Assessment

A Pre-Screening Assessment (PSA) of the household's circumstances must be completed at application or during the eligibility interview. (Refer to manual section A-2000 for PSA form and instructions).

The assessment results are used to evaluate which TANF Cash program is most appropriate for the household and build a foundation for the household's Personal Responsibility Plan. Once the assessment is complete, have the applicant complete Form 2136-EE, Temporary Assistance for Needy Families Cash Benefit Programs.

134 Rights and Responsibilities

Before ending the interview, ensure the following has been done:

- The required fields on Form 2905 or another designated application form are complete and signed.
- Any changes that occurred since the application was filed have been reported.
- The applicant has read, signed and understands the rights and responsibilities explained on the application form, regarding the information provided for all programs the household has applied for.
- The Affirmation/Declaration of U.S. Citizenship/Legal Non-Citizen Status has been signed.
- The NEON and Child-Only citizen TANF assistance applicant has read and completed Form 2906-EG, Non-Custodial Parent (NCP) form, and understands the rights and responsibilities of the Child Support Enforcement Program and the non-compliance penalty (see manual section B-900). Provide the Form 2906 to any applicant who requests information about claiming good cause. Ensure both the applicant and the case manager have signed the Form 2906.
- The applicant has read the Explanation of SNAP Rights/ Responsibilities, and understands the household's reporting requirements, penalties for voluntary quit, SNAP Employment and Training (E&T) noncompliance, program violations and other disqualifications/sanctions. Explanation of limited benefits for certain able bodied adults without dependent children (ABAWDS) should also be provided to applicants.

- The applicant has read, understands and signed the Domestic Violence Awareness, Form 2678-EG.
- The applicant has read, signed and understands the Agreement of Cooperation, Form 2043-EE.

135 Pending Information

During the interview evaluate if all required verification can be obtained by the case manager through an electronic source available to the agency or collateral contact sources. Households are responsible for furnishing verification or information to establish and maintain eligibility.

If the required verification cannot be obtained during the interview, determine what sources of verification are readily available to the household and request them first if you expect them to be sufficient proof. Allow at least ten (10) calendar days (the day after the request date is the first day of the 10-day period) to provide requested information, unless a shorter time period is ***agreed to*** in writing. The due date must be a business day, therefore, if the 10th day falls on a weekend or holiday, the due date is the next business day. If all required information is received, process the case and issue benefits. If information is not provided or postmarked within the time period given, deny the application.

Deny TANF the day after the verification is due.

SNAP cases are not denied until the 30th day after the date of application. The day after the date of application is the first day of the 30-day count.

Example: The SNAP household applies on 12/1/01, is interviewed on 12/2/01 and required verification is requested with a due date of 12/11/01. Household fails to provide information as requested and there is no further contact. The application would not be denied until 12/31/01, which is the 30th day after the date of application, or the next business day if this date falls on the weekend or a holiday.

Give the applicant Insufficient Information Form 2429-EE, explaining what is needed, the date the information is due, and the date the application will be denied if the information is not received. File a copy of Form 2429-EE with the current application, reflecting the verification request due date. Form 2429-EE must be maintained in the case record even after the return of the requested information.

140 EXPEDITED SERVICE

All SNAP applications must be screened for expedited services at the time of receipt. Expedited service criteria is only evaluated for circumstances that exist in the month of application.

141 Expedite Eligibility Criteria

Households are entitled to expedited service if one of the following criteria is met at the time the application is received. All expedited criteria must be evaluated for the month of application only.

- The household has

  --- reported liquid **resources** totaling **$100** or less, **and**
  --- reported gross monthly **income** totaling less than **$150, OR**

- The household's reported liquid resources and reported gross monthly income total less than the current monthly expenses for rent/mortgage and utilities. Determine the household's allowable utility expense based on their appropriate utility allowance (SUA, LUA, IUA or TUA). For instance, if the household has rent of $400 and pays heating and cooling costs, the monthly expense would be $659, $400 + $259.

A household that reapplies during its last benefit month does not qualify for expedited service. Households who have received SNAP benefits from any source, including out of state benefits or SSI payments from a cash out state (California), in the application month, are not entitled to expedited services as benefits cannot be duplicated for the current month.

For households entitled to expedited service, the worker will:

- postpone all verification except identity until 10 days following the date of the interview, and
- if eligible, authorize benefits the day of the interview or the next business day in the same week they apply.

In the following situations, evaluate if benefits can or **cannot** be authorized the same day the application is received:

- Applicants who file late in the day and cannot be interviewed that same day — Interview the applicant the next business day within the same week of the application.

  Note: Interview and approve the household the same day if the office will not be open the next business day.

- Households who submit their applications through the mail or drop them off either at the front desk or in the drop box must have their applications evaluated the **same day** the application is **received**. If the household meets expedited criteria and has a telephone number, contact the household the day the application is **received** and complete the interview while on the telephone, or schedule an appointment the next business day if the applicant is unable to complete the interview at that time.

- If the household cannot be contacted by telephone, mail Form 2565-EE, Application Information & Interview Appointment Notice, the **same day** the application is received, scheduling the appointment **no later than the 6th day** from the application date.

  If the household is also applying for TANF, schedule a joint SNAP/TANF appointment at that time.

- Applicants in drug or alcoholic treatment centers or group living arrangements — Provide benefits so individuals receive their SNAP benefits by the seventh day after the application date.

- Joint SNAP/SSI applicants released from public institutions — Authorize benefits so the individual receives their SNAP benefits within seven days after release from the institution.

142 Limit on Expedited Service

There is no limit to the number of expedited certifications for a household if it:

- provides the verification postponed at the last expedited certification, OR
- was certified under normal processing procedures since the last expedited certification.

Note: Households not entitled to expedited service shall have their application processed according to normal standards. Households may request a conference to contest a denial of expedited service. Conferences shall be scheduled within two (2) working days, unless the household requests a later date.

143 How To Determine Eligibility for Expedited Service

		Yes	No
1.	Does the applicant's application and statement indicate eligibility for expedited services based on eligibility criteria in section A-141?	☐ **Go to Step 2**	☐ **Not Eligible - Stop**
2.	Has the applicant received expedited services before?	☐ **Go to Step 3**	☐ **Go to Step 4**
3.	Has the applicant provided all postponed verifications from the previous certification or has the applicant been certified under normal 30-day processing since the last expedited certification?	☐ **Go to Step 4**	☐ **Not Eligible - Stop**
4.	Does the applicant or authorized representative (AR) being interviewed have proof of identity?	☐ **Stop - Eligible to Process**	☐ **Not Eligible Until ID Provided**

144 Late Determinations/Date of Discovery

A Date of Discovery must be used for households that:

-- are not identified as entitled to expedited service when the application is filed. Expedited processing begins on the day the office becomes aware the household is entitled to this service.

-- miss their original expedited appointment. If the household subsequently contacts the office, conduct an interview the **earliest** date possible. Expedited processing begins the day the household is interviewed.

-- do not provide proof of identity the day of the interview. Expedited processing begins when proof of identity is provided.

145 Verifications

Applicants entitled to expedited services must verify their identity before receiving their initial benefits, **unless** an authorized representative (AR) applies for the household.

When an AR applies,

- verify the AR's identity, and
- postpone verification of the head of household's identity if necessary to meet expedited time limits.

Postpone all other verification until after the household receives its initial month's benefits, unless the verification

- is provided by the household at the interview, **and**
- **is acceptable**.

145.1 Social Security Numbers (SSNs)

Include household members for the initial month's benefit even if they fail to provide or apply for an SSN at the interview.

Disqualify those individuals who fail to provide or apply for an SSN without good cause before the next benefit month.

145.2 Work Registration

Every SNAP household member age 16 through 59 must be registered in the SNAP Employment and Training (E&T) program as a condition of eligibility, unless

- otherwise exempt from work registration, or
- an AR is applying for the household.

Registration of other household members may be completed, but will be postponed if verification or registration cannot be accomplished within expedited time frames.

145.3 Citizenship

Household members whose citizenship is questionable can receive benefits with the household in the initial benefit month. They must provide verification of citizenship, along with other postponed verifications.

Note: Eligible non-citizens subject to sponsor deeming, who are waiting for proof of information from the sponsor, are ineligible until the information is provided. The remaining household members may participate if eligible.

146 Certification Period Assignment

Assign usual certification periods even if verifications are postponed. See manual section A-1800 for certification policy. Households applying between the 1st and the 15th of the month will receive one month of benefits (prorated based on the application date) pending the return of the requested postponed verifications. Households filing an initial application after the 15th of the month are approved for two months if otherwise eligible. The initial month's benefit is prorated and the second month is a full month's benefit.

146.1 Postponed Verification

Provide Form 2429-EG, TANF/SNAP Notice of Insufficient Information, stating what information is needed, the date it is needed, and that the household must provide the postponed verification/information within ten (10) days from the date of the request.

If the household furnishes the postponed information timely, or by the effective date of the closure, the certification period continues uninterrupted.

If the household fails to provide the requested postponed verification, the case will be terminated for lack of cooperation, effective the end of the first month or at the end of the second month for households applying after the 15th of the month. Households who provide all postponed information, but fail to provide requested verification of medical, child support or child care expenses, will not have their benefits terminated but will have ongoing benefits calculated disallowing those unverified expenses.

Example: Household applies on 4/20, is approved expedited on 4/21. The household is approved for two issuances (one prorated for April and one full month's benefit for May). Because April and May benefits are issued at the same time, June is the first benefit month impacted by postponed verification rules. If the household does not provide postponed verification within 10 calendar days, benefits are terminated effective June 1.

Households terminated for failure to furnish postponed verification must submit a new application if they want additional benefits. To receive additional benefits, the household must satisfy the previous postponed verification **OR** be certified under normal 30-day processing standards.

A household whose verification is postponed is entitled to receive continued benefits pending appeal.

146.2 Benefit Issuance

Issue benefits for the initial approval month and second month where appropriate, based on the date of application, unless there is an ineligible period.

150 REMINDERS

Before concluding an interview, the following items must be completed:

1. Ensure all the questions (based on programs applied for) are answered and each item initialed (where required) on the application and it is signed and dated;
2. Provide the applicant the Change Report – TANF and SNAP, Form 2584, and explain the appropriate change reporting requirements;
3. Inform the household of the right to appeal any action that affects eligibility or benefits;
4. Document the status of any unpaid overpayments and explain any recoupment action;
5. Inform the household by completing the voter registration section of the application or declining to register will not affect eligibility or benefit amounts, and;

    - A decision to decline to register remains confidential and used only for voter registration purposes; and
    - A complaint can be filed with the Secretary of State, Capitol Complex, Carson City, Nevada 89710, if they believe someone interfered with their right to

        - register or decline to register to vote; or
        - privacy in deciding whether to register or apply to register to vote.

    If the household member answers “Yes”, provide a Voter Registration Application. Explain:

    - assistance, on request, will be provided in completing the voter registration application form;
    - the registration application may be completed in private and mailed at their convenience; and
    - information regarding the office where the form originated will remain confidential and will not be used for voter registration purposes.

    If the household member answers “No”, request they sign and date the form indicating their declination. If there is no response on the form, it is treated as a declination.

    If the individual completing the interview is an authorized representative (AR) or payee, request the AR give the head of household the Voter Registration Application form. Document the form was provided to the AR or representative payee.

    Do not pend the case or delay benefits for completion of the voter registration section. This section is not an eligibility requirement.

Staff are prohibited from:

- influencing an individual's political preference or party registration;
- displaying any political preference or party affiliation; and
- making any statement to an individual where the purpose or effect is to discourage them from registering to vote.

Provide the toll-free telephone number of the Secretary of State, Carson City, Nevada 89710 (1-800-992-0900) or the number of the local county voter registration, for voter registration questions.

6. Provide the applicant with all related program pamphlets.

7. Provide the applicant with community resource information and make referrals as needed.

160 CLIENT COOPERATION

All clients are required to furnish information and/or documentation necessary to establish initial and continuing eligibility in order to receive TANF cash assistance or SNAP benefits. If a caregiver or household fails or refuses to cooperate with the DWSS district office, Quality Control (QC) or other designated Division officials in providing information which would impact pending or ongoing eligibility/benefits, the case will be denied or terminated.

Households applying for or receiving TANF cash assistance must also cooperate with interview requests from Investigations and Recovery.

In a non-cooperation situation resulting in denial or termination, allow applicable adverse action and provide legal notification.

160.1 Quality Control (QC) Cooperation - SNAP

Failure to cooperate with Nevada's Quality Control can result in ineligibility to participate in SNAP until compliance **or** up to 125 days from the end of the federal review period in which non-cooperation occurred. The federal review period is from 10/1 through 9/30 each year. QC will notify the case manager in writing of SNAP non-cooperation and the period of ineligibility. If the household reapplies during the ineligible period wishing to cooperate, advise the client to contact the QC unit in Central Office.

If the household fails to cooperate and reapplies after the ineligible period, the

household will be subject to 100% verification of ALL eligibility requirements, even those that are not questionable. Due to the requirement to provide 100% verification these households are not eligible for expedited services until eligibility has been reestablished.

Notify QC of:

- terminations due to lack of cooperation with QC; and
- re-application during a QC determined ineligible period.

170 SNAP VOLUNTARY QUIT – INTAKE AND ONGOING

If an applicant or participating household reports the loss of a source of earned income, determine whether the individual voluntarily quit their job.

171 Applying Voluntary Quit

Voluntary quit procedures do not apply to people who

- Meet federal SNAP E&T exemption;
- End a self-employment enterprise;
- Resign a job at the employer's demand;
- Are currently on strike;
- Quit to take an equal or better job (See manual section A-800); or
- Obtain a job comparable to the one that was quit. A job is considered comparable if it involves:
  - equal or increased salary or hours; or
  - fewer hours or smaller salary, with the belief the new job offers better chances to improve job skills or better advancement opportunities.
- Have a good cause for terminating employment or reducing their work hours (See manual section A-800 for good cause reasons).

Voluntary quit procedures apply to

- Any local, state, or federal government employee who loses the job because of participation in a strike;
- A member who leaves a job unannounced or does not return to work without good cause. **Note:** If an employer states the client was fired or laid off, voluntary quit procedures do not apply.

171.1 How to Determine If Voluntary Quit Applies

	Yes	No
1. Has a household member quit their most recent job(s) within 60 days before the application date or anytime after?	☐ Go to Step 2.	☐ Not Applicable. Stop.

If the client voluntarily reduces their hours below 30 hours per week or reduces their hours so they earn below the equivalent pay of 30 hours per week at minimum wage, continue to evaluate voluntary quit.

Example: Client works two jobs both at 15 hours a week and quits one job; the remaining job does not pay the equivalent to 30 hours per week at federal minimum wage, this is a voluntary reduction in hours.

		Yes	No
2.	Did the job(s) involve at least 30 hours per week at federal minimum wage or equivalent earnings? Or, if the applicant worked two jobs, did the job the applicant quit supplement the continued job's hours or earnings to meet 30 hours per week at federal minimum wage or equivalent earnings?	☐ Go to Step 3.	☐ Not Applicable. Stop.
3.	Did the person have good cause for quitting the job(s) or voluntarily reduce their hours? (Refer to A-800 for the determination of good cause).	☐ Not Applicable. Stop.	☐ Go to Step 4.

4. The voluntary quit penalty applies. The household member is disqualified.

172 Apply the Voluntary Quit Penalty

Applicants are disqualified beginning with the first benefit month.

Ongoing individuals are disqualified with the first benefit month administratively possible if reported and acted upon in a timely manner. (See manual section B-900 for applicable penalties.)

If the individual quits but does not report the quit or the quit action is not acted on timely:

- Apply any remaining penalty after adverse action ends, and
- Calculate a claim for any months the household was issued a disqualification notice, but the disqualification was not imposed timely.

The disqualification continues even if the certification period ends before the end of the disqualification period.

If an individual who has voluntarily quit a job moves to another household, that individual is ineligible for the remainder of the penalty period.

The voluntary quit penalties are listed in manual sections A-800 and B-900. Disqualify the SNAP participant who voluntarily quits a job without good cause for the minimum time and until compliance. Apply the applicable time period based on the first, second and third violation.

Notify the household within 10 days of learning of the voluntary quit, even if the case is closed or denied for another reason, except:

If the quit is determined/discovered...	Then...	
prior to approval	disqualify the individual starting with the first benefit month. **Note: If the household splits into more than one household, the sanction shall follow the member who caused the disqualification.**	
after approval but early enough to prevent issuance of the last SNAP benefits,	disqualify the individual starting the first month after the adverse action notice period ends.	
too late in the certification period to prevent issuance of the last month's benefits,	**If the household...**	**Then...**
	reapplies before the end of the certification period,	disqualify the individual for the full disqualification period. Notify the individual they are ineligible beginning with the day after the last certification period expires.
	does not reapply by the last day of the certification period.	on the last day of the certification period • send the individual notification they are ineligible for a specified period, and until they comply by obtaining a comparable job, beginning with the first day after the old certification period expires.

173 Reestablishing Eligibility During the Penalty Period

Once applied, re-establish eligibility during the penalty period only if:

- The individual who quit
  - meets a federal SNAP E&T exemption; or
  - obtains a new job comparable to the one that was quit. A job is considered comparable if it involves one of the following:
    - equal or increased salary or hours; or
    - fewer hours or smaller salary, with the belief the job offers better chances to improve job skills or better advancement opportunities.

180 CATEGORICALLY ELIGIBLE HOUSEHOLDS

Households meeting categorical eligibility are not subject to the normal gross income and resource tests. Categorically eligible households are exempt from resource verification for SNAP eligibility.

Categorically Eligible Households

Categorically eligible SNAP households are households where **all** members receive one of the following benefits:

- TANF;
- Supplemental Security Income (SSI);
- Interim Assistance, County or Indian General Assistance; or
- a combination of these benefits.

Households are also categorically eligible if at least one member receives one of the TANF benefits below, as long as the TANF benefit is considered to be for the entire household (i.e., ineligible, non-citizen members).

Categorical eligibility does not apply to households:

- if any member is disqualified from SNAP for Intentional Program Violation (IPV);
- if the SNAP head of household is disqualified because they failed to comply with SNAP Employment and Training work requirements or workfare;
- if any SNAP household member is ineligible due to a conviction for a drug-related felony.

180.1 Receipt of TANF Benefits

Categorical eligibility is limited to the month in which the household received one of the following TANF funded benefits:

- **TANF Cash** – Temporary Assistance for Needy Families cases including NEON, Child-Only, TEMP and SSG;

  - Have an active TANF case but benefits are suspended or recouped; or
  - Receive zero benefits because their TANF benefits are less than $10,

- **Job Retention Bonus Payment** – TANF-funded incentive payment designed to reward an individual for keeping a job for 6 months or more. Ongoing or terminated households who provide proof of retaining a job with an average of 25 hours per week for 6 months may apply for and receive a one-time work allowance bonus of $350. Certification for the TANF work allowance bonus will qualify the household for categorical eligibility status for the current certification period effective with the benefit month the bonus is received. Because the payment cannot be anticipated, categorical eligibility will be applied to the current certification when issuance of the one-time bonus payment becomes known or retroactively upon discovery (e.g., SNAP benefits are approved March 1st through September 30th. On May 15th, the worker discovers the TANF bonus was paid to a household member on May 10th. Categorical eligibility is applied to the month of May only.)

- **Contracted Services** – TANF-funded contract services for substance abuse and/or domestic violence services when the TANF grant is zero due to a sanction or a case is pending TANF grant approval. Because contracted services cannot be anticipated, categorical eligibility will be applied to the current certification period when these services become known or retroactively upon discovery (e.g., SNAP benefits are approved March 1st through September 30th. On May 15th, the worker discovers a household member received TANF-funded services for substance abuse on May 10th. Categorical eligibility is applied to the month of May only.

- **Support Services** – TANF-funded supportive services which are available to applicants and recipients include transportation services, and special needs (e.g., bus passes, cab fare, clothing vouchers, reimbursements for vehicle repairs, etc.). Because these services cannot be anticipated, categorical eligibility will be applied when the services become known or retroactively upon discovery (e.g., SNAP benefits are approved March 1st through September 30th. On May 15th, the worker discovers that a household member received supportive services on May 10th, the categorical eligibility is applied to the month of May only.)

180.2 Expanded Categorical Eligibility

Categorical eligibility will be expanded to include all SNAP households whose gross income is equal to or below 200% of Poverty and who receive the updated "This Is Your Copy" page of the Application for Assistance that includes the following text:

Utilizing TANF funds, DWSS through the Nevada Public Health Foundation (NPHF), has developed a class to target pregnant and parenting teens receiving TANF cash assistance. Teen parents receiving TANF benefits and services are known as STARS (Supporting Teens Achieving Real-life Success) participants. This class has been expanded to include other pregnant and parenting teens receiving other forms of assistance such as SNAP and Child Welfare. This one-day class places emphasis on employment, success in the workplace, decision-making, money management and health, such as birth control and sexually transmitted diseases. In addition, Community Action Teams, an entity of the Nevada Public Health Foundation, conducts community assessments of teen pregnancy and its prevention and identify potential methods for reducing teen pregnancy through abstinence-based programs. Youths, parents, business, churches, health care providers, law enforcement, schools and other organizations are encouraged to serve on the Community Action Teams. Men of all ages are also encouraged to serve as positive role models, reinforcing the postponement of sexual involvement message.

180.2.1 Determination of the SNAP Household Size for Expanded Categorical Eligibility

When determining the household size and income limit for the 200% of Poverty, include all household members whose income is countable to the SNAP household. This includes individuals disqualified due to ineligible non-citizen status, SSN non-compliance, IPV disqualification, SNAP E&T disqualification, fleeing felons, ineligible drug felons and ineligible ABAWDS.

181 Minimum Payment/Prorated Payments to Categorically Eligible Households

Households determined eligible for categorical eligibility receive a minimum benefit or are placed in suspense status if eligible for a zero benefit.

Households containing:

- One or two eligible members will receive
  - a pro-rated benefit based on the minimum monthly benefit for the application month; or
  - the current minimum monthly benefit.
- Three or more eligible members will:
  - receive a pro-rated benefit based on a benefit less than the current minimum monthly allotment for the application month; or
  - receive a reduced benefit if the calculated benefit is less than the current monthly minimum benefit; or
  - be placed in suspense status if determined eligible for a zero benefit.

182 SNAP Categorical Eligibility Screening Test (Form 2152-EF)

All SNAP cases being denied or terminated/closed for excess income or excess resources **MUST** be screened for categorical eligibility using Form 2152-EF, SNAP Program Categorical Eligibility Test, to ensure benefits continue to be available to categorically eligible households. Upon completion of the form, the original (white) copy of the form **must be** maintained in the case jacket to document the screening was done for federal and state compliance purposes.

190 TANF/SSI HOUSEHOLDS APPLYING FOR SNAP

191 Joint TANF/SNAP Applications

A household in which all members are applying for or receiving TANF cash may apply for SNAP at the same time the household applies for TANF cash. The case manager conducts a **single interview** for both programs.

Verifications provided for TANF or SNAP may be used for both programs.

Do not delay the eligibility decision in one program when all the verifications are completed for that program, but not for the other.

191.1 SNAP Approval When Receipt of TANF is Uncertain

When TANF eligibility is uncertain:

1. Determine the household's SNAP benefits using regular SNAP processing requirements;

2. assign a normal certification period;

3. send a Notice of Decision, including a statement of the amount of SNAP benefits, and notification that SNAP benefits may be adjusted upon the approval of TANF benefits.

192 Joint SSI/SNAP Applications Filed in the Social Security Office

192.1 Eligibility Requirements

Households whose members are all applying for or receiving SSI may apply for SNAP at the Social Security Administration office unless they already have an application for SNAP pending.

These households are not required to come to the local office to apply or reapply. If more information is needed, contact them by home visit, telephone, or mail.

192.2 Initial Application

SSA accepts and may assist the household in completing the Application for SNAP-SSA during the SSI interview. SSA offices maintain a supply of applications. SSA forwards the following items to the local office within one business day after the application is received:

- <u>Form 2001-EF – Application for SNAP Benefits – SNAP uses a different application, Form 2001-EF, for SSI/SNAP recipients who apply through the Social Security Administration;</u>
- a transmittal sheet (Form SSA-4233); and
- any verification SSA has received.

Once the application is forwarded, if SSA receives additional verification it will also be sent with Form SSA-4233.

Note: The date of application is the date SSA receives the application. SSA notes this date on Form SSA-4233. The 30-day processing time limit begins with this date.

192.2.1 Expedited Service

SSI households are entitled to the same expedited procedures as other households **except** expedited service processing time frames begin with the date the application is received in the DWSS office.

Staff at SSA

- screen the application for expedited service on the day the application is received;
- indicates "Expedited Processing" on the first page of the application if the household appears to be eligible; and
- forwards the application within one business day.

The household may also take the application to the local office.

192.3 Work Requirements and Voluntary Quit

Household members who apply jointly for SSI and SNAP at the Social Security office **are exempt from work requirements** until SSI eligibility is determined.

192.4 Special Review

Future action households who apply jointly for SSI and SNAP to verify their SSI status after three months.

192.5 Verification of SSI Status

Verification of SSI status may be obtained through the State Online Query (SOLQ), State Data Exchange (SDX) system interface, documentation provided by the household (e.g., copy of the check or award letter), or other information which shows the benefit amount.

192.6 Notice of Expiration

A Notice of Expiration (NOE) is sent to an SSI household using the same time frames as other households. The NOE informs the household they may reapply at the Social Security Office and are eligible for a telephone interview for recertification.

Note: A face-to-face interview is **<u>not and cannot be required</u>**; however, if a household requests a face-to-face interview, one must be conducted.

192.7 Reporting Changes

Households whose applications have been processed jointly are subject to the same change reporting or simplified reporting requirements as other SNAP households.

Information on the household's SSI benefit is automatically provided through the interface screens via INFC. Information received through an interface is reacted to as any other change.

192.8 Recertification

Households in which all members are applying for or receiving SSI may file a reapplication for SNAP at SSA.

The SSA office sends

- the application,
- transmittal sheet (Form SSA-4233), and
- any available verification to the local office.

193 Joint SSI/SNAP Applications Filed in Public Institution

A resident of a public institution may jointly apply for SSI and SNAP while in the institution by completing a single application before they are released.

The Social Security Administration

- obtains the complete SSI/SNAP application and conducts the interview for both programs.
- forwards the application to the local DWSS office with any verifications for processing. The words “PRE-RELEASE” will be written in large letters on the first page of the application.

Upon receipt in the local DWSS office

- pend the application until notified of the impending release date of the inmate. This should be received prior to the inmate’s actual release. The release date is the date of application.
- once notified, SSA provides residence and household composition information about the inmate. If SSA does not have the information, the inmate or institution must be contacted.
- application processing time frames are effective the date of release. Process and certify the application normally, including entitlement to expedited service.

If the inmate is not released, deny the application, as the residence is an ineligible institution.

If the inmate is...	Then...
eligible for expedited services	• certify within expedited service time frames, and • issue benefits, or • transfer the case to the appropriate office if applicable.
not eligible for expedited services	• certify the application using normal time frames, and • issue benefits, or • transfer the case to the appropriate office if applicable.

IMPORTANT: Future action (FACT) the case in the system to verify SSI eligibility in the third month of certification.

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Verification and Documentation

200 VERIFICATION

Verification is the actual proof of certain eligibility or case management factors, such as income and resources needed to approve initial or continue ongoing benefits. When verification is not available to the case manager through an electronic source or collateral contact, households are responsible for furnishing verification or information from which verification may be obtained to establish and maintain eligibility.

The case manager shall secure verification, prior to approval of benefits, of all required factors of eligibility and those factors which the case manager determines are questionable and affect the household's eligibility and benefit level. Case managers must **not** request verification which already exists in the case record such as citizenship, SSN, identification, trust documentation, etc.

Receipt of required verifications, with the exception of identity, is not required for expedited processing.
If postponed verifications are required, ongoing SNAP benefits cannot be released until the requested verification is received.

205 DOCUMENTATION

Documentation tells a story to support the decision made by the case manager. Documentation must be clear, concise and to the point. There must be enough information so anyone reviewing the case can determine the reason, logic and accuracy of the case manager's decisions and actions.

Examples of actions required to be documented (not all inclusive):

- Approval of benefits
- Denial of benefits including the denial reason
- Any updates to the case which result in an increase or decrease of benefits.
- Termination of benefits including the reason the case is being terminated
- TANF CSEP non-cooperation and TANF non-cooperation with PRP (3 month sanction sit-out)
- Changes reported by the client or any other source
- Change in an alternate payee or authorized representative
- Updates of address, telephone number, etc.
- Change in household composition

- Conferences and hearings
- Significant client contacts (concerns or complaints from the client)
- Date of birth/Date of death
- Any exception to normal case processing activities.

210 TYPES OF VERIFICATION

210.1 Primary Source

This type of verification occurs when the case manager obtains information through an electronic source or receives a hard copy of the document(s) from the household, including information provided by an employer, landlord or other source.

210.1.1 Verification Received Through Inquiry Systems/Interfaces

The case manager must **not** request from the household any verification available to the agency through an electronic source including inquiry systems or interfaces. This includes verification from the following sources (not all inclusive):

- The Work Number
- ESD/ANSRS
- SSAR
- BENDEX
- SDX
- Nevada Vital Statistics
- Child Support Interface in SAM
- WebIZ (Immunizations)
- NOMADS

210.1.2 Verification Obtained Directly from the Household

If the required verification is not available through an electronic source or a collateral contact, the household is responsible for providing verification or evidence needed to prove their circumstances. This includes, but is not limited to, pay check stubs, rent receipts, utility bills, bank statements, birth certificates, Social Security cards, alien registration cards and driver's licenses. This also includes DWSS forms (e. g., 2074, 2488, etc.) used to verify any eligibility factor.

If the case manager is unable to obtain the verification to process eligibility, the information must be requested from the household. The case manager must complete and provide the household Form 2429, Request for Information giving the household at least 10 calendar days to provide the needed verification. A period of less than 10 days can be given if agreed to by the household in writing.

When a household or individual is attempting, but is unable to provide the information by the date specified in writing, extend the due date to allow time for the additional information. Document the case record with the extended due date and reason.

210.2 Secondary Source – Collateral Contacts

These contacts are made by telephone to landlords, employers, utility companies, Social Security Administration, drug treatment facilities, etc., to verify information necessary to make an eligibility determination. Try to make these types of telephone calls when the household is present, if possible, although it is not necessary for them to be present.

The case manager must document the results of the collateral contact in the case record. The entry must include (not all inclusive) who was contacted (including the person's title and company name, if applicable), the telephone number of that person, the date the contact was made, and all the information the case manager obtained and used to make an eligibility decision.

The case manager cannot require the household or authorized representative to submit additional verification when they have provided adequate sources of verification, UNLESS the verification provided is inaccurate, incomplete or inconsistent.

210.3 Visually Viewed

Any document that cannot be copied or is viewed outside the office environment must be recorded. Documentation requirements must include all pertinent information including:

» Name(s)
» Document type(s)
» Date(s)
» Document/Certificate and/or registration number (if applicable)
» Dollar amount(s) (if applicable)
» Date the information was viewed
» The case manager's signature and title

210.4 Other Verification — Client Statement/Self Declaration

Unless allowed by current policy, this type of verification may be used when all attempts at primary or collateral contacts have been exhausted or there is undue hardship to the household if they are required to pursue obtaining certain verifications. Acceptance of this type of verification must be fully justified. Document the reason why you are accepting a client statement.

A client statement may be used as proof of income when the individual does odd jobs from various sources and cannot obtain verification, or if the third party who is required to complete a form or statement on behalf of the household refuses to do so (this is known as third party non-coop).

Do not use client statement for citizenship, identity, qualified non-citizen status, dependent care, child support or medical expenses, disability, proof of pregnancy and expected date of delivery, age if under 19 (for TANF), SSN (when there is a discrepancy), felony drug treatment programs or any information which is questionable.

The case manager may need to combine verification with other corroborating verification or documentation, such as signed application or a positive or negative allegation of income, resources, household composition, combined with other secondary verification(s).

215 EVALUATING VERIFICATION

As the case manager obtains verification, they must evaluate the evidence to ensure it:

1. Meets the verification requirements for the program element.
2. Does not conflict with other evidence, or that the conflicts are resolved and documented.
3. Proves (either by itself or in combination with other evidence) the facts being verified.
4. Pertains to the case member(s) or other individual(s) to whom it is supposed to apply.
5. Establishes the program element for the appropriate benefit and corresponding budget month.

220 QUESTIONABLE INFORMATION

Questionable information is defined as unclear or inconsistent information on the application, or contradictions with the previous application, redetermination, recertification or statements made by the household, authorized representative, or with other information received by the agency.

Consider the household's statements on the application or during the interview **questionable** if they:

- are contradictory

  Example: Household states they have had no income for several months, but the application shows $150 cash on hand.

- do not agree with information in the existing case record.

Example: Household states they have no resources. An earlier application was denied because bank accounts and property were over the resource limits.

- do not agree with other information the case manager has.

  Example: Household states no one in the household has worked yet the worker has an ESD interface or The Work Number verification showing an employment history.

- do not adequately explain the household's circumstances.

  Example: Household states they have not paid rent or utilities for several months, but they have not been evicted or had utilities cut off; or, they have a car payment of $350 per month which has not been paid for months and the car has not been repossessed.

When questionable information from another source contradicts statements made by the household, the case manager must document why the information is questionable. The household must be provided an opportunity to clarify the matter.

Allow the household an opportunity to resolve any discrepancy by providing proof or designating a suitable collateral source.

225 VERIFICATION AND DOCUMENTATION AT INITIAL APPLICATION/ RECERTIFICATION/REDETERMINATION/REPORTED CHANGES

It is important to substantiate positive or negative allegations (e. g., income, resources, household size, living arrangement, separate food unit, relationship, residency, citizenship, etc.) claimed by the household through primary, secondary or other means of verification or a combination of verification methods.

Cases selected for a federal Quality Control (QC) review must undergo reviewer verification of all basic elements of eligibility and anything which is unverified or discrepant. QC home visits and collaterals can also be used as a source of verification.

Verification of exempt resources and income must not be requested by the case manager.

Use the following list to determine what type of verification/documentation is required for each eligibility factor.

» Verify: Obtain actual proof of the situation such as collateral contact or hard copy documentation including paystubs, birth certificates, etc.
» Document: Note in the case records the status or details.
» Interface: The information is available through the computer interface.
» Discrepancy: Verify **only** if there is a discrepancy.
» Countable: Income and/or resources used to determine eligibility.
» Questionable: Verify the information **only** when it is questionable.
» Client Statement - Client Statement is acceptable verification.

225.1 Initial Application/Adding New Household Members

Eligibility Factor	SNAP	TANF
Nevada Residency	Client Statement	Client Statement
Identity of head of household and authorized representative (if any). Although a picture ID is preferred it is not required.	Verify	Verify
Duplicate assistance and out of state benefits (includes commodities and SSI cash out benefits)	Verify	Verify
Household Composition	Questionable	Verify single parent households. Verify two parent (including a step parent) households only when supportive information indicates Household Composition is questionable.
Separate Food Units	Questionable	N/A
Living Arrangements (TANF Minors)	N/A	Verify
Relationship	Questionable	Verify
Citizenship	Questionable	Verify
Qualified Non-Citizen Status	Verify	Verify
Social Security Number	Verify	Verify
Age	Questionable	Verify
Disqualifications/Sanctions (includes non-cooperation with PRP and/or CSEP, ineligible students, SNAPET and voluntary quit, etc.)	Document	Document
Felony Drug Conviction – Completion of SAPTA/Agency Approved Program	Verify	Verify
TANF time limits	N/A	Verify and Document (TANF NEON and TANF Loan)
ABAWD time limits	Verify and Document	N/A
Earned and Unearned Income	Verify	Verify
Self Employment (income & expenses)	Verify	Verify
Income Disregard Status	N/A	Document

Income Interfaces (ESD, Social Security, The Work Number, etc.)	Interface	Interface
Stepparent Status	N/A	Document if Questionable
Disability/Incapacity	Verify	Verify only for TANF NEON
Incurred Expenses (dependent care, medical expenses, child support)	Verify	Verify
Standard Utility Allowance	Client Statement/Verify if Questionable	N/A
Shelter Costs (rent, mortgage, taxes, insurance, etc.)	Client Statement/Verify if Questionable	Verify Rent Subsidy
Resources	Verify if Countable	Verify if Countable
Cooperation with Child Support	N/A	Document only TANF NEON & TANF Child
Pregnancy and Estimated Due Date	N/A	Verify
Pursuit of Available Benefits	N/A	Verify
School Attendance for Children Age 7 through 11 and Minor Parents	N/A	Verify

Required Forms	SNAP	TANF
2905 Application for Assistance	X	X
2321-EGB EBT Card Issuance Authorization	X	X
2043 Agreement of Cooperation		X
2179 Interface Consent		X (NNRC/ Kinship only)
2136 Temporary Assistance For Needy Families Case Benefit Programs		X
2621 TANF Kinship Care		X (Kinship only)
2678 Domestic Violence Awareness		X
2760 People are Better Off Working		X
2785 How Does Going to Work Affect Your Welfare Benefits		X
2906 Support Enforcement Information		X (only TANF NEON & TANF CHILD)

225.2 Reported Changes/Recertification/Redetermination

Eligibility Factor	SNAP	TANF
Nevada Residency	Client Statement	Client Statement
Household Composition	Questionable	Verify – Unless 2 Parent Household
Separate Food Unit	Questionable	N/A
Living Arrangements (TANF Minor Parents)	N/A	Verify
Relationship	Questionable	Verify
Qualified Non-Citizen Status – (5 year bar served)	Verify	Verify
Social Security Number	Discrepancy	Discrepancy
Critical Age Change	Document	Verify

New Disqualifications/Sanctions (includes non-cooperation with PRP and/or CSEP, ineligible students, SNAPET and voluntary quit, etc.)	Document	Document
Felony Drug Conviction – Completion of SAPTA/Agency Approved Program	Verify	Verify
TANF time limits	N/A	Verify and Document (TANF NEON and TANF Loan)
ABAWD Time Limits	Verify and Document	N/A
Earned and Unearned Income	Verify	Verify
Self Employment (income & expenses)	Verify	Verify
Income Disregard Status	N/A	Document
Income Interfaces (ESD, Social Security, The Work Number, etc.)	Interface	Interface
Stepparent Status	N/A	Document if Questionable
Disability/Incapacity	Verify	Verify Only for TANF NEON
Incurred Expenses (dependent care, medical expenses, child support)	Verify	Verify
Standard Utility Allowance	Client Statement/Verify if Questionable	N/A
Shelter Costs (rent, mortgage, taxes, insurance, etc.)	Client Statement/Verify if Questionable	Verify Rent Subsidy
Resources	Verify if Countable	Verify if Countable
Cooperation with Support Enforcement	N/A	Document only TANF NEON & Child-Only
Pregnancy and Estimated Due Date	N/A	Verify
Pursuit of Available Benefits	N/A	Verify
School Attendance for Children Age 7 through 11 and Minor Parents	N/A	Verify
PRP Updates	N/A	Document TANF NEON and TANF Child

Required Forms	SNAP	TANF
2905 Application for Assistance	X	X
2179 Interface consent		X (NNRC/ Kinship only) if new adult household members reported
2906 Support Enforcement Information – Required for changes or new household members		X (only TANF NEON & TANF CHILD) for new children reported in the home
2678 Domestic Violence Awareness		X
2760 People are Better Off Working		X
2785 How Does Going to Work Affect Your Welfare Benefits		X

240 VERIFICATION SOURCES

Several sources of verification are listed below. This list is **not all-inclusive**. You must accept other reliable sources if they provide sufficient proof.

AGE

- Birth certificate/records
- Hospital or public health birth records
- Church or baptismal birth record
- Bureau of Vital Statistics documents
- Local, state, federal or military record
- Adoption papers or records
- Divorce and/or court custody decrees
- BIA or Tribal records
- U.S. passport
- School or day care records
- Immigration and Naturalization Service records
- Child support paternity records
- Social Security Administration records

Alternate Sources

- Court or child welfare records
- Insurance policies
- Family Bible records
- Records of voluntary social service agencies
- Court child support order
- Written statement from doctor or clergy who knows date of birth
- Juvenile court records
- Census records
- Written statement from non-relative who knows date of birth

NON-CITIZEN STATUS

- Form I-94, I-151, I-551 or other valid United States Citizenship and Immigration Service (USCIS) records
- Court order staying deportation
- Contact with INS
- Systematic Alien Verification for Entitlements program – Verification Information System (SAVE—VIS))
- SSA 40-Quarter Social Security Number Inquiry
- Refugee Data Center (RDC) 10/98 report listing all Highland Laotian refugees in the U.S. as of 1/79 through 9/98 (the report is located in E&P in Central Office)
- Individuals who claim to be **undocumented/ineligible** non-citizens do not need to provide verification of this status, client statement is accepted.

CITIZENSHIP

Refer to Manual Section A-400 for acceptable forms to document and verify citizenship.

- Birth certificate
- Naturalization papers
- Hospital record of birth
- Baptismal record with date and place of birth
- U.S. passport
- Military service papers
- Indian census papers
- Parent's name and place of birth on child's birth certificate
- Voter registration card
- Local, state and federal records showing birthplace
- Regional attorney

Alternate Sources

- Family Bible records
- Affidavit from U.S. citizen

DEATH

- Copy of death certificate
- Bureau of Vital Statistics record
- Doctor's statement
- Social Security claim number or evidence of receipt of widow's or survivor's benefits from deceased person's Social Security Number
- VA or military service records
- IHS, BIA or Tribal records
- Statement from funeral director
- Records from hospital or other institution where the person died
- Insurance company records
- Information obtained by Investigations and Recovery and/or Child Support Enforcement

Alternate Sources

- Newspaper death notice listing survivors
- State or local public assistance records (including burial payment records)
- Lodge, club or other organization records
- Police records
- Statement from clergy
- "In Memoriam" card

DOMICILE/HOUSEHOLD COMPOSITION

- Current school record showing same address as specified relative
- Visual observation of child

- Statement from non-relative landlord or neighbor/Form 2488
- Statement from non-relative child care provider
- Hospital, clinic, Health Department or private doctor's records
- Statement from clergy
- Child support court order
- Juvenile court records
- Child welfare records

IDENTITY – Refer to manual section A-400 for acceptable forms of identification. This must be received in conjunction with citizenship verification.

- Valid driver's license or DMV ID card
- Birth certificate
- Baptism records
- Hospital or birth records
- Adoption papers or records
- Work or school ID card
- Voter registration card
- Wage stubs
- U.S. passport
- Child welfare records
- SSAR with verified SSN
- State identity card
- Military service ID
- Citizen ID card
- Benefits letter from SSA
- Child Welfare records
- Collateral contact with another agency/entity who has knowledge of the person's identity
- Any other document providing identifying data

Alternate:

- Client's statement with SSN verified by SSA Numident interface in the system.

NOTE: Individuals who claim to be undocumented/ineligible non-citizens must provide verification of identification only if they are the head of household. This verification can include a birth confirmation/certificate or other identification from another country.

RELATIONSHIP

- Birth certificate
- Adoption papers or records
- Hospital or public health records of birth and parentage
- Bureau of Vital Statistics documents
- Church or baptismal birth record
- Local, state, federal government or military record
- School or day care records
- Immigration and Naturalization Service records
- Child support paternity records
- Juvenile court records
- BIA or Tribal records
- Marriage license/tribal marriage certificates
- Divorce/Custody papers
- Court records of parentage

Alternate Sources

- Church records of parentage and relationship (including statement from clergy)
- Family Bible records
- Court or child welfare records until adjudicated
- Insurance policies
- Records of voluntary social service agencies
- Statement from clergy, doctor or school official who can verify relationship.
- Statement from non-relative who has known the child since birth

RESIDENCY

- Client's statement is acceptable as proof of residency.
- Rent receipt or statement from non-relative landlord
- Mortgage receipt or statement from mortgage company
- Utility bills or utility company records
- Official records confirming ownership of property
- Valid Nevada driver's license or Department of Motor Vehicles (DMV) ID card with current address
- Employment records or statement from employer
- DMV record
- School records
- Voter registration card
- Statement from child care provider
- Home visit
- Form 2008 – Affidavit of Separate Household

  Note: If the utility bill is not provided, do not deny the household, this is third party non-cooperation.

DRUG FELON-SAPTA/AGENCY APPROVED PROGRAMS

- Completion Certificate from Approved Program
- Letter from Approved Program on Program/Facility Letterhead
- Prison/Jail Records
- Parole/Probation Records
- Documented Collateral Contact

Acceptable verification must include the following:

- Name of Participant
- Name of Facility
- Name of Program Completed
- Date of Program Completion

CHILD SUPPORT

- Current court records
- Statement from parent providing support
- Check (or copy of check)
- Current attorney's records
- Employer's record of attached wages
- Court order
- Support agreement
- Divorce or separation decree
- Correspondence regarding support payments and/or Form 2506, Cash Contribution Verification
- Child Support Enforcement Program (CSEP) records/reports
- UIB records (ESD P/O) indicating mandatory C/S deductions

CONTRIBUTIONS

- Statement from person or agency providing the money or making payment for you
- Contribution check (or copy of check)
- Canceled check of person making contribution

EARNED INCOME

- Employment verification Form 2074
- Earning statements or check stubs
- Employer's statement
- Employment Security Division printout/record/inquiry
- The Work Number printout/record/inquiry
- Employment & Training records
- Tip statement (if not included in earnings/verification)

EDUCATIONAL GRANTS, SCHOLARSHIPS OR LOANS

- Statement, letter or records from:
  - school
  - organizations, clubs or agency providing benefit
  - VA for veteran's educational benefits

GOVERNMENT BENEFITS

- Current award notice, letter or official written statement
- Check (or copy of check)

OTHER INCOME

- Check (or copy of check)
- Statement from bank paying dividends and interest
- Statement from company or union providing pensions or union benefits
- Form 2020 (Student Income Verification)
- Form 2140 Sponsor Information

RSDI (Social Security)

- Current award notice, letter or statement from Social Security Administration
- SSA Request (SSAR)
- Check (or copy of check)
- Direct deposit slip
- Computer inquiry to Bendex file if it is consistent with client's statement
- Social Security Administration Benefit Alert
- SSA 1610, Public Assistance Agency Information Request (if no other source is readily available)

SELF-EMPLOYMENT

- Most recent IRS tax return
- Business records and receipts
- Statement of estimated earnings
- Receipts for goods/services provided
- Form 2011, Self-Employment Worksheet (with receipts/records)

SUPPLEMENTAL SECURITY INCOME (SSI)

- Current award notice, letter or written statement from Social Security Administration
- Check (or copy of check)
- Direct deposit slip
- SSA Request (SSAR)

UNEMPLOYMENT COMPENSATION

- Check (or copy of check)
- Current award notice, letter or statement from Nevada Employment Security Division (ESD) **Note**: Other forms of verification must be used to verify the actual payment made to the household.
- Former employer
- Form 2258, Out-of-State (OTS) Assistance Inquiry
- Employment Security Division computer inquiry
- Statement from ESD verifying the application for UIB

VETERAN'S ADMINISTRATION (VA) BENEFITS

- Current award notice, letter or statement from VA
- Check (or copy of check)
- Form 2039, Benefit Verification Inquiry

WORKER'S COMPENSATION

- Current award notice, letter or statement from:
  - claims adjuster
  - attorney
  - insurance company
- Check (or copy of check)

BANK ACCOUNTS

- Current bank or credit union statement(s)
- Statement from bank or credit union official
- On-line bank account printout(s) – **Note**: Online account printouts may have shortened account owner's names and account numbers due to identity theft requirements. Compare the information on the account statement with information on the household's application or client's statement to determine if the account belongs to the individual.

LIFE INSURANCE

- Insurance policy
- Statement from
  - insurance company
  - insurance agent
  - union, employer, funeral director, organization or agency who provides insurance

NONRECURRING LUMP SUM PAYMENTS

- Statement from company, agency or organization that provided payment
- Checks, award letters or check stubs
- Bank statements/deposit slips

OTHER LIQUID ASSETS/PERSONAL PROPERTY

- Recent sales slips
- Insurance or tax appraisals
- Catalogs or newspapers
- Statement from
  - experts or other collectors
  - banks
  - brokers
  - local merchants

REAL PROPERTY

- Statement from
  - — tax appraisal/collector office
  - — county courthouse official
  - — real estate company
  - — bank or financial institution
  - — local land owners (non-relative)
  - — county agent

VEHICLES

- Kelly Bluebook (kbb.com)
- Statement from
  - — finance company or bank
  - — insurance agent
  - — car dealers
  - — DMV
  - — city or county government records
- Newspaper

DEPENDENT CARE

- Statement or a current bill from provider
- Current receipts
- Income tax return
- Child Care Certificate issued from CCDP (Child Care and Development Program) or Children's Cabinet
  NOTE: Any additional expenses incurred for child care expenses above the amount listed on the certificate must be reported and verified separately by the client.

HOME INSURANCE

- Insurance company bill
- Statement from insurance company employee
- Insurance policy

MEDICAL EXPENSES

- Bills (or copies of bills) from providers of health insurance, services and products
- Statements from providers **NOTE**: If covered by insurance, this statement needs to show balance due after insurance pays.
- Health insurance policy(ies)

MORTGAGE

- Client Statement of Mortgage Expenses
- Statement from mortgage company or bank
- Mortgage receipt

PROPERTY TAXES

- Client Statement of Property Tax Expense
- Tax bill
- Statement from tax office employee
- Property Tax Records

RENT

- Client Statement of Rent Expense
- Statement from landlord, apartment manager or property owner/manager
- Rent receipt (completed by landlord, apartment manager or property owner/manager)
- Current lease contract
- Form 2488 – Completed by Landlord or Manager
- Form 2008 – SNAP Affidavit of Separate Household
  Note: Do not deny or terminate the client if the utility bill is not provided, this is third party non-cooperation.

UTILITIES

- Client Statement of Utility Expense
- Utility company bill or receipt with name and address
- Statement from utility company employee
- Information from subsidized housing agency
- Form 2008 – SNAP Affidavit of Separate Household – allow the expense even if the utility bill is not provided.
- Current lease or statement from landlord, apartment manager or property owner/manager verifying the resident's responsibility for utility payments.

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Household Determination

310 GENERAL HOUSEHOLD DESCRIPTION

A TANF household is a person or group of people, meeting relationship requirements, living in the same home, with at least one dependent child or pregnant woman.

In general, a SNAP household is a person or group of persons who purchase food and prepare meals together.

320 RELATIONSHIP

321 Caregiver

The caregiver must be present in the home and supervise/care for the child. The caregiver's relationship to the child must be as follows:

a. Father or mother;
b. Stepfather or stepmother;
c. Brother or sister;
d. Stepbrother or stepsister;
e. Nephew or niece (includes grand nephew or grand niece);
f. Grandfather or grandmother (includes great and great-great grandparents);
g. Uncle or aunt (includes great and great-great uncles and aunts);
h. First cousin, first cousin once removed.

Relationship extends to the spouse/domestic partner of the listed relatives, even after the marriage/domestic partnership is terminated by death or divorce/domestic partnership termination. Common law marriages are not recognized in Nevada.

A caregiver meets the relationship requirement, even if a court has jurisdiction over the child or any agency is the child's custodian. If a child lives with a custodian designated by the responsible agency, that individual must meet the relationship requirement.

Relationship of the caregiver may extend beyond the specified relative list upon a finding of hardship by the Division Administrator. A finding of hardship may not be granted to an individual who is not related by blood or marriage to the child. The office manager or supervisor will document the case circumstances in a memorandum to the Chief of Eligibility & Payments, requesting a hardship determination.

Only one non-parent caregiver may be included as a needy caregiver. See manual section A-600 for budgeting.

When a parent loses their parental rights, all legal obligations (i.e., the obligation to pay support) and rights (i.e., the right of custody) are terminated from the parent to the child. Although the parent no longer meets TANF relationship requirements, all other legally recognized relationships (sibling, aunt, uncle, etc.) continue unless and until the child for whom assistance is requested has been legally adopted.

As a result of Nevada's Assembly Bill (AB) 147, termination of parental rights does not extinguish the child's right to inherit from the terminated parent unless the child is adopted.

321.1.1 Single-Parent Family

A single-parent family is a TANF household with only one TANF eligible parent. In single-parent families, only one parent receives assistance due to the absence of the other parent or because the other parent is an ineligible household member.

Refer to manual section A-800 for the definition of a one parent family for the Work Participation Rate.

321.1.2 Absent Parent Returns to the Home

When the case manager is notified that an absent parent (AP) has returned to the home, the returning parent becomes a required household member beginning with the date of their return if reported timely. (See manual section B-600).

321.1.3 Two-Parent Family

A two-parent family is a household where both parents of at least one common child are residing in the same household.

Refer to manual section A-800 for the definition of a two parent family for the Work Participation Rate.

321.1.4 Two-Parent Cases with Stepchildren

Include in the Two-Parent TANF case a child who lives with a natural/adoptive parent, a stepparent, and a sibling who is the couple's mutual child.

321.1.5 Two-Parent Unwed Cases Including One Parent's Child From a Previous Relationship

When legal parents of a mutual child are not married to each other, and one or both have a child living in the home who is not a mutual child, include both parents and all children in the cash case.

Unmarried parents with both mutual and separate children are treated the same as Two-Parent TANF cases with stepchildren.

321.1.6 Two-Parent TANF When the Only Common Child is an Unborn

UNWED: Determine eligibility for only the pregnant woman by excluding the needs, income and resources of the unborn child's father.

MARRIED: Determine eligibility for only the pregnant woman by excluding the needs of the unborn child's father. In a domestic partnership, exclude the needs of the other partner.

In a domestic partnership, the income of the unborn's father or other parent is deemed to the TANF household, using step-parent/responsible parent budgeting, (see manual section A-600) when determining the amount of the cash payment for the pregnant woman. If eligible, the payments made while she is pregnant do not count as a Two-Parent TANF case. The Two-Parent TANF case does not begin until the baby is born, at which time the father or other domestic partner and newborn child become required TANF household members. Once the child is born step-parent deeming budgeting ends and their income is budgeted in total.

321.1.8 Stepparents

A step-parent is not a child's legal parent, but is the legal parent's spouse/domestic partner. Budget the stepparent's income when determining financial eligibility. See manual section A-600 for stepparent budgeting policies.

A double step-parent family is a household where two married/domestic partner adults have at least one child each and no common child(ren). When both parents have separate children and are requesting assistance, include both married/domestic partner adults and their uncommon children together in one case.

321.1.8.1 Domestic Partners

Nevada law (NRS 122A) defined the relationship of "Domestic Partners." Domestic partnership is not a marriage but rather a new type of civil contract and is recognized in Nevada. Domestic Partners are considered "spouses" and have the same rights, protections and benefits as are granted to and imposed upon spouses.

The Nevada "Office of the Secretary of State," shall issue a "Certificate of Registered Domestic Partnership." Any reference to the date of a marriage shall be deemed to refer to the date of registration of the domestic partnership. Domestic partners who wish to terminate the partnership must also file with the Secretary of State. A domestic partnership formed in another state must be filed with the Nevada Secretary of State to be recognized in Nevada.

321.1.9 Joint Custody

In cases involving **parents with joint custody** (parents share physical custody of the children), *regardless* if there is a court order, the worker should assume the applicant (parent making application) is the primary custodial parent unless evidence to the contrary is presented. If the applicant states s/he is the primary custodial parent, no additional information is required. The case should be processed using normal processing standards.

1. When the applicant is uncertain whether s/he is the primary custodial parent, the worker must investigate further. By ascertaining such facts as where the child(ren) are zoned for school, the parent responsible for providing daycare and/or medical care, which parent claims the child(ren) as dependent(s) on the income tax return, etc., the worker should be able, using prudent judgment, to determine if the applicant is the primary custodial parent. If the facts obtained from the investigation indicate the applicant is the primary custodial parent, the case should be processed using normal processing standards. Consider the time spent with the other parent as a temporary absence.

2. When the applicant claims "true" joint custody, all of the following must exist:
   - the child(ren) actually alternate between parents each week (or some period less than a month); and
   - both parents exercise parental guidance and control; and
   - both parents provide equal financial support (no child support ordered or voluntarily being paid); and
   - the applicant is unwilling to indicate the primary custodial parent.

If any one of the statements in "2" above is not present, "true" joint custody does not exist and the worker should process the case according to "1" above.

In rare instances when true joint custody exists, the household is ineligible for TANF.

322 CASH ELIGIBILITY FOR WOMEN IN THEIR SIXTH MONTH OF PREGNANCY

Pregnant women NOT receiving TANF for other children may receive a cash benefit beginning their 6th month of pregnancy, if otherwise eligible. The anticipated delivery date must be within three (3) months following the month payment is made.

Only the mother, as a single parent household, is entitled to assistance prior to the birth of the child. The father (if in the home) and newborn are added to the case effective the date the child is born (see manual section B-600) and becomes a two-parent household.

Use the following chart to determine first cash grant when the only child is an unborn.

Expected Date of Delivery	Cash Payments Begin
JANUARY	OCTOBER
FEBRUARY	NOVEMBER
MARCH	DECEMBER
APRIL	JANUARY
MAY	FEBRUARY
JUNE	MARCH
JULY	APRIL
AUGUST	MAY
SEPTEMBER	JUNE
OCTOBER	JULY
NOVEMBER	AUGUST
DECEMBER	SEPTEMBER

- Pregnancy and anticipated date of confinement must be verified by a qualified medical professional (i.e., a written statement from a physician, nurse practitioner, etc.).
- When determining eligibility for a cash grant, only the needs of the pregnant woman are considered.

Note: Pregnant women eligible as caregivers for other children who fail to cooperate with CSEP for the "unborn child" are eligible until the child is born.

If a woman who is pregnant and has other children fails to cooperate with CSEP for her other children, assistance is denied considering adverse action. See manual section A-1600.

If the only child does not meet the above criteria other than not receiving SSI, the household does not meet TANF household eligibility requirements.

322.1 Unborn Due Date (EDC)

Clients are required to report any change in circumstances for TANF cash no later than the fifth of the month following the month a change occurs. If the client does not report the birth of an unborn child by the 5th of the month following the original "Expected Date of Confinement (EDC)" date entered on the "PREG" screen, and the agency has not received newborn information from another source, shorten the RD due date to correspond with the postpartum coverage.

For example, if the EDC date on the PREG screen is between June 1st and June 30th, and the agency has not received verification of the newborn's birth by July 5th, change the RD due date to August, and mail the appropriate form to the last known address.

If the RD is received timely with all necessary verifications provided, complete the RD processing.

If the RD is received timely, but necessary verifications were not provided, allow the client 10 days to provide the requested verifications. If the necessary verifications are not provided, terminate assistance for non-cooperation due to an incomplete RD allowing for adverse action *OR*

If the RD is not returned, close the case, allowing for adverse action, effective the last day of August (the expected end date of the postpartum period).

In either case, NOMADS requires a "Term Date" on the PREG screen. Use the original EDC date.

323 DEPENDENT CHILD

An eligible child must:

- Be under age 18; or may be age 18, and regularly attend high school or high school level training full time, and is expected to graduate before or during the month of their nineteenth birthday,
- Live with a relative caregiver who meets relationship requirements,
- Never have been married,
- Meet citizenship requirements, and
- Not be receiving SSI.

The household may be composed of the parent(s) or relative caregiver of a child who receives SSI, federal, state or local foster care payments or adoption subsidy payments, even though the child may not be included for assistance.

Allowable verifications of a child's age is addressed in manual section A-200.

323.1 Legal-Parent Child Relationship

A legal relationship exists between the child and each natural or adoptive parent regardless of marital status. Proof of relationship is required and is usually established by birth, hospital, or baptismal certificate, or evaluative conclusion.

A legal parent-child relationship is established between a child and

- **an adoptive parent** by proof of adoption,
- **the mother** by proof of her having given birth to the child, and
- **the father/domestic partner** by proof of relationship, court adjudication, or acknowledgement of paternity.

323.2 Children Living With Their Biological Father

An alleged biological father may receive TANF for the child if relationship is proven. A legal relationship exists between a man and a child if one of the following conditions exists:

- He and the mother were married in apparent compliance with the law **before the child's birth** (even if the marriage is or could be voided), and the child was born
  - while they were married, or
  - within 285 days after the marriage terminated or a Decree of Separation is entered by a court.

- He and the mother married in apparent compliance with the law **after the child's birth** (even if the marriage is or could be annulled), and he
  - filed a paternity suit, including a statement of paternity in court;
  - is named the father on the child's birth certificate; or
  - has a written obligation to support the child voluntarily or by court order.

- He and the mother lived together for at least six (6) months before conception and continued to live together.

- He and the mother attempted to marry before the child's birth and the attempted marriage is invalid or could be declared invalid and the child is born during the 285 days after the marriage terminated or is born within 285 days after cohabitation.

- He receives the minor child into his home and presents the child as his own.

- He acknowledged paternity in writing on the Declaration of Paternity form filed with Vital Statistics and no other alleged/presumptive father has been named. Both maternal and paternal consent must be acknowledged and signatures obtained.

  The presumption is nullified if another man is identified as the alleged/presumptive father before or after the Declaration has been signed. Underpayment or overpayment calculations are retroactive to the date the presumption is nullified.

Acceptable proof is the establishment of parentage through a birth, hospital or baptismal certificate, court documents, a Declaration of Paternity form by presumption or there is sufficient evidence present to pursue parentage under state law.

If the father cannot provide acceptable proof of parentage, he may acknowledge paternity to establish relationship by

- completing an Acknowledgement of Paternity form at Vital Statistics, and

- cooperating with CSEP to establish parentage and paternity.

Note: A court determination of paternity is required if, at the time of the child's birth, the child's mother was married to another man who is presumed to be the father or the mother challenges the alleged father's acknowledgment of paternity.

323.2.1 Rebuttal of Presumptive Father

A presumptive paternity finding may be rebutted based on clear and convincing evidence. This type of evidence consists of:

- Medical evidence proving he cannot be the father, or
- Physical evidence making it impossible for him to be the father due to his continual absence two weeks before and two weeks after the period of probable conception (e.g., incarcerated, overseas, hospitalized), or
- Court adjudication exists regarding parentage (the presumed father is determined not to be the father) or someone else is determined to be the father, or
- Other convincing evidence (supervisory approval required).

323.3 Children Living With Relatives of the Biological Father

A caregiver relative must establish their relationship to the child in order to be eligible for TANF as a needy or non-needy relative caregiver. Follow the steps below:

		Yes	**No**
1.	Does the caregiver have acceptable proof of relationship to the child? Acceptable proof is a birth, hospital, or baptismal record, or evidence for an evaluative conclusion.	☐ Relationship is established	☐ Go to Step 2.
2.	Can the caregiver provide the father's written acknowledgment of paternity and proof of the caregiver's relationship to the father?	☐ Relationship is established	☐ Go to Step 3.
3.	Can the caregiver provide proof of relationship to the father and a collateral source who can establish relationship between the child and caregiver?	☐ Relationship is established	☐ Relationship is not established

- Proof must include a court determination of paternity if, at the time of the child's birth, the child's parents were unwed and the mother was married or had a domestic partnership to another man/individual who is presumed to be the legal parent.
- The collateral source must be a person who has no vested interest in establishing paternity.

If CSE or a court ruling indicates parentage for an alleged father who is applying for his child(ren) cannot be established, deny or terminate assistance. This also applies when the alleged father's relatives apply for his child(ren).

323.3.1 Paternity Conflicts — Unwed Couples

If an application is filed for a child living with their natural/adoptive mother and a man who may be the child's father, and **the couple disagrees about paternity,** the mother must prove her statement.

If the mother is unable to provide written documentation, accept the man's statement he is not the father and determine a single parent household accordingly. If there is more than one alleged father and the mother is living with one of them, consider a single parent family.

323.3.2 Documentation — Unwed Parents Living Together

When an unwed father claims he is the father of a child(ren) and there are no other alleged/presumptive fathers who have been named, refer the father to Vital Statistics. Both maternal and paternal consent must be acknowledged and signatures obtained.

If the alleged biological father refuses or fails to contact Vital Statistics and presumption cannot be established, include only the mother and child(ren) in the TANF household.

323.3.3 Domicile Verification

Verify domicile (living with a specified relative) using one of the following methods:

- For a preschool age child (not all inclusive)
  - observe the interaction between the child and caregiver in either the home or the office;
  - obtain a statement from non-relative landlord;
  - obtain a statement from a non-relative neighbor, friends, Investigative staff; or
  - obtain a statement from the state or county social services agency or the Indian social services agency.

- For a school-age child (not all inclusive)

  - contact school officials or use a current school record showing the same address as the caregiver;
  - obtain a statement from non-relative landlord;
  - obtain a statement from a non-relative neighbor;
  - observe the interaction between the child and caretaker, either at the office or home, if it does not interfere with school attendance; or
  - obtain the school name for each school-age child. If the relative caregiver does not know where the child attends school and cannot provide a reasonable explanation, consider the child's place of residence questionable. Verification from the school is required (Form 2257 or enrollment records).

324 MINOR PARENT

A minor parent is an individual who is under the age of 18, has never been married, and is the natural parent of a dependent child. The parent is no longer considered a minor beginning the month following the month in which they become 18.

A minor parent must:

- Cooperate with child support requirements (see manual section A-1600),
- Meet school attendance requirements (see manual section A-1200), and
- Reside with their parents, another adult relative or in an adult-supervised supportive living arrangement, unless they have good cause for not residing in one of these arrangements.

A minor parent and their child(ren) may be included in a Non-Needy Relative Caregiver (NNRC) case as long as the NNRC is exercising parental control. As a rule, the natural parent must apply; however, in this situation the natural parent is also legally a child. This also prevents the minor parent from being forced to use these months toward their lifetime limit.

324.1 Minor Parent and Child(ren) Residing With Major Parent(s)/Minor Sibling(s)

A minor parent may have their own assistance unit if:

- The minor parent's parent(s)/sibling(s) are not a TANF applicant/recipient; or
- The minor parent cannot be included in their parents/siblings TANF household because they are not an eligible child.

Special budgeting procedures in manual section A-700 apply to minor parents who live with their legal parents.

324.2 Minor Parent and Child(ren) Residing With Major Parent(s)/Sibling(s) and the Other Parent of the Minor's Child

- The minor parent's parent (major parent) cannot be a caregiver for the grandchild when both parents of the grandchild are in the home.
- The other parent of the grandchild (who is not the child of the major parent) cannot be included in the major parent's case, as they are not a relative of specified degree to the major parent.

If the major parent is willing to terminate their cash case, the minor parents may qualify as a two-parent family. The major parent's case takes precedence over the two-parent case (cannot have both).

324.3 Supervised Supportive Living Arrangement

An adult supervised supportive living arrangement of a minor must be approved by a social worker.

A Foster Care home or adult supervised maternity home are considered supervised supportive living arrangements.

Examples of an unacceptable adult-supervised living arrangement:

1. Boyfriend; or
2. Friends, who are not at least ten (10) years older than the minor parent.

Good Cause for a minor parent to not reside in a Supervised Supportive Living Arrangement include:

a. The minor parent has no living parents;
b. The parent(s)' whereabouts are unknown;
c. No parent will allow the minor to reside with him or her; unless the sole reason is his or her income affects the minor's eligibility. Refer the minor to a Division social worker for an assessment which must be completed prior to making a good cause determination;
d. The physical or emotional health or safety of the minor or their child would be in jeopardy if they live with the minor's parents. Refer the minor to a Division social worker for an assessment which must be completed prior to making a good cause determination;
e. The minor has lived apart from their parent(s) for at least one year prior to the birth of their child and has not applied for TANF during that same time period;
f. There is "good cause" for the minor not residing with their parent(s) as determined by the case manager and approved by a Division social worker for a reason not already listed.

A court-ordered emancipation in and of itself is not considered “good cause,” but may be taken into consideration when determining “good cause.” (Per NRS 129.130, a public agency can request a court-ordered emancipation be voided if the minor becomes indigent and has insufficient means of support.)

If an emancipated minor does not meet the criteria specified above, and the emancipated order has not been voided, they may be classified as head of household.

325 EMANCIPATED MINOR

A person under age 18 who has been married and the marriage has not been annulled. When a minor parent is married, they are no longer a dependent child and are ineligible in their parent's assistance unit and responsible parent deeming does not apply.

If a child under age 18 has been emancipated by a court decree and is living with any parent, adult relative or child who is a sibling, provide a copy of the emancipation decree to the Chief of Eligibility and Payments, and the minor will be considered an eligible household member as of the date of the application. The decree will be sent to the Deputy Attorney General, who will petition the district court to reverse it. Per NRS 129.130, a public agency may request a court-ordered emancipation be voided if the minor becomes indigent and has insufficient means of support.

326 TEMPORARY ABSENCE OF CHILD

326.1 Temporary Absence of Child

Do not reduce or terminate ongoing TANF benefits when a child is temporarily out of the home due to:

- School attendance or vocational training (i.e., job corp) away from home (includes summer vacations).
- Illness, injury or hospitalization, if verification is received the child is expected to return home within 180 days.
- Temporary placement for rehabilitation (absence is limited to 90 days).
- On vacation/visiting out-of-state for no longer than ninety (90) days.

The relative caregiver must continue to maintain a home and exercise responsibility for care and control of the child and continue to cooperate in establishing continued eligibility. The case manager must verify the absent household member is not receiving assistance in another state.

A FACT Alert must be set 45 days prior the absence end date to establish continued eligibility.

326.2 Absence Due to Child Being in the Custody of a State or Local Child Protective Service Agency

A TANF/NEON child for whom ongoing cash assistance has been issued may be absent from the home for up to 180 days if the child is in the custody of a state or local child protective service agency and there is a viable established plan for reunification.

The 180 days is divided into two 90 day periods, the first 90 days allows all three entities (Court, DWSS, and Child Protective Services) time to determine custody and establish a reunification plan. TANF cash should continue to the 90th day.

The case manager must take action on or before the 75th day of the 1st 90 day time period to verify the reunification plan will be established before the 90th day. The plan must have been evaluated and approved by SW staff to continue TANF cash assistance and the related medical into the 2nd (and final) 90 day period. If the plan has not been established on or before the 75th day, the case must be terminated allowing for adverse action by the last day of the month in which the 90th day fell.

To establish eligibility past the 180 days the case manager must verify the child(ren) have been returned to the home. If the child(ren) have not returned to the home, the case must be terminated considering adverse action.

The Division of Welfare and Supportive Services (DWSS) and child welfare agencies have outlined their joint mission, goals and responsibilities in a collaborative partnership contract. Each agency has agreed their respective Social Work staff will exchange vital information and coordinate and facilitate Interdisciplinary Team (IDT) meetings to discuss the needs and progress of families.

Title IV-E foster care can be paid during the time TANF/NEON assistance continues when a valid reunification plan exists.

TANF payments may <u>not</u> be made for a concurrent period for the same child in the home of another relative

327 TEMPORARY ABSENCE OF AN ADULT

Do not reduce or terminate ongoing TANF benefits when an adult household member is temporarily out of the home, if the following conditions are met:

A. The adult is out of the home because they are:

- hospitalized or their child is hospitalized if verification is received the adult is expected to return to the home within 180 days;
- temporarily placed for rehabilitation (absence is limited to 90 days);
- on vacation/visiting out-of-state (absence is limited to **90 days**); or

- employed or seeking employment away from home;

and

The caregiver continues to maintain a home or intends to secure and maintain a home and exercise responsibility for care and control of the child.

Assistance may be paid to a temporary payee when the caregiver is absent. The temporary payee may be any adult who has care or custody of the child(ren), except Division of Welfare and Supportive Services (DWSS) and Division of Child and Family Services (DCFS) employees. If the caregiver has not assumed responsibility for the child(ren) within three months, a payee who meets relationship requirements must be established or assistance terminated.

A Fact Alert must be set 45 days prior to the absence end date to establish continued eligibility

327.1 Relative Caregiver's Absence from the Home for an Extended Period

If a caregiver enters a nursing home, TANF benefits may be paid to a temporary payee for 90 days considering only the child(ren)'s needs.

The temporary payee may be any adult who has care or custody of the child(ren), except Division of Welfare and Supportive Services (DWSS) and Division of Child and Family Services (DCFS) employees. If the caregiver has not assumed responsibility for the child(ren) within three months, a payee who meets relationship requirements must be established or benefits terminated.

330 WHO IS INCLUDED

The household may not exclude a required member from the assistance unit. If necessary verification is not provided for a required member, the entire household is ineligible.

Always include the following in the assistance unit:

1. Eligible child(ren).

2. Unless otherwise ineligible, include the needs of natural/adoptive parents (regardless of marital status) and siblings (including legally adopted, step- and half-brothers and sisters).
   This includes being forced to stay the night or reside at a different residence due to homeless situations or temporary shelter requirements.

3. Any otherwise eligible adult relative caregiver who meets the relationship requirements and applies as a needy relative caregiver.

4. An alleged father of a child (not an unborn child) if presumptive parentage is established or not rebutted.

5. An otherwise eligible stepparent who chooses to be included.

6. If the child lives with a natural/ adoptive parent and a relative who has a court order declaring the parent mentally or physically incompetent to care for the child, the relative guardian may apply for assistance as a needy or non-needy relative caregiver. The natural/ adoptive parent is included for assistance.

A SNAP household is composed of one of the following persons or groups of persons.

1. A person who lives alone; OR

2. A group of people who live, purchase food, and prepare meals together; OR

3. A person or persons who live with others and who
   - usually purchase and prepare food separately from the others, or
   - intend to purchase and prepare food separately after certification.

The following people who live together must be considered as purchasing food and preparing meals with each other, even if they do not do so. **They must be included in the same household and cannot apply as a separate household**.

- Spouses, including traditional and same sex marriages – Consider spouses living together even when one spouse is:
  - away from home for employment purposes; and
  - away but returns at least one day a month.

NOTE: Spouses stationed and living away from the home due to military service are not considered to be living in the household. Evaluate these households for any cash contribution from the spouse serving in the military.

7. A parent(s)/relative caregiver of an excluded SSI child(ren) with no other dependent child(ren) may be eligible for TANF if they meet all other TANF requirements:

   Do not count the income and resources of SSI child(ren) when determining eligibility for the parent/caregiver and other members of the assistance unit.

8. Eligible Minor Parents.

9. When the natural parent(s) of the dependent child reside in the same household, they are required members unless ineligible or the child for whom assistance is requested has been legally adopted. Once adopted, the adoptive parents/siblings living in the home become the required members. The natural parents/ siblings are no longer required members.

- Nevada Domestic Partners - Nevada law (NRS 122A) defined the relationship of "Domestic Partners." Domestic partnership is not a marriage but rather a new type of civil contract and is recognized in Nevada. Domestic partners are considered "spouses" and have the same rights, protections and benefits as are granted to and imposed upon spouses.

  The Nevada "Office of the Secretary of State," shall issue a "Certificate of Registered Domestic Partnership." Any reference to the date of a marriage shall be deemed to refer to the date of registration of the domestic partnership. Domestic partners who wish to terminate the partnership must also file with the Secretary of State. A domestic partnership formed in another state must be filed with the Nevada Secretary of State to be recognized in Nevada.

- A person under 22 years of age who is living with their parent(s) (natural, adoptive or step). All children under 22 and all parents of those children living in the home must be included as one household.
- A child (other than a foster child) under 18 years of age who lives with and is under the parental control of a household member other than his/her parent must apply with that household member.

NOTE: Consider a minor living with an adult to be under parental control if one of the following conditions applies:

- The adult provides more than half of the minor's total support;
- The adult states they have parental control of the minor; or
- The minor lives with an adult other than his/her parent/legal guardian and that parent/legal guardian states the adult has parental control of the child.

The following individuals cannot be considered a separate household from the persons they live with and are only eligible for benefits if the household they reside with request to include them in their SNAP household.

- Boarders
- Foster Children

330.1 Evaluation of Minor Children Included in the SNAP Household

Shared/Joint Custody:

- In shared/joint physical custody situations (court ordered or otherwise) where the children reside with both parties, going back and forth between parents or other relatives (this could also be a shared relative and parent custody issue), determine who has the children at the time of the SNAP program application.

- If the other parent is not receiving SNAP benefits, the parent making the current SNAP application must include or add the children to their household. Once the case is approved, or the children are added to the existing case, eligibility continues until recertification or the children are reported out of the home. These households are simplified reporters and are not required to report the child entering or leaving the households until recertification.

  For example: If the mother applies and has the dependent children in her physical custody and the father is not on SNAP, the case is processed or updated with the children included. The children can go back and forth to the father's home for equal time (e.g., three and one-half days a week, every other week or two weeks) each month and this will not cause ineligibility.

- Verify if the other parent is contributing any cash or support for the children included in the SNAP case. If yes, budget the income.

  Court-ordered custody, child support, cash contribution and residency may be verified by (not all inclusive):

  — Court orders for custody/child support.
  — Landlord/Client statements.
  — School records.
  — Cash contribution statement/Form 2506.
  — Investigations and Recovery evidence/home visits.

- If the other custodial party (parent/relative) has already included the children on a current application or are currently receiving SNAP benefits for the children, the children continue to be included in that SNAP household.

If both parents, in a shared/joint custody situation, apply for SNAP on the same date, only one parent is entitled to include the children. If the parents will not make a choice or agree to allow the other one to apply for the children, the children will be excluded from both households. The case manager must document the circumstances to support the decision to exclude the children. In shared/joint custody situations, where the parties are unsure as to who should include the children, a determination will be made regarding the primary caregiver, where the children customarily takes their meals during the month and, if applicable, who is ordered to pay support for the dependent children. If the parents apply on a different date, whoever applied first is the household to include the children.

Visiting/Babysitting:

- Children visiting on an irregular short-term daily, weekly or monthly basis, or children for whom the household provides babysitting services or other temporary care when the child's customary residence is at another address are not included in the SNAP household.

- Children visiting or fulfilling court-ordered visitation privileges on an irregular basis, or spend the summer months or other holidays with the SNAP household are not required to be included in the household. These children are not considered to be residing in the household on a permanent basis. However, these children may be included in the SNAP household for the time they are visiting if they are not currently receiving benefits in another household.

331 SEPARATE HOUSEHOLD STATUS

Approve eligible child(ren) on separate TANF cases if

- the child lives with a relative other than a legal parent, and the relative has legal children who are not the child's natural, adopted or half siblings for whom the relative receives TANF.
- the child lives with other-related children who are not siblings.

Designate the adult relative as the non-needy payee on each related child's case, except the case for which they are the needy caregiver.

The following individuals can apply and receive SNAP as a separate household from the other people they live with.

1. **Elderly AND Disabled Persons**: A person who is 60 years of age or older (and their spouse) who lives with others, but is unable to purchase and prepare meals separately, because they suffer from a permanent disability may apply as a separate household if the following conditions are met:

   - The elderly person meets a disability considered permanent under the Social Security Act as listed in manual section B–400.

   AND

   - The income of the others with whom the elderly person resides (excluding the income of the elderly person and their spouse) does not exceed 165% of the poverty level for the household size.

NOTE: This policy does not apply to disabled persons under 60 years of age.

2. **Roomer**: A person that pays another household for lodging, but not meals, may apply as a separate household.

3. **Live-in Attendants**: A live-in attendant may apply as a separate household from the person they care for.

4. **Residents of Alcoholic/Narcotic Treatment Centers**: Individuals who reside in a facility or treatment center for the purpose of regular participation in a drug or alcohol treatment and rehabilitation program are eligible, along with the children who reside with them in the facility, if they meet the criteria in manual section B–400.

5. **Residents of Group Living Arrangements**: Individuals who are disabled or blind and are residents of a group living arrangement are eligible as a separate household if they meet the criteria in manual section B–400.

6. **Residents of Battered Women's and Homeless Shelters**: Residents living in these facilities can apply for benefits as a separate household even if the facility serves meals. Special circumstances regarding these residents are listed in manual sections B–400.

   NOTE: Residents in shelters for battered women and children may participate in more than one household for one issuance period if the original benefits were issued to the former household that included the woman and children and the abuser.

7. **Severely Disabled Individuals Living with Other People**: Any person who is too disabled to purchase his or her own food but who has arranged to have his or her own food purchased and prepared separately from those with whom he or she lives can claim separate household status. Even if the person who shops for food and prepares meals for the disabled person may be residing with the disabled person, the disabled person may claim separate household status.

332 WHO IS NOT INCLUDED

Do not include the following in the assistance unit household:

1. **Payee.** A payee is a relative that lives with, supervises, and cares for an eligible child. The payee is authorized to receive the TANF benefit for an eligible child but is **not** a member of the assistance unit. A payee is a

   a. legal parent that would be a needy caregiver but is not eligible because they

      - receives SSI, or
      - does not meet citizenship requirements, or
      - are ineligible or disqualified for another reason or

   b. relative other than a legal parent who is eligible as a caregiver but does not choose to be a needy caregiver.

      Note: This may be someone who is a caregiver on another TANF case for other children.

   Do not count the payee's income or resources unless the payee is a legal parent who

   - is an ineligible non-citizen, or
   - is ineligible due to an IPV.

The following persons are not eligible to participate as separate households or as a member of any household.

1. **Boarders in a Commercial Boarding House**: Residents of a commercial boarding house, regardless of the number of residents, are not eligible to receive SNAP.

2. **Ineligible Non-Citizens**: Persons who are not citizens or do not meet a "Qualified" non-citizen category are ineligible household members.

3. **Able-Bodied Adults Without Dependents (ABAWDS)**: ABAWDS who have exceeded the 3-month time limit and do not meet one of the exemptions listed in manual section B–400.

4. **Students in Higher Education**: A student between the ages of 18-49 and enrolled at least half-time in an institution of higher education is ineligible unless they meet one of the exemption requirements in manual section B–400.

5. **SSI recipients of a Cash-Out State (California)**: SSI recipients who receive a "Cash-Out" payment in a state SSI supplement from California are ineligible. **Note**: The income of the ineligible SSI cash-out recipient is not counted until they are eligible to be included in the participating SNAP household in Nevada. The resources of an SSI recipient are exempt.

2. **Protective Payee**. The division may select a protective payee to receive and manage the TANF benefit if the caregiver is not using the TANF payments for the children's benefit. An Alternate Payee (ALTP screen) is used to set up the protective payee.

   For a TANF NEON or TANF Child-Only case when EBT Restricted Use is identified, see manual section B-200 regarding the establishment of a protective payee to receive and manage the benefits.

   Note: Lack of sufficient income is not a reason to use protective payments.

   A social worker will review the household circumstances and work with the caregiver to establish the protective payee.

   The protective payee must be someone who can help the recipient spend the TANF benefit properly. The recipient must agree to the person designated as the protective payee.

   Exception: If a social worker employed by the Division of Welfare and Supportive Services (DWSS) or the Division of Child and Family Services (DCFS) designates a protective payee, use that individual whether the recipient agrees or not.

6. **Indian Commodities**: A person who receives commodities from the Food Distribution Program on Indian Reservations is ineligible.

7. **Fleeing Felons**: A person who is:

   - wanted by law enforcement for any action associated with a crime which is classified as a felony; or
   - wanted by law enforcement for questioning about a crime which is classified as a felony.

   Is ineligible.

8. **Parole or Probation Violators**: A person who is violating a condition of their parole or probation is ineligible for the time period they are in violation.

9. **Persons Convicted of a Drug Related Felony**: A person convicted of a drug-related felony on or after August 22, 1996 is permanently ineligible for SNAP unless:

   - the conviction is erased; or
   - they have successfully completed at least one approved substance abuse treatment program.

   See manual section B-900 for acceptable programs and other exemptions.

The protective payee cannot be

- a Department of Health and Human Services (DHHS) employee;
- a person who provides DHHS services directly to the family; or
- a landlord, grocer or any person selling goods or services to the recipient.

Note: TANF for all unmarried minor parents and their children, required to live in an adult-supervised living arrangement, may be paid by protective payments, (whenever a protective payee can be established). The protective payment is issued to the head of the adult-supervised living arrangement, i.e., foster parent, maternity home, authorized representative, etc.

A protective payee may also be established for a minor parent receiving assistance as the head of household in their own case who has been granted a good cause exception to the living arrangement requirement.

Reevaluate the need for the protective payee at each RD. For cases with a DCFS-requested protective payee, contact DCFS at each RD before terminating the protective payee.

For cases that have required a protective payee for more than two years, refer the case to DCFS for judicial appointment of a guardian or legal representative.

10. **Misrepresentation of Identity or Residence**: A person who is convicted of misrepresenting their identity or place of residence to receive multiple benefits simultaneously is ineligible for 120 months.

11. **SNAP Trafficking**: A person convicted of SNAP trafficking will be ineligible for benefits. See manual section B-900 for periods of ineligibility for these individuals.

12. **Intentional Program Violations**: A person who has been found to have committed an Intentional Program Violation will be ineligible for the period of time determined by the number of violation occurrences. See manual section B-900 for ineligibility periods.

13. **Individuals in Non-Compliance with SNAP Work Requirements**: A person, who is not exempt, who refuses or fails without good cause to comply with the SNAP work requirements are disqualified from the program and considered an ineligible household member. Each occurrence of non-compliance results in a longer period of disqualification. See manual section A-800 for disqualification time frames.

When designating or continuing a protective payee, notify the recipient and provide an opportunity for appeal. For cases which require a protective payee for more than two years, refer to DCFS for judicial appointment of a guardian or legal representative.

Note: No protective payee is designated when the second parent or the minor parent, eligible as a child, fail to cooperate with child support or NEON requirements.

3. **Representative Payee.** If a client is unable to receive and manage the household's TANF benefits because of his incapacity or incompetence, designate a representative payee. The representative payee must be knowledgeable about the family members and interested in their welfare if physically or mentally capable of doing so. The representative payee may be the authorized representative who assisted in the eligibility process. Document the specific reason for designating a representative payee.

   There is no time limitation on serving as a representative payee.

14. **Failure to Provide a Social Security Number**: A person who has refused or failed without good cause to provide or apply for a Social Security Number will be ineligible. **Note**: See manual section A-1300 for good cause criteria.

15. **Residents of Institutions Not Approved to Accept SNAP**: Individuals are considered residents of an institution when the institution provides them the majority of their meals (over 50 percent of three meals per day) as part of the institution's normal services. Individuals in these institutions are ineligible. **Note**: This includes hospitals, nursing homes and jails.

16. **Strikers**: Households with a striking member are not eligible to participate, unless the household was eligible for benefits the day before the strike and is otherwise eligible at the time of application. See manual section B-400 for additional requirements.

17. **Individuals Receiving Duplicate Benefits**: Individuals can only receive benefits from one household in a benefit month. Verify that individuals entering the household are not currently certified in another household or receiving benefits from another state.

4. **Ineligible/Disqualified Members**

A legal parent may not be in the assistance unit if they are:

a. **Ineligible** because they:

- do not meet citizenship requirements;
- are a fugitive fleeing prosecution, questioning, or confinement related to a felony crime, or violating a condition of parole or probation;
- have a felony conviction of drug possession, use or distribution after January 1, 1997;
- are a minor parent who is not meeting school attendance requirements; or
- are a minor parent who is not residing in approved living arrangements without good cause.
- are a spouse who is stationed and living away from the home due to active duty military service.

b. **Disqualified** because they:

- have been convicted in a state or federal court of misrepresenting their residence to receive cash or SNAP simultaneously from two or more entities; or
- have been found guilty of intentionally failing to report the absence of a child from the home which exceeded 45 days.

A child is not included in the household if they are:

a. **Ineligible** because they:

- do not meet citizenship requirements;
- do not meet age requirements; or
- do not meet relationship requirements to the caregiver.

5. **SSI Recipients.** Remove a TANF family member from the grant when the person is approved for SSI and update the SNAP case. Do not include an SSI recipient's resources or income towards the needs of the TANF household.

Whenever an overpayment is due to SSI eligibility of an assistance unit member, ineligibility begins the first month following the recipient’s actual receipt of the SSI payment.

6. **Relative Caregiver's Absence from the Home for Extended Period.**

   Assistance may be paid to a temporary payee **(only the children's needs are included**) when the caregiver will be absent for an extended period of time.

7. **Strikers.** Deny a household's application or ongoing benefits for any month in which a disqualified legal parent is participating in a strike on the last day of that month. Do not include the needs of other members who participate in a strike on the last day of a month.

8. **Foster Care Recipients.** Do not include these children or their income and resources, in the TANF case.

9. **Adoption Subsidy Recipients.** Do not include these children or their income and resources, in the TANF case; unless inclusion in the assistance unit is a benefit to the household. Determine the benefit to include the child and their adoption subsidy and then compare a determination without the child and their adoption subsidy. For example, the parent receives $100 monthly adoption subsidy for one of two children. The TANF payment for 3 = $383 - $100 adoption subsidy, their monthly TANF benefit would be $283. Excluding the adopted child, the TANF payments for 2 = $318, a benefit to the family. However, in the same situation the adoption subsidy is $30 then it would be an advantage to include and count the adoption subsidy, $383 - $30 = $353.

   If the household chooses to exclude the child with the subsidized adoption and this is the only dependent child in the home, the household is ineligible because there is no eligible child in the household.

A-332.1 SNAP Household Composition Guide

LIVING SITUATION	HOUSEHOLD COMPOSITION
Parents (adoptive, step or natural) and their minor children (age 21 or younger).	Must be one household.
Parents and adult child (age 22 or older).	If purchase and prepare separately. HH 1: Parents HH 2: Adult child
Parents and both their minor and adult children.	If purchase and prepare separately. HH 1: Parents and minor child HH 2: Adult child
Parents, minor child, minor child's spouse.	Must be one household.
Parents, minor child, minor child's child.	Must be one household.
Non-parent (not adoptive, step or natural), adult child (18 or older).	If purchase and prepare separately. HH 1: Non-parent HH 2: Adult child
Non-parent, minor child (under age 18).	Must be one household, if minor child under parental control.
Non-parent, minor child, minor child's spouse. No parental control.	If purchase and prepare separately. HH 1: Non-parent HH 2: Minor child and his/her spouse
Non-parent, minor child, minor child's child. No parental control.	If purchase and prepare separately. HH 1: Non-parent HH 2: Minor child and her child
Siblings, both age 18 or older.	If purchase and prepare separately, two households.
Siblings, one under age 18.	If minor sibling under parental control of other sibling, must be one household.
Adult brother, minor sister, minor sister's child.	If purchase and prepare separately. HH 1: Adult brother HH 2: Minor sister and her child
Adult brother, minor sister, minor sister's spouse.	If purchase and prepare separately. HH 1: Adult brother HH 2: Minor sister and spouse
Elderly disabled persons over 60 years of age unable to prepare meals and living with others.	If others (*except spouse*) do not have income exceeding 165% of poverty level: HH 1: Elderly disabled person and spouse HH 2: Others in living situation

One household in a living situation can apply and receive SNAP separately without the second household applying for SNAP.

333 VERIFICATION REQUIREMENTS

Copy and retain primary and secondary sources of verification such as an official birth record, hospital certificate, or baptismal certificate, or court documents, paternity papers, child support enforcement records, etc., for children 0-19 years old. Refer to manual section A-200 for a list of other acceptable sources of verification.

Document the relationship and include a photocopy of the proof, when available. If proof of relationship is not available, make an evaluative conclusion.

Verify household composition if questionable. Refer to manual section A-200 for a list of acceptable verification sources.

As a rule, accept the client's statement about who buys and prepares meals together. Use Form 2008-EF Affidavit of Separate Household Status if the claim is questionable. Document the case in the CLOG when Separate Household Status is questionable and why the form has been requested.

334 DOCUMENTATION OF HOUSEHOLD DETERMINATION

Document household composition.

Document an explanation of why other persons living in the home are not included on the case.

Document household composition.

Document the basis for granting separate household status, if questionable.

335 AUTHORIZED REPRESENTATIVES

The head of household, spouse or other responsible household member may choose an authorized representative (AR) to apply for, receive, and use benefits for the household/assistance unit.

The authorized representative must be knowledgeable about the family and interested in its welfare. A non-household member living with the household may serve as an AR.

People disqualified for benefits because of an Intentional Program Violation (IPV) are banned from serving as an AR unless the agency has determined that no one else is available to serve as the AR.

Division employees may not serve as an AR for TANF cash assistance.

Division employees involved in certification or issuance and retailers authorized to accept SNAP benefits may not serve as an AR.

If the head of household is incompetent or incapacitated, someone acting responsibly on their behalf may represent the household in the application and redetermination (RD) process.

The head of household must designate the authorized representative in writing if physically or mentally capable of doing so.

Document the specific reason for designating an authorized representative.

335.1 AR Applying for Household

The AR must be:

- an adult, 18 years of age or older
- designated in writing. This designation must include the name and address of the person chosen as an AR, the signature of the household member making the choice, and the date.

If the designation is made by a household member who is unable or cannot sign, their mark must be witnessed by someone other than the AR.

If a person disqualified for intentional program violation or a non-member living with the household is appointed as AR, document no one else is available to be an AR.

The AR may be designated on the application form or in a written statement. The written statement must be filed in the case record to meet this requirement.

The AR must be informed about the household circumstances.

The AR applying for the household must sign the application.

The recipient is liable for any over issuance/payments resulting from inaccurate information provided by the AR.

- *Except for narcotics/alcohol treatment centers or group living facilities acting as AR, the recipient is liable for any over issuance resulting from inaccurate information provided by the AR.*

  Note: *A household may designate, in writing, a visiting homemaker as an authorized representative who may act on behalf of the household.*

335.2 AR Obtaining Benefits

The AR appointed to access EBT benefits may be a different person from the AR who applies for the household. The household must designate each AR in writing.

335.3 Abuse by AR

Authorized representatives may be disqualified from representing a household in the program for up to one year if the Division has obtained evidence that the representative has misrepresented a household's circumstances and has knowingly provided false information pertaining to the household, or has made improper use of benefits. Authorized representatives who have committed acts which violate program rules may be disqualified using procedures detailed in manual section B-900.

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440 Undocumented Non-Citizen Reporting to USCIS

450 Description of Immigration Categories

Citizenship

400 CITIZENSHIP

All individuals applying for TANF or SNAP must be a U.S. citizen, a U.S. non-citizen national or a "qualified" non-citizen to receive benefits.

410 ELIGIBILITY REQUIREMENT

Each household member's citizenship or non-citizenship status must be determined and the appropriate documentation/verification requirements evaluated.

The head of household must sign a statement attesting all members requesting assistance are:

- U.S. citizens,
- U.S. nationals or
- have legal immigration status.

The head of household may sign the declaration of citizenship on behalf of the entire household/assistance unit. All names do not need to be written down; the one signature is sufficient and can be done on the one page application or on the signature page of an application form or on a separate statement. Absence of this statement does not cause ineligibility unless the person(s) assisted is an ineligible non-citizen.

Once signed, the citizenship declaration is valid for all subsequent applications unless the claim of citizenship or non-citizen status is questionable. The head of household must attest to the citizenship or non-citizen status on any new household members including newborns at the redetermination/recertification.

Documentation of citizenship does not have to be an original document. The agency may accept a photocopy, facsimile, scanned or other copy of a document. Original documents should be requested only if information on the submitted document is inconsistent with other information available to the agency or the agency otherwise has reason to question the validity of the document or the information on the document.

The documentation of citizenship is a one-time occurrence. Once the verification of citizenship and identity has been received by the division, the individual **must not** be required to provide it again. Verification received at initial application or redetermination must be placed in the permanent section of the case record and never purged.

Certain state database matches are authorized for use to verify citizenship. These databases include:

- Vital Statistics:
- SDX:
- Any match with a source that requires evidence of citizenship for their records; and
- DWSS eligibility systems (AMPS/NOMADS).

420 DOCUMENTATION OF U.S. CITIZENSHIP OR NATIONALITY

All persons applying for or receiving TANF must provide satisfactory evidence of citizenship or nationality **and** identity **prior** to the approval of benefits.

Verification of identity is a part of the citizenship verification requirement, not a separate requirement for all household members with the exception of the head of household.

Individuals declaring to be a citizen or national of the United States who are currently eligible for a medical assistance program, other than an emergency medical category, are not required to provide additional documentation as citizenship and identity have already been verified.

Verify a claim of U.S. citizenship only if questionable. A person with a questionable claim will not qualify until the case manager receives proof of citizenship. Until proof is provided, disqualify any individual for whom the claim of citizenship is questionable.

Examples of potentially questionable claims of citizenship are as follows (not all-inclusive):

- The individual was born outside the United States;
- Both of the individual's parents were born outside the United States;
- The individual indicates an extended absence from the United States (may have given up citizenship);
- The individual's work history consists of an extended period of employment abroad (may have given up citizenship);
- Individual has a heavy accent/broken English and cannot produce proof of U.S. citizenship.

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421 HOW TO DOCUMENT U.S. CITIZENSHIP OR NATIONALITY

All household members must provide documentation that verifies both **citizenship and identity**.

Copies of the following documents will, combined with acceptable proof of identity, demonstrate a person is a U.S. citizen or non-citizen national for purposes of PRWORA (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

421.1 Stand Alone Evidence of U.S. Citizenship or Nationality

Accept the following documentation as proof of citizenship and identity:

a. U.S. Passport, including a U.S. Passport Card, issued by the Department of State, without regard to any expiration date as long as such passport or card was issued without limitation.
Exception: Do not accept any passport as evidence of U.S. citizenship when it was issued with a limitation. However, such a passport may be used as proof of identity.

b. Certificate of Naturalization (Forms N-550 or N-570)

c. Certificate of U.S. Citizenship (Forms N-560 or N-561)

d. A valid State-issued driver's license, if the State issuing the license requires proof of U.S. citizenship or obtains a social security number from the individual who is a citizen before issuing such a license.

e. Documentary evidence issued by a Federally recognized Indian Tribe, as published in the Federal Register by the Bureau of Indian Affairs within the U.S. Department of the Interior, and including Tribes located in a State that has an international border, which:

1. identifies the Federally recognized Indian Tribe that issued the document.

2. identifies the individual by name; and

3. confirms the individual's membership, enrollment, or affiliation with the tribe.

Documents used as evidence of Tribal enrollment include, but are not limited to:

1. Tribal enrollment card;

2. Certificate of Degree of Indian Blood;

3. Tribal census document;

4. Documents on Tribal letterhead, issued under the signature of the appropriate Tribal official, issued by a federally recognized tribe.

Note: See manual section C-700 for a list of federally recognized tribes.

If the household is able to provide one of these documents no further documentation is required.

421.2 Evidence of U.S. Citizenship or Nationality

If an individual does not provide documentary evidence from the list of stand-alone documentation, one of the following shall be accepted:

●. as satisfactory evidence to establish citizenship when accompanied by an identity document.

● as satisfactory evidence to establish citizenship.

a. U.S. public birth certificate showing birth in one of the 50 States, the District of Columbia, Puerto Rico (if born on or after January 13, 1941), Guam, the Virgin Islands of the U.S. (on or after January 17, 1917), American Samoa, Swain's Island, or the Commonwealth of Northern Mariana Islands (CNMI) (after November 4, 1986). The birth record document may be issued by the State, Commonwealth, Territory, or local jurisdiction.

   If the document shows the individual was born in Puerto Rico, the Virgin Islands of the U.S., or the CNMI before these areas became a part of the U.S., the individual may be a collectively naturalized citizen.

   In December 2009, the government of Puerto Rico enacted Law 191 of 2009 which voided all Puerto Rican birth certificates issued prior to July 1, 2010. Effective September 30, 2010, all Puerto Rican birth certificates issued prior to July 1, 2010 will become voided. A voided Puerto Rican birth certificate may not be used to verify identity or citizenship for the TANF or SNAP programs.

   Previously accepted Puerto Rican birth certificates will remain acceptable for TANF or SNAP determinations made prior to September 30, 2010. There will be no need to re-verify citizenship or identity at recertification or redetermination.

   Since Puerto Ricans are U.S. citizens, verification of the member's citizenship status is not required unless questionable for SNAP. Under no circumstances may a household member be denied SNAP benefits based solely on the possessing a voided Puerto Rican birth certificate.

b. State of Nevada Vital Statistics Birth Details printout.

c. Certification of Report of Birth, issued to U.S. citizens who were born outside the U.S.

d. Report of Birth Abroad of a U.S. Citizen (FS-240).

e. Certification of Birth (FS-545).

f. U.S. Citizen I.D. card (I-197).

g. Northern Marianas Identification Card, issued to a collectively naturalized citizen, who was born in the CNMI before November 4, 1986.

h. Final adoption decree showing the child's name and U.S. place of birth, if an adoption is not final, a statement from a State-approved adoption agency that shows the child's name and U.S. place of birth.

i. Evidence of U.S. Civil Service employment before June 1, 1976.

j. U.S. Military Record showing a U.S. Place of birth.

k. A data match with the SAVE program or any process established by the Department of Homeland Security to verify that an individual is a citizen.

l. Documentation that a child meets the requirements of section 101 of the Child Citizenship Act of 2000 (8 U.S.C. 1431).

m. Medical records, including, but not limited to, hospital, clinic or doctor records, or admission papers from a nursing facility, skilled care facility, or other institution that indicates a U.S. place of birth.

n. Life, health, or other insurance record that indicates a U.S. place of birth.

o. Official religious record recorded in the U.S. showing the birth occurred in the U.S.

p. School records, including pre-school, Head Start and daycare, showing the child's name and U.S. place of birth.

q. Federal or State census record showing U.S. citizenship or a U.S. place of birth.

r. If the individual does not have one of the documents listed he or she may submit an affidavit signed by another individual under penalty of perjury who can reasonably attest to the individual's citizenship, that contains the individual's name, date of birth and place of U.S. birth. The affidavit does not need to be notarized.

421.3 Evidence of Identity

- Driver's license issued by the State or Territory either with a photograph of the individual or other identifying information of the individual such as name, age, sex, race, height, weight or eye color. A driver's license issued by a Canadian government authority is not acceptable.
- Native American tribal document if the document carries a photograph or other personal identifying information.
- Voter registration card.
- U.S. Military card or draft record.
- Identification card issued by the Federal, State or local government.
- School identification card with a photograph of the individual.
- Military dependent's identification card.
- U.S. Coast Guard Merchant Mariner card.
- For children under the age of 19 – a clinic, doctor, hospital, or school record, including preschool or day care records.

  Note: A Nevada WebIZ immunization record meets this requirement.
- Any two documents containing consistent information that corroborates an individual's identity. Such documents include, but are not limited to, employer identification cards, high school and college diplomas (including high school equivalency diplomas), marriage certificates, divorce decrees, and property deeds or titles.

Verify the identity of the person being interviewed.

A Picture Identification (ID) is not required. See manual section A-200 for acceptable verification.

If an authorized representative (AR) completes the interview for the household, verify the identities of both the AR and the person he/she represents.

Exception: If it is necessary to meet expedited service time limits, verify the identity only of the AR being interviewed and request verification of identity for the head of household as postponed verification.

430 DOCUMENTATION OF NON-CITIZEN STATUS

Non-citizens must provide documentation that verifies "qualified" non-citizen status for the program(s) for which they are requesting or receiving. "Qualified" non-citizen status is based upon the sections of the Immigration and Naturalization Act (INA) under which they are residing in the United States.

Non-citizen status must be verified by

- obtaining documentation of non-citizen status, **and**

- accessing the Department of Homeland Security Systematic Alien Verification for Entitlement (SAVE) System.

The case manager must document in the case record:

- the person's status and how it was verified,
- the USCIS document's expiration date if there is one, **and**
- what information is obtained from SAVE

Check USCIS documents that verify non-citizen status for expiration dates. If the person's document has expired, evaluate the reason for expiration.

- I-551 (Permanent Resident Card) – Expires ten years from the date of issue. At the end of the 10 years the LPR does not lose his/her status, but must simply renew the card.
- I-151 (Resident Alien Card) – USCIS discontinued the use of these cards in March of 1996. If they have an expired I-151 it does not mean that he/she has lost LPR status; it means only that the I-151 is no longer considered proof of the person's LPR status when he/she applies for a job or attempts to re-enter the U.S. Individuals who still have the I-151 should apply for the I-551.
- I-94 (Arrival/Departure Record) – The status of non-residents holding these documents must have their status re-verified if expired. This is a temporary document issued while status is pending or the I-551 is issued.

Status for individuals with any other USCIS document that has expired must be re-verified unless listed in the exceptions below.

Initiate SAVE additional verification if more information is needed. If the current status cannot be verified, pend the case and allow 10 days for the individual to update their status with USCIS. Disqualify the non-citizen who does not have acceptable status.

If an individual has been in prison since they last applied, regardless of the expiration date on the document on file, request to review their current document or access SAVE. Their residence may have been revoked, or they may have been issued a different status affecting their eligibility.

Exceptions:

- Do not consider a Cuban/Haitian entrant's Form I-94 with an expiration date of 1/15/81 to be expired. These persons have acceptable status.
- **Trafficking Victims**: As of November 6, 2001, certification letters issued by Department of Health and Human Services (HHS) and Office of Refugee Resettlement (ORR) for adults and eligibility letters for children will no longer contain an expiration date. Individuals who were certified before this date received letters with 8-month expiration dates. As these letters expire, ORR will issue recertification letters without expiration dates. Accept the original ORR recertification (without an expiration date) letter or letter for children in place of USCIS documentation. The "entry date" will not change on the recertification letter. Victims are not required to provide any documentation of their immigration status.

431 DETERMINING QUALIFIED AND NON-QUALIFIED NON-CITIZEN STATUS

Determine if the individual claiming non-citizen status is a "qualified" or a "non qualified" non-citizen. Use the non-citizen's USCIS document(s), USCIS letter, a court order, passport and/or other resources listed in the following sections to determine the non-citizen's qualified status.

"Qualified" non-citizens include the following:

- Lawful Permanent Residents (LPRs)
- Refugees
- Asylees
- Persons granted withholding of deportation or removal
- Conditional Entrants
- Persons granted parole for a period of at least one year
- Cuban/Haitian entrants
- Certain Abused non-citizens

"Non-Qualified" non-citizens include all non-citizens without status in one of the above categories. This includes non-citizen students, tourists and undocumented non-citizens.

Note: "Non-Qualified" non-citizens also include individuals who are citizens of the Federated States of Micronesia, the Marshall Islands and the Republic of Palau. These individuals are not U.S. citizens nor are they immigrants. These individuals have special rights under Compacts of Free Association signed by the United States. Although they are technically non-immigrants, they are allowed to enter, reside and work in the United States.

For any individual who is **currently** a "qualified" non-citizen, determine when the individual began residing in the United States.

For individuals who entered the United States **prior to August 22, 1996:**

Determine the date the individual began residing in the United States using the earliest verified date the person entered and continually resided in the country, regardless of the individual's legal status at the time they entered the United States.

To receive SNAP, an individual must be a "qualified" non-citizen. The date of "qualified" non-citizen status must be determined. This date sometimes varies on different documents to reflect attainment of a certain immigration status.

For individuals who entered the United States **on or after August 22, 1996:**

These individuals must meet one of the categories listed in the chart below.

For those individuals who must serve the five-year bar, the five-year bar begins with the date the individuals attained "qualified" non-citizen status as determined by USCIS.

431.1 Non-Citizen Program Eligibility Chart

PROGRAM	"QUALIFIED" NON-CITIZENS WHO ENTERED THE U.S. BEFORE 8/22/96	"QUALIFIED" NON-CITIZENS WHO ENTERED THE U.S. ON OR AFTER 08/22/96	"NOT QUALIFIED" NON-CITIIZENS

SNAP	Eligible only if:
	• Are under age 18
	• Were granted status as*:
	  • refugee or asylee
	  • withholding of deportation/ removal
	  • Cuban/ Haitian
	  • Amerasian immigrant
	• Have been in "qualified" non-citizen status for 5 years or more.
	• Are receiving disability-related assistance
		Eligible only if:
		• Are under age 18
		• Were granted status as*:
		  • refugee or asylee
		  • withholding of deportation/ removal
		  • Cuban/ Haitian Entrant
		  • Amerasian immigrant
		• Have been in "qualified" non-citizen status for 5 years or more.
		• Battered*** non-citizen who has served 5-year bar
		• Battered*** non-citizen with credit for 40 quarters of work
		• Are receiving disability-related assistance
		• LPR with credit for 40 quarters of work
			Eligible only if:
			• Member of Hmong or Laotian tribe during the Vietnam era, when the tribe militarily assisted the U.S.; spouse, surviving spouse or child of tribe member
			• Certain American Indians born abroad **
			• Victims of trafficking and their spouses and children

	• LPR with credit for 40 quarters of work • Battered*** non-citizen who has served 5-year bar • Battered*** non-citizen with credit for 40 quarters of work • Were 65 years or older and were lawfully residing in the U.S. on 8/22/96	• Veteran, active duty military; spouse, unremarried surviving spouse or child • Member of Hmong or Laotian tribe during the Vietnam era, when the tribe militarily assisted the U.S.; spouse, surviving spouse or child of tribe member • Certain American Indians born abroad ** • Attains citizenship	
SNAP	• Veteran, active duty military; spouse, unremarried surviving spouse or child • Member of Hmong or Laotian tribe during the Vietnam era, when the tribe militarily assisted the U.S.; spouse, surviving spouse or child of tribe member • Certain American Indians born abroad ** • Attains citizenship		

TANF Programs	Eligible if:	Eligible only if:	Eligible only if:

	• Entered country prior to 8/22/96
	• Certain American Indians born abroad**
	• Attains citizenship
	• Battered**** non-citizen
		• Were granted status as*:
		  • refugee or asylee
		  • withholding of deportation/ removal
		  • Cuban/ Haitian Entrant
		  • Amerasian immigrant
		• Veteran, active duty military; spouse, unremarried surviving spouse or child
		• Have been in "qualified" non-citizen status for 5 years or more.
		• Battered*** non-citizen who has served 5-year bar (federal TANF)
		• Battered*** non-citizen who has not served 5-year bar (MOE)
		• Certain American Indians born abroad**
		• Attains citizenship
			• Victims of trafficking and their spouse and children
			• Certain American Indians born abroad**

Key - *****Status as refugee, asylee, withholding of deportation/removal, Cuban/Haitian Entrant or Amerasian *but only during the first 7 years after attaining status. Eligibility continues for these individuals after the first 7 years as they have now been in qualified non-citizen status for over 5 years and have met the 5 year bar.* **Note**: Cuban Entrants originally admitted to the U.S. as a refugee, asylee or parolee, do not lose eligibility for public benefits due to a change in status.

****** Eligible if a Native American born in Canada possessing at least 50% blood of an American Indian race or a member of an Indian tribe as listed in manual section C-760.

******* Battered non-citizens must meet the requirements listed in manual section A-437 to be eligible.

431.2 Absence of Proof of Immigration Status

If a required non-citizen household member is unwilling to provide proof of their immigration/non-citizen status the entire household will be denied. **Exception**: If documentation was not requested at least ten (10) days prior to the case processing deadline and the non-citizen is otherwise eligible, assistance is approved without proof of immigration status. If the member fails to provide proof after approval, the entire case is terminated.	If a required non-citizen household member is unwilling or unable to provide proof of their immigration/non-citizen status they will be considered an ineligible non-citizen. The remaining members may be approved if they meet all eligibility requirements. **Exception**: If documentation was not requested at least ten (10) days prior to the case processing deadline and the non-citizen is otherwise eligible, assistance is approved without proof of immigration status. If the member fails to provide proof after approval, the individual member is removed from the case.

432 VERIFYING NON-CITIZEN STATUS USING THE SYSTEMATIC ALIEN VERIFICATION TO ENTITLEMENTS (SAVE) SYSTEM

The method of verifying non-citizen status is through the Department of Homeland Security SAVE program. Staff can access the SAVE system through the link on the ZENworks Window.

The SAVE system shows the date of adjustment rather than the date the individual entered the USA. If the individual claims an earlier date of entry into the USA, they must provide proof. If the individual claims to be a United States citizen, the SAVE system can verify that information as well. Enter the "alien number" and the system will verify citizenship. If you need additional information, please refer to the tutorial in the upper right hand corner of the VIS screen.

Attempt first to verify non-citizen status during the interview using the website as the primary verification process. If the primary verification process cannot be used, the SAVE program will instruct you to "institute additional verification." A small percentage of individuals will be processed immediately through additional verification without any attempts at primary verification.

If the individual has their "A" number and other proper identification . . .	**Then . . .** Enter the SAVE website and verify status.
If the individual does not provide proof of their alien registration number during the interview and verification . . .	**Then . . .**
is available,	pend the case for **10** days to give the household an opportunity to provide proof of the number. Initiate primary verification when proof is provided. TANF – If proof is not provided by the 10th day, deny or terminate the entire household for non-cooperation. SNAP **-** If proof is not provided by the 30th day, disqualify the member for whom proof is missing, and approve any remaining eligible members.
is not available because the proof of registration has been lost,	instruct the individual to ● file for a duplicate card and/or I-94 at USCIS, and ● provide the documentation to the district office. Give the household **10** days to provide the required information. TANF – If the household does not provide proof of the number within 10 days deny or terminate the entire household. SNAP - If the household does not provide proof of the number by the 10th day or by the 30th day after the application date for pending applications, disqualify the member for whom proof is missing, and approve or continue assistance for any remaining eligible members. If the I-94 or other documentation is provided, initiate primary verification.

If documentation was not requested at least ten (10) days prior to the case processing deadline, e.g., 45th day, and the non-citizen is otherwise eligible, assistance is approved.

If the 10-day period ends after the 30th day from the application date, approve the application no later than the 30th day. Include the non-citizen for whom information is pending even if the verification has not been provided. If the information is not provided by the 10th day as requested, take adverse action to disqualify the individual for whom proof is missing.

432.1 Primary Verification

The computer data base at the Department of Homeland Security SAVE website provides primary verification by the Verification Information System (VIS).

432.2 Additional Verification

Some circumstances require additional verification.

In the following circumstances, the case manager will complete an electronic additional verification:

- The SAVE website advises the case manager to complete “Additional Verification.”
- The COA code indicates the LPR non-citizen may be sponsored.
- The LPR non-citizen indicates they have been sponsored.

The following circumstances require the caseworker to request “Additional Verification” directly from USCIS.

1. Any of the items presented as documentation appear counterfeit or altered.

2. An individual presents unfamiliar USCIS documentation, or a document that indicates immigration status, but does not contain an A-Number.

3. The document contains an A-Number in the A60 000 000 or A70 000 000 series. These ranges have not been issued.

4. The document contains an A-Number in the A80 000 000 series. This range is used for illegal border crossings.

5. The document presented is a Form I-689 or Form I-688 annotated with 210 (a.). These documents will always contain A-Numbers in the A90 000 000 series. This range is used for participants in the legalization (amnesty) or Special Agriculture Worker (SAW) programs. Because they are amnesty participants, policy requires the non-citizen’s authorization, with original signature, before secondary verification is performed.

6. The document presented is a letter, a fee receipt, or anything other than an established USCIS form.

7. The document presented is an I-181, or an I-94 in a foreign passport that bears the endorsement "Processed for I-551, Temporary Evidence of Lawful Permanent Residence," AND the I-181 or I-94 is over one year old.

The case manager must complete Form G-845S, SAVE Document Verification Request, electronically for each individual requiring additional verification. Include the Alien Registration Number or I-94 number, name, nationality, date of birth, SSN, ASVI verification number, benefit type and case number. Scan and upload readable copies (front and back) of immigration documents containing the registration number. If the individual's name has changed since the USCIS registration card was issued, also attach a document that verifies the name change.

USCIS will research the non-citizen's records and complete the response portion of the form through the SAVE system within ten (10) working days of receipt. The immigration Status Verifier (ISV) checks all appropriate statements on the lower half and back of the form to indicate the individual's immigration status and work eligibility.

When using secondary verification, if the non-citizen is otherwise eligible, do not delay, deny, or reduce the household's benefits while waiting for a response from USCIS.

When the G-845 is received and the response indicates the non-citizen's documents are valid, file the form in the permanent section of the case record.

When the G-845 is received and the response indicates the non-citizen's document is not valid, disqualify the individual (allowing adverse action) or deny/terminate the application as appropriate and refer to I & R as possible fraud.

433 INDIVIDUALS PREVIOUSLY HELD IN "INDEFINITE DETENTION"

"Indefinite detainees" or "lifers" refer to non-citizens who, after having served time for a criminal conviction and being given a final order of removal by the United States Citizenship and Immigration Service (USCIS), remain indefinitely in detention in the U.S. because their home country and no other countries will accept them.

Non-citizens with final orders of removal may have originally come to the U.S. as refugees or had another status upon being released from detention that made them eligible for Office of Refugee Resettlement (ORR) funded benefits and services include:

- Refugees under Section 207 of the Immigration and Nationality Act (INA);
- Asylees whose status was granted under Section 208 of the INA;
- Cuban and Haitian entrants, in accordance with the requirements in TANF and SNAP federal regulations;
- Admitted for permanent residence, provided the individual previously held one of the statuses identified herein;
- Certain Amerasians from Vietnam who are admitted to the U.S. as immigrants pursuant to Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, and
- Victims of severe forms of trafficking, in accordance with 45 CFR, Section 400.43 and ORR State Letter 01-13.

433.1 Process for Determining Indefinite Detainee Status

Many of these individuals will no longer be eligible for benefits because their eligibility periods may have expired during their incarceration. Prior to providing benefits or services, determine:

- Identity,
- Status (can be complicated as it may differ from the individual's original status, or the individual may not have documentation of their original status),
- Date the individual initially became eligible for benefits (entry date).

The following process should be used ONLY for determining the non-citizen status of individuals who:

- Have received a full order of removal, but who have been released from detention because they cannot be removed to their home country or to any other country,
- Provide an *Order of Supervision, USCIS Form I-220B*, which should include the individual's alien registration number and a notation concerning exclusion, deportation or removal, or
- May have an employment authorization document, USCIS Form I-688B, showing Section 274(a)(12)(c)(18) as the provision of law.

Do not apply this process to any individual designated as a Cuban Entrant originally admitted to the U.S. as a refugee, asylee or parolee. These individuals do not lose eligibility for public benefits due to the change in status.

433.2 Steps for Determining Indefinite Detainee Eligibility

1. Gather as much of the following information for the detainee as possible from the household:

a. Name b. Alien registration number ("A number") c. Date of birth d. Social Security Number	e. Home country f. Number on the I-94 card g. Parents' names h. Driver's license number i. **Copies of any immigration documents**

2. Call or email Thomas Pabst at (202) 401-5398, thomas.pabst@acf.hhs.gov to inform and request the need for a non-citizen status determination for an indefinite detainee or lifer.

3. Send a fax with the information collected from the household to (202) 401-5487. To facilitate ORR's possible need for additional information, include case manager name, title, telephone and fax numbers, office address, email address and case number.

After this information is submitted, ORR will notify the case manager by fax of the individual's entry date and status eligibility. File the faxed notice received in the case record.

Follow non-citizenship policy to determine if the individual further qualifies for public assistance benefits as a qualified non-citizen.

434 VICTIMS OF TRAFFICKING

Traffickers force adults (mostly young women) and children into prostitution, slavery and forced labor through coercion, threats of physical violence, psychological abuse, torture and imprisonment. Under the Trafficking Victims Protection Act, adult victims of trafficking who are certified by the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services (HHS) are eligible for benefits to the same extent as refugees. Children who have been subjected to trafficking are also eligible like refugees but do not need to be certified. As of November 6, 2001, certification letters issued for adults and eligibility letters for children will no longer contain an expiration date. Individuals who were certified before this date received letters with 8-month expiration dates. As these letters expire, ORR will issue recertification letters without expiration dates. When a victim of trafficking applies for benefits, all eligibility requirements must be met except the following:

1. Victims are not required to provide any documentation of their immigration status. Accept the original OR recertification (without an expiration date) letter or letter for children in place of INS documentation. The "entry date" will not change on the recertification letter.

2. Call the trafficking verification line at (202) 401-5510 to confirm the validity of the certification letter or letter for children and notify ORR at HHS of the benefits for which the individual is applying.

3. Note the "entry date" for refugee benefit purposes. The individual's "entry date" is the certification date listed in the letter.

4. Call the trafficking verification line at (202) 401-5510 for assistance when having difficulty confirming identity.

5. Assist the individual in applying for a non-work Social Security Number.

6. Issue benefits to the same extent as a refugee.

7. Record the expiration date of the certification letter or letter so a review of eligibility will be done at the appropriate time.

Victims of Trafficking are awarded a T-Visa for entry. Certain members of their family may also apply for and receive a Derivative T-Visa and meet eligibility under refugee criteria.

- If the victim of trafficking is under 21 at the time the T-Visa application was filed, Derivative T-Visas are available to the following members of their immediate family: spouse, children, unmarried siblings (under 18 at the time the application was filed) and parents of the victim of trafficking.

- In the case where the application is filed after the individual turns 21, only the victim's spouse and children are eligible to apply for the Derivative T-Visa.

435 BATTERED NON-CITIZENS

1. A non-citizen, lawfully residing in the U.S. who has been battered or subjected to extreme cruelty in the U.S. by a U.S. citizen or LPR who is:

   - a spouse or a parent, or
   - a member of the spouse or parent's family residing in the same household as the non-citizen (and the spouse or parent consented to, or acquiesced in the battery or cruelty).

2. A non-citizen, lawfully residing in the U.S. whose **child** has been battered or subjected to extreme cruelty in the U.S. by a U.S. citizen or LPR who is:

   - a spouse or a parent of the non-citizen (without the active participation of the non-citizen in the battery or cruelty), or
   - a member of the spouse or parent's family residing in the same household as the non-citizen (and the spouse or parent consented to, or acquiesced in the battery or cruelty and the non-citizen did not actively participate).

3. A non-citizen child, lawfully residing in the U.S. whose **parent** has been battered or subjected to extreme cruelty in the U.S. by:

   - the parent's spouse, or
   - a member of the spouse's family residing in the same household as the parent (and the spouse consented to or acquiesced in such battery or cruelty).

435.1 Conditions for a Battered Non-Citizen to be Eligible

Review the Non-citizen Program Eligibility Chart in to determine if the person is a "qualified" or "non-qualified" non-citizen. They may be subject to a five year bar on the receipt of benefits depending upon the date they entered the U.S. and the program(s) for which they are applying.

Effective March 1, 2006, battered non-citizens who entered the U.S. on or after August 22, 1996 and have not served a five year bar will **only** receive state funded (MOE) TANF cash assistance. For TANF cash eligibility only, if a battered non-citizen does not meet the requirements for any other eligible non-citizen category, they must meet the following conditions to receive state funded (MOE) TANF, cash assistance. 1. There must be a substantial connection between the battery or cruelty and the need for benefits to be provided.	Once the five year bar is served, evaluate eligibility for SNAP.

2. They must have been granted Lawful Permanent Resident Status (LPR) under the 1994 Violence Against Women Act (VAWA) or have a petition for LPR status pending which sets forth a prima facie case under VAWA. Individuals who set forth a prima facie case will receive a "Notice of Prima Facie Case" to document their "qualified non-citizen" status for public benefits. The notice is valid until USCIS has made a decision on the petition. Although there will be an expiration date on the notice, the individual may file for an extension if USCIS has not made their decision by the expiration date. Once the five year bar has been served, State funded (MOE) TANF cases must be transferred to federal TANF, if eligible.	

435.2 Criteria for Establishing a Substantial Connection

In establishing the substantial connection, the case manager must consult with or refer the case to a social worker (if appropriate) to ensure all necessary issues and/or need for services are assessed and reflected in the Personal Responsibility Plan.

The following list provides for the circumstances under which a substantial connection between the battery or cruelty and the need for public benefits exists for a battered non-citizen who is the:

- applicant,
- applicant's child, or
- applicant's parent (in the case of a non-citizen child).

1. When the benefits are needed to enable the above individual(s) to become self-sufficient following separation from the abuser.
2. Where the benefits are needed to enable the above individual(s) to escape the abuser and/or the community in which the abuser lives, or to ensure their safety from the abuser.
3. Where the benefits are needed due to a loss of financial support resulting from the above individual(s)'s separation from the abuser.
4. Where the benefits are needed because the battery or cruelty, separation from the abuser, or work absences or lower job performance resulting from the battery or extreme cruelty or from legal proceedings related to it (including child support or child custody disputes) cause the above individual(s) to lose their job or requires them to leave their job for safety reasons.
5. Where the benefits are needed because the above individual(s) requires medical attention or mental health counseling, or has become disabled as a result of the battery or cruelty.
6. Where the benefits are needed because the loss of a dwelling or source of income or fear of the abuser following separation from the abuser jeopardizes the applicant's and/or applicant's parent(s)'s (in the case of a non-citizen child) ability to care for their children. **Examples**: Inability to house, feed or clothe children or put children into day care for fear of being found by the abuser.
7. Where the benefits are needed to alleviate nutritional risk or need resulting from the abuse or following separation from the abuser.
8. Where the benefits are needed to provide medical care during a pregnancy resulting from the abuser's sexual assault or abuse of or relationship with the above individual(s) and/or to care for any resulting children.
9. Where medical coverage and/or health care services are needed to replace medical coverage or health care services the above individual(s) had when living with the abuser.

435.3 Verification of Battered Non-Citizen Status

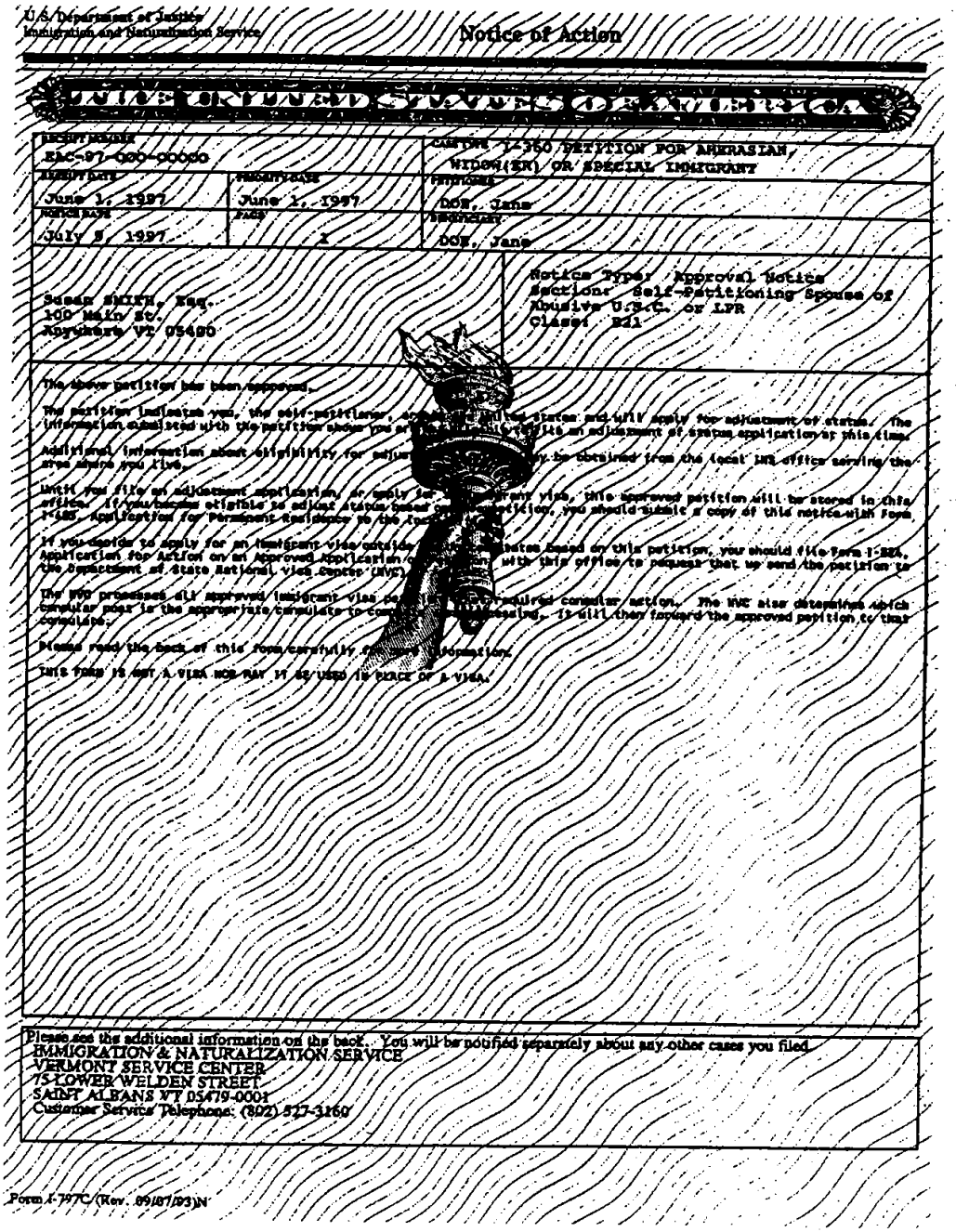
An individual who does not meet any other eligible non-citizen category and claims to be a battered non-citizen must have either an “Approval Notice” or a “Notice of Prima Facie Case” under the section “Self-Petitioning Spouse of Abuse U.S.C. or LPR” to establish eligibility under this category.

The following are examples of these notices.

- **Approval Notice**
- **Notice of Prima Facie Case**

See next two pages.

- **Approval Notice**



U.S. Department of Justice
Immigration and Naturalization Service

Notice of Action

RECEIPT NUMBER
EAC-97-000-00000

CASE TYPE I-360 PETITION FOR AMERASIAN, WIDOW(ER) OR SPECIAL IMMIGRANT

RECEIPT DATE
June 1, 1997

PRIORITY DATE
June 1, 1997

PETITIONER
DOE, Jane

NOTICE DATE
July 8, 1997

PAGE
1

BENEFICIARY
DOE, Jane

Susan SMITH, Esq.
100 Main St.
Anywhere VT 05400

Notice Type: Approval Notice
Section: Self-Petitioning Spouse of Abusive U.S.C. or LPR
Class: B21

The above petition has been approved.

The petition indicates you, the self-petitioner, [illegible] United States and will apply for adjustment of status. The information submitted with the petition shows you a[illegible] eligible for an adjustment of status application at this time.

Additional information about eligibility for adjus[illegible] may be obtained from the local INS office serving the area where you live.

Until you file an adjustment application, or apply for [illegible] immigrant visa, this approved petition will be stored in this office. If you become eligible to adjust status based on [illegible] petition, you should submit a copy of this notice with Form I-485, Application for Permanent Residence to the local [illegible].

If you decide to apply for an immigrant visa outside [illegible] States based on this petition, you should file Form I-824, Application for Action on an Approved Application or [illegible] with this office to request that we send the petition to the Department of State National Visa Center (NVC).

The NVC processes all approved immigrant visa pe[illegible] required consular action. The NVC also determines which consular post is the appropriate consulate to con[illegible] processing. It will then forward the approved petition to that consulate.

Please read the back of this form carefully [illegible] information.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.
IMMIGRATION & NATURALIZATION SERVICE
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
SAINT ALBANS VT 05479-0001
Customer Service Telephone: (802) 527-3160

Form I-797C (Rev. 09/07/93)N

- **Notice of Prima Facie Case**

U.S. Department of Justice
Immigration and Naturalization Service

Notice of Action

UNITED STATES OF AMERICA

RECEIPT NUMBER EAC-97-000-00000		CASE TYPE I-360 PETITION FOR AMERASIAN, WIDOW(ER) OR SPECIAL IMMIGRANT
RECEIPT DATE June 1, 1997	PRIORITY DATE June 1, 1997	PETITIONER DOE, Jane
NOTICE DATE June 27, 1997	PAGE 1	BENEFICIARY DOE, Jane

Jane DOE
Susan SMITH, Esq.
100 Main St.
Anywhere VT 05400

Section: Self-Petitioning Spouse of Abusive U.S.C. or LPR

NOTICE OF PRIMA FACIE CASE

The above petition has been reviewed [illegible] to establish a prima facie case for classification under the self-petitioning [illegible]ions of the Violence Against Women Act.

THIS PRIMA FACIE DETERMINATION [illegible] FOR A PERIOD OF 150 DAYS FROM THE NOTICE DATE SHOWN ABOVE, AND [illegible] THE DATE INDICATED AT THE BOTTOM OF THE PAGE.

We will send you a written notice as so[illegible] we make a decision on this case. It is expected that a final decision will be [illegible] this case before the end of 150 days. In a few cases, the adjudication may not [illegible]ered in this time frame. If this period is coming to a close and you need an ex[illegible] of this prima facie determination in order to continue receiving public benefits [illegible] submit a written request for extension at least 15 days prior to expiration.

PLEASE NOTE: ESTABLISHING A PRIMA FACIE CASE FOR CLASSIFICATION UNDER THE SELF-PETITIONING PROVISIONS OF THE VIOLENCE AGAINST WOMEN ACT DOES NOT NECESSARILY MEAN THAT YOUR PETITION WILL BE APPROVED.

****
EXPIRATION DATE: November 27, 1997
****

Please see the additional information on the back. You will be notified separately about any other cases you filed.
IMMIGRATION & NATURALIZATION SERVICE
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
SAINT ALBANS VT 05479-0001
Customer Service Telephone: (802) 527-3160

Form I-797C (Rev. 09/07/93)N

436 DOCUMENTATION OF VETERAN STATUS

Non-citizens may be eligible for certain benefits if they are veterans, on active military duty, or are the spouse or dependent child of a veteran or person on active military duty. This category also applies to certain reserve members, as specified in this section.

436.1 Definition of a Veteran

Individuals who actively served with the United States Armed Services whether or not they were citizens who:

- meet the minimum active duty requirement of 24 months, served for the period of time they were called to active duty, or have an honorable discharge;
- were military personnel and died during active duty; or
- were Filipinos who served in the Philippine Commonwealth Army during World War II or as Philippine Scouts after the war.

436.2 Spouses, Surviving Spouses and Dependent Children of a Veteran

Individuals may qualify for certain benefits if they are a spouse, surviving spouse, or dependent child of a veteran and meet the appropriate criteria. Individuals claiming this status must show the same documentation as the veteran or active duty member. If the documentation is not available, they should be referred to the local VA regional office for verification of veteran status. **Note**: The VA will not verify the relationship, so relationship must be established using regular verification procedures for this requirement.

436.2.1 Spouse

The individual must be currently married to the veteran.

436.2.2 Surviving Spouse

- The surviving spouse must not have remarried; and
- The surviving spouse was married to the veteran or active-duty personnel within fifteen years after the termination of the period of service in which the injury or disease causing the death of the veteran was incurred or aggravated; and
- The surviving spouse was married to the veteran or active-duty personnel for one year or more; or
- A child was born of the relationship between the surviving spouse and the veteran or active-duty personnel, either during or before the marriage.

436.2.3 Dependent Child

- The child must be unmarried; and
- Must meet program criteria under which benefits are being applied for to be considered as a dependent child.

436.3 Verification of Veteran Status

436.3.1 Discharged Members

A discharge certificate, DD-214 or equivalent, that meets the following criteria is acceptable verification without further inquiry, unless the certificate appears to be altered or is otherwise irregular:

- It must show active duty in either the United States Army, Navy, Air Force, Marine Corps or Coast Guard; and
- It must show "Honorable" discharge ("Under Honorable Conditions" is not acceptable); and
- The individual must meet a minimum active duty requirement of two years or more in one of the branches listed above, **unless** their certificate shows an enlistment date prior to September 7, 1980 (there is no minimum active duty requirement for these individuals).

Refer the individual to the local Veteran's Administration Office to have VA staff determine satisfaction of the minimum active duty service and provide the individual with documentation of their military status in the following circumstances:

- The discharge certificate shows "Honorable," but shows a branch of service not listed above. (Examples include: National Guard, active duty for training, inactive duty, etc.);
- The individual claims veteran status but has no documentation; or
- The document shows active duty of less than two years with an original enlistment date on or after September 7, 1980.

436.3.2 Active Duty Members

Active duty as a member of the U.S. Armed Forces means the individual is on full-time duty in the United States Army, Navy, Air Force, Marine Corps or Coast Guard. It does not include full-time National Guard duty.

Service members on active duty may establish their status by presenting a current Military Identification Card (DD Form 2 - Active), that lists an expiration date of more than one year from the date of the eligibility determination.

If the Military Identification Card is due to expire within one year from the date of determination, the service member may verify active duty by showing a copy of their current military orders.

If the service member is unable to furnish a copy of their orders, active duty may be verified through the nearest RAPIDS (Real Time Automated Personnel Identification System) which is located at many military installations, or by notifying the following in writing (which can be faxed):

ATTN: Research and Analysis
DEERS Support Office
400 Gigling Road
Seaside, CA 93955-6771
FAX: (408) 655-8317

436.3.3 Reserve Members (Not On Active Duty for Training)

Active duty for training is temporary full-time duty in the Armed Forces performed by members of the Reserves, Army, National Guard, or Air National Guard for training purposes. Active duty for training does not establish eligible status. However, a discharge from active duty for training may establish veteran status and the individual should be referred to the VA for a determination.

A member of a Reserve Component must establish their status by showing a current DD Form 2 - Reserve (red) and military active duty orders showing they are on active duty, but not on active duty for training. No other method for verifying this status is currently available.

439 SOCIAL SECURITY EARNINGS - QUARTERS

An individual must be a **Legal Permanent Resident (LPR)** to be eligible to qualify for **SNAP** assistance by being credited with 40 quarters/credits of coverage.

439.1 Definition of Quarter/Credit

The term "quarter" means the 3-calendar month periods ending with March 31, June 30, September 30 and December 31 each year.

Social Security credits (formerly called "quarters of coverage") are earned by working at a job or as a self-employed individual. A maximum of 4 credits may be earned each year.

439.2 Who May Be Included in the Q/C (Quarter/Credit) Count

If a **Lawful Permanent Resident (LPR)** individual, who is not eligible in another category, does not provide verification of Social Security Quarter/Credit (Q/C) coverage at the time of the interview, information must be obtained to determine the potential effect on their eligibility by applying the 40 quarter/credit provision to the individual.

Quarter/Credits from the following people may be counted toward the individual's 40 Q/C total:

- The individual -- always.
- The individual's biological parents (unless adopted), and includes quarters worked prior to the individual's date of birth up to the date the individual turned age 18, whether or not the child resided with the parent.
- The individual's adoptive parents, and includes quarters worked prior to the individual's date of birth up to the date the individual turned age 18, whether or not the child resided with the parent.
- The individual's stepparents, provided the step relationship still exists, but only for quarters worked while the relationship was in existence and includes those worked prior to the individual's date of birth (if step relationship existed) up to the date the individual turned age 18.
- The individual's **current** spouse (even if not living together), but only for the quarters worked during the spousal relationship.
- The individual's former spouse, only if the marriage ended by death, and only for quarters worked **during** the marriage.

Examples:

- A child with two parents with quarter credits and a stepparent (and the stepparent relationship still exists) may have quarters credited from all three people, even if the time period during which the quarters were earned overlap.
- Two or more children may receive credit for any quarters earned by one or both parents through age eighteen.
- Two spouses with earned quarters may each have their quarters credited to the other spouse, even if the time period during which the quarters were earned overlap.

Note: Quarters credited to a child do not expire when they reach age 18

439.3 Who May Not Be Included in the Q/C (Quarter/Credit) Count

Social Security quarter/credits earned by the following may not be counted toward an applicant's 40 quarter/credit total.

- An individual's natural/adopted/stepchildren or other relatives (e.g., aunts, uncles, grandparents, cousins, brothers, sisters).
- Quarters earned by an individual's current/deceased spouse before the marriage.
- Any quarters earned by an individual's previous spouse if the marriage has ended in divorce.
- Quarters earned by the stepparents prior to the individual's birth or after the individual turns age 18, unless the step relationship existed prior to birth of the child.
- Quarters earned by a stepparent if the step relationship no longer exists

439.4 Determining Possibility of Meeting 40 Quarter/Credit Requirement

- Total the number of years the individual, and each person whose credits may be applied to the individual, have lived in the United States.

<table>
<tr><th>If the total . . .</th><th colspan="2">Then . . .</th></tr>
<tr><td>equals at least 10 years,</td><td colspan="2">Determine how many years in the total included earnings.</td></tr>
<tr><td rowspan="4">is less than 10 years,</td><td colspan="2">Ask whether the individual, their parents or their spouse ever commuted to work in the U.S. from another country before coming here to live or worked for a U.S. company overseas and paid U.S. income taxes or FICA taxes.

If yes, determine the number of years and add them to the total.</td></tr>
<tr><td>If . . .</td><td>Then . . .</td></tr>
<tr><td>1. If the total is at least 10 years,</td><td>Determine how many years in the total included earnings.

If there were earnings during at least 10 years, follow procedure in A-439.5

If there were earnings in less than 10 years, go to Step 2.</td></tr>
<tr><td>2. If the total is less than 10 years,</td><td>STOP -- The individual cannot meet the 40 quarter/credit requirement.</td></tr>
</table>

439.5 Crediting Quarter/Credits to an Individual During the Application Process

Four quarters in each year can be credited to the individual from each person, always credit the individual's own quarters first. This will simplify verification because many individuals will have sufficient quarters on their own record and will not need to request information for other people.

Note: Individuals applying for SNAP who qualify for expedited services must be certified in time to ensure physical receipt of the benefits by the 7th day from application (the date of application is day one). Follow postponed verification procedures if the 40-quarter verification cannot be obtained within the expedited time frame.

If . . .	**Then . . .**
The interview process **clearly** shows the individual meets the 40 Q/C requirement...	The individual is considered to have met the requirement, pending verification from SSA. The case may continue to be processed.
The interview process shows the individual **may** meet the 40 Q/C requirement... **or** The interview process shows the individual **will not** meet the 40 Q/C requirement, but the individual believes they meet the requirement...	Request verification. Verify the date of entry into the country of the individual, spouse and/or parent. (Use the earliest documented date, as this date is sometimes adjusted to reflect attainment of a certain immigration status.) If the dates are consistent with having 10 or more years of work, include the individual in the household pending verification from SSA. If the dates of entry are inconsistent with having 10 or more years of work, the individual is not eligible.

439.6 Requests for Social Security Earnings Q/C History

Establish the necessary relationships to the individual prior to requesting the Q/C history.

The Social Security Administration (SSA) is now authorized to disclose quarter of coverage information concerning non-citizen and their spouse or parents to a governmental agency (without a signed *Consent for Release of Information* - Form SSA-3288) after reasonable efforts have been made to contact the individual to sign the consent form have been exhausted.

If a living parent or spouse refuses to sign the consent form to release of quarters of coverage information, the request for information may not be submitted to the Social Security Administration. (These quarters may not be added to the individual's total.)

- Copies of all consent forms must be retained in the casefile. SSA may need to see it if a question is raised.

439.7 Quarters of Coverage Codes

The following codes will appear on documentation from the Social Security Administration to verify work history.

CODE	EXPLANATION
COUNTABLE COVERED EMPLOYMENT	
A	Agricultural quarter
C	Wage quarter (this is the most common quarter code)
D	Military quarter
F	Federal, state or local government wage quarter
G	Gift quarter
J	Japanese Internment quarter
M	Military quarter
R	Railroad quarter
S	Self-employment quarter
U	Noncovered quarter
W	Noncovered quarter derived from the sum of covered and noncovered earnings
X	Wage quarter which can occur for 1951 or 1952
ϖ	A covered quarter
QUARTERS WHICH CANNOT BE COUNTED	
N	Quarter with no earnings, non-Q/C
QUESTIONABLE QUARTERS (SSA HAS INSUFFICIENT INFORMATION) Note: If inclusion of these quarters is necessary to meet the 40-quarter requirement, the SSN holder must contact SSA who will investigate the earnings and either confirm or deny the quarter.	
#	Questionable quarter occurring 1952 through 1977
Z	Questionable quarter occurring 1952 through present
--	Questionable noncovered quarter that can occur after 1977 for deferred compensation wages

439.7.1 Quarters of Coverage Which May Not Be Counted

A quarter may not be counted if:

- the individual, parent or spouse received a federal means-tested public benefit (this includes SSI benefits) during the quarter after December 31, 1996. If the benefit was received in error and was paid back, the quarter may be credited to the individual;

- the quarter was earned by a person whose quarters may not be credited to the individual; or

- SSA's records show the quarter as questionable. The quarter may be counted if SSA subsequently provides verification the quarter is countable.

439.7.2 Crediting Verified Quarters of Coverage

Step	If . . .	Then . . .
1. Review the individual's record. Do the codes which represent countable quarters add up to at least 40?	Yes	The individual meets the 40-quarter requirement and is in an eligible non-citizen category.
	No	Are there current or prior years earnings which are not shown on the documentation, but if added to the total will equal at least 40?
		If . . . / **Then . . .**
		If yes, see A-439.7.3 / If no, go to Step 2
2. Review other records for the periods which can be used (i.e., during the marriage for a spouse and under age 18 for a parent). When you add these countable quarters to the individual's record, do they add up to at least 40?	Yes	The individual meets the 40-quarter requirement and is in an eligible non-citizen category.
	No	Go to Step 3
3. Review the field "Minimum Number QCs 1937-1950" on the documentation from Social Security. If these can be used, add them to the individual's total countable quarters. Does the total equal at least 40?	Yes	The individual meets the 40-quarter requirement and is in an eligible non-citizen category.
	No	Go to Step 4
4. Review the field "Maximum Number of QCs 1937-1950 and look for codes # and Z. Do the maximum number and/or the codes # and Z equal at least 40 when added to the individual's total?	Yes	Refer the case to the Social Security Administration, as described in A-439.7.5.
	No	Go to Step 5
5. Review the quarters reflected on the Social Security documentation with the applicant. Does the individual believe countable quarters are missing?	Yes	Refer the case to the Social Security Administration, as described in A-439.7.5.
	No	The individual cannot meet the 40-quarter requirement and is not in this eligible non-citizen category.

439.7.3 Countable Quarters Based On Earnings

For 1978 and later, credits are based solely on the total yearly amount of earnings and may not reflect work in the actual quarter. The number of creditable Q/Cs are obtained by dividing the individual's total earned income by the increment amount for the year. All types of earnings appearing on SSA records follow this rule. The amount of earnings needed to earn a credit may be different for each year. For 1978 through 2013, the amount of earnings needed for each quarter/credit is:

1978	$250	1984	$390	1990	$520	1996	$640	2002	$870	2008	$1,050
1979	$260	1985	$410	1991	$540	1997	$670	2003	$890	2009	$1,090
1980	$290	1986	$440	1992	$570	1998	$700	2004	$900	2010	$1,120
1981	$310	1987	$460	1993	$590	1999	$740	2005	$920	2011	$1,120
1982	$340	1988	$470	1994	$620	2000	$780	2006	$970	2012	$1,130
1983	$370	1989	$500	1995	$630	2001	$830	2007	$1,000	2013	$1,160

Note: A current year quarter may be included in the 40-quarter computation. Accept a current employer-prepared wage statement as proof of earnings and credit a quarter for each increment shown on the chart for the appropriate year. Assume the earnings are covered employment if the wage statement shows FICA withholding or other government retirement paid. **Do not credit calendar quarters that have not ended**.

If you need to use quarters before 1978:

- A credit was earned for each calendar quarter in which an individual was paid $50 or more in wages (including agricultural wages for 1951-1955);
- Four credits were earned for each taxable year in which an individual's net earnings from self-employment were $400 or more; and/or
- A credit was earned for each $100 (limited to a total of 4) of agricultural wages paid during the year for years 1955 through 1977.

439.7.4 Reconciliation of LAG Quarters

A LAG quarter is information which has been reported, but not reflected in the Social Security Administration quarter tracking system.

When the individual does not agree with the information provided by Social Security and the problem is missing quarters in the current year:

- Accept a current employer prepared wage statement as proof of earnings and credit a quarter for each increment as shown above. Assume the earnings are covered employment if the wage statement shows FICA withholding or government retirement paid.

If subsequent verification of LAG quarters shows an individual now meets the 40-quarter requirement, they must be added to the case retroactively and supplemental benefits must be provided back to the month they became eligible.

If . . .	Then . . .
The problem is quarters in the last taxable year and the verification was requested before September after the close of the preceding taxable year (LAG quarters).	Accept forms such as W-2 and/or W-2c, employer prepared wage statements or an IRS copy of the individual's tax return and credit qualified quarters to the individual using the chart. Assume the earnings are covered if the proof submitted indicates FICA taxes were withheld or government retirement paid.
The verification was requested after August.	The earnings are not LAG and should be treated as shown in the next manual section.

439.7.5 Reconciliation of Other Covered Employment

Whenever the individual does not agree with the documentation provided by Social Security, it will be necessary to reconcile the discrepancy. When the individual believes the work they performed was in covered employment and the earnings do not fall within the LAG period, SSA is responsible for investigating the discrepancy and correcting the record.

Refer all covered employment cases to SSA as follows:

If . . .	**Then . . .**
The individual indicates they used more than one SSN or allowed others to use their SSN.	The individual will need to contact their local Social Security office to resolve the issue or call 1-800-772-1213 to set up an appointment. Be sure to tell them to take a copy of the SSA quarter documentation and identifying information to the office with them.
You need to determine if quarters with a Z or # indicator can be credited to the 40-quarter total.	Refer the case to the SSA office of Central Records Operations for investigation. Send a written request containing the following information: ♦ Name ♦ Social Security Number ♦ Date of Birth ♦ Year or years in question ♦ Return address ♦ Copy of SSA quarter documentation A separate request is needed for each SSN to be investigated. Mail the request along with the copy of the SSA quarter documentation to: SSA, ORCO PO Box 17750 Baltimore MD 21235-0001
The individual indicates there are missing quarters or the code "Z" is 1978 or later.	Have the individual (if they are the number holder of the SSN) complete the SSA-7008. Proof of earnings, such as W-2s, pay slip/stub, tax return or statement from the employer should be provided. On top of the SSA-7008 write "Welfare Reform." If the individual is not the number holder of the SSN, tell the individual the number holder must complete the SSA-7008 and provide proof of earnings as shown above. All SSA-7008s, along with the documentation, should be mailed to: SSA, ORCO PO Box 17752 Baltimore MD 21235-0001 If the individual has no documentation, they should contact their local Social Security office or call 1-800-772-1213 to arrange an appointment.

Note: If the verification received from SSA does not verify the individual can be credited with 40 quarters and the individual believes SSA's records are incorrect:

- Advise the individual SSA will work with them to determine whether additional quarters can be established.
- Allow the individual to participate for 6 more months, provided the individual provides written verification SSA is reviewing the number of quarters.
- If SSA cannot establish additional earnings and the individual cannot be credited with 40 qualifying quarters, an inadvertent household error claim for the overissuance will be established, unless the individual knowingly provided false information.

439.7.6 Covered Employment Chart (not all inclusive)

EMPLOYMENT IN THE UNITED STATES — EXCEPT AS INDICATED	YEAR COVERAGE BEGAN
Agriculture--Farm Labor, including domestics	1951
Domestic Service--Over $50 a calendar quarter (through 1994)	1951
Domestic Service--Over $1,000 per year	1995
Federal Government Civilians not under civil service retirement Uniformed Services	 1951 1957
Federal Government--New hires--compulsory	1984
Homeworkers ($50 a quarter; state license)	1951
Homeworkers ($50 a quarter; no license needed)	1955
State and Local Government--elective Not under a state or local retirement system Under a state or local retirement system	 1951 1955
State and Local Government--compulsory Non-members of employees' retirement system	 7/2/1991
Nonprofit Organizations--elective	1951
Nonprofit Organizations--compulsory	1984
Ministers (covered as self-employed)	
Railroads Service less than 10 years covered by transfer of credits	1951
Tips Cash tips of $20 or more in a month from one employer	1966
Vow of Poverty Members of Religious Orders If order elects to cover lay employees and members of the order	1972

EMPLOYMENT OUTSIDE THE UNITED STATES	YEAR COVERAGE BEGAN
Puerto Rico	1951
Virgin Islands	1951
On American Ships and Aircraft	1951
Guam	1961
American Samoa	1961

SELF-EMPLOYMENT — EXCEPT AS INDICATED	YEAR COVERAGE BEGAN
Farmers	1955
Materially--participating farmers	1956
Professional Groups, excluding lawyers, dentists, doctors, and other medical groups	1955
Ministers--elective	1955
Ministers-compulsory	1968
Lawyers, dentists and other medical groups excluding doctors of medicine	1956
Doctors of Medicine	1965
American Citizens employed in the United States by foreign government (covered as self-employed)	1961
Direct Sellers (house-to-house salespersons)	1983
Real Estate Agents	1983
Newspaper and shopping news distributors	1994

440 UNDOCUMENTED NON-CITIZEN REPORTING TO USCIS

Undocumented non-citizens will be reported to the USCIS if:

- An undocumented non-citizen is applying for assistance for themselves and/or other undocumented non-citizen household members; AND
- The undocumented non-citizen has an official "*Order to Show Cause*."

Note: If there is more than one undocumented non-citizen applying for assistance, only those with an official "Order to Show Cause" will be reported.

No other undocumented non-citizens will be reported to the USCIS.

450 DESCRIPTION OF IMMIGRATION CATEGORIES

- **Lawful Permanent Residents**

  Individuals who lawfully immigrate to the U.S. are called lawful permanent residents (LPRs). LPRs have permission to live and work permanently in the U.S. They may travel outside the U.S. and return, as long as they do not abandon their U.S. residence. An LPR may apply for naturalization to become a U.S. citizen after living in the U.S. for five years (three years if married to a U.S. citizen). LPRs are eligible for almost all of the public benefits available to U.S. citizens. The USCIS documents that prove LPR status include a "green card" (Form I-151 or I-551), a re-entry permit (I-327) or foreign passport with a stamp showing temporary evidence of LPR status. "Commuter non-citizens" are LPRs who work in the U.S., but who reside in Mexico and Canada and commute here to work. For purposes of eligibility for federal benefit programs, these individuals are treated the same as other LPRs, although they may experience difficulty establishing state residency.

  Some special categories of permanent residents are:

- <u>Amnesty (IRCA) legalized residents</u>: Under the Immigration Reform and Immigrant Control Act of 1986 (IRCA), two categories of non-citizens were allowed to legalize their status: (1) "general amnesty" or legalization immigrants, who had resided unlawfully in the U.S. since prior to January 1, 1982, and (2) "special agricultural workers" (SAWs) or "section 210" immigrants, who performed agricultural work for a specified period prior to IRCA's enactment. Legalization under IRCA was a two-stage process under which individuals first applied for and obtained lawful temporary resident (LTR) status. After obtaining LTR status, general amnesty immigrants were required to apply for lawful permanent resident status. SAW individuals, on the other hand, automatically became LPRs after having LTR status for given period of time.

- Amerasians: Individuals who were granted LPR status under a special statute enacted in 1988 for Vietnamese Amerasians. To be eligible for this status, an individual either must have been born in Vietnam after January 1, 1962, and before January 1, 1976 with a U.S. citizen father, or must have been the spouse or minor child of such an individual. Persons granted LPR status under this statute are eligible for Refugee Assistance, are not subject to the "public charge" ground of inadmissibility and are included within the "Refugee Exemption" for purposes of eligibility for certain federal benefits.

- Conditional permanent residents: A person who receives LPR status through marriage to a U.S. citizen is granted conditional permanent resident status if he or she was married less than two years at the time LPR status was granted. After a person has had this status for two years, either the couple must file a joint petition with the USCIS to keep the immigrant spouse's LPR status, or the immigrant spouse must file for a waiver of the joint petition requirement.

- **Persons Granted Status Because They Fled Prosecution**

  - Refugees: Refugees are non-citizens who, while outside the U.S. and their home country, were granted permission to enter and reside in the U.S. because they have a well-founded fear of persecution in their home country. After one year in this status, refugees can apply to become LPRs.

  - Iraqi and Afghani Special Immigrants – Effective December 26, 2007, Public Law 110-161, the Consolidated Appropriations Act of 2008 granted Iraqi and Afghan non-citizens special immigrant status under section 101(a)(27) of the Immigration and Nationality Act (INA). Individuals and family members granted this special immigrant status are eligible for resettlement assistance, TANF and entitlement programs including Medicaid, SNAP and other benefits the same as other refugees admitted under section 207 of the INA. Effective December 19, 2009, the Department of Defense Appropriations Act of 2010 (Section 8120, P.L. 111-2009) provides that Iraqi and Afghani Special Immigrants are eligible for federal public benefits to the same extent and for the same time period as refugees. The application of this provision is not retroactive; therefore those persons whose eligibility expired due to the previous 8 month eligibility period must reapply. Households currently receiving benefits will not be terminated at the 8 month time period and a redetermination and/or a recertification must be completed.

  - Asylees: People already in the U.S. who fear persecution in their home country and satisfy the requirements for refugee status can apply for asylum in the U.S., although there are exceptions. A person granted asylum is an "asylee." After one year in this status, asylees can apply to obtain LPR status.

- Persons granted withholding of deportation or withholding of removal: This status is similar to, but separate from, asylum for persons whose life or freedom would be threatened on return to their country. To obtain withholding, individuals must meet a higher evidentiary standard than for asylum, but if they meet this standard they *must* be granted withholding – unlike asylum, the status is not discretionary. Persons granted withholding may be deported to a third country if one will accept them, but they cannot be returned to their home country. Unlike refugee and asylee, this status does not provide a basis for individuals to obtain LPR status.

- Paroled as Refugees and Cuban/Haitian Entrants: Some persons who fear persecution are "paroled" into the U.S. as refugees when the number of refugees allowed to enter that year has been exceeded. Such parolees are given an I-94 with "paroled as a refugee" or "207" stamped or written on it. In the past, the INS paroled in Cubans and Haitians under the designation "Cuban/Haitian entrant" or "Mariel Cuban." All nationals of Cuba and Haiti are eligible for refugee assistance as "Cuban/Haitian entrants" so long as they have been granted parole, applied for asylum or are in exclusion or deportation proceedings but have not received a final order of deportation.

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Resources

510 DEFINITIONS

511 RESOURCES

Resources are assets or possessions which a household can convert to cash to meet immediate needs. Income cannot be counted as both income and a resource in the same month (e.g., earned income is budgeted on the case and pay checks are also deposited in the bank each pay day).

Examples of resources are cash, bank accounts, Electronic Benefits Transfer (EBT) **cash** accounts, stocks, bonds, certificates of deposit, vehicles, boats, recreational vehicles (RVs) not used as a residence, buildings, land and mineral rights. Camper shells/units would only be evaluated as a resource if not purchased with the vehicle and currently not in use. If a camper shell/unit purchased separately is on the vehicle (truck) or being used to live in, it is exempt. Individual or household pets, which do not generate income, are exempt and not considered a resource (i.e., cats, dogs, snakes, rodents, birds, horses, fish, turtles, ducks, chickens, pigs, etc.). If animals are the means of generating monthly or periodic income for the family, refer to manual section A-700, which identifies countable income, self-employment and lump sum money.

511.1 Sole Ownership

All of the resource is available to the household.

511.2 Requirement to Pursue Resources

Household members must pursue and take advantage of all resources to which they are legally entitled. Develop a plan with the household allowing a reasonable amount of time to pursue the potential resource. This plan should include time frames for obtaining the information, taking into account circumstances which may impact its availability (e.g., probate, escrow, out-of-area entities, etc.). Inform the household of their obligation to pursue the resource. Do not consider the resource when determining eligibility until it is available to the household.

Exception: A resource need not be pursued if it would be unreasonable. Unreasonable includes

The cost to pursue the resource exceeds its potential value or pursuit causes potential financial hardship.

– Pursuing the resource would endanger the household member's health or safety.
– Legal action is required, but a private attorney or legal service refuses to accept the case. A reasonable effort to obtain legal assistance must be demonstrated.

512 FAIR MARKET VALUE

The amount the resource would bring if sold on the current local market is its fair market value.

513 EQUITY

Equity is the amount of money that would be available to the owner after the sale of a resource. Determine this amount by subtracting from the fair market value any money owed on the item and the costs normally associated with the sale and transfer of the item.

514 INACCESSIBLE RESOURCES

The cash value of resources which are not legally available to the household are considered inaccessible and are exempt. Examples of resources not legally available are irrevocable trust funds, property in probate, and security deposits on rental property and utilities.

- A non-liquid resource is considered inaccessible if the equity value is less than the resource limit. A resource is also considered inaccessible if the existence of the resource is unknown to the household; or its sale or disposition is unlikely to produce any significant return or the cost of its sale would be relatively high. A vehicle is considered "inaccessible" if it would produce $1,500 or less if sold.

515 LIQUID AND NON-LIQUID RESOURCES

Liquid resources are those which are readily negotiable (such as cash, checking or savings accounts, savings certificates, stocks, bonds, IRA's, or Keogh Plans).

Non-liquid resources include vehicles, buildings, land, or certain other property. The equity value of Non-liquid resources is countable (except for vehicles, as explained in manual section A-550) unless the resource is specifically exempted.

516 PERSONAL POSSESSIONS

Personal possessions include furniture, appliances, jewelry, clothing, livestock, farm equipment and other items if the applicant uses them to meet personal needs essential for daily living.

Family pets or ownership of animals (not income producing), which include a variety of animals and livestock (e.g., horses, rabbits, dogs, cats [big/small], snakes, monkeys, fish), are not a resource. However, always evaluate the ownership of large numbers or herds of animals to determine if they are part of an income producing business.

520 RESOURCE LIMITS

A household is ineligible if the total value of countable resources:

- Is over $6,000 per TANF assistance unit.

On or after the first interview date is:

- Over $3250 in households with a disabled member or a member age 60 or over;
- Over $2250 for all other households.

521 CATEGORICALLY ELIGIBLE HOUSEHOLDS

Do not apply the SNAP resource test to households that have been determined categorically eligible based on the policy in A-100. It is not necessary to request or verify resources when the entire household has been determined categorically eligible.

522 TANF AND SSI RECIPIENTS IN MIXED SNAP HOUSEHOLDS

The resources of TANF and SSI recipients are exempt. Do not include them in the resource total for households not meeting expanded categorical eligibility. A household member is considered to be a TANF or SSI recipient if approved for TANF or SSI and the benefit

- has not yet been received,
- is suspended,
- is being recouped, or
- will not be paid because the benefit is less than $10.

522.1 Resources Jointly Owned by TANF and SSI Recipients and Household Members Not Meeting Expanded Categorical Eligibility

Determine countable resources of a TANF or SSI recipient as follows, if a resource is owned with another member of the same SNAP household who does not meet expanded categorical eligibility:

- **Non-liquid resources** — Exempt the TANF or SSI recipient's portion of a Non-liquid resource if it is jointly owned with another member of the SNAP household.
- **Liquid resources** — Determine if the liquid resource is exempt or countable, as follows:
  - Commingled resources — When a TANF or SSI recipient combines resources with those of a non-categorically eligible household member, exempt the TANF or SSI recipient's portion of the resources for six months from the month they were combined. After six months, count the total amount of commingled resources as an available resource to the non-categorically eligible recipient if it continues to be accessible.
  - Jointly owned resources (not commingled) — Exempt these resources if all money is contributed only by the TANF or SSI recipient, and the resource is used solely for
    - expenses of the TANF or SSI recipient, or
    - common household expenses.

530 TYPES OF RESOURCES

The following resources are either countable or exempt, depending on the program. Count the equity value of all resources not specifically listed as exempt.

531 BURIAL PLOT

Exempt one burial plot for each household member.

Exempt one burial plot for each non-household member if it is owned by a household member.

532 ADVANCED EARNED INCOME TAX CREDITS (EITC)

An Advanced EITC payment received in an employee's paycheck before their income tax return is filed is not considered a resource.

533 LIQUID CASH ACCOUNTS

533.1 Bank Accounts

Bank accounts include credit union checking/savings accounts. The low balance for the month is applied to the resource limit.

The value of a "debit card" account(s) which contains income from sources such as: Unemployment Compensation (UIB) benefits, Supplemental Security Income (SSI), Veterans benefits, Child Support etc., are considered bank accounts.

Any income deposited into these accounts, less amounts deposited in the current month, is a countable resource.

533.2 Electronic Benefits Transfer (EBT) Cash Account

The value of any EBT **cash** account, less amounts deposited in the current month, is a countable resource, unless excluded as the resource of a categorically eligible member in a SNAP household.

Verification requirements for bank accounts also apply to the EBT cash account.

533.3 Individual Development Account (IDA)

The use of Individual Development Accounts (IDAs) are intended to improve the economic independence and stability of individuals and families and to promote and support the transition to economic self-sufficiency. Federal funds match the amount of earnings low-income working individuals and families deposit into an IDA. IDA savings are to be used for a first home purchase, post secondary educational expenses, or business capitalization.

The Social Security Act provides for State Family Assistance Grant funds to be used to establish IDA. State Family Assistance Grant funds are (not all inclusive):

- Temporary Assistance for Needy Families (TANF); and
- Welfare-to-Work (WtW).

The Assets for Independence Act (AFIA) provides for IDAs to be established under:

- Head Start;
- Low Income Home Energy Assistance (LIHEA); and
- Community Services.

EXEMPT (while the individual is participating in the IDA program):

- Any earned income deposited into an established IDA by the household;
- Matching funds deposited into an established IDA; and
- The interest accruing on the matching funds.

Earned income deposited into an IDA is budgeted when determining eligibility and benefit amounts for the month received. Once the earned income is deposited into the IDA, the funds are excluded resources.

An individual, whose participation in the IDA program has terminated, voluntarily or otherwise, would no longer be covered by the exemption.

533.4 Tax-Preferred Education Accounts

Exempt all tax-preferred education accounts including Qualified Tuition programs described in Section 529 of the Internal Revenue Code of 1986 and Coverdell education savings accounts under Section 530 of the same code. This includes the Nevada Prepaid Tuition Program and the UPROMISE College Fund 529 Plan.

534 PLACE OF RESIDENCE

The usual residence and surrounding (contiguous) property not separated by property owned by others is exempt. However, the exemption still applies if the surrounding property is separated from the home by public rights of way, such as roads. Other houses on the property that cannot be sold separately are also exempt.

Real property outside of Nevada cannot be claimed as a primary or usual residence.

> Households that currently do not own a home, but own or are purchasing a lot on which they intend to build or are building a permanent home, receive the exemption for the lot and, if partially completed, for the home.

534.1 Temporarily Unoccupied Residence

Exempt a home temporarily unoccupied because of employment, training for future employment, illness, casualty, or natural disaster, if the household intends to return.

534.2 Sale of a Homestead

Count money remaining from the sale of a homestead as a resource.

535 EVALUATION OF INACCESSIBLE/UNAVAILABLE RESOURCES

535.1 Jointly Owned Resources

The value of resources owned solely by a household member are used to determine eligibility. When resources are owned jointly, count only the portion available to the household member.

- When a resource can be sold or disposed of without another person's signature, count the total equity value.
- When the household member's share of a resource can be sold or disposed of without another person's signature, count the total equity value of their share.
- If the household member provides proof they cannot dispose of their share of a resource without the other owner's permission, the resource is counted only if the other owner gives their consent to the disposal or sale. This does not apply to real property unless it was obtained during a valid marriage and considered community property. All other types of real property holdings do not require the other owner's approval to dispose of another owner's portion of the property.

This bullet also applies to Nevada domestic partners for TANF eligibility.

Exceptions: When the household member is a representative payee or legal guardian managing someone else's funds, the funds are not counted if kept in a separate account and there is proof the funds belong to someone other than the household member.

– The value of a resource jointly owned by more than one TANF or SSI recipient is divided equally among the owners.

– The equity value of vehicles owned jointly by more than one TANF/SSI recipient is divided among the owners. The disregard is applied to the TANF recipient's portion.

– Bank accounts used to determine an SSI recipient's eligibility are not used to determine a TANF recipient's eligibility.

Exempt a vehicle if it is jointly owned by a SNAP household member and a nonhousehold member who does not live with the household, provided the vehicle is unavailable to the household member because the household member does not have possession, or use of, the vehicle **AND** the household member is unable to sell the vehicle (e.g.; the signature of the co-owner(s) is needed and they will not sign). Vehicles registered in Nevada as Jane Doe **OR** John Doe require only one of the parties' signatures to sell the vehicle. Those registered as Jane Doe **AND** John Doe require both parties' signatures to sell.

535.2 Trust Funds

All trust funds/accounts are referred to the Deputy Attorney General (DAG) for a decision of availability of the trust. This includes living trusts. The worker must obtain the trust document or agreement and any other verification pertaining to the trust before requesting a determination of availability.

535.2.1 Trust Referrals

All trust referrals must be sent through the Chief of Eligibility and Payments in Central Office with Form 6009. The Chief of Eligibility and Payments will evaluate the information submitted and forward the information to the DAG's office for evaluation.

Do not refer *Minor Blocked Trusts* if the court order and accompanying documentation of how the trust is held, verify the trust is blocked. If the trust is blocked, it is considered an inaccessible resource.

- **Do not** refer trusts to the DAG if the household's resources, including the trust, are under the appropriate resource limit.

535.3 Resources of Residents in Shelters for Battered Women and Children

Resources held jointly by residents in shelters for battered women and children and their former households are exempt if:

- the shelter resident's access to the value of the resource depends on the agreement of a joint owner who still lives in the resident's former household.
- the resources are jointly owned by the household in the shelter and by members of the former household.

536 INCOME-PRODUCING PROPERTY

Exempt property that is essential to a household member's income (employment, self-employment, rental property, vacation home, etc.) if the property:

- annually produces income consistent with its fair market value, even if used only on a seasonal basis.
- is necessary for the maintenance or use of a vehicle exempted as income producing or as necessary for transporting a physically disabled household member. Exempt only that portion of the property that is used for this purpose.

Note: For farmers or fishermen, continue to exempt the value of the land or equipment for one year from the date that the self-employment ceases.

Continue to exempt this property during temporary periods of unemployment if the client expects to return to work.

Exception: Exempt property must be in current use or returned to use within one (1) year.

537 LIFE INSURANCE

Count the cash surrender value (CSV) of life insurance policies.

Verification of the CSV is not necessary unless the amount is questionable or close to the maximum allowable limits.

Insurance policies with no CSV provision are not considered a resource.

Exempt the cash value of life insurance policies and pension funds.

538 LOANS (NON-EDUCATIONAL)

Financial assistance from a private source, including but not limited to money loaned from a friend, family member, bank, church or any other private individual, office or organization (includes Reverse Mortgage home equity loans), is a loan if:

- there is an understanding or a written contract the money is to be repaid. A written statement or contractual agreement from the applicant/recipient and the lender is acceptable verification.

Exempt loans from resources.

Exempt loans from resources; however, if the money from loans is deposited into an account with countable funds, the exempt portion is disregarded for six months from the date funds are commingled. After this time period, the entire balance in the account is counted toward the resource limit.

539 LUMP SUM PAYMENTS

Count lump sum payments received once a year or less frequently as resources in the month received (unless specifically excluded by other federal laws). Countable lump sum payments include, but are not limited to, retroactive lump sum RSDI, public assistance, retirement benefits, or other such payments; insurance settlements; refunds of security deposits on rental property or utilities.

Exception: Count contributions, gifts, and prizes as unearned income in the month received.

Lump sum payments received or anticipated more often than once a year are counted as unearned income in the month received.

Child Support arrearages are evaluated as lump sum payments for SNAP.

539.1 Federal Tax Refunds

The total amount of a Federal Tax Refund received after December 17, 2010 is disregarded as income and resource in the month received and an additional 11 months for a total of 12 months.

540 PERSONAL POSSESSIONS

Exempt personal possessions.

541 PREPAID FUNERAL/BURIAL INSURANCE

Exempt the value of prepaid burial insurance policies, funeral plans, funeral agreements and insurance policies.

542 REAL PROPERTY

Count the *equity* value of real property unless it is otherwise exempt. Real property is defined as land and any improvements on it. This does not apply to the home and land in which the household is currently living.

Exempt real property directly related to the maintenance or use of a vehicle that is necessary for self-employment or to transport a physically or mentally disabled household member. An example of this would be a garage needed for storage/maintenance of a vehicle needed for self-employment. Each case circumstance must be reviewed individually. If only a portion of the property is for maintenance or vehicle use, only that portion is exempt for this purpose. The equity value of any remaining portion is counted unless exempt.

542.1 Exemption Based on Good Faith Effort to Sell

Exempt real property the household is trying to sell at a fair market price for up to six months if the household

- makes a good faith effort to sell the property, and
- signs the Property Exemption and Recipient Repayment Agreement Form 2651. By signing this form the household agrees to sell the property and repay the Division from the net proceeds, the amount of TANF cash assistance received during the six-month period. The household is also advised there is only one six-month exemption per piece of property.

Exempt real property the household is making a good faith effort to sell at a fair market price.

If the property is not sold, assistance is terminated at the end of the six-month period and an overpayment is computed when the property is sold. The case must be monitored for sales after assistance is terminated.

542.2 Verification of Good Faith Effort to Sell Real Property

The household must provide proof;

- the property is for sale, and
- the household has not refused a reasonable offer at fair market price.

Review the case in the third month of the exemption period to ensure the property is for sale and the household is making a good faith effort to sell it.

Real property the household claims is not saleable is exempt. Verification of this claim must be provided from two different sources in the property's geographic area.

The household must also verify no offers to purchase have been received. Once a reasonable offer is made, whether the household accepts it or not, the property is no longer considered "not saleable". The property now has value and is no longer exempt.

Verification sources include real estate brokers or salespersons, bank or other lending associations/institutions, title companies, or county assessor(s), etc.

542.3 Documentation of Good Faith Effort to Sell

Document the reason for exempting the property and the household's efforts to sell it.

542.4 Worker Actions Following Approval

If the property:

- is sold **in** or **before** the **sixth month,** redetermine eligibility for future months and request immediate repayment of the assistance provided during the period the property was exempt. The amount of any remaining proceeds from the sale of the property are counted as a resource.

- is sold but only a portion of the TANF benefits are repaid; redetermine eligibility for future months, calculate an overpayment and initiate collection action for the unrepaid benefits received during the exemption period. Any remaining proceeds from the sale are counted as resources.

- is sold and the household spends all the proceeds without repaying benefits received during the exemption period, calculate an overpayment. TANF continues if the household is otherwise eligible; however, refer the case to I & R to determine if this is an Intentional Program Violation (IPV). In addition, begin recoupment of the overpayment using grant deduction.

- is not sold by the sixth month count the equity value of the property as a resource beginning the seventh month. If the equity value and other countable resources do not exceed the resource limit, assistance continues. If the resource limit is exceeded assistance is terminated at the end of the sixth month. **Note:** An overpayment is not calculated until the property is sold.

In all cases, if the net proceeds from the sale are less than the benefits paid, recover only the lesser of the benefits paid or net proceeds received from the sale of the property. When determining if an overpayment exists, add the amount of the net proceeds to other countable resources of the household at the beginning of the six-month period. If the total is less than the resource limit, there is no overpayment.

If assistance is terminated for another reason prior to the end of the six-month exemption period, document the months the property was exempted and calculate an overpayment when the property is sold. If the household reapplies, continue to exempt the property for the remaining months of the six-month period.

543 REIMBURSEMENTS

Count as a resource in the month after receipt if retained by the household.

544 RESOURCES OF A NON-CITIZEN'S SPONSOR

A sponsored non-citizen is a non-citizen for whom a person (the sponsor) has executed an affidavit of support (INS Form I-864 or I-864A) on behalf of the non-citizen pursuant to section 213 of the INA.

Sponsored non-citizens entering the country on or after August 22, 1996 are sponsored with a legally enforceable affidavit of sponsorship. This sponsorship remains in effect and the sponsor's income must be deemed until one of the following conditions are met:

- The non-citizen gains U.S. Citizenship;
- The non-citizen has worked and can receive credit for 40 qualifying quarters;
  or;
- The sponsor dies

Note: If sponsored non-citizens demonstrate they or their children have been battered or subjected to extreme cruelty by certain persons in the same household, and the battery has substantial connection to the need for public benefits, deeming may not apply in certain circumstances. This requires recognition of the battery or cruelty by a judge, an administrative law judge, or United States Citizenship and Immigration Service (USCIS). These provisions do not apply if the battered non-citizen is currently living with the batterer.

Determine the total **countable** amount of the sponsor and sponsor's spouse's resources using the same criteria as an applicant/recipient, **then**:

- <u>Subtract</u> $1,500 from the countable resources.

- The **remainder** is deemed to the eligible non-citizen and used to determine eligibility.

Exception: If someone sponsors more than one non-citizen, prorate the amount of countable resources evenly among all the non-citizens who apply for or receive benefits.

545 RESOURCES OF DISQUALIFIED PERSONS

Resources of disqualified persons are counted in the same manner as for those not disqualified.

546 RESOURCES EXEMPTED BY FEDERAL LAWS

Exempt the following payments as resources.

546.1 Government Payments

The payments are exempt if the household is subject to legal sanction when the funds are not used as intended.

Examples: Payments by the Individual and Family Grant Program or the Small Business Administration to rebuild a home or replace personal possessions damaged in a disaster.

546.2 Native Trust Lands

In determining the resources of an individual (and spouse, if any) who is of Indian descent from a federally recognized Indian tribe, exclude any interest of the individual (or spouse, if any) in land which is held in trust by the United States for an individual Indian or tribe, or which is held by an individual Indian or tribe and which can only be sold, transferred, or otherwise disposed of with the approval of other individuals, his or her tribe, or an agency of the federal government. [59 FR 8538, February 23, 1994]

546.2.1 Trust or Restricted Lands

Interests of individual Indians *in trust or restricted lands* shall not be considered a resource, and up to $2,000 per year of income received by individual Indians that is derived from such interests, i.e., leases, shall not be considered income, in determining eligibility for assistance under the Social Security Act, or any other federal or federally assisted program, pursuant to *Section 13736 of PL 103-66, 107 Stat. 663, 25 U.S.C. 1408, as amended. (See Section 737.4.1 for Tribes included.)*

Note: Exempt up to $2,000 of the total income in the month received, and apply any balance in the next month as a resource. For example, a tribal member leases his land, receiving $5,000 in yearly lease payments. Exempt $2,000 each year in the month received and apply the balance of $3,000 as a countable resource in the following month.

546.2.2 Alaskan Native Distribution

Exclude distributions received by an individual Alaska Native or descendant of an Alaska Native from an Alaska Native Regional and Village Corporation pursuant to the Alaska Native Claims Settlement Act, as follows: cash, including cash dividends on stock received from a Native Corporation to the extent that it does not, in the aggregate, exceed $2,000 per individual each year; stock, including stock issued or distributed by a Native Corporation as a dividend or distribution on stock; a partnership interest; land or an interest in land, including land or an interest in land received from a Native Corporation as a dividend or distribution on stock; and an interest in a settlement trust. This exclusion is pursuant to *Section 15 of the Alaska Native Claims Settlement Act Amendments of 1987, PL 100-241, 101 Stat. 1812, 43 U.S.C. 1626(c), effective February 3, 1988.*

546.3 Certain Native Lands and Mineral Rights

Provisions of the National Industrial Recovery Act, the Emergency Relief Appropriation Act, and Section 55 of the act of August 24, 1935, and lastly Public Law 94-114, conveyed portions of lands and subsurface mineral rights to designated tribes, including accrued income. Funds distributed to the members of the tribes identified or to their households are excluded as income or resources for the purposes of determining eligibility for assistance under the Social Security Act or any other federal or federally assisted program. *(See Section 738.4.4 for Tribes included.)*

546.4 Payments to Civilians Relocated During Wartime

Payments made under Title I of PL 100-383 are exempt. These payments are made to Aleuts or individuals of Japanese ancestry (or their heirs) who were relocated during World War II.

546.5 Relocation Assistance

Exempt payments provided from

- the Uniform Relocation Assistance and Real Properties Acquisition Act of 1970.
- Public Law 93-531 to members of the Navajo or Hopi Tribes.

546.6 Independent Living Payments

Independent living payments are payments from Title IV-E funds and are distributed by Division of Child and Family Services to certain individuals when they leave foster care. Payments in this category:

- must be received for a minimum of three months; and
- cannot exceed $300 a month; and
- cannot total more than $800; and
- are intended for expenses other than room and board.

Independent living payments are exempt.

546.7 Radiation Exposure Compensation Act Payments

Lump sum payments provided from the Radiation Exposure Compensation Act, PL 101-426 are exempt.

The Act established a program to compensate individuals for injuries or death resulting from the exposure to radiation from nuclear testing and uranium mining. When the affected individual is deceased, payments are made to the surviving spouse, children, parents, grandchildren, or grandparents.

546.8 Payments to Victims of Nazi Persecution

Payments to individuals because of their status as victims of Nazi persecution are exempt (includes Holocaust and Swiss payments).

547 PAYMENTS EXEMPT AS A RESOURCE WHILE BEING CONSIDERED INCOME

Income which is budgeted for a particular month, is not counted as a resource at the same time. If income is prorated and budgeted for a period of months, do not count any portion of the income as a resource during the same months **Example:** income of students or self-employed persons which is prorated over several months.

If this money is combined with countable funds, such as a bank account, exempt the prorated amounts for the time it is prorated.

548 RESOURCES OF STEPPARENTS

When the stepparent is included in the assistance unit, their resources are considered. If they are not included, their resources are not counted.

Exceptions:

- When a stepparent and legal parent reside in the home, and jointly own a resource, count one-half of the resource as available to the legal parent.

549 RETIREMENT ACCOUNTS

A retirement account is one in which an employee and/or the employer contributes money intended to provide for retirement.

The amount of money in a retirement account, which is not an IRA or Keogh plan, is exempt even if accessible with a penalty. The money remains exempt until withdrawn from the retirement account.

If a monthly retirement check is received, count it as income in the month received.

If the total amount is withdrawn in a lump sum, it is counted as a resource beginning the month received.

549.1 Individual Retirement Accounts (IRAs)

An individual retirement account (IRA) is an account to which an individual contributes an amount of money to supplement retirement income (regardless of participation in a group retirement plan). If an excluded type of plan is rolled over into an IRA, the cash value loses its exclusion and becomes a countable resource after roll-over. **Note**: Simplified Employer Pension Plans (SEPs) are considered IRAs by banks and the IRS, and are countable as a resource.

Count money in an IRA as a resource, even if there is a penalty for early withdrawal. Deduct the early withdrawal penalty and count the remainder as a resource.

Exempt money in an IRA plan as a resource even if it is accessible with a penalty.

549.2 Keogh Plans

A Keogh plan is an individual retirement account for a self-employed individual.

Count money in a non-exempt Keogh plan as a resource, even if there is a penalty for early withdrawal. Deduct the early withdrawal penalty and count the remainder as a resource.

Exception: Do not count Keogh plans as a resource if there is a contractual withdrawal agreement with other people who are not household members but share the same fund. Consider this resource inaccessible.

Exempt money in a Keogh plan as a resource even if it is accessible with a penalty.

549.3 Vested Retirement Accounts

A vested retirement account is an account to which an employee makes contributions for a specified period of time as defined by the employer. The money contributed by the employee is not matched by the employer until the defined period of time ends.

Exempt this money as a resource even if it is accessible with a penalty.

549.4 401K Plans

The term 401K refers to the section of the Internal Revenue Services Code. A 401K plan allows an employee to postpone receiving a portion of current income until retirement.

Exempt money in a 401K plan as a resource even if it is accessible with a penalty.

549.5 Other Plans

The following are considered exempt resources:

- Exempt 457 plans (state and local governments, and other tax-exempt organizations).
- Federal Employee Thrift Savings plan.
- Section 501(e)(18) plans (retirement plans for union members consisting of employee contributions to certain trusts that must have been established before June 1959).
- Section 403(b) plans (tax-sheltered annuities provided or employees of tax-exempt organizations, and state and local educational organizations).

550 VEHICLES

550.1 Determining Vehicles as Countable Resources

Effective 2/1/97, exempt one vehicle per TANF household.

Exempt the total value of

- one vehicle no matter the value and vehicles owned by a categorically eligible household; and

Exempt other licensed vehicles that

- are leased;
- used at least 50% of the time for income-producing purposes, such as taxis, farm trucks, fishing boats;
- produce annual income consistent with their fair market value, even if only used on a seasonal basis;
- are necessary for long-distance travel for employment, such as the vehicle of a traveling salesperson or migrant farm worker who is following the migrant stream (this does not include daily commuting);
- are necessary for subsistence hunting or fishing;
- are used as the household's home;

- are necessary to transport physically/mentally disabled household and/or non-household members, regardless of the purpose of the trip. Exempt no more than one vehicle as needed for each disabled member. There is no requirement that the vehicle be used primarily for the disabled person. If necessary, use the work-registration criteria (not all inclusive) as a guideline to determine disability for this exclusion.

- have a value considered “inaccessible" (sale would produce $1,500 or less);

- are necessary to carry fuel or water.

  Examples of situations in which a vehicle may be exempt because it is necessary to carry the household’s primary source of water or fuel for heating include the following:

  — The home does not have any utilities hooked up; or
  — The home is hooked up to utilities, but can’t be used for some reason, such as:

    ♦ there is a verifiable health risk if the household drinks the water, or
    ♦ the utilities have been disconnected because the household failed to pay their bills.

The vehicle exemption remains in effect until the applicable criteria no longer exist.

Evaluate the following vehicles for the fair market value above $4,650:

- one licensed vehicle per adult household member, and
- any other licensed vehicles for ***each teenager*** in the household who drives to work, school, job training, or to look for work.

Count only the value over $4,650 as a resource.

Evaluate all additional licensed or unlicensed vehicles (not previously excluded) for:

The fair market value above $4,650

and

The equity value (fair market value minus encumbrances).

All vehicles, not previously exempted, are evaluated based on the fair market value and the equity value:

- Vehicles other than the household's primary vehicle are evaluated for equity value. This amount is counted as a resource.
- A leased vehicle is evaluated by determining the fair market value, less encumbrances.

Count as a resource only the greater of the two values.

Example: *A non-exempt vehicle has a fair market value of $5,000. The client owes $2,000 for an equity value of $3,000. The difference between $4,650 and $5,000 is $350. The countable resource value for this vehicle would be $3,000, the higher of the two values.*

Unlicensed vehicles regularly driven by tribal members on Indian land are evaluated the same as licensed vehicles.

See vehicle resource determination chart.

See manual section A-500 for jointly owned vehicle provisions. **Note**: Non-exempt or inaccessible vehicles owned in whole or part by the SNAP household are evaluated and counted as a resource. The entire value of the vehicle is considered accessible to both or all parties if the vehicle is not exempt or determined to be inaccessible (if sold, the equity value would be $1,500 or less). If a jointly owned vehicle is stolen or is located in another state and the household cannot access the vehicle, it is not considered an accessible resource.

550.2 How To Determine Fair Market Value of Vehicles

If applicable, determine the fair market value (FMV) of licensed vehicles using the "Good" trade-in value on the Internet (www.kbb.com) OR in the most current Kelly Blue Book (if available). The FMV of a vehicle is not increased because of low mileage, optional equipment, or special equipment for the handicapped. Allow the standard equipment when providing details of the vehicle. If the mileage is unknown, apply 12,000 miles for each year of the age of the vehicle. **Example**: Evaluation is conducted in January 2004 for a 1996 vehicle; mileage would be 8 years x 12,000 = 96,000.

Note: If the household claims the listed value does not apply, allow the household to provide proof of the value from a reliable source, such as a bank loan officer or a local licensed car dealer.

If applicable, proof of the value of **licensed or unlicensed** antique, custom made, classic vehicles or those vehicles no longer listed in the Kelly Blue Book or Internet web site must be provided if the value provided by the household is questionable. If requested, the household must provide an appraisal from a licensed car dealer or other evidence of the car's value such as a tax assessment or a newspaper advertisement indicating the sale value of similar vehicles.

If applicable, determine the value of new automobiles not yet listed in the Kelly Blue Book or Internet web site by asking the household to provide an estimate of the trade-in value from a new car dealer or bank loan officer. If this cannot be done, accept the client's estimate unless it is questionable and would affect eligibility. Use the car's loan value only if other sources are unavailable.

550.3 Vehicle Determination Chart

Vehicles	Exempt	Fair Market Value Test Fair Market Value $$ -$4,650 Excess Value	Equity Test Fair Market Value $$ -Amount Owed Equity Value
One vehicle regardless of the value (same as TANF)	Yes	Exempt	Exempt
Producing income	Yes	Exempt	Exempt
Transporting disabled household member *(participating or disqualified)*	Yes	Exempt	Exempt
Carrying heating fuel or water	Yes	Exempt	Exempt
Used as a home	Yes	Exempt	Exempt
Necessary for long-distance travel for employment	Yes	Exempt	Exempt
Subsistence fishing/hunting	Yes	Exempt	Exempt
Leased vehicle	Yes	Exempt	Exempt
Value is "inaccessible" *(sale would produce $1,500 or less)*	Yes	Exempt	Exempt
Categorically Eligible Household Vehicles	Yes	Exempt	Exempt
One licensed vehicle per adult household member after exempting the highest valued vehicle per household (see above)	No	Count Excess Value	Do Not Evaluate
Any other licensed vehicles for each ***teenager*** in the household who drives to work, school, job training, or to look for work.	No	Count Excess Value	Do Not Evaluate

For all additional vehicles not listed above, determine the Fair Market Value in excess of $4,650 and the countable Equity Value. Count the greater of the two values as a resource.

Vehicles	Exempt	Fair Market Value Test Fair Market Value $$ -$4,650 Excess Value	Equity Test Fair Market Value $$ -Amount Owed Equity Value
Additional licensed vehicles	No	Count the greater of the two values	Count the greater of the two values
Unlicensed Vehicles (other than the exception for unlicensed vehicles driven on Indian land. These vehicles are evaluated the same as a licensed vehicle. Be sure to evaluate any exemptions)	No	Count the greater of the two values	Count the greater of the two values

551 FAMILY SELF-SUFFICIENCY (FSS) PROGRAM

Section 544 of the National Affordable Housing Act established the Family Self-Sufficiency (FSS) Program. The program is administered by the Department of Housing and Urban Development (HUD), and its purpose is to enable participating families to achieve economic independence and self-sufficiency.

The program is for certain families residing in public housing or receiving Section 8 assistance. An FSS participant whose rent is increased by HUD due to an increase in earned income will have the rent amount increase placed in an escrow account. The funds will continue to accrue in the escrow account for as long as the family participates in FSS and remains in public housing. The escrow funds cannot be paid to the family as long as they are receiving any federal, state or other public assistance for housing.

The funds deposited into these escrow accounts, including any accrued interest, are neither income nor resources for TANF or SNAP. At such time as the family ceases to receive public housing assistance, the funds would be available and must be evaluated as a resource.

552 STOCKS/BONDS

Shares of stock represent ownership in a business or corporation. Their value shifts with demand and may fluctuate widely.

U.S. Savings Bonds are obligations of the federal government. Unlike other government bonds, they are not transferable; they can only be sold back to the federal government. U.S. Savings Bonds cannot be redeemed for six months after the issue date specified on the face of the bond.

A municipal bond is the obligation of a state or locality (county, city, town, or special purpose authority such as a school district).

A corporate bond is the obligation of a private corporation.

Evaluate stocks and/or bonds which can be sold or redeemed at current market value, less encumbrances.

The value of all stocks/bonds are countable as resources except stocks/bonds which cannot be sold or redeemed.

560 TRANSFERRING RESOURCES

560.1 Penalties for Transferring Resources

Households are ineligible for SNAP benefits if, within three months before application or any time after certification, they transfer a countable resource for less than its fair market value to qualify for assistance. This penalty applies **only** if the total of the transferred resource added to other resources would have affected eligibility. Eligibility for SNAP will not be affected by:

- Resources transferred between members of the same household.
- Separated spouses and one spouse transfers property (the other spouse's eligibility is not affected).
- Resources sold or traded at or near fair market value.
- Resources transferred for a reason other than to qualify for SNAP, such as a parent placing funds in an inaccessible trust fund for a child's education, or as a result of a divorce settlement or other court order.

560.2 How To Determine Intent

How recent was the transfer of property?

How did the applicant support himself after transferring the resource? If the applicant was self-supporting or was supported by the person who received the property, then the applicant's intent was to have support rather than qualify for benefits.

How did the applicant transfer the property? If the applicant loaned the property but cannot recover its value after making a reasonable effort, they are eligible.

Special or unpredictable hardships that prevent payment for the transferred resource do not affect eligibility. Supervisory approval must be obtained in these situations.

560.3 Length of the SNAP Household's Disqualification Period

Base the length of the SNAP household's disqualification on the amount by which the transferred **countable** resource exceeds the resource maximum of $2,000 ($3,250 for elderly/disabled households) when added to other countable resources.

Amount in Excess of Resource Limit	Period of Denial
$.01 to $249.99	1 month
$250 to $999.99	3 months
$1,000 to $2,999.99	6 months
$3,000 to $4,999.99	9 months
$5,000 and more	12 months

Example: A one-person household has $1,500 in a bank account and transfers ownership of a countable car (see manual section A-550.2) worth a fair market value of $7,000. The first $4,650 of the car's value is exempt. Add the remaining $2,350 to the other $1,500 resource which totals $3,850. Use the excess of $3,850 less the resource limit of $2,000 ($1,850) to determine the number of months of ineligibility (use the resource limit of $3,000 for an elderly/disabled household). According to the above chart, the household would be ineligible for six months.

The disqualification period is **capped at 12 months** for households with excess resources of $5,000 or more.

560.4 Beginning the Disqualification Period

The disqualification period begins with the date of discovery, unless the household is currently certified.

If the household is currently certified, the disqualification period begins the following month, after notifying the household and allowing adverse action.

570 VERIFICATION

All resources are verified at initial application, at redetermination or recertification if questionable, whenever a new resource is reported and any time the household is nearing the resource limits.

Exception:

Households are exempt from verifying resources for SNAP resource limits if the entire household is certified as categorically eligible based on receipt of cash TANF, non cash TANF support benefits, SSI, General-County Assistance (GA), Interim Assistance (IA), Indian General Assistance (IGA) or under Expanded Categorical Eligibility.

580 DOCUMENTATION

Document the status, countable or exempt, of all household resources. Identify all resources and the computations used to determine their equity or countable values.

Compare the total value of countable resources to the resource limit for each program and indicate whether or not the household is eligible.

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Budgeting

600 BUDGETING

A procedure used to determine eligibility by calculating income, disregards and deductions.

610 DEFINITIONS

The following budgeting terms are used:

- **Actual Income Budgeting:** Actual income is only used when an income source ceases or a new income source begins and a full month's income is not expected to be received.
- **Application Date:** The application date is the day the district office receives an application form containing the applicant's name, address, and appropriate signature. Applications received by the agency outside of normal business hours, either through ACCESS Nevada, faxed or local office drop boxes, are considered received and date stamped the next business day. This is the first day these applications are available to the agency for processing.
- **Benefit Month:** The calendar month for which eligibility and benefits are determined. Eligibility is based upon household size, anticipated income and expenses in the benefit month.
- **Best Estimate (BE) Budgeting:** The process used to calculate a household's monthly income when determining monthly benefits.
- **Prorated Benefit Month:**

For TANF, the initial payment is based on the date of approval or the 30th day, whichever comes first.

For SNAP, Nevada prorates the initial month's benefit based on the date of application.

Households who apply for SNAP after the 15th of the month will be issued the initial month's prorated benefit and the next month's full benefit upon approval as separate issuances.

- **Prospective Eligibility Determination:** A projection of income, expenses, household composition and all other eligibility factors anticipated to exist in the benefit month based on verified data or the best information known at the time the eligibility decision is made by the case manager.

620 DETERMINING MONTHLY INCOME

Budget the **GROSS** earned (including tips) and unearned income as it is considered available to the household each month. The gross figure cannot be reduced by any deduction, voluntary or involuntary, such as child support deductions, child care deductions, insurance premiums, deductions for judgments, garnishments, federal taxes, etc.

The only allowable deductions from earned and unearned income are:

- repayment of an overpayment/wage advance to the same entity issuing the ongoing check;
- the deduction allowance for the amount of DAA Social Security Disability Income (SSDI) fee collected by the authorized representative payee; and
- Individual Development Account (IDA) exclusions (refer to manual section A-700).

620.1 Income Factoring

When the income is received other than on a monthly basis the income must be converted to monthly income, using one of the following methods:

- Multiply **weekly** income by 4.3.
- Add amounts received **semi-monthly** (twice a month).
- Multiply **bi-weekly** (amounts received every other week) by 2.15. **Exception:** If a case reflects bi-weekly income but the amount of income received monthly can never exceed an established amount (e.g.; child support is paid every other week but the amount is court ordered and paid at $350 per month and never varies, use the $350 per month). This income could be annualized because the amount is the same for 12 months.
- Divide **yearly** income by 12 or for the time period covered by the income (e.g., individual receives $1,000 for 5 months of seasonal employment). Permanent employees such as contracted school teachers are annualized.

630 DETERMINING WHOSE INCOME MUST BE CONSIDERED

Consider the income of:

- any person who is included in the TANF household.
- any person living in the home who is not included in the household but who is legally responsible for a member of the TANF household.
- any member of the SNAP household, including ineligible/disqualified/sanctioned members.
- a non-citizen's sponsor.

- for non-parent relative caregiver (NNRC) and Kinship Care cases, the income of all household members related by blood or marriage to the child(ren) for whom application has been made.
- a non-citizen's sponsor.

Refer to A-300 for the determination of the TANF or SNAP household.

630.1 Determining the Income of Excluded/Ineligible or Disqualified Household Members

630.1.1 Income Not Counted/Needs Not Included in the Household Size Count

The income and needs of the following individuals, who would otherwise be required members, are not counted to the household.

- Individuals receiving SSI

- Individuals receiving SSI in a cash out state (California).
- Individuals receiving SNAP benefits in another household during the same month.
- Ineligible Students.

630.1.2 Income Counted in Full/Needs Not Included in the Household Size Count

The gross income of the following individuals is counted in full to the household but their needs are not included when determining the household size.

- Natural/adoptive parents and dependent siblings who do not meet citizenship requirements.
- Individuals who are a fugitive fleeing prosecution, questioning, or confinement related to a felony crime, or violating a condition of parole or probation;
- Individuals who have a felony conviction for drug possession, use or distribution after August 22, 1996 unless:

- Individuals convicted of an Intentional Program Violation.
- Individuals convicted of a drug related felony on or after August 22, 1996 unless:
  - the conviction is erased; or
  - they have successfully completed at least one substance abuse treatment program.

- the conviction is erased; or
- they have successfully completed at least one substance abuse treatment program; or
- are pregnant, and a physician has certified in writing the health and safety of the mother and unborn child are dependent upon the receipt of cash.
- Minor parents not meeting school attendance requirements;
- Minor parents who are not residing in an approved living arrangement without good cause.

- Individuals who are a fugitive fleeing prosecution, questioning, or confinement related to a felony crime, or violating a condition of parole or probation;
- Individuals disqualified due to non-cooperation with SNAP Employment and Training requirements.

630.1.3 Income Prorated/Needs Not Included

The gross income of the following individuals is prorated to the eligible members of the household but their needs are not included when determining the household size.

- Individuals not meeting SSN requirements.
- Individuals not meeting citizenship requirements.
- Individuals ineligible due to Able Bodied Adults Without Dependents (ABAWD) limitations.

When prorating an ineligible, disqualified or excluded (otherwise required) household member whose needs are included in the TANF benefit, apply the following manual budgeting computation from the case example below before assigning and posting income in the system.

Example: The TANF payment includes two dependent children and a non-qualified non-citizen parent who is eligible for TANF because of Legal Permanent Residency (LPR) status prior to 8/22/96, but is ineligible for SNAP because they **do not** meet the qualified non-citizen provisions in SNAP.

This becomes a **two-person** SNAP household, which **excludes** the non-qualified parent, and a **three-person** TANF household receiving a TANF grant of $383. The system should:

- **DIVIDE** three into $383, which equals $128 per person;
- **ASSIGN** $128 to the non-qualified non-citizen member;
- **ASSIGN** $128 to each of the two dependent children by member;
- **PRORATE** the non-qualified non-citizen TANF portion of $128 among the three household members ($128 ÷ 3 = $42.66, 2 x $42.66 = $85.32).

In this scenario, the system should budget a total TANF grant amount of $128 + $128 + $85.32 = $341.32.

NOTE: The system sporadically has difficulties applying this budgeting procedure correctly. It is the worker's responsibility to review the SNAP budget screens carefully to determine if the system correctly applied the proration policy. If necessary, the worker may need to manually override the budgeted TANF amounts to ensure the SNAP benefits are calculated correctly.

630.1.3.1 Determining Prorated Income

Total the entire disqualified/ineligible person's countable income, excluding the income of an ineligible non-citizen's sponsor and the sponsor's spouse. Divide the total earned/unearned income by the total number of persons in the SNAP household including any required members who are disqualified, ineligible or excluded. Multiply this amount by the number of remaining eligible household members for the amount of earned/unearned income to be budgeted.

640 DETERMINING THE HOUSEHOLD'S BUDGETABLE GROSS MONTHLY INCOME AMOUNT

640.1 Initial Application (Intake)

640.1.1 A 30 Day History of Income Exists

If the application reflects current ongoing income, a 30 day history of income (30 day Best Estimate (BE)) must be used to determine monthly income. The 30 day period begins the day prior to the application date and extends back 30 calendar days.

Calculate the monthly income amount using verified gross income received in the 30 day period and converting the income to a monthly amount using the appropriate factoring method.

The monthly income calculated using the 30 day BE will be budgeted to the application month and to all ongoing benefit months.

In those instances when a 30 day BE does not provide a clear representation of the household's income, a 60 day BE should be evaluated. This includes households with irregular (day labor, on-call, temporary employment services) or sporadic income.

Irregular Pay:

When converting and projecting earnings, do not include bonuses, holiday pay, commissions and/or overtime, unless it is received on a regular basis or the holiday pay is received in lieu of regular pay (i.e., vacation pay).

Any additional verification of income provided by the household or discovered by the agency between the date of application and the date of processing will only be evaluated in the best estimate calculation if one of the following changes in income is reported or discovered.

Earned Income

- Change in Employer;
- Change from full-time to part-time or part-time to full-time;
- Change in hourly rate;
- Change in salaried rate;
- Change in pay frequency;
- Termination of employment;
- Addition or removal of bonus, commission or shift differential payment.

Unearned Income

- Change in benefit amount;
- Change in pay frequency;
- Termination of benefit payment.

640.1.2 New Income Source – Without a 30 Day History

If the application reflects a new source of income, without a 30 day history, a projected best estimate of the new income must be calculated.

Use the following procedures to determine the monthly income amount from a new source of income without a 30 day history.

1. Determine the estimated number of hours to be worked per week.
2. Estimate weekly gross income by multiplying the weekly estimated hours by the hourly wage.
3. Determine the monthly projected gross income by multiplying the estimated weekly gross income by 4.3. Note: If verification substantiates the use of a specific factoring method which is more accurate than multiplying weekly gross income by 4.3, use what will accurately reflect the income to be received.

640.1.2.1 Full Month's Income Expected to be Received From a New Income Source in the Application Month

If a full month's income is expected to be received in the application month from a new income source, budget the full projected monthly income amount.

The projected best estimate will be budgeted to the application month and ongoing benefit months.

640.1.2.2 Less Than a Full Month's Income Expected to be Received From a New Income Source in the Application Month

If less than a full month's income is expected to be received in the application month, only the income expected to be received in the application month is budgeted.

Budget a full projected monthly income amount to the ongoing benefit months.

EXAMPLE:

Mary applied for SNAP benefits on August 15th and reported she started a new job on August 12th. She is expecting to be paid $10.00 an hour, working 40 hours per week and will be paid bi-weekly on Fridays. She expects to get her first paycheck on August 23rd for her first week (40 hours) in the amount of $400.00.

Because a full month's wages are not expected to be received in the application month, only the wages of $400.00 will be budgeted to the application month of August and a projection of monthly wages based on $10.00 X 40 hours X 4.3 for a total of $1720.00 will be budgeted for September ongoing.

640.1.3 Income Source Terminates in the Application Month

When the application reflects a specific source of income terminated in the application month, budget only the actual income received or expected to be received in the application month. Budget zero income from the terminated source to ongoing benefit months.

EXAMPLE:

Joe applied for TANF and SNAP benefits on September 15th. He reported his job ceased on August 30th and received his final pay on September 5th in the amount of $200.00.

As the income ceased in the application month and only the check for $200 is expected to be received, the budgetable income for the application month will be $200.00 and zero income will be budgeted for October ongoing.

640.1.4 New and Terminated Income Exists in the Application Month

When the application reflects both new and terminated income will be received in the application month, only the actual income from the terminated source and new income source will be budgeted to the application month's benefits.

Budget a full month's projected best estimate from the new source of income to ongoing benefit months.

EXAMPLE:

Sue applied for SNAP on October 30th and reported her job ended on October 3rd. She received a check for $300 on October 1st and received her final pay in the amount of $200 on October 15th. She also reported she began receiving UIB benefits in the amount of $200 per week and expects to receive two checks in the month of October. She received her first check on October 23rd and expects to receive a second check on October 30th.

As Sue has both terminating and new income with less than a full month's income received from either source, only the actual income received or expected to be received will be budgeted in the application month of October. Budgetable income for the month of October is $500 earned income from the terminated job and $400 unearned income from the new UIB claim. A projected BE for November ongoing will be $200 (weekly benefit) X 4.3 for a total of $860.00.

640.2 Changes Reported After Approval but Before Redetermination or Recertification

If the household reports a change in income after approval but prior to the processing of a redetermination or recertification, a new best estimate of income must be calculated. Apply the same conversion and factoring policy used for initial applications.

Use the reporting requirements in B-600 to determine the benefit effective date of the change.

IF…	THEN…
• A new source of income is reported and a 30 day history exists;	The 30 day BE period begins the day prior to the report/discovery date and extends back 30 calendar days.
• A new source of income is reported and a 30 day history does not exist;	A new projection of monthly income must be calculated.
• An existing source of income terminates;	The income is removed.
• Earned income changed due to: 1. Hourly rate of pay; and/or 2. Frequency; and/or 3. Hours worked per week; and/or 4. Change in salary, bonus or commission payments.	Adjust the 30 day BE with only the change(s) reported.
• Unearned income changed due to: 1. Benefit amount; and/or 2. Payment frequency.	Adjust the 30 day BE with only the change(s) reported.

640.3 Changes Reported at Redetermination or Recertification

If the household reports a change in income at redetermination or recertification, calculate the new best estimate the same as changes reported between approval and redetermination or recertification, with the exception of the effective date of the benefit change.

If the change is reported timely, the first benefit month updated with the change is;

The month the redetermination is due.

The first month of the new recertification.

If the change is **NOT** reported timely, the first benefit month updated with the change is;

The month after the month the change should have been reported. Changes must be reported by the 5th day of the month after the month of change.

Budgets must be completed for each month the change should have been budgeted along with appropriate earned income disregards that would have been applied.

The first month of the new recertification and the 10-10-13 rule must be applied to any previous months affected by the change.

640.4 General Income Budgeting Tips

If a bonus, overtime, commission, etc., is received once a month, convert the regular earnings and then add the monthly overtime, bonus, commission, etc., to the total converted amount of earnings. Ensure the budgeting method is documented in the case record.

Households which, by contract or self-employment, receive their annual income in a period of time shorter than one year shall also have that income averaged over a 12-month period provided the income from the contract is not received on an **hourly** or **piecework** basis. These households may include some school employees, sharecroppers, farmers, and other self-employed households. This does not include migrant or seasonal farm workers.

Contract income, which **is not** the household's annual income and **is not** paid on an hourly or piecework basis, shall be prorated over the period of time it is intended to cover.

Earned and unearned educational income, after allowable exclusions, shall be averaged over the period which it is intended to cover. Income shall first be counted (allow adverse action if applicable) either in the month it is received, or in the month the household anticipates receiving it or receiving the first installment payment, although this income is still prorated over the period of time it is intended to cover.

Note: Income from **on-call employment**, such as banquet waitress, culinary union or casual labor, etc., is treated as monthly income when it fluctuates and is irregular or sporadic (no set pay dates exist). Use a 60-day history (if available) and divide the total by two (2) to project monthly income. If the 60-day history includes a month or two with no income and the member was on call, use the month with no income in the average.

If income from on-call employment is received on a regular basis, such as temporary employment agencies which pay on a weekly basis, use normal budgeting procedures.

640.4.1 Child Support Payments

There are some circumstances which require the factoring of Child Support Income. Each case must be individually evaluated for the correct budgeting method.

Do not factor Child Support Income if:

1. There is a court order which specifies the monthly garnishment/payment will never go over a specified amount per month.

   Example: Court ordered amount is $500/mo, with arrears of $50/mo. There were two payments made in the month of $275 each. Budget $550 and do not factor the income.

2. There is a court order which documents the District Attorney's office has computed the wage withholding by taking the monthly court ordered amount and annualizing it. This is done by taking the monthly ordered amount, multiplying it by 12 and dividing the total by the frequency of the NCP's pay period. The actual payment will never exceed the court order for the year's period.

   Example: The court ordered payment is $200/mo, and the NCP is paid weekly. Multiply $200 times 12 months/divided by 52 pay periods for a weekly payment of $46.15 being paid to the CST. Because the total payment will not exceed the $2,400 for the year, the income can be annualized and the court ordered monthly amount of $200 budgeted to the household.

Do factor Child Support if:

1. The CST receives regular weekly or bi-weekly payments.

   Example: A court order will sometimes allow the obligation to be annualized and garnished every payday.

2. The CST regularly receives money above the monthly child support obligation.

   Example: The child support order specified $200/mo. child support and $10/mo. in arrearages. The CST has a long history of receiving $60/week. SEP is applying the extra child support obligation received to the arrearages and forwarding the monies to the CST. In this case, factoring is the best method to project the income.

If the support payments are irregular in amount or frequency, an average may be the best available method for projecting the income. Prudent worker judgment must be practiced.

Newly Established Child Support Payments: For child support payments with no history, use the court order along with the NCP and/or CST statement(s) to project the amount of child support the household anticipates receiving.

640.5 Determining the Household's Monthly Income Deductions

640.5.1 Dependent Care

Use the same income BE and factoring policy when determining the monthly deduction for allowable dependent care.

640.5.2 Shelter Costs/Medical Expenses/Child Support Deductions

Use the specific policy cited in the applicable manual section to calculate the monthly allowable deductions for shelter costs, medical expenses and child support deductions.

640.6 Consideration of Non-Citizen Sponsor Income

A sponsored non-citizen is a non-citizen for whom a person (the sponsor) has executed an affidavit of support (INS Form I-864 or I-864A) on behalf of the non-citizen pursuant to section 213 of the INA.

Sponsored non-citizens entering the country on or after August 22, 1996 are sponsored with a legally enforceable affidavit of sponsorship. This sponsorship remains in effect and the sponsor's income must be deemed until one of the following conditions are met:

- The non-citizen gains U.S. Citizenship;
- The non-citizen has worked or can receive credit for 40 qualifying quarters; or
- The sponsor dies.

The following individuals are exempt from the sponsored deeming requirements:

1. A non-citizen who is a member of his or her sponsor's TANF household;
2. A non-citizen who is sponsored by an organization or group as opposed to an individual;
3. The sponsor is currently receiving SSI or TANF;
4. The non-citizen is the spouse of the sponsor;

1. A non-citizen who is a member of his or her sponsor's SNAP household;
2. A non-citizen who is sponsored by an organization or group as opposed to an individual;
3. A non-citizen who is not required to have a sponsor under the Immigration and Nationality Act, such as a refugee, an asylee or a Cuban or Haitian entrant;

5. A child under the age of 18 at the time of the request for assistance;
6. A non-citizen who is not required to have a sponsor under the Immigration and Nationality Act, such as a refugee, a parolee, an asylee or a Cuban or Haitian entrant;
7. A battered non-citizen spouse, non-citizen parent of a battered child or a child of battered non-citizen for 12 months after the State agency determines that the battery is substantially connected to the need for benefits and the battered individual does not reside with the batterer. After 12 months, the state agency must not deem the batterer's income and resources if the battery is recognized by a court or the USCIS and has a substantial connection to the need for benefits, and the non-citizen does not live with the batterer;
8. Non-sponsored Medicaid applicants;
9. Non-citizens who the agency has determined to be unable to obtain food and shelter taking into account:
    1. The sum of the eligible non-citizen's household income
    2. Cash on hand
    3. Food
    4. Housing or other assistance
    5. Cash contributions from the sponsor or others
    6. The value of any in-kind assistance provided by the sponsor or others.

    The sum of the income may not exceed 130% of the federal poverty level in the application month.

4. A battered non-citizen spouse, non-citizen parent of a battered child or a child of battered non-citizen for 12 months after the State agency determines that the battery is substantially connected to the need for benefits and the battered individual does not reside with the batterer. After 12 months, the state agency must not deem the batterer's income and resources if the battery is recognized by a court or the USCIS and has a substantial connection to the need for benefits, and the non-citizen does not live with the batterer;
5. A child under the age of 18 at the time of the request for assistance;
6. Non-citizens who the agency has determined to be unable to obtain food and shelter taking into account:
    1. The sum of the eligible non-citizen's household income
    2. Cash on hand
    3. Food
    4. Housing or other assistance
    5. Cash contributions from the sponsor or others
    6. The value of any in-kind assistance provided by the sponsor or others

    The sum of the income may not exceed 130% of the federal poverty level in the application month.

640.6.1 Verification of Sponsor Information

The eligible sponsored non-citizen is responsible for obtaining all needed verification of the sponsor and/or the sponsor's spouse's income and resources. When verification is not submitted as requested:

- The entire household is ineligible.
- The non-citizen will be considered an ineligible non-citizen household member and will be disqualified. The income and resources of the sponsor and the sponsor's spouse will not be included in the eligibility determination for the remaining non-sponsored household members.

640.6.2 Indigent Determinations

If the non-citizen is determined to be indigent, the only amount that the agency can deem is the amount actually provided for the period beginning on the date of such determination and ending 12 months after this date. The indigent determination may be renewed for 12 month periods.

Upon the determination of indigent status, the case manager **MUST** mail notification to the USCIS using Form 2444-EE, Indigent Notification to United States Citizenship and Immigration Services (USCIS), including the names of the sponsor and the sponsored non-citizen involved to the address below:

Office of Policy and Strategy
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, D.C. 20529

All individuals evaluated for indigent status must be informed of and consent to the notification to the USCIS and possible repercussions including repayment of TANF and SNAP benefits by the legal sponsor.

If the sponsored non-citizen will not consent to the USCIS notification, the entire household is ineligible for benefits.

If the sponsored non-citizen will not consent to the USCIS notification, disqualify the individual as an ineligible non-citizen and approve any other eligible household members for SNAP benefits.

640.6.3 Determining the Amount of Deemed Sponsor Income

Use the following steps to determine the amount of sponsor deemed income budgeted to the household.

Determine the sponsor and sponsor's spouse's gross earned income and/or self-employment income and unearned income, then:

Using the Non-Citizen Sponsor's Deeming Worksheet form #2632-EE, follow the budgeting procedures to determine the amount of income to be deemed to the sponsored non-citizen's assistance unit for TANF.

1. From the Gross Earnings or Net Self-Employment, deduct 20% of the gross earned income up to $175 to determine the Total Net Earned Income.
2. Add any Sponsor's Unearned Income.
3. Add the total Earned and Unearned Income from steps 1 and 2.
4. Enter the need standard amount for the number of persons composed of the sponsor and any other individuals living in the sponsor's home who are NOT receiving TANF or SSI and are claimed by the sponsor as dependents for Federal Income Tax purposes.
5. Disregard any amounts actually paid by the sponsor to persons not living in the home who are claimed by the sponsor as dependents for Federal Income Tax purposes AND payments made by the sponsor for alimony or child support.

1. Reduce the total earned income by the 20% earned income deduction.
2. Determine the total monthly unearned income for the sponsor and the sponsor's spouse and add this amount to the remaining earned income.
3. Reduce this total by the maximum monthly gross income limit for a household size equal to the sponsor, the sponsor's spouse and any other person who is claimed or could be claimed by the sponsor or the sponsor's spouse as a dependent for Federal Income Tax purposes.
4. Next, determine if the sponsor or the sponsor's spouse is making any direct payments to the eligible sponsored non-citizen.
5. Compare the total income calculated in number 4 with the amount in number 5 and budget the **larger** of the two amounts to the household.

Example:

Sponsor and sponsor's spouse have earned income in the amount of $500 and unearned income in the amount of $1200.00 with a household of two persons. They give $100 directly to the sponsored non-citizen each month.

6. Enter the Total Net Sponsor's Income Deemed Available.

7. Next, determine if the sponsor or the sponsor's spouse is making any direct payments to the eligible sponsored non-citizen.

8. Compare the total income calculated in number 6 with the amount in number 7 and budget the **larger** of the two amounts to the household. Transfer this amount to the TANF Budget Form 2183 under the Unearned Income section. This amount is budgeted to the household for TANF.

Example:

Sponsor and sponsor's spouse have earned income in the amount of $2,000 and unearned income of $100. The sponsor's household consists of four individuals, the sponsor and the sponsor's spouse and their two children. The sponsors have another child not living in the home who is in college that they claim as a Federal tax dependent. The sponsor's household consists of 5 members for budgeting.

1) Total Earned Income = $2,000
   Earned Income is reduced by 20% or not to exceed $175. 20% = $400 which is more than $175. Subtract from the $2,000 the $175 = $1,825.
2) Add the $100 Unearned Income.

1. Total Earned Income = $500
2. Earned Income reduced by 20%
   $500 x 20% = $100
   $500 - $100 = $400
3. Unearned Income $1,200
   $1,200 + $400 = $1,600
4. Gross Income limit for 2 = $1,517
   $1,600 - $1,517 = $83
5. $100 Contributed
6. Compare $83.00 to $100 – Budget $100.00 as deemed income.

640.6.4 Proration of Income for Multiple Sponsored Non-Citizens

If the sponsored non-citizen verifies the sponsor or the sponsor's spouse also sponsor other non-citizens, prorate the countable income/resources among the non-citizens being sponsored. INS Form I-864 or I-864A, Affidavit of Support, may be used to verify the number of non-citizens sponsored.

640.7 Stepparent Cases

A stepparent's income is always considered when determining eligibility for their spouse and the spouse's dependent children. If the stepparent is a required household member or applies as a needy caregiver, include them in the household and use regular budgeting procedures.

If the stepparent is not included in the household, use stepparent deeming procedures. When applying stepparent deeming procedures, if the natural parent's needs are not included in the household (i.e., SSI recipient, ineligible non-citizen), the stepparent's income would not be deemed to the remaining eligible members of the household.

640.7.1 Determining Budgeting Procedures in Stepparent Cases

Include the stepparent in the household only if

- they are the only parent in the home and apply as a needy caregiver, or
- both the natural parent and the stepparent have separate children and both households are applying for benefits.

640.7.2 Stepparent Budgeting Procedures

Before applying any needs test, determine the amount of the stepparent's income, using Stepparent Budget Form 2596, that is deemed to the household:

1. Total the stepparent's countable gross earned income.
2. Subtract the standard work expense deduction, $90 or 20%, whichever is greater.
3. Add the stepparent's unearned income to their net earned amount.
4. Deduct the (100%) needs standard amount for the stepparent and the stepparent's non-assisted tax dependents living in the home, regardless of citizenship. (Do not include the needs of SSI recipients or persons ineligible as a result of a disqualification). In addition, deduct actual support payments for dependents outside the home and monthly child support or alimony payments.
5. The remaining stepparent income is deemed to the household and budgeted as unearned income.

Note: The stepparent's income is deemed only from the date of marriage.

640.7.3 Budgeting Procedures in Stepparent Cases When Both Parents Have Eligible Children and No Common Children for Whom They Want to Apply (Double Stepparent Case)

To determine eligibility and benefits, follow these steps:

1. Evaluate the income of all household members (parents and children) as one assistance unit.
2. If eligible as one assistance unit continue normal case processing.
3. If the household is ineligible as one unit, consider separate eligibility for each parent and their own child(ren). The income of the other parent (spouse) is budgeted using stepparent budgeting procedures.
4. If both cases are ineligible, deny them both.

640.7.4 Stepparents Applying for Dependent Children Not Residing with Their Natural/Adoptive Parent

If a stepparent lives with his minor dependent stepchild, and the legal parent is not in the home, use the following process.

Step	Action
1	If the stepparent requests to be included, count the stepparent's full income when determining eligibility. If the income is below the TANF limits, approve the stepchild and the stepparent. If the income exceeds the TANF income limits and the budget includes at least one cent or more of the stepparent's income, go to Step 2. **Exception:** If the stepparent's child who is a half-sibling to the stepchild also lives in the home, do not go to Step 2. Test the stepchild and the half-sibling for a medical category.
2	Consider the stepparent a payee for the case. Do not use stepparent budgeting because the natural/adoptive parent is NOT in the home and the stepparent is not included in the budget. If the child's own income does not exceed the TANF limits, approve the stepchild for TANF. If the child's income exceeds the TANF limits deny or terminate cash benefits.

650 INCOME LIMITS AND ELIGIBILITY TESTS

650.1 200% of Federal Poverty Level Expanded Categorical Eligibility Test

Categorical eligibility will be expanded to include all SNAP households whose gross income is equal to or below 200% of Poverty and who receive the updated "This Is Your Copy" page of the Application for Assistance. Apply this test first to determine if the gross and net income tests will be applied. (see manual section A-100).

650.2 130% of Federal Poverty Level Gross Income Test

130% Federal Poverty Level Income Standard Test

The 130% Federal Poverty Level (FPL) Income Standard Test is considered for all TANF applicant households in the month of application before applying any additional income tests.

Exception: This test does not apply to households currently receiving benefits, household members already receiving the earned income disregard or for new members being added to the ongoing benefit. Do not apply this test when the household is transitioning from one TANF program to another.

The household is ineligible if the total countable gross earned and unearned income of all members exceeds the 130% Federal Poverty Level income standard for the household size.

Note: If the household exceeds the 130% Federal Poverty Level income standard in the application month due to income from a terminated source or due to a month where an extra paycheck is received and the income will be less the following month, the 130% test must be applied in the following month.

130% Federal Poverty Level Gross Income Test

Gross income is the total countable SNAP income. Apply this test to all households except those

- with a member who is elderly or disabled as specified in manual section B-400. This includes a member who is 59 but will turn 60 before the end of the application month.
- that are categorically eligible.

A household subject to the gross income test is ineligible if gross income exceeds the limit by one cent or more.

Note: For households with a deductible farm loss, subtract the loss before applying the gross income test.

650.3 100% Need Standard

The need standard is the amount of money determined necessary to provide the household's basic needs.

The 100% Need Standard test is required for the application month for households who pass the 130% Federal Poverty Level test and have earned income.

Apply this test in **pending application months** if the household has **earned income** to determine if the individual wage earner(s) is eligible to receive the earned income disregards.

Once eligibility is established for a pending month (application month forward), do not apply this test to remaining pending months.

Households may be ineligible for the first benefit month, but approved for ongoing benefits, or eligible for the first benefit month and ineligible for subsequent benefits.

Compare the net income (earnings minus the $90/20% work expense and minus child care costs plus unearned income) to the 100% Need Standard.

If no deficit between total income and total need exists, the household is ineligible for the earned income disregards.

This test does not apply to households:

- currently receiving benefits;
- when a household is transitioning from TANF/NEON to Child-Only with an SSI caregiver (COS).

650.4 Earned Income Deductions

Wage earners whose income is used to determine eligibility are allowed certain deductions from their gross earnings.

Allow a standard work-related expense deduction of $90 or 20% (whichever is greater) from the earned income of each employed household member:

- during the initial eligibility determination;
- for the application month to determine if earned income disregards are applicable beginning with the first month;
- who is not eligible for Earned Income disregard;
- whose income is used to determine eligibility, whether or not they are an assistance unit member.

Non-qualified (illegal/ineligible) non-citizens are **not** eligible for the earned income disregards **or** the standard work-related expense deduction.

A legal parent with a felony conviction of drug possession, use or distribution after August 22, 1996 is ineligible to be included in the assistance unit and is **not** allowed the earned income disregards **or** the standard work-related expense deduction.

Stepparents whose income is deemed are **not** eligible for the earned income disregards, but **are** allowed the standard work-related expense deduction.

Disqualified IPV members **are** eligible for the earned income disregards and standard work-related expense deduction.

Allow a deduction of 20% of all gross earned income.

Exception: This deduction will not be allowed:

- when computing claims resulting from the household's intentional or unintentional **failure** to report income timely.

650.5 TANF Earned Income Disregards

Earned income disregards are:

- 100% of gross earnings for three (3) months, 85% for a second (3) months, 75% for a third (3) months, and 65% for a fourth (3) months.
- An uncapped dependent care expense, and

The individual is eligible for the earned income disregard if:

- They are an eligible member of the household or they are disqualified for an intentional program violation (IPV), and
- The disregard has not previously been allowed up to two times.

EXCEPTION: If a wage earner's income is equal to or less than $90, the standard work expense deduction is allowed, rather than application of the 100% earned income disregard. Once earnings increase to more than $90, the 100% earned income disregard will be applied if eligibility criteria are met.

650.5.1 Tracking and Applying the Disregard

If a member is eligible for the earned income disregard, apply it to determine eligibility and benefits.

The disregards are applied and tracked separately for each individual wage earner.

The earned income disregards will apply only to those individuals who have received or were eligible to receive cash benefits. Eligible to receive benefits includes:

- Benefits computed to be under $10; or
- Benefits not issued due to an overpayment deduction.

If **ineligible** for the earned income disregard, apply the standard work-related expense deduction of $90 or 20% (whichever is greater), from the earned income of each employed household member.

The 130% poverty or 100% income tests *do not* apply to persons being added to an ongoing case. If a new required household member has earned income, disregards are applied effective the month they are added to the case (refer to manual section B-600).

Exception: A parent who comes into the home and receives the disregards, then voluntarily leaves and returns to the home, will only receive the standard work expense deduction during any time period they are eligible for assistance. When an absent parent must leave the home for reasons such as, but not limited to, a court order or incarceration, they may receive disregards upon their return if they meet other disregard criteria.

If a member of an ongoing case with no earnings begins receiving earned income, they are eligible to receive the earned income disregards (if not previously exhausted) without applying the income tests, using timely reporting criteria.

Persons who have lost a job and obtain another job will continue with the disregards where they left off. Those who leave assistance for more than one month are required to pass the 130% Federal Poverty Level income test to determine disregard eligibility upon reapplication. If the income test is passed, the disregards pick up where they left off. Individuals eligible in the immediately preceding month will resume disregards where they left off without applying the income tests.

650.5.2 Second Set of Disregards

For TANF eligibility, a second set of earned income disregards begins when the individual wage earner is off cash benefits for 12 consecutive months (they do not continue where they left off in the first set) and they meet both income tests.

650.5.3 Removing the Disregard

The case manager must future action all cases with earned income disregards and take appropriate action to ensure the disregards are applied correctly.

Actions of the case manager must include:

- Tracking applied TANF disregards;
- Timely reducing the level of disregards and reevaluating the benefit amount;
- Timely removing the disregards, once exhausted, and determining ongoing eligibility.

The case manager is also responsible for generating and issuing the appropriate notice for the actions taken.

660 OTHER DEDUCTIONS

Households which pass the gross income test will be allowed certain deductions from their countable income, as specified in this section.

Households may choose to have eligibility/allotment amount determined without allowing unverified deductions, when obtaining required verifications may delay certification over 30 days from application, unless the household is ineligible without the expense(s).

To be allowed, expenses must be incurred by a household member and reported by the household or authorized representative. Expenses covered by an excluded reimbursement or vendor payment are not deductible.

660.1 Standard Deduction

The standard deduction is determined based on household size.

Allow the standard deduction as shown in manual section C-210 for each household.

660.2 Dependent Care Deduction

A dependent care deduction of **actual/anticipated costs** will be allowed as long as a required member of the household is working and receiving benefits.

Allow a deduction from earned income for unreimbursed payments for the actual cost of care for a dependent child or incapacitated adult if:

- The wage earner is a member of the household or would be except they are currently disqualified/sanctioned; and

Deduct unreimbursed expenses for dependent care when necessary for a household member to:

- Accept or continue employment;
- Comply with Employment and Training requirements;
- Attend training or pursue education which prepares the individual for employment.

- The care is necessary for employment; and
- The child or incapacitated adult is an eligible member of the household.

The deduction is not allowed:

- If child care verifications are not provided.
- For any child who is not part of the assistance unit.
- For any child who reaches age 16 and is not mentally/physically handicapped.
- If the child is cared for by another member of the TANF assistance household.
- If dependent care expenses are not directly related to employment.
- For a natural/adoptive parent caregiver who has been excluded or is not eligible to receive assistance (e.g., SSI recipient, non-assisted stepparent, non-qualified non-citizen).
- For dependent care reimbursed through E&T or from the Child Care Development Block Grant (CCDBG) or other sources.
- When an individual fails to accept suitable employment offered through E&T NEON.

Allow the full amount of the expense that is reported and verified.

The expense is not allowed:

- If the dependent care is provided by another SNAP household member.
- For the portion covered by an excluded reimbursement or vendor payment.
- For care out of the home, when a spouse/second parent is in the home and not working, attending school or meeting E&T program requirements, unless they are unable to provide care due to illness/physical or mental disability.
- If compensation is provided “in-kind”.
- If care is paid with “at-risk” child care funds.

660.3 Excess Medical Deductions

Allow medical expenses in excess of $35 per household to individuals who meet the definition of elderly or disabled in manual section B-400. If the individual has been or will be reimbursed for the medical expense, allow only the non-reimbursed amount. DO NOT manually deduct $35 from total medical expenses; this is automatically done after the expenses are entered in the system.

Allow only the medical expenses reported and verified by the household.

NOTE: Individuals considered disabled because they receive Interim Assistance (IA) and MAABD clients who do not receive SSI or Social Security Disability, are identified on the DISA screen in the system as disabled. This ensures these households receive special budgeting.

660.3.1 Allowable Medical Expenses

Allow the following medical expenses:

1. Medical and dental care including psychotherapy and rehabilitation provided by a licensed practitioner or other qualified health professional.
2. Hospitalization, outpatient treatment, nursing care, and nursing home care provided by a facility recognized by the state. This includes payments made by the household for an individual who was a household member immediately prior to entering a hospital or nursing home.
3. Payments for health or hospital insurance policies. The cost of policies that do not specifically cover medical costs (such as income maintenance or lump sums for death or dismemberment) are not allowable.
4. Medicare premiums and any cost-sharing expenses incurred by Medicaid recipients, including patient liability. This includes the premium and co-payments for Medicare Part A (Hospital), Part B (all other covered services) and Medicare Part D Prescription Drug Plans.

   Medicaid Pending

   If a Medicaid eligibility decision is pending, allow the Medicare premium as an expense until a Medicaid decision is made. If Medicaid assistance is approved, determine the effective date of the Buy-In accretion and remove the Medicare premium expense, allowing for adverse. Do not wait for the Buy-In to actually occur since the individual will be reimbursed any premiums paid as of the Medicaid eligibility effective date. Refer to the Medical Program Manual for Buy-In policy.

5. Dentures, hearing aids, and prosthesis (includes prescribed footwear).
6. Cost of securing and maintaining a service dog for a disabled household member. This includes the cost of dog food and veterinarian bills.

7. Prescription eyeglasses.
8. Reasonable cost of transportation (up to current state rate) (see State Administration Manual) and lodging to obtain medical services.
9. Cost of maintaining an attendant, home health aide, child care provider or housekeeper necessary because of age or illness. In addition to wages, deduct an amount equal to a one-person SNAP allotment if the applicant individual furnishes a majority of the attendant's meals. If the applicant individual has attendant care costs that could qualify under both medical and dependent care deductions, consider the cost a medical expense. (This includes patient liability for home-based waiver Medicaid recipients).
10. Prescribed drugs, medical equipment or supplies, or over-the-counter medication, including insulin, if approved by a qualified health professional. Allow postage and handling costs associated with mail-order prescription drugs even if they are billed separately (see below for budgeting RX expenses). **NOTE:** Costs for medical marijuana, even when prescribed by a medical professional, is not an allowable expense as marijuana is a substance considered illegal under Federal Law.

Medical expenses must be reported and verified at initial application and recertification. Any expenses reported on an initial application are considered timely and the case manager must evaluate if the expense is a one-time expense (incurred or paid) or an ongoing monthly expense (incurred or paid). Any incurred medical expense reported on a new application would be considered timely.

Once a household is approved for benefits, they are not required to report a change in medical expenses until the next recertification application. Any expense incurred after approval and reported on the next recertification is considered reported timely.

660.3.2 Ongoing Medical Expenses

Determine the ongoing monthly medical expenses using the most current medical expense information available to project expenses to be paid over the certification period or remaining months of the certification period. The service or expense does not have to be recent to allow the expense. If an old expense is claimed, it may be budgeted for the current certification period as long as it was not previously reported or the expense allowed on a previous certification.

The household may have their medical expenses averaged if the expenses are anticipated to fluctuate, occur less often than monthly, or there is an established history of monthly medical expenses. The case worker should use 60-90 days (or up to three months) to obtain an average of expenses the client will pay. This should result in the most accurate estimate. However, the method used in determining an ongoing medical expense should always provide an expense deduction which is most beneficial to the client. The average cost must be adjusted if the household reports a change in medical expenses.

Allow a deduction in the current certification period even if the expense is reported in an untimely manner. The expense is averaged over the remaining certification period.

660.3.3 One-Time Expense

If the household reports and provides timely verification of a one-time expense, but it is too late to budget it in the current certification period:

- Deduct it in the first month of the next certification period, or
- Average it over the next certification period.

Do not allow a one-time medical deduction in the next certification period for an expenses verified in an untimely manner.

660.3.4 Verification of Medical Deductions

Verify medical bills and reimbursements at initial certification and recertification. **Note:** Households are not required to report a change in medical expenses during the certification period.

If at the time of certification, the household reports an anticipated medical expense and is unable to provide verification, advise them the expense will be allowed **ONLY** when verification is provided.

When change in medical expense is reported during the certification period by a	
household member or the authorized representative	follow procedures in manual section B-600 for both increases and decreases in benefits
source other than a household member or the authorized representative	act on the change if verified at the time of receipt and the change can be made without contacting the household for additional information or verification. **Note:** If the change requires contact with the household, do not act on it until recertification.

660.4 Child Support Deductions

Deduct child support payments that a household member:

- is **legally obligated** to pay, and
- actually pays to **or** for an individual outside the household.

Example: The custodial parent is court ordered to reimburse the State of Nevada for Medicaid birthing costs for a child residing in the same household. Because the money is paid to a non-household member and it is court ordered, allow the payment as a medical child support deduction.

NOTE: In shared custody arrangements, legally obligated child support payments made **to** a parent outside the home for children in the SNAP household, are an allowable expense. The expense is allowed as these payments reduce the amount of money available to the SNAP household to purchase food.

660.4.1 Allowable Child Support Deductions

Allowable deductions are:

- Current support payments;
- Arrearage payments;
- Medical support; and
- Payments to third parties
- Administrative and/or processing fees/charges assigned to court-ordered child support, such as UIB fees for collecting and mailing child support, District Attorney-Family Support fees for processing support payments and employer processing fees.

The payments must represent the household's child support obligation ordered by a **court or administrative authority.**

Do not deduct payments for:

- Alimony or spousal support;
- Any portion of a court-ordered medical insurance expense the adult non-custodial parent (NCP) pays or is required to pay to cover ***themselves*** unless they are elderly or disabled. Only the amount paid for the child is an allowable deduction.

660.4.2 Verifying Child Support Deductions

Verify the:

- Household's legal obligation to pay;
- Amount of the obligation; and
- Actual amount paid.

Verify the household's legal obligation to pay by viewing:

- NOMADS Child Support records;
- Court order;
- Administrative order;
- Legally enforceable separation agreement;
- Wage withholding statement;
- Check stubs;
- Other official document;
- Use a collateral contact with access to an official document.

Verify amounts actually paid by viewing:

- CSEP, District Attorney or county registry collection and distribution records;
- Canceled checks;
- Wage withholding statements;
- Check stubs;
- Withholding information from unemployment compensation; or
- Statements from the custodial parent regarding direct payments or third party payments the household pays or expects to pay on behalf of the custodial parent.

Note: Documents such as court orders, used specifically to verify the amount of the household's legal obligation to pay child support are not acceptable verification of actual payments made by the household.

660.4.3 Budgeting Child Support Deductions

For households	deduct the
without a record of at least three consecutive months of paid, legally obligated child support.	anticipated payment amount up to and including the obligated amount for current support
with a record of three or more consecutive months of paid, legally obligated child support	average of at least three months of payments, including any amounts paid toward arrearages

When budgeting the deduction, consider any anticipated changes in:

- The legal obligation; and
- Other changes that would affect the payment.

Note: If an absent or estranged parent returns to the household and continues to pay legally obligated support (current or arrearages) and this payment is received by the SNAP household, do not budget as income and do not allow the support payment as a deduction.

660.4.4 Deduction for Disqualified/Ineligible/Excluded Members

If legally obligated child support is paid by a household member who is disqualified for…	then…
Intentional Program Violation (IPV) FSET Non-Cooperation Fleeing Felon Drug Felon	deduct the entire amount of eligible child support paid.
Ineligible Non-Citizen SSN Disqualification Ineligible ABAWD	prorate the amount of eligible child support paid by the disqualified/ineligible/excluded member. Deduct all but the disqualified member's share.

Note: See manual section B-900, Program Violations, Disqualifications and Sanctions.

660.4.5 Change Reporting Requirements for Child Support Deductions

Households are required to report changes in the legal obligation, during the certification period for status change reporting households and during the application and recertification process for all households. These changes include:

- A child reaching the age limit at which child support is no longer legally obligated; or
- A change in the legally obligated amount.

Households without an established record of at least three months (any three month period) of paid, legally obligated child support are required to report changes greater than $50.00 a month in the amount paid.

660.5 Excess Shelter Deduction/Monthly Shelter Costs

Households, who incur monthly shelter costs exceeding 50% of the household's remaining income, after *all* other allowable deductions are applied, are allowed an excess shelter deduction. The excess shelter deduction cannot exceed the maximum excess shelter deduction as shown in manual section C-200 unless there is an elderly or disabled member, as defined in manual section B-400, in the household.

If it can be reasonably anticipated the household will occupy the residence for which shelter costs are claimed during the certification period, the shelter deduction is allowed. This does not apply to costs allowed for a temporarily unoccupied home or the homeless shelter allowance.

660.5.1 Allowable Shelter Costs

The following expenses are allowed when determining the household's monthly shelter costs.

Costs incurred more frequently are converted to a monthly figure using the factoring methods applied to income. Shelter costs billed less often than monthly may be averaged forward over the months they are intended to cover (e.g., property taxes/assessment, garbage, sewer).

When shelter costs other than utilities are shared between separate households in the same dwelling, allow the costs actually paid (or to be paid) by each household.

Allowable costs include:

- Rent, mortgage payments (this includes 2nd mortgage and home equity line of credit payments), mandatory association fees, separate property payment for a lot or a contiguous lot on which a shelter is located, and other continuing charges leading to ownership of the property.

Note: The amount charged for rent that is higher because the apartment complex/owners charge more for rentals with a carport, storage shed, furnished versus unfurnished or have rentals that cost more for pet owners than non-pet owners, etc., IS allowed in full.

- Car payment when a person is living in their car;
- State and local property taxes not included in the mortgage payment. This includes taxes on a motel room or campground space the household is renting;
- Insurance on the structure, but not the contents of the home, which are not included in the mortgage payment (allow the total cost of insurance when amount for shelter and contents cannot be separated). **Note:** The cost of insurance which covers the vehicle may be allowed when an individual lives in their car. This includes the cost of comprehensive and collision coverage but not medical, bodily injury, property damage, etc.
- Un-reimbursed costs for the repair of a home damaged by a natural disaster;
- Shelter costs paid by a non-household member in lieu of court ordered support payment to a household member; and
- Appropriate utility allowance based on the specific costs incurred by the household.

660.5.1.1 Determining the Appropriate Utility Allowance

Households billed for utility costs are allowed only **one** of the following mandatory utility allowances depending on what utility expenses they incur. The four different utility allowances are:

Standard Utility Allowance (SUA) for households that incur costs for:

- Heating;
- Cooling-Cooling costs are limited to the cost of operating air conditioners and/or swamp coolers. They do not include the cost of operating fans or blowers.

The amount of the deduction allowed for the Standard Utility Allowance also includes the utility costs incurred by the household for additional electric costs (not used for heating or cooling), water, sewer, garbage, telephone, etc.

Allow the SUA for households who:

- Incur heating or cooling costs for any part of the year.
- Share heating and/or cooling costs with a separate SNAP household in the same dwelling or residence (allow the full SUA amount to each household; do not prorate between households).

- Purchase cut wood or propane for heating.
- Reasonably anticipate receiving a vendor or direct payment from the Energy Assistance Program (EAP) [formerly known as LIHEA], even if they do not have an out-of-pocket heating or cooling expense.
- Have landlords that bill them monthly for total usage measured through individual meters.
- Have heating or cooling included in their rent, but still incur or pay heating or cooling expenses separate from the rent. **Example:** Rent is $600 which includes heating; however, the household is responsible for the electric bill that includes costs for cooling.
- Receive a utility allowance or reimbursement from HUD, Section 8, or Farmer's Home Administration (FMHA); however, the cost of all their monthly utilities must exceed the utility allowance for any part of the year. **Note:** When calculating the total amount of utilities, allow all expenses listed under SUA and LUA.
- Are eligible for SUA and move to a new residence where they will continue to be eligible for SUA. Allow the household to remain on SUA without a utility billing for the month of the move.

Limited Utility Allowance (LUA) for households that incur costs for at least two of the following utilities:

- Electricity for purposes other than heating or cooling (e.g., lights);
- Fuel for purposes other than heating or cooling (e.g., cooking);
- Water;
- Sewer;
- Well and septic tank installation and maintenance;
- Telephone; or
- Garbage or trash collection.

Note: Households who live in public housing and have a shared meter, but are charged for excess utility costs and one other utility expense (such as telephone), are eligible for the LUA.

Individual Utility Allowance (IUA) for households that incur only **one** of the following utility costs:

- Electricity for purposes other than heating or cooling (e.g., lights);
- Fuel for purposes other than heating or cooling (e.g., cooking);
- Water;
- Sewer;
- Well and septic tank installation and maintenance; or
- Garbage or trash collection.

Telephone Utility Allowance

Households who incur only a telephone cost are allowed the Telephone Utility Allowance. The telephone allowance is not allowed with any other standard utility allowance.

Refer to manual section C-200 for the current utility allowance deductions. Enter the following codes on the UTL screen in the SUA field:

Y	-	for SUA
L	-	for LUA
I	-	for IUA
T	-	for Telephone

Enter the individual utility costs on the UTL screen, when the amounts are available, for case review purposes.

660.5.2 Non-Allowable Shelter Costs

The following expenses are not allowed when determining the household's monthly shelter costs. Disallowed costs include:

- One-time deposits;
- Rental furniture fees that are separate from and above the normal rent charged for the type of residence rented;
- Renter's Insurance;
- Damage or advance deposits on rental property;
- Gasoline costs, even if the household is living in their vehicle;
- Payments on vehicle used only for recreation;
- The cost of repairing or replacing essential items of property if the household will be reimbursed;
- Shelter costs paid by an employer;
- Payments on dwellings or property covered by an excluded reimbursement or exempt vendor payment. Exception: Expenses paid by direct or vendor payments from the Low Income Home Energy Assistance (LIHEA) Program or the Emergency Crisis Intervention Program (ECIP), or expenses paid by other energy assistance payments are allowed;
- Closing costs, late charges and arrearages;
- Shelter provided as "in-kind";
- Costs related to a second residence required due to employment of a household member out-of-state or in another city.

660.5.3 Verifying Shelter Costs

Verify shelter costs only when the claimed shelter cost amount is questionable. This includes situations where the claimed costs exceed the reported/verified income of the household.

NOTE: Unchanged shelter costs claimed on a previous recertification, which are not allowed due to failure to verify those expenses, must be evaluated and budgeted for the new recertification.

660.6 Homeless Shelter Standard

Allow the homeless shelter deduction in manual section C-200 for any month in which a household

- meets the definition of homeless in manual sections B-400 or C-300; and
- has incurred or expects to incur a shelter expense (rent or utilities) at some time during the month.

In a month the homeless shelter standard is budgeted, do not allow a separate deduction for rent or the applicable utility allowance. The homeless shelter standard includes all shelter expenses to which the household is entitled.

Budget actual shelter and the appropriate utility allowance (if eligible) rather than the homeless shelter standard, if the household

- claims their total monthly shelter and appropriate utility allowance costs are higher than the homeless shelter standard; and
- provides verification of the expenses.

Note: The homeless shelter allowance must be deducted from the net income **after all other deductions are subtracted** and before application of the 30% calculation and determination of the benefit amount.

660.6.1 Verification Requirements for the Homeless Shelter Standard

Accept a homeless household's statement it has incurred or expects to incur a shelter expense at some time during the month when no other verification is available.

660.6.2 Proration of the Homeless Shelter Standard

Prorate the homeless shelter standard among members of a household with a member disqualified for Social Security Number or citizenship requirements.

660.7 Shelter Deductions for an Unoccupied Home

Budget the actual shelter costs for a home temporarily unoccupied because of employment or training, illness, casualty loss, or natural disaster if

- the household intends to return to the home;
- the current occupants are not claiming shelter costs for SNAP purposes; and
- the home is not leased or rented.

Allow any unreimbursed expenses for repairing a home damaged by a casualty loss, or natural disaster.

The household may claim both the shelter costs of its current residence and the cost of the unoccupied home, but no more than the maximum excess shelter deduction (if applicable).

660.7.1 Verification of Costs of Unoccupied Home

Verify the shelter cost of an unoccupied home at initial application, recertification and when the household reports a change in those costs. **Note:** The worker is not required to assist in obtaining verification of shelter costs if the home is out of the project area.

660.8 Application of Expenses to Households with Ineligible/Disqualified/Excluded Members

Budget the expenses of the ineligible/disqualified/excluded household member under the same criteria as income. For elderly/disabled households allow the appropriate medical and excess shelter expenses even if the only elderly/disabled individual is the ineligible/disqualified/excluded member.

660.9 Rules Applied To All SNAP Deductions

- Do not deduct expenses paid to another member of the SNAP household.
- Households may choose to average expenses incurred less often than monthly. Average these expenses over:
  - the interval between scheduled billings; or
  - the period the expense is intended to cover if there is no scheduled billing.

Note: If a change in expenses is reported, recalculate the average.

- Except for averaged expenses, deduct expenses (including a one-time expense) only in the month the expense is billed (or the month it becomes due if no bill is sent).
- Allow an expense regardless of when or if the household intends to pay it, except for child support.
- Do not deduct expenses paid by a reimbursement, an exempt vendor payment, or in-kind benefit unless specified for a specific expense.
- Do not deduct past-due balances, late charges, or finance charges.

Use the most recent month's bills to project expenses. Consider changes expected during the certification period. If an agreement is made between the household and the provider to make installment payments for an allowable one-time expense, the household can choose to have the agreed upon payments budgeted as monthly payments.

660.10 Net Income Test

Net Income Test – 100% of Federal Poverty

Net income is the gross income minus allowable deductions. Apply this test to all households, except those which are categorically eligible.

If a household's rounded income exceeds the net income limits, the household is ineligible.

Note: Round up for 50 cents or more and round down for 49 cents or less.

Enter **"yes" in the system on the STAT screen** to ensure categorical eligibility rules are applied when determining eligibility. The net income test is not applied to categorically eligible households.

The gross and net income tests with capped shelter expenses are applied to households which are not categorically eligible and have no disabled or elderly members.

Apply the net income test only (except those categorically eligible) with uncapped shelter deductions to households with an elderly or disabled member.

No tests are applied and shelter deductions are capped, to categorically eligible households with no elderly or disabled members.

660.11 Payment/Standard Maximum Allotment

The payment standard is the maximum benefit amount for the household size. Apply this test to all households applying for or receiving benefits to determine the household's monthly benefit amount.

If a deficit of one cent or more remains, the household is eligible.

The maximum allotment is set based on household size. (see C-200 for Maximum Allotments).

660.12 TANF Benefit Amount/SNAP Allotment

The benefit amount is determined by comparing the net income after the application of all earned income disregards and dependent care deductions compared to the payment allowance for the household size. A benefit is always a whole dollar amount. Round all amounts down to the nearest dollar.

The minimum benefit amount is $10. Benefits of less than $10 are issued only for

- supplemental payments;
- payments made after an overpayment recoupment is processed.

The benefit amount is determined by multiplying the net income by 0.3 (round up) and subtracting that amount from the maximum allotment for the household size. The result equals the monthly SNAP allotment.

670 TANF Budgeting Steps

Step		
1. Determine gross earned and unearned income, using Tables II (Gross Earned Income) and III (Unearned Income) on the budget form.		
2. On Table IV (130% of Poverty Eligibility Determination on Budget Form), compute the Total Income. Compare the total income to the 130% of the Federal Poverty Level for the appropriate family size on Table I (Need Standards/Poverty Levels)	If the Total Income **is greater** than the 130% of poverty.	Case is ineligible for cash benefits. The budget ends here.
	If the Total Income **is less** than the 130% of poverty,	Go to Step 3.

3. Using Table V (Initial Eligibility Determination), determine total net income by subtracting 20% gross earnings or $90 work expenses (whichever is greater). Subtract child care. Add total Unearned Income from Table III (Unearned Income). **Note:** This step determines eligibility for earned income disregards.	Compare to 100% need standard for family size for application month.	
	If…	**Then…**
	The net income is **more** than the 100% need standard,	Case is ineligible and the TANF budget ends here.
	The net income is **less** than the 100% need standard,	The individual is entitled to the disregard (if not previously exhausted) on the **first cash month**. (If the disregards have been exhausted, apply the standard work deduction). Go to Step 4

4. Complete Table VI to determine Total Net Income after appropriate disregards or work expense is allowed.

5. Complete Table VII, using Total Net Income from Table VI to determine TANF eligibility and amount of cash benefit. If eligible, TANF earned income disregard count begins or continues with first cash month, as appropriate.		The budget ends here.

680 SNAP Budgeting Steps

Once household members' income and expense data is entered into the system, the system will calculate the correct allotment based on household size, income and any applicable deductions. **Note:** Offline manual budgets are done for claims. SNAP budgeting is done by the system except for **manual claims** which require re-calculating the allotment for each month in question.

Prorated Benefits: Proration of the benefit amount occurs for the initial month of application after Step #9 below and is based on the date of application. Proration also applies to timely reapplication cases that cooperate after the certification end date, but within the established 30-day period (Window of Opportunity [WOO]). Benefits are prorated from the date of cooperation.

Steps: Apply the gross income test in both the eligibility and allotment determination, unless policy specifies otherwise.

Compare countable gross income to the maximum gross monthly income allowable by household size, except for 1) households containing an elderly or disabled member; and 2) categorically eligible cases. If the household does not pass the gross income test, deny/terminate benefits.

For households meeting the expanded categorical eligibility guidelines, the household's gross income must be compared to 200% of the federal poverty level. A manual calculation must be completed by the caseworker to determine the household's gross income and household size that must be compared to 200% of the federal poverty level Income Limits in C-200.

If the household exceeds the gross income limit of 200% of poverty, the caseworker must mark the "Food Stamp Categorically Eligible?" field on the STAT screen "N" and allow the system to determine eligibility

If the categorically eligible household meets the 200% of the federal poverty level income guidelines, the caseworker must mark the "Food Stamp Categorically Eligible?" field on the STAT screen "Y" and continue the budgeting process.

1. Add all gross earned income received in the month or anticipated to be received.
2. Multiply by 80% for net earned. **Do not allow the 20% for claims resulting from non-reporting of earnings.**
3. Add all unearned income received or anticipated to be received to net earnings.
4. Subtract the standard deduction based on household size, allowable dependent care and verified court ordered child support payments. The result is the adjusted income. **If elderly/disabled,** also subtract medical expenses less the $35 deductible to reach the adjusted income.

5. Subtract allowable shelter expense:

   — Total monthly shelter expenses
   — Multiply adjusted income by 50%
   — Subtract remainder of adjusted income from shelter expense

6. Subtract the lesser of actual expenses or fixed max expense from the adjusted income for net income. If **elderly/disabled**, subtract the actual excess shelter expense from adjusted income for net income.

7. Subtract the homeless shelter deduction (when applicable) from net income.

8. Net Income Test

   Apply the net income test in both the eligibility and allotment determinations, for all households ***except those which are categorically eligible***. Compare net income to the maximum net monthly income allowable by household size.

   If the non-categorically eligible household does not pass the net income test, deny/terminate benefits. **DO NOT** use the Allotment Tables in manual section C-220.

9. To determine allotment value after applying budgeting steps 1 through 7:

   — Multiply net income by 0.3 (30%) and round **up**.
   — Subtract the 30% product from the maximum allotment for the household size.
   — The result equals the SNAP allotment.

   OR

   — Use the SNAP Net Income and Allotment Tables in manual section C-220.

The prorated benefit formula is as follows:

Nevada uses a standard 30-day calendar formula *(full month's benefit X 31 [date of application] ÷ 30 = allotment)* to determine monthly benefits. This means a person applying on the 31st of the month is the same as applying on the 30th. The 30-day calendar also applies to the month of February. Always subtract the application date from 31 days, regardless of the number of days in the month.

Once the initial month's benefit amount is calculated through #9 above (using all countable income and allowable deductions), proration will be applied starting with application dates on and after the 2nd day of the month through the last day of the month. Households applying on the first of the month will receive a full month's benefit (if otherwise eligible).

Benefits for the initial month are prorated using the 30/31-day formula as follows:

1. Subtract the date of application from 31 to arrive at the number of days to be prorated.
2. Divide the whole allotment for the household size (after all allowable deductions and expenses are applied) by 30 days. The sum is the daily SNAP benefit amount. Round the cents.
3. Multiply the number of days in #1 by sum in #2. Drop all cents.
4. The result in #3 is the prorated benefit amount.

Example: A household with a whole monthly allotment computed to be $395 applies on June 17. The household's prorated allotment for June is $184 (31 – 17 = 14 days. $395 / 30 days = $13.166 = $13.17. $13.17 X 14 = $184.38 or $184).

The system will automatically compute and prorate the initial month's benefit based on information posted in the system. When computing manual budgets use the same formula to determine prorated benefits.

Non-Categorical Households: If a one- or two-person household passes the net income test and is computed to be eligible for a SNAP allotment under the minimum allotment or no allotment, the system will automatically issue the current minimum benefit allotment. Households with three or more persons will receive the computed allotment which is under the current minimum allotment, except where the benefit is an uneven dollar amount. These allotments will be increased to the next higher even dollar amount (e.g., $1 = $2, $3 = $4, $5 = $6.

Categorical Households: Categorically eligible households of one or two persons will receive the current minimum monthly allotment regardless of their income level as long as the gross income does not exceed 200% of the federal poverty level. Households of three or more persons will receive the calculated benefit (even if the amount is lower than the current minimum allotment) unless the amount results in zero benefits.

Case Suspense Status: When the allotment computation results in [0] for categorically eligible households of three or more persons, the case will be in **SUSPENSE** status. These cases will **NOT** be denied or terminated for excess income. Benefits will not be issued (they will be suspended), but the case will be open. The certification period will expire as normal, regardless of whether the case is in suspense or payment status.

Note: Cases which are **not** categorically eligible or **not properly identified** as categorically eligible (in the system) will be denied/terminated when excess income occurs. All cases denied or terminated for excess income and/or resources <u>must</u> be screened for categorical eligibility status on Form 2152.

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Income

700 INCOME

Income is any type of payment which is a gain or benefit to a household. When determining eligibility, the type of income determines whether it is counted or exempt.

710 Requirement to Pursue Income

Income is considered available both when actually available and when the individual has a legal interest in the income and has the ability to make the income available.

Therefore, the household must pursue and take advantage of all income which is or may be available for maintenance and support. Allow the household ten (10) working days to pursue income such as Retirement, Survivor's and Disability Insurance (RSDI), Railroad Retirement (RR), Veteran's Administration (VA) benefits, Unemployment Insurance Benefits (UIB), Public Employee's Retirement benefits, etc. Inform the household, in writing, of the obligation to pursue and make the income available.

Benefits are denied or terminated if an individual refuses to apply for, pursue and accept income or provide proof of such by the requested date or fails to provide information essential to establish the claim.

Exceptions:

- Individuals receiving SSI may not receive cash benefits.
- Individuals not requesting assistance, but whose income is used in determining eligibility, are requested to pursue benefits; however, no negative action is taken if they fail to cooperate.
- If it would be unreasonable for a household member to apply for or make income available for maintenance and support, they may not be required to pursue the income. The following situations, with supervisory approval, are unreasonable:
  - The cost to pursue exceeds the potential income or causes financial hardship.
  - Pursuing the income would endanger the household member(s) health or safety.
  - Legal action is required but a private attorney or legal service refuses to accept the case. A reasonable effort to obtain legal assistance must be made and evidence provided.

711 Earned Income

Earned income is **CASH** or **INCOME IN KIND** received through salary, self-employment or tips; including wage advances, commissions, military pay, jury duty, on-the-job training payments, honorarium payments and work assessment programs through Vocational Rehabilitation. Wage advances are budgeted when received, and are deducted when the employer deducts them from gross pay. When meals are included in the gross taxable income, they are considered part of the earnings. Verification of income is required. However, if verification is unavailable (the individual's job would be jeopardized, the employer refuses to cooperate, the business is closed, etc.), the individual's statement may be accepted. When this is done, the circumstances must be documented.

Income earned in a foreign currency, such as Canadian dollars or Mexican pesos, must be converted to U.S. dollars in order to know what the actual earned income is. Use the exchange rate on the last day of the budget month, unless there is a dramatic change in the foreign exchange rate impacting the amount of the earnings.

Count the gross amount of all wages (including meals when included in the taxable gross income), salaries, and commissions as earned income. The gross figure cannot be reduced by any deduction, voluntary or involuntary such as child support deductions, child care deductions, insurance premiums, deductions for judgments, garnishments, federal taxes, etc. Evaluate paycheck stubs for irregular income such as differential shift pay, bonus pay, holiday pay, etc.

Exception: An Advanced EITC received with wages from an employer must be deducted from gross earnings prior to the earned income deduction being applied.

The cash value of an in-kind benefit the household receives in exchange for performing work for the provider is budgeted as earned income.

Budget wages of a required household member who is temporarily absent (up to 90 days) from the home because of employment as earned income.

Budget wages of an individual who is not a required household member because their absence will extend beyond 90 days who makes his/her wages available to the household as unearned income. Divide the amount received by the absent member equally between household members who have a relationship of spouse/child of the absent member.

Exception: Count payments as unearned income if

- they are received from programs that require individuals to work without wages, e.g., Tribal Work Experience Program - TWEP payments and
- they substitute for wages, or
- they are from a wage earner absent from the household because of employment, or
- wages are made available to the SNAP household by way of deposits to a joint bank account by a non-household member.

If an individual asks his employer to hold their wages or the wages are being garnished, count the deduction as income in the month the household would otherwise have been paid. However, if an employer holds the employees' wages as a general practice, count this money as available income in the month it is paid. **Count advances in the month they are received** and deduct them from wages in the month the employer deducts them.

Income related to employment entitles a household to deductions not allowed for unearned income.

711.1 Flexible Fringe Benefits

Flexible fringe benefit plans allow the employee to choose from benefit components such as insurance, extra vacation time, and payments to third parties for medical bills or child care. These are also called "cafeteria plans."

Under some plans, employers withhold wages to pay for the benefits selected by the employee.

Under other plans, employers offer benefit credit in addition to wages, which the employee can use to purchase benefits. If the employee does not use all of the credit to purchase benefits, some plans allow the excess to be paid to the employee as part of his wages.

All wages and salaries must be counted as income. Gross wages must be budgeted and any money deducted from the gross income and paid to a third party for taxes, insurance or other fringe benefits are counted as income. **Any amount** reported on the pay stub or elsewhere as **taxable gross wages** is countable.

Note: Do not include meals as earned income unless the meals are included in the taxable gross. Some employers add the meals in the gross and then take them out to gain a corporate/business tax advantage. In these situations, do not include the meals as income in the gross income calculation.

712 Unearned Income

Income received without performing work-related activities. This includes benefits from other programs.

When an individual receives and returns a check (e.g., UIB, RSDI, VA, etc.) to the issuing agency, determine whether to budget the payment using the following guidelines:

- If there is evidence the check was incorrectly paid and it is verified the check was returned, do not budget the amount as income.
- If the check was correctly paid and was voluntarily returned, budget the amount as income in the month received.

Do not count RSDI, SSI, VA, or other such benefits which a member of the household is entitled to receive if the benefits are paid to someone outside the household who

- receives the funds, **and**
- does not make the money available to the beneficiary.

If the payee provides a portion of the funds to the beneficiary, count the amount made available in cash or by vendor payment as unearned income to the beneficiary's household. Any portion of the funds the payee keeps for their own use is budgeted as unearned income to the payee's household.

If the income is not made available, the household must follow the requirements for pursuing legally obligated income.

720 TYPES OF INCOME

There are differences in countable and exempt income for the different programs. When determining eligibility, count any income not specifically listed as exempt.

720.1 Alpha Listing of Types of Income and Income Status

The following alpha list of income types contains coding (Y, M, E and X) which identifies the program, countability and type of income (earned/unearned). The manual location is provided for quick reference to ensure an accurate evaluation of income is made for budgeting purposes.

Coding Key: **Y** = Countable **M** = May Be Countable
E = Exempt **X** = Income Type (earned or unearned)

TYPE	TANF CASH	SNAP	EARNED	UNEARNED	MANUAL SECTION
Adoption Subsidies	M	Y		X	A-721
Agent Orange	E	E			A-728.2
Blood Donations	E	E	X		A-766
Cash Gifts/ Contributions	Y	Y		X	A-724
Census Income	N	Y	X		A-737.11
Child Support	Y	Y		X	A-725
Collection of Cans	Y	Y	X		A-757
Children's Earnings	M	M	X		A-726
Contract/ Seasonal Earnings	Y	Y	X		A-727

TYPE	TANF/ CASH	SNAP	EARNED	UNEARNED	MANUAL SECTION
Crime Victim's Comp. Pay	E	E	E		A-737.1
Disability Benefits	Y	Y	Y	X	A-728
Dividends/ Royalties	Y	Y	Y	X	A-731
Education Assistance	M	M	M	X	A-733
EITC (Advance Payments)/Federal Tax Refund	E	E	E		A-732*
Energy Assistance	M	M		X	A-734
Flexible Fringe Benefits	Y	M	X		A-711.1
Foster Care Payments	M	M		X	A-735
Gambling Winnings	E	E		X	A-766
General Assistance/ Indian General Assistance	M	M		X	A-759
Government Disaster Payments	M	M		X	A-736.2
Government Sponsored Payments	M	M	X	X	A-736
Honorarium Payments	Y	Y	Y		A-711.3
In Kind Income	Y	E	X		A-737
In Home Family Pres/SLA	M	M		X	A-736.5
Independent Living Payments	E	Y		X	A-736.9
Interest	M	M		X	A-739
Jury Duty	E	E	X		A-766
Loans	E	E			A-743
Lump Sum Payments	M	M		X	A-744
Migrant/Seasonal Farm Workers Emergency Assistance	E	E			A-745
Military Pay/ Allowance	Y	Y	X		A-746
Minor Parent Income	M	M	X	X	A-747

TYPE	TANF/ CASH	SNAP	EARNED	UNEARNED	MANUAL SECTION
National Comm. Serv. Act	M	M		X	A-736.3
Native and Indian Claims	M	M		X	A-736.4
Non-Citizen Sponsor's Income	M	M	X	X	A-670 A-723
Nutrition Programs	E	E			A-736.6
Out-of-State Diversion Payment	Y	E		X	A-722
Panhandling	E	E			A-766
PASS	E	E			A-749
Pensions	Y	Y		X	A-751
Professional Gambler	Y	Y	X		A-757
Property Income	Y	Y	X	X	A-757.4
Radiation Exposure	E	E			A-728.3
Reimbursements	M	M		X	A-753
Relocation Assistance	E	E			A-736.7
Retroactive Payments	M	M	X	X	A-744
Reverse Mortgage Loans	E	E			A-743 A-538
Roomer/Boarder Payments	Y	Y	X		A-757.5.1
RSDI	Y	Y		X	A-752
Self-Employment	Y	Y	X		A-757
SSI	E	Y		X	A-756
Strikers	Y	Y	X		A-758
Subsidized Housing	Y	M		X	A-736.8
TANF Benefits	M	Y		X	A-722
Temporary Ins. Dis (EICON)/Workman's Compensation	Y	Y	X	X	A-741
Temporary and Ongoing Assistance	M	Y		X	A-759
Third Party Beneficiary	M	M		X	A-761
Transitional Compensation for Abused Family Members (Military)	Y	Y		Y	A-728.5
Transitional Housing for the Homeless	E	E		X	A-754

TYPE	TANF CASH	SNAP	EARNED	UNEARNED	MANUAL SECTION
Trust Funds	Y	Y		X	A-762
UIB	Y	Y		X	A-763
VA Benefits	Y	Y		X	A-765
Vendor Payments	E	M		X	A-764
Victims of Nazi Persecution (includes Holocaust & Swiss payments)	E	E			A-748
Wages, Salaries, Commissions	Y	Y	X		A-711
Workforce Investment Act (WIA) was known as JTPA	M	M	X	X	A-742

721 Adoption Subsidies

Do not count, **UNLESS** the child receiving the subsidy is included in the household.

Count as unearned income.

Exception: Exempt any portion of an adoption subsidy intended for costs other than normal living expenses. If the subsidy is for both normal living expenses and other costs, only the amount separately identified by local **DCFS** staff for other costs is exempt.

722 TANF Benefits

- Nevada TANF Benefit

  NNRC and Kinship cash benefits are not countable income to the caretaker if they apply and have their own separate cash case.

- Out of State Benefit

  Count the total amount as unearned income. Inform the other state of the change in residence if the household does not have verification of benefits having been terminated.

- Out-of-State Diversion Payment

  If the household received an out-of-state diversion payment, apply the other state's ineligible period.

Count the gross benefits, less any overpayment collection, as unearned income.

Exception:

- **Count the gross amount when the overpayment is due to a TANF intentional Program Violation (IPV).** When a TANF benefit is reduced by an IPV overpayment, the means-tested income penalty is applied and the income used for SNAP purposes is the TANF benefit amount before the reduction (e.g., benefit reduced a pro rata share from $338 for IPV by $128 for a net grant of $255. The income penalty would result in $383 being budgeted).

If a non-qualified non-citizen (ineligible for SNAP participation) is included in the TANF benefit and is sanctioned for non-cooperation with a TANF requirement, the means-tested income penalty is not assigned to the non-qualified non-citizen in the system because the system will automatically and incorrectly apply the income proration. Assign the income to an eligible household member who is receiving SNAP benefits. (e.g., spouse, child).

- TANF underpayments and supplemental payments are lump sum payments and counted as a resource except when the payment covers a portion of an issuance month not yet paid and the underpayment will be received during the issuance month.

- Lump sum out-of-state diversion payments are a non-recurring lump sum.

If there is a TANF case to which a newborn must be added effective the date of birth and a portion of the TANF grant is for days in a previous SNAP benefit, prorate the TANF grant and add only the TANF amount which covers days in the SNAP benefit that has <u>not been paid</u>.

Example: The SNAP month is 4/1 – 4/30, the birth date is 4/15. A TANF underpayment for April is processed 4/25. Since the April SNAP benefit has already been paid, no adjustment is necessary for the SNAP benefit month of April. The child is added to the SNAP case and the May benefit is updated with the new ongoing TANF benefit amount.

723 Non-Citizen Sponsor's Income

The income and resources of an **eligible** "qualified" non-citizen's sponsor and the sponsor's spouse are deemed to the individual(s) being sponsored. Do not deem this income to the other household members who are not being sponsored (not listed on the Affidavit of Support, such as a U.S. citizen).

Sponsored non-citizens entering the country on or after August 22, 1996 are sponsored under a legally enforceable affidavit of sponsorship.

724 Cash Gifts and Contributions

Count cash gifts or contributions as unearned income unless specifically subject to other income exemptions or disregards.

If the contribution is intended for more than one person, prorate it among everyone for whom it was intended.

Exempt gifts or contributions if they meet all the criteria below:

- are cash gifts which total $30 or less in a three-month period (benefit month and previous two months) for each household member, and
- received too irregularly to be reasonably anticipated.
  Reasonably anticipated means the client knows
  - who it will come from,
  - in what month it will be received, and
  - how much it will be.
- are made by a private, nonprofit organization on the basis of need, and
- total $300 or less in a federal fiscal quarter.

If these contributions exceed $300 in a quarter, count the excess amount as income in the month received.

Note: The federal fiscal quarters are January-March, April-June, July-September, and October-December.

725 Child Support

Generally, payments from a non-custodial parent are considered child support and are the income of the child for whom the support is paid. This includes court ordered medical payments paid directly to the household from a non-custodial parent.

Deduct legally obligated fees from child support income. Legally obligated fees are those charged by a collection agency which the custodian agreed upon in a contract agreement.

If a single payment covers two or more children and the support order does not specify a portion for each child, prorate the payment among all the children. If the payment covers a child who is a household member and one or more children who are not, the payment is still prorated among all the children.

Cash gifts from a non-custodial parent which are received for special occasions (i.e., Christmas, birthdays, graduation, etc.), are budgeted as gifts and not considered child support or surrendered when:

- the current support or arrears obligation has been met, and
- the money is specifically earmarked as a gift.

Count as unearned income money legally obligated to the household, but which the payer makes or diverts to a third party for a household expense. This includes legally obligated court–ordered child support payments that are diverted to a third party for expenses, such as shelter or child care.

Do not count as income court ordered child support paid by a household member for another household member. For example, the father of the children returns to the home, court-ordered child support has been deducted from his wages and paid to the custodial mother. These funds are not budgetable as income.

> The amount deducted from the wages of a current household member and returned to the household is not allowed as a child support deduction for SNAP.

725.1 How to Verify and Budget Child Support Payments

Child Support Collected by the Support Enforcement Program (SEP) in Nevada: Use Child Support Ledgers through SAM as verification of child support obligations and payments.

Child Support Collected by Another State and/or Paid Directly: Verify the court ordered amount and arrears (if any). Verify the payment amounts and the dates the payments were issued to the CST. It is best to ask for a payment history when verifying child support to help in the determination process of whether the income must be factored or a 60-day average needs to be used due to irregular payments.

Direct voluntary child support may be verified by using Form 2506-EG or a statement from the NCP. Check stubs may be used; however, contacting the NCP to verify how many payments were made in the month should be attempted by the case manager. Use the client's statement only when all other avenues of verifying child support are not feasible.

725.2 Requirement to Surrender Child Support

After approval, TANF NEON and TANF CHILD households must surrender all court ordered or voluntary child support payments **[including cash medical support]** to the Child Support Enforcement Program (CSEP) Office.

TANF Loan, SSG and TANF Temporary households should not surrender child support payments. Support payments for these cases are budgeted as unearned income.

Excess Child Support Collections

In rare instances, the support collected exceeds the debt owed by the non-custodial parent. In those cases the excess amount may be sent to the household if there is no outstanding overpayment debt.

At TANF Approval

When determining benefits, budget any voluntary or court ordered child support received or anticipated to be received prior to approval as unearned income.

TANF NEON and TANF CHILD households are only required to surrender support payments AFTER approval. Instruct these households to surrender court-ordered or voluntary child support received after the approval date.

When the SNAP case has an attached pending TANF case, budget any voluntary or court ordered child support received or anticipated to be received prior to the approval of TANF as unearned income. Discontinue budgeting child support payments which must be surrendered at TANF approval.

After TANF Approval

For TANF NEON and TANF CHILD households, ongoing child support is no longer budgeted to determine eligibility or benefit amount.

Do not count child support returned to a non-assisted household member unless their income is budgeted to determine eligibility of other household members. Any portion of child support received for a non-assisted family member who no longer resides in the home and is retained by a participating household member is considered available to the TANF/SNAP household and budgeted as unearned income.

Child support payments received by CSEP are generally retained as reimbursement for benefits paid. However, the money may be sent to the assistance unit for the following reasons:

- Collections for Non-TANF Unit Members - The amount of support collected for non-members is returned for their needs and is not budgeted.
- Collections for Closed Cases - Once a case closes, the collection process does not stop for CSEP, unless the custodian requests case closure. Arrearage or unreimbursed assistance is recovered and current support obligations are enforced following closure. The current support collected after closure is forwarded to the household and is budgeted.

725.3 Lump-Sum Child Support Payments

All child support payments including arrearages are counted as income in the month received and a resource the following month.

Lump sum child support payments are non-recurring lump sums. They are excluded as income and counted as a resource in the month received.

Lump sum payments on child support arrears are received from the following sources (not all inclusive).

- IRS intercept program

TANF clients do not receive any money from the NCP's tax refund intercept. The intercept is first applied to all arrears owed as a state debt. If there is a balance remaining, it is then applied to arrears owed to the custodial parent. CSEP retains the tax refund money to pay off unreimbursed benefits.

- Insurance settlements
- Financial institution attachment

726 Children's Earned Income

Earnings for full-time students are exempt for up to six months per calendar year. The six month count begins the first month the household did or will receive assistance and starts over with each new calendar year. The six (6) month exemption per calendar year must be tracked manually by the case manager.

Verify school status. Breaks in school attendance, such as summer vacation and holidays, do not change the student status of a child. Ensure the child's enrollment will continue following the break.

INTAKE: If a child's earned income is not exempt because they have used the six (6) month exemption or is attending school part-time and working *less* than 30 hours per week, their income is countable in the 130% income test. If the household's income is under the 130% test, the child's earned income is not countable in the final benefit determination.

Budget the child's income in the 130% FPL income level and the final benefit determination if they attend school part-time and work *more* than 30 hours per week.

If a child's income is countable in the final benefit determination, (child is attending school part-time and working more than 30 hours per week and the household passes the 130% FPL income test) the child receives the same disregards/work expense deduction as any other wage earner in the household.

Count a child's earned income unless they meet all the requirements below.

Exempt a child's earned income if the child is:

- 17 years of age or younger; **and**
- attending elementary or high school, or GED classes at least half time or is too young to attend school; **and**
- lives with their natural, adoptive, or stepparents or is under the parental control of another household member.

The child's earned income is not exempt if the child:

- is 17 years of age or younger; **and**
- is attending elementary or high school, or GED classes at least half time; **and**
- has a separate SNAP case; **and**
- is **not** living with a natural, adoptive, or stepparent.

Example: The child (age 17) has their own child and is certified as head of household (H/H) on their own SNAP case. They are attending high school half time and employed. Count the earned income in this situation.

Accept client's statement of school status, unless questionable. Breaks in school attendance, such as summer vacation and holidays, do not change the student status of a child.

Disregards used by children are not counted when they apply for assistance as an adult.

ONGOING: Once a child has used the six (6) month full-time student exemption in a calendar year, their income is not countable in the final benefit determination for as long as they continue full-time student status.

The 130% income test only applies in the application month.

When the child's earnings cannot be separated from that of other household members, prorate total earnings equally among the working members.

727 Contractual Earnings

Contractual earnings are wages and salaries predetermined prior to the start of employment. Self-employment income, unearned income, or income received on an hourly or piecework basis are not included. The two basic types of contractual earnings are

- **Seasonal contractual employment** — available only during certain months of the year and recurs each year. **Examples:** school-related employment (e.g., teachers, bus drivers, food handlers), certain types of farm work, and summer or winter employment. Prorate contracted seasonal employment that is a household's annual means of support over 12 months. If the income supports only a portion of the year and the household supplements its earnings from other sources the rest of the year, average the earnings over the period of time they are intended to cover.

  Example: A bus driver has a contract with the school district to drive for two or more school years. The contract has a set amount of wages for each year. The set amount is not contingent on the number of hours worked. This is considered seasonal contractual earnings because the driver only works for part of the year.

- **Contractual employment** — non-seasonal if contracted for a specific amount of time and does not recur. Prorate earnings over the period of time covered by the contract.

  Example: Joe is hired to clear a large piece of property of all weeds and trash. The property owner will pay Joe a set price of $1300 to clear the property within a three month time frame. The contract is to clear the property for a set price in a specific time period regardless of the number of hours that will be required to do the work.

727.1 Monthly Budgeting of Contractual Earnings

To determine the monthly contractual earnings, divide the total gross amount of earnings provided in the contract by the number of months the contract covers.

728 Disability Benefits

728.1 Disability Insurance Benefits

Count as unearned income. **Exception**: If the benefits are employer funded and the employee receives the benefits while recuperating and remains employed, count as earned income.	Count as unearned income.

728.2 Agent Orange Settlement Payments

Exempt from income and resources any Agent Orange Settlement Payments disbursed by AETNA Insurance Company and paid to

- disabled veterans exposed to Agent Orange while in Vietnam who suffer from total disabilities caused by any disease, and
- survivors of deceased disabled veterans.

Disabled veterans receive yearly payments. Survivors of deceased disabled veterans receive a lump-sum settlement payment.

Note: Count Veteran's Administration disability payments as unearned income if they are paid to veterans with service-connected disabilities resulting from exposure to Agent Orange.

728.3 Radiation Exposure Compensation Act Payments

Exempt payments from the Radiation Exposure Compensation Act, Public Law 101-426.

728.4 Disability Payment for Children of Women Vietnam Veterans

Exempt any Veteran’s Administration payment allowance for an individual with a disability from one or more covered birth defects who is a child of a woman Vietnam veteran. For the purpose of this section:

- Vietnam veteran means a woman who performed active military service in the Republic of Vietnam during the period beginning on February 28, 1961 and ending on May 7, 1975.
- Covered birth defect means any birth defect identified by the Veteran's Administration as a birth defect associated with the service of women Vietnam veterans and has resulted, or may result, in permanent physical or mental disability.

728.5 Transitional Compensation for Abused Family Members (Military)

Congress passed regulations to provide monthly payments for dependents abused by an active member of the armed forces. Certain military eligibility requirements must be met to qualify for and receive the payments.

Transitional compensation, if approved with respect to a member shall be paid for a period of not less than 12 months and not more than 36 months. Any compensation received is considered unearned income.

730 ADDITIONAL TYPES OF INCOME – PART I

731 Dividends and Royalties

Count as unearned income.

732 Advanced Earned Income Tax Credits (EITC)

Households with tax dependents and earnings below certain established levels are potentially eligible for EITC payments. The EITC money may be included in

- an employee's paycheck (advance EITC payments) before their income tax return is filed. Advanced EITC received with wages from an employer are not considered in determining gross earned income and/or
- the household's Federal Income Tax refund. The total amount of a Federal Tax refund received after December 17, 2010 is disregarded as income and a resource in the month received and an additional 11 months.

733 Educational Assistance

Educational assistance is any financial aid for vocational or educational courses from

- an organization (such as fraternal, alumni, etc.).
- a government program or agency (such as U.S. Office of Education, Veteran's Administration).

Verify all educational assistance to determine whether it is exempt or non-exempt.

Consider loans for education (including loans from relatives or other people) as educational assistance only if payment is deferred.

Most educational assistance programs are administered through the U.S. Office of Education under Title IV of the Higher Education Act. A few examples of the most common Title IV educational assistance grants include:

- Pell grants
- Stafford Loan Program
- Parent Loans for Students (PLUS Loans)
- Supplemental Educational Opportunity Grants
- College Work Study
- Carl D. Perkins Loans (Title IV, Part E) (formerly National Direct Student Loans)

Educational assistance is also provided by the National Community Services Act (NCSA) program. Clients are awarded from $1,000 to $4,000 per year of completed services to apply toward past or future educational expenses. Do not count the educational award, as it is always made payable directly to the financial institution or institution of higher learning.

The Veterans Administration provides educational assistance under a number of different programs. Payments are usually made monthly only for those months the veteran is in school. If school attendance is less than full time, the payments may be made less frequently. Dependents and survivors of veterans may also be eligible for educational benefits. Some VA educational benefits are based on contributions by the veteran.

- VA educational benefits paid directly to the veteran are counted as unearned income. However, any portion of a grant, scholarship or fellowship used for paying tuition, fees or other necessary educational expenses is excluded from income.

- The Monthly Housing Allowance (MHA) received by recipients of the Post 9-11 GI-Bill cannot be reduced for other educational expenses as this payment is earmarked specifically for shelter expenses-all tuition and fees are paid directly to the school for the benefit of the veteran.

733.1 Educational Assistance General Procedures

The following are procedures for determining countability and budgeting educational assistance. Apply these procedures to students of:

- a post-secondary institution,
- a school for mentally or physically handicapped, or
- a program which provides for completion of a secondary school diploma or the equivalent (such as a GED).

"Post-secondary" includes institutions of higher education and others not requiring a high school diploma (such as, community colleges and vocational educational programs) authorized by the state to provide educational or training programs beyond secondary education.

Exempt educational assistance

- funded by Title IV of the Higher Education Act;
- from other sources which cover items not included in the TANF needs standards (see manual section A-600), including assistance made available for attendance costs;
- Governor's Millennium Scholarship provided by Nevada through the tobacco settlement.

Exempt the amount of assistance earmarked for **allowable** expenses, from countable education income, designated by either

- the provider (school, institution, program, or other grantor)

  or

- the student (and verify if questionable) when
  - the provider does not designate an amount, **or**
  - the amount designated by the student exceeds the amount designated by the provider.

Room and board is not **deducted** from educational assistance. Countable income may be reduced to zero after subtracting other allowable costs of attendance.

Budget as unearned income the portion of educational assistance which exceeds allowable educational expenses and prorate it over the period it is intended to cover. If a client receives work study income (other than Title IV), deduct 20% of any work study income remaining after excluding expenses previously described. Do not deduct educational expenses from income other than countable educational assistance.

733.2 Budgeting — Determining Educational Assistance and Expenses

Determine educational assistance and expenses by requesting the student provide

- Form 2020 completed by the institution, or

- proof of the amount of all types of educational assistance, such as the student's financial aid authorization letter, which lists the amount of educational assistance the student receives, and

- proof of educational expenses. An example is the student's budget for cost of attendance available from the school's financial aid office. This is developed by the school and identifies various expenses a student has at that school (such as room, board, tuition, personal expenses, books, etc.). The budget may vary for different students depending on their status as graduates or undergraduates, type of housing, degree plan, need for child care, financial dependency, etc.

Note: Also acceptable as proof is any document or statement from the school or the grantor of the educational assistance which "earmarks" or specifies how the money is to be spent.

If the school will not provide a budget for cost of attendance, or the student claims their educational expenses will exceed the amounts on the budget, allow the costs of attendance designated by the student. If an expense claimed by the student is questionable, allow it only after it is verified.

Prepaid educational costs or monthly payments for individuals to use in future years are not allowable deductions.

733.2.1 Step-by-Step Procedures

When a household receives educational assistance from more than one source, determine if each source is exempt or budgetable. Deduct allowable expenses from budgetable educational income.

1. Determine the total of all nonexempt educational assistance.

2. Total the allowable educational expenses and subtract them from Step 1. Do **not** subtract room and board expenses.

   Note: Ensure any amounts designated by the student include expenses for the same period of time covered by the educational assistance.

If the student receives work study income, go to Step 3. Otherwise, go to Step 4.

3. Determine countable work study income (other than Title IV).

   a. Subtract from work study income any amount of allowable expenses that exceed assistance totaled in Step 1, if any, and
   b. Deduct 20% of any countable work study income remaining from Step 3(a).

   Note: Do not count Title IV work study assistance as SNAP income.

4. Count any remaining educational assistance from Step 2 and/or Step 3 and average the income over the period the money is intended to cover to determine the **monthly** income from these sources.

5. Add countable monthly amounts of any cash prizes, gifts, or awards from parents, guardians, or any other non-household member for the student's support.

6. Determine the household's eligibility and benefits as in any other case, considering all other income the student or other household members received.

When educational assistance that could not be anticipated is received after the school term or semester has begun, prorate the income, after exclusions, over the period it is intended to cover. Include it as income only for the remainder of the term. **Example:** If an unanticipated scholarship is received in November, prorate the scholarship to cover the entire semester (September — December). Count the prorated amount as income for only two months (November and December).

Count any other financial assistance as a contribution in the month received.

733.2.2 Miscellaneous Personal Expenses

Deduct miscellaneous personal expense(s) designated either by the school/provider or by the student.

Note: If the school/provider and the student both designate an amount for a miscellaneous personal expense, allow the greater amount.

Costs for room and board may not be considered a miscellaneous personal expense.

733.3 Verification of Student Income

Verify nonexempt scholarships, loans, or grants from the source providing the money. Verify exempt scholarships, loans, or grants only if information provided by the student is questionable.

734 Energy Assistance

Energy or utility assistance (payments and supplements) are paid to or on behalf of TANF and SNAP households from various governmental and private sources. The assistance may be in the form of cash, vendor, in-kind and two-party check payments.

Use the following chart below to exempt or count this assistance as income.

SOURCE	TYPE PAYMENT	TANF	SNAP
Federal and state funded energy assistance provided by the Energy Assistance Program, administered by the DWSS. Federal and state funded weatherization services, including emergency repair or replacement of heating or cooling appliances provided through the Weatherization Program administered by the Housing Division.	• vendor • in-kind • two-party check • cash	exempt	exempt
government-funded utility supplement (federal or state) or local housing authority	• vendor • in-kind • two-party check	exempt	exempt
	• cash	exempt	count (except do not count utility supplemental payments issued directly to the household or vendored by HUD/ Section 8 or Farmers Administration — FmHA)
local government payments	• vendor • in-kind • two-party check	exempt	exempt
	• cash	exempt	exempt if USDA has approved for exemption
private nonprofit organization (based on need)	• vendor • in-kind • two-party check	exempt	exempt
	• cash	count	count

Notes:

- If an excludable energy assistance payment is combined with other payments, exempt only the energy assistance portion from income.
- Energy assistance provided under Title IV-A of Social Security Act (welfare block grant) is countable income.
- Income from State or local general assistance which (under state law) cannot be provided in cash directly to the household is excluded as income.

735 Foster Care Payments

Exempt the income and resources of a child receiving federal, state, or local foster care payments.

Count as unearned income if the foster child or adult is included in the household. Exempt the foster care payment if the household chooses to consider the foster child or adult a boarder. The exemption is valid regardless of how the foster parent spends the money.

736 Government-Sponsored Programs

Count payments from government-sponsored programs unless exempted by other policy in this chapter.

736.1 Crime Victim's Compensation Payments

Crime victim's compensation payments are payments from the funds authorized by state legislation to assist a person who

- has been a victim of a violent crime;
- was the spouse, parent, sibling, or adult child of a victim who died as a result of a violent crime; or
- is the guardian of a victim of a violent crime.

The payments are distributed by the Victim's of Crime Division in monthly payments or in a lump sum payment and may be designated to cover clothing, rent, utilities, food, transportation, medical needs or replacement costs, etc.

Exempt payments received on a monthly basis or in a lump sum.

736.2 Government Disaster Payments

Exempt government payments, such as SBA loans and IFG funds, made available to restore a home and personal possessions damaged in a disaster if the household is subject to legal penalties when the funds are not used as intended.

736.3 National and Community Services Act (NCSA)

The National and Community Services Act (NCSA) of 1993 established a corporation to administer paid volunteer service programs. The corporation provides funds, training, and technical assistance to states and communities to develop and expand human, education, environmental, and public safety services.

The corporation oversees existing programs created under the Domestic Volunteer Service Act (DVSA) of 1973, (P.L. 93-113) such as

- Volunteers in Service to America (VISTA),
- Retired Senior Volunteer Program (RSVP),
- Foster Grandparents,
- Senior Companions,
- Community Service Employment Program (includes Senior Citizen Service Employment),

- Service Corp of Retired Executives (SCORE),
- Active Corps of Executives (ACE), and
- Mini Grant Program
- AmeriCorps

Certain income received from Title I, II and III programs by volunteers for services performed in programs stipulated in the Domestic Volunteer Act of 1973 is exempt. In addition to the programs listed above, any funds received through Title V of the Older Americans Act are exempt.

Monthly living stipends received by individuals participating in AmeriCorps State and National are exempt from all programs. No wages are paid to these individuals.

Exception: Exempt Title I, AmeriCorps VISTA payments received by DVSA volunteers **only** if the person was receiving TANF or SNAP when the person joined the VISTA program. Temporary interruptions in participation do not alter the exclusion once an initial determination has been made.

736.4 Native and Indian Claims and Distributions

The following sections contain Native and Indian claims and distribution information, and judicial rulings affecting income and resources pertaining to Indians. The information may not be all inclusive. Contact program staff in Eligibility and Payments for clarification.

736.4.1 Income as Distribution or Per Capita Payment

Provisions of appropriate federal laws pertinent to Section 7 of the Judgment Fund Distribution Act, Public Law (PL) 93-134, as amended by Section 4 of PL 97-458, 25 U.S.C. 1407; and Section 8 of PL 93-134, as added PL 97-458, *Section 4, 96 Stat, 2514*, amended PL 103-66, *107 Stat. 663*, describes whether income or interests in Indian trusts are taxable or should be considered as resources or income under the Social Security Act or any other federal or federally assisted program.

Income applies to either distributions of funds appropriated in satisfaction of a judgment in favor of Indian tribes, bands, groups, pueblos, or communities by the Indian Claims Commission or the Court of Claims or per capita payments as permitted by the Per Capita Distributions Act of 1983, Public Law 98-64, made to Indians out of tribal trust revenue held by the federal government, with the exception of funds held by Alaska Native Regional and Village Corporations (ANRVC) are *not* held in trust by the Secretary of the Interior. Therefore, ANRVC dividend distributions are *not* excluded from countable income under this exclusion.

- Tax Exempt Income; Resources Exemption Limitation

None of the funds which:

1. are distributed per capita or held in trust by the Secretary of the Interior;

2. on January 12, 1983, are to be distributed per capita or are held in trust pursuant to a plan approved by the Congress prior to January 12, 1983;

3. were distributed pursuant to a plan approved by the Congress after December 31, 1981, but prior to January 12, 1983, and any purchases made with such funds, or

4. are paid by the State of Minnesota to the Bois Forte Band of Chippewa Indians pursuant to the agreements of such Band…under the Treaty of September 30, 1854, including all interest accrued on such funds during any period in which such funds are held in a minor's trust…shall be subject to federal or state income taxes, nor shall such funds…be considered as income or resources nor otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such household or member would otherwise be entitled under the Social Security Act (42 U.S.C. 301 et seq.) or, *except for per capita shares in excess of $2,000*, any federal or federally assisted program;

5. are specifically excluded by any other federal statute from consideration as income for the purpose of determining eligibility of any federal or federally assisted program.

Funds from the following sources are also exempt:

1. Per capita payments to members of the Red Lake Band of Chippewa Indians pursuant to Section 3 of PL 85-794(#1);

2. Per capita payments by the Blackfeet and Gros Ventre tribal governments to members per Section 4 of PL 92-254 and Section 6 of PL 97-408;

3. Settlement payments to members of the Hopi and Navajo Tribes per Section 22 of PL 93-531, as amended by PL 96-305I*;

4. Per capita payments or funds held in trust for members of the Sac and Fox Indian Nation per Section 6 of PL 94-189*;

5. Per capita payments or funds held in trust for members of the Grand River Band of Ottawa Indians per Section 6 of PL 94-540*;

6. Judgment funds distributed per capita to members of the Confederated Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation per Section 2 of PL 95-433;

7. Judgment funds distributed per capita…to members of the Delaware Tribe of Indians and the absentee Delaware Tribe of Western Oklahoma per Section 8 of PL 96-318;

8. All funds and distributions to members of the Passamaquoddy Tribe, the Penobscot Nation, and the Houlton Band of Maliseet Indians under the Maine Indian Claims Settlement Act, and the availability of such funds under Section 9 of PL 96-420*;

9. Any distributions of judgment funds to members of the San Carlos Apache Indian Tribe of Arizona per Section 7 of PL 93-123*;

10. Any distribution of judgment funds to members of the Wyandot Tribe of Indians of Oklahoma per Section 6 of PL 97-371;

11. Distributions of judgment funds to members of the Shawnee Tribe of Indians (Absentee Shawnee Tribe of Oklahoma, the Eastern Shawnee Tribe of Oklahoma and the Cherokee Band of Shawnee descendants) per Section 7 of PL 97-372;

12. Judgment funds distributed per capita…to members of the Miami Tribe of Oklahoma and the Miami Indians of Indiana per Section 7 of PL 97-376;

13. Distributions of judgment funds to members of the Clallam Tribe of Indians of the State of Washington (Port Gamble Indian Community, Lower Elwha Tribal Community and the Jamestown Band of Clallam Indians) per Section 6 of PL 97-402;

14. Judgment funds distributed per capita or made available for programs for members of the Pembina Chippewa Indians (Turtle Mountain Band of Chippewa Indians, Chippewa Cree Tribe of Rocky Boy's Reservation, Minnesota Chippewa Tribe, Little Shell Band of the Chippewa Indians of Montana, and the nonmember Pembina descendants) per Section 9 of PL 97-403;

15. Per capita distributions of judgment funds to members of the Assiniboine Tribe of Fort Belknap Indian Community and the Papago Tribe of Arizona under Sections 6 and 8(d) of PL 97-408;

16. Up to $2,000 of per capita distributions of judgment funds to members of the Confederated Tribes of the Warm Springs Reservation under Section 4 of PL-436*;

17. Judgment funds distributed to the Red Lake Band of Chippewa Indians per Section 3 of PL 98-123 (#2);

18. Per capita distributions or family interest payments for members of the Assiniboine Tribe of Fort Belknap Indian Community of Montana and the Assiniboine Tribe of the Fort Peck Indian Reservation and Montana under Section 5 of PL 98-124;

19. Distributions of judgment funds and income derived there from to members of the Shoalwater Bay Indian Tribe under Section 5 of PL 98-432;

20. All distributions to heirs of certain deceased Indians under Section 8 of the Old Age Assistance Claims Settlement Act, PL 98-500*;

21. Judgment funds distributed per capita…for members of the Wyandotte Tribe of Oklahoma and the Absentee Wyandottes under Section 106 of PL 98-602;

22. Per capita and dividend payment distributions of judgment funds to members of the Santee Sioux Tribe of Nebraska, the Flandreau Santee Tribe, the Prairie Island Sioux, Lower Sioux, and Shakopee Mdewakanton Sioux Communities of Minnesota per Section 8 of PL 99-130 and Section 7 of PL 93-134, as amended by PL 97-458;

23. Funds distributed per capita or held in trust for members of the Chippewas of Lake Superior and the Chippewas of the Mississippi per Section 6 of PL 99-146 (#3);

24. Distributions of claims settlement funds to members of the White Earth Band of Chippewa Indians as allottees, or their heirs, under Section 16 of PL 99-264 (#4);

25. Payments or distributions of judgment funds, and the availability of any amount of such payments or distributions, to members of the Saginaw Chippewa Indian Tribe of Michigan under Section 6 of PL 99-346* (#5);

26. Judgment funds distributed per capita or held in trust for members of the Chippewas of Lake Superior and the Chippewas of the Mississippi under Section 4 of PL 99-377 (#6);

27. Judgment funds distributed to members of the Cow Creek Band of Umpqua Tribe of Indians under Section 4 of PL 200-139;

28. Per capita payments of claims settlement funds to members of the Coushatta Tribe of Louisiana under Section 2 of PL 100-411 and Section 7 of PL 93-134, as amended by PL 97-458*;

29. Funds distributed per capita for members of the Hoopa Valley Indian Tribe and the Yurok Indian Tribe under Sections 4, 6 and 7 of PL 100-580 and Section 3 of PL 98-64*;

30. Judgment funds held in trust by the United States, including interest and investment income accruing on such funds, and judgment funds made available for programs or distributed to members of the Wisconsin Band of Potawatomi (Hannahville Indian Community and Forest County Potawatomi) under Section 503 of PL 100-581;

31. All funds, assets and income from trust funds transferred to the members of the Puyallup Tribe under Section 10 of the Puyallup Tribe of Indians Settlement Act of 1989, PL 101-41II;

32. Judgment funds distributed per capita, or held in trust…for members of the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, Miccosukee Tribe of Indians of Florida and the Independent Seminole Indians of Florida under Section 8 of PL 101-277*;

33. Payments, funds, distributions or income derived from them to members of the Seneca Nation of New York under Section 8(b) of the Seneca Nation Settlement Act of 1990, PL 101-503**;

34. Per capita distributions of settlement funds under Section 102 of the Fallon Paiute Shoshone Indian Tribes Water Rights Settlement Act of 1990, PL 101-618, and Section 7 of PL 93-134, as amended by PL 97-458;

35. Settlement funds, assets, income, payments or distributions from trust funds to members of the Catawba Indian Tribe of South Carolina under Section 11(m) of PL 103-116;

36. Settlement funds held in trust (including interest and investment income accruing on such funds) for, and payments made to, members of the Confederated Tribes of the Colville Reservation under Section 7(b) of PL 103-436*;

37. Payments received under the Alaska Native Claims Settlement Act, PL 92-203, Section 21(a)(#1);

38. Distributions received by an individual Alaska Native or descendant of an Alaska Native from an Alaska Native Regional and Village Corporation pursuant to the Alaska Native Claims Settlement Act, as follows: cash, including cash dividends on stock received from a Native Corporation to the extent that it does not, in the aggregate, exceed $2,000 per individual each year; stock, including stock issued or distributed by a Native Corporation as a dividend or distribution on stock; a partnership interest; land or an interest in land, including land or an interest in land received from a Native Corporation as a dividend or distribution on stock; and an interest in settlement trust. This exclusion is pursuant to Section 15 of the Alaska Native Claims Settlement Act Amendments of 1987, PL 100-241, *101 Stat. 1812, 43 U.S.C. 1626(c), effective February 3, 1988**(2)*.

39. Per capita distributions awarded to the Western Shoshone Indians pursuant to Public Law 108-270 approved July 7, 2004.

(*) This exclusion applies to the income of sponsors of aliens only if the alien lives in the sponsor's household.

(**) This exclusion does not apply in deeming income from sponsors to aliens.

(#s) Respective laws pertinent to the Chippewa Indians and respectively to the Alaskan Natives.

736.4.2 Court Exempted Income

Protections in the beginning of this chapter apply only to funds and other interests held *in trust* by the federal government. The following court rulings also <u>exempt incomes</u> for the tribes listed below:

1. <u>Income</u> from the sale of timber from land held in trust, *Squire v. Capoeman, 351 U.S. 1(1956)*;

2. <u>Income</u> derived from farming and ranching operations on reservation land held in trust by the federal government, *Stevens v. IRS, 452 F.2d 741(9th Cir. 1971)*;

3. Internal Revenue ruling has also found the following to qualify if they were derived from trust property, including income derived from rentals, royalties, sale proceeds from natural resources of the land, and sale proceeds from crops grown on the land and use of the land for grazing purposes. *The Law of Federal Income Taxation, Jacob Mertens, Jr., Section 6A.101*.

736.4.3 Income from Tribal Gaming

Per capita distributions of revenues from tribal gaming on tribal trust property are *not* protected by Sections 1407 and 1408, as such funds are not held in trust by the federal government. Per capita payments resulting from gaming revenues are subject to federal taxation, Public Law 100-97, Section 11, 102 Stat. 2472, and are *not* exempt.

736.4.4 Income from Lands and Subsurface Mineral Rights

Provisions of the National Industrial Recovery Act, the Emergency Relief Appropriation Act, and Section 55 of the Act of August 24, 1935, and lastly Public Law 94-114, conveyed portions of the lands and subsurface mineral rights to designated tribes, including accrued income. Funds distributed to the members of the tribes identified or to their households are excluded as income or resources for the purposes of determining eligibility for assistance under the Social Security Act or any other federal or federally assisted program. Tribes include:

1. Bad River Bank of the Lake Superior Tribe of Chippewa Indians of Wisconsin, Bad River Reservation, Wisconsin:*

2. Blackfeet Tribe, Blackfeet Reservation, Montana;*

3. Cherokee Nation of Oklahoma, Oklahoma;*

4. Cheyenne River Sioux Tribe, Cheyenne River Reservation, South Dakota;

5. Crow Creek Sioux Tribe, Crow Creek, South Dakota;*

6. Lower Brule Sioux Tribe, Lower Brule Reservation, South Dakota;*

7. Devil's Lake Sioux Tribe, Fort Totten, North Dakota;*

8. Fort Belknap Indian Community, Fort Belknap Reservation, Montana;*

9. Assiniboine and Sioux Tribes, Fort Peck Reservation, Montana;*

10. Lac Courte Oreilles Bank of Lake Superior Chippewa Indians, Lac Courte Oreilles Reservation, Wisconsin;*

11. Keweenaw Bay Indian Community, L'Anse Reservation, Michigan;*

12. Minnesota Chippewa Tribe, White Earth Reservation, Minnesota;*

13. Navajo Tribe, Navajo Reservation, New Mexico;*

14. Ogalala Sioux Tribe, Pine Ridge Reservation, South Dakota;*

15. Rosebud Sioux Tribe, Rosebud Reservation, South Dakota;*

16. Shoshone-Bannock Tribes, Fort Hall Reservation, Idaho;*

17. Standing Rock Sioux Tribe, Standing Rock Reservation, North and South Dakotas.*

And, by other statutes, receipts from lands held by the following tribal entities are exempt:

1. Seminole Indians in Florida by the Act of July 20, 1956, *86 Stat. 581*;

2. Pueblos in Zia and Jemez in New Mexico by the Act of August 2, 1956, *70 Stat. 941*;

3. Burns Paiute Indian Colony in Oregon by the Act of October 13, 1972, *86 Stat. 806*;

4. Stockbridge Munsee Indian Community in Wisconsin by the Act of October 9, 1972, *86 Stat. 795, Public Law 94-114*;

5. Pueblos of Santa Ana and Zia in New Mexico, *Public Law 95-499, 92 Stat. 1680*;

6. Pueblo of Zia of New Mexico, *Public Law 95-499.*

736.5 In-Home Family Preservation Program (FPP)/Supported Living Arrangement (SLA)

In-Home Family Preservation Program (FPP) payments and Supported Living Arrangement (SLA) payments are funds authorized by state legislation to assist individuals with disabilities or mentally disabled SSI individuals so they can live in the community.

In-Home FPP payments are administered and distributed by the Nevada Division of Public and Behavioral Health (DPBH) for:

- persons with profound or severe mental retardation; or
- children under the age of 6 years with developmental delays.

Most In-Home Family Preservation or SLA payments are received in more than one cash or vendor payment. In these multiple payment situations, exempt any portion of the payment that is deducted or recouped as a case manager service fee and;

Exclude payments

- equal to the difference between the payment allowance and the 100% need standard when the payment is for items not included in the need standard, or the payment supplements the need standard;

AND

- exempt payments to or received on behalf of an SSI recipient, and
- exempt payments for medical needs that are not paid by Medicaid.
- exempt vendored SLA payments.

Exempt

- reimbursements for expenses other than normal living expenses.

Notes:

- Medical expenses are not normal living expenses.
- Do not allow a medical deduction for any part of an expense that is reimbursed.
- Reimbursements for receipted expenditures are not considered income.

Vendored SLA assistance is not budgetable. This includes food vouchers which are taken to a retail food store.

Vendored expenses are not allowable deductions. The only program expense allowed is the qualifying non-vendored portion of expenses paid directly by the client.

Example: If a client is responsible for rent of $400, the SLA vendor pays $300, but the client still must pay $100, allow $100 as a shelter expense. If the household's utilities total $125, the client is responsible for $50 and the SLA vendor pays $75, the client is still eligible for a utility expense. If the utility costs are for heating and/or cooling, the Standard Utility Allowance (SUA) should be allowed.

Whether or not SLA is deposited into a bank account or patient fund, determine if the funds are being vendored for such things as rent, child care, utilities, food, etc. The portion of the SLA which is being vendored is not countable income.

If the client is provided SLA (in or out of an account) which is not vendored, evaluate which portion of the funds are countable after allowable exclusions and deductions.

The Division of Public and Behavioral Health (DPBH) may also refer to SLA as Supplemental Living Assistance; however, this is the same as Supported Living Arrangement.

Copies of "*Service Agreements - Supported Living Arrangement*", account ledgers, patient account records and bank account statements must be obtained for review and case record retention. These documents will be used to determine which expenses are being supported/supplemented with SLA payments and those expenses the household is responsible for, based on the household income/need. The service agreement is an agreement between the household, provider and the State of Nevada Division of Public and Behavioral Health (DPBH). The agreement identifies established SLA program dollar allowances for specific expenses and also states the financial responsibility for both the individual and state.

Case management, administrative and direct service fee totals are subtracted from SLA room and board total amount identified in the ***last column*** under the Budget Plan section on the SLA service agreement titled ***"State"***. The remainder of the income is evaluated to determine if it is budgetable or exempt. If it is determined the SLA allowance for room and board are all vendored, it is not necessary to complete mathematical computations.

Service Agreement (MH)
SUPPORTED LIVING ARRANGEMENT

Client Name: _____

Client Address: _____ Apt # _____

_____

SSN ____/____/____ - ____/____ - ____/____/____/____ Case # _____

Monthly Client Resources	Net Amount
Earnings From Employment	
Employer:	N/A
Other	
Other	
SSI	
RSDI (SSDI)	
Other Benefits:	
Total Client Resources	

HUD SHELTER PLUS CARE (Circle) YES NO

AGREEMENT BETWEEN:

The Client, the Provider and the State of Nevada, Division of Mental Hygiene and Mental Retardation, Kinkead Building, Room 602, 505 E. King Street, Carson City, Nevada 89710.

Agency (Circle) SNAMHS NMH RURAL CLINICS

This Agreement shall be in effect beginning: _____ through _____
(Month, Day, Year) (Month, Day, Year)

This Agreement is: (Circle) New Renewal Amendment (If amended, dates of original Agreement) _____ through _____

BUDGET PLAN

ROOM AND BOARD					SPECIALIZED SERVICES			
Monthly	Expenses	Client	Other	State		Hours	Hourly Rate	Cost
Retained Earning					Case Management			
Personal Needs					Direct Services			
Food					Direct Services			
Rent					Direct Services			
Utilities					Direct Services			
Phone					Direct Services			
Client Travel					Other			
Medical					Staff Travel	N/A	N/A	
Other					Administration	N/A	N/A	
Room & Board Total					Services Total		N/A	
Spec. Svcs. Total								
Monthly Total								
Last Monthly Total								
Difference								

ONE-TIME COSTS FOR THE MONTH OF: _____ $_____

List one-time expenses: _____

_____

Explain why contract increased, remained the same or decreased: _____

SEE REVERSE SIDE OF AGREEMENT FOR ADDITIONAL CONDITIONS OF THE AGREEMENT.
MY SIGNATURE AFFIRMS THAT I AGREE WITH ALL CONDITIONS OF THIS AGREEMENT.

_____
Signature of Provider Date

Provider Name: _____

Provider Address: _____

_____

Tax ID Number: _____

I authorize the identified division agency and provider to exchange information from my case records for coordination of services and planning. Other uses are forbidden; this consent expires with this agreement.

_____
Signature of Client Date

_____
Case Manager Date

_____
Housing Coordinator Date

_____
Business Office Date

_____
Administration Date

All SLA discrepancies are to be clarified with the issuing SLA agency (e.g. DPBH and/or the contracted providers). Some SLA providers may issue cash assistance directly to the individual as part of a self-sufficiency plan or because the client resides in rural or outlying areas where provider services are limited.

Example:

- The SLA service agreement shows a specific allowable rent amount of $400, with individual responsible for $311 and a deficit of $89 which is identified as the SLA payment. The $89 SLA payment is budgetable **unless** the rent **expense** is vendored.

- The food expense is set at the maximum allotment value for one person, with individual responsibility as the maximum allotment value because they receive maximum SNAP benefits for a one-person household and no SLA payment noted. There is no SLA food expense payment in this situation because the client received maximum SNAP benefits.

If questions should arise about an DPBH service agreement, contact the issuing SLA agency for clarification.

736.6 Nutrition Programs

Exempt the value of supplemental food assistance under the Child Nutrition Act of 1966 and under the special food service program for children (National School Lunch Act).

Exempt benefits received under Title VII, Nutrition Program for the Elderly, of the Older American Act of 1965.

736.7 Relocation Assistance

Exempt payments provided under

- Title II of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970.

  Public Law 93-531 to members of the Navajo or Hopi Tribes.

- Title I of Public Law 100-383. These payments are made to Aleuts or individuals of Japanese ancestry (or their heirs) who were relocated during World War II.

736.8 Subsidized Housing Assistance

The value of government housing and other rental subsidies, whether cash, two-party check, in-kind or vendor paid is countable income. The value of the subsidy up to $76 is counted as unearned income to the household. The income is only counted when the responsible tenant of the subsidized housing is an individual whose income is used to determine eligibility.

When multiple responsible tenants are included in the same household, only one value of subsidized housing up to $76 is budgeted (i.e., two-parent household and both mother and father are responsible tenants, consider only one subsidy).

When one or more responsible tenants are **not** included in the same TANF household, the subsidy amount is divided by the number of responsible tenants and the resulting figure of up to $76 is budgeted per household (i.e., subsidy is $120, two responsible tenants could get $60 each. Subsidy is $300, two responsible tenants could only get $76 each).

The subsidy is the financial assistance or the portion of rent the housing entity pays on behalf of the tenant(s).

Count

- cash payments, and
- vendor payments paid from state or local government funds (unless exempt as specified below)

Exempt

- in-kind payments
- federally funded vendor or two-party check payments, and
- vendor payments paid by FmHA, HUD, state or local housing authorities funds for rent or mortgages and transitional housing for the homeless.
- Self-Help housing funds granted by USDA-Rural Development to financial lending institutes for low-interest mortgages extended to qualifying Nevada families to purchase affordable housing.
- Manufactured Housing lot rent subsidy for qualifying low income mobile homeowners. The mobile lot subsidy is paid directly to the mobile home park. **Note**: If a lot subsidy is being paid, only consider the portion of the lot rent paid by the SNAP household as a shelter expense deduction.

Only the following rent and housing subsidies are considered in determining the assistance unit's share of governmental rent or housing subsidy:

- Housing and Urban Development's (HUD)
  - Section 8
  - Public Housing
  - Indian Housing
  - Transitional Housing
- United States Department of Agriculture's (USDA)
  - FmHA Section 515 Rental Assistance

Note: The Manufactured Housing Division's **lot rent** subsidy program for qualifying low income mobile homeowners is not considered subsidized housing assistance because it is not a **housing** subsidy.

When the assistance unit is approved for subsidized housing, the first month the housing subsidy **MUST** be budgeted is the second month following the month the change occurred. However, a change of circumstances is always acted on as soon as administratively possible (notification of adverse action is required).

When the assistance unit receives housing for a partial month, the value of the subsidy for the full month is prorated for the partial month. If the prorated value of the subsidy is $76 or more, $76 is budgeted. If the prorated value is less than $76, the actual amount of prorated subsidy value is budgeted.

Exception: If there are verifiable barriers to an individual being allowed to reside in a subsidized residence, do not budget the $76 until the household is able to return to the residence (e.g., flood, fire, condemned property, padlocked eviction, domestic violence).

736.9 Independent Living Payments

Payments for the Independent Living Program are made from Title IV-E funds and are distributed by DCFS staff to certain children when they leave foster care. Payments

Do not count.

Count as unearned income.

Exception: Exempt any amount of the payments intended to reimburse the child for expenses other than those for normal living.

736.10 Individual Development Account (IDA)

The use of Individual Development Accounts (IDAs) are intended to improve the economic independence and stability of individuals and families and to promote and support the transition to economic self-sufficiency. Federal funds match the amount of earnings low-income working individuals and families deposit into an IDA. IDA savings are to be used for a first home purchase, post secondary educational expenses, or business capitalization.

EXEMPT (while the individual is participating in the IDA program):

- Matching funds deposited into an established IDA;
- Interest accruing on the matching funds; and
- Funds (earnings) deposited and interest earned by the individual.

- Matching funds deposited into an established IDA; and
- Interest accruing on the matching funds.

Earned income deposited into an IDA is budgeted in determining eligibility and allotment amounts for the month received. Once the earned income is deposited into the IDA, the funds are excluded resources.

An individual whose participation in the IDA program has terminated, voluntarily or otherwise, would no longer be covered by the exemption.

736.11 Census Income

Income received from the Census Bureau for temporary employment related to census activities is exempt.

Income received from the Census Bureau for temporary employment related to census activities is countable as earned income.

737 In-Kind Income

In-kind benefits are those for which no monetary payment is made on behalf of the household which may include meals, clothing, or housing.

Count the value of work performed in exchange for one of the defined needs outlined in manual section C-140 as earned income. If services are not exchanged for one of the defined needs, it is not in-kind income.

Income in-kind is exempt.

738 Interest

Count interest from

- a trust account as unearned income.
- bank accounts, credit unions, IRAs and Retirement accounts.

Count as unearned income when household receives account statement.

Note: residual income from a movie acting career is unearned income.

Exempt Interest from

- an IDA savings account established under the Assets for Independence Act (AFIA) - Public Law 105-285 or authorized by section 404(h) title IV of the Social Security Act as long as the individual is participating in the IDA program. An individual whose participation in the IDA program has terminated, voluntarily or otherwise, would no longer be covered by this exemption.

740 ADDITIONAL TYPES OF INCOME – PART II

741 Temporary Insurance Disability/Worker Compensation Payments

Temporary disability insurance and temporary worker compensation payments which are employer-funded, such as Employers Insurance Company of Nevada (EICON) compensation, are considered

Count benefits for a permanent or temporary disability as unearned income if the recipient is no longer employed. Count temporary disability insurance and worker's compensation payments which are employer funded as earned income when the recipient remains employed while recuperating.

Count benefits for permanent or temporary disability as unearned income.

Exceptions:

- Exempt any reimbursement for a medical bill the household paid. Reimbursements are usually made by separate check.
- Exempt deductions for FICA or income taxes if the benefit is counted as unearned income.

742 Job Training

742.1 Workforce Investment Act (WIA) of 1998 (formerly JTPA)

Consider the gross amount of payments from WIA-funded programs as

- earned income, if received for on-the-job training (OJT), Non-WIA Limited Work Experience (LWE) or Job Corps participation.
- unearned income such as incentive payments, if received for any other JTPA-funded program (even if based on hourly participation).

WIA Earned Income Payments

WIA (Workforce Investment Act) earnings for individuals 17 years old or younger who are under the parental control of another household member are exempt. This includes income that is funded by both WIA and the employer. **Note**: WIA earnings will be excluded until the month following the month the child becomes 18 years of age.

Additionally, all WIA income other than earnings from on-the-job (OJT) training program under Section 204(5), title II, of WIA is exempt for **ALL** individuals. This includes allowances, reimbursements or stipends for meals, transportation, WIA college work study and other costs. **EXCEPTION**: A TANF child's WIA is exempt for six months in a calendar year and then evaluated and budgeted as adult earnings.

Note: On-the-job training (OJT) payments under the Workforce Investment Act (WIA), formerly known as JTPA, received under the Summer Youth Employment and Training Program (SYETP) are also excluded as income. However, on-the-job training (OJT) payments to youths, other than dependents under age 19, in year-round programs and payments to adults are counted.

Note: The JTPA income **exclusion** also applies to AmeriCorps payments under any comparable summer youth employment and training program because AmeriCorps is tied to the Workforce Investment Act of 1998.

See manual section A-726 for children's earned income.

For a TANF child, exempt the first six (6) months of WIA-earned income each calendar year. Follow policy in section A-726 (Children's Earned Income) for earned income received after this six-month exemption. WIA income is considered

- in the 130% of Poverty and final eligibility/benefit determination after the six (6) month exclusion for *full-time students*, or *part-time students working less* than thirty (30) hours per week

OR

- budgeted in both the 130% of Poverty and final eligibility/benefit determination for *part-time students working at least or more than* thirty (30) hours per week and *non students*.

Note: The six-months need not be consecutive. The count begins the first month the individual did or will receive assistance and **starts over each calendar year**. Up to 12 (twelve) months of disregard is available but no more than

- six (6) months for WIA related employment, and
- six (6) months for non-WIA related employment.

Case Documentation Note: This and other exempt income should be documented and tracked in the case record to avoid eligibility and benefit discrepancies. A system future action (FACT) is required for these cases to ensure advance notice requirements are met before changing exempt income to countable income.

For TANF adults, count the gross pay.

WIA Unearned Income Payments

Exempt unearned income WIA payments received by a TANF child (does not include minor mother caretakers on their own case).

Count unearned income WIA payments received by TANF adults unless specifically exempted below:

- Exempt payments the provider identifies as
  - a needs-based payment,
  - for supportive services, or
  - for post-program supportive services.
- Exempt WIA (formerly JTPA) payments to TANF adults based on their participation in any of the following programs:
  - Summer Youth Program,
  - Work Experience Program, or
  - WIA Limited Work Experience Program (includes WIA funded work study when the individual attends community college/ university vocational courses or the individual is in the Western Nevada Community College Single Parent Program).
- Exempt portions of WIA money specifically identified by the provider as reimbursement for training-related expenses such as transportation, meals away from home, and similar expenses.

742.2 Other Job Training and Training Allowances

Payments from other agencies for training-related expenses are exempt.

Note: If the payment is for training and monthly maintenance, exempt only the portion for training.

Allowances from vocational and rehabilitative programs which are not reimbursements are counted as earned income.

743 Loans (Non-Educational)

Consider financial assistance a loan if the lender states the money contributed to the household is a loan regardless of the intent of the borrower to repay the loan.

Exempt financial assistance considered a loan.

In the SNAP program this includes county General and Interim Assistance (IA) that requires repayment to the county or issuing agency (e.g., individuals pending SSI receive IA, but must sign a contract to repay the county when approved SSI).

Reverse Mortgages are home equity loans. Money from the Reverse Mortgage can be in the form of a lump sum, monthly advances, a line-of-credit or a combination of all three payment methods. Reverse Mortgage loans become due with interest either when the person permanently moves, sells their home, dies or reaches the end of the pre-selected loan term.

744 Lump Sum Payments

Lump sum payments include, but are not limited to, retroactive benefit payments, RSDI, UIB, VA, etc., insurance settlements, awards or settlements received for personal injury, inheritance, irregular or unpredictable wage bonuses, employment severance pay, retroactive pay increases, etc.

Note: A lump sum amount received from the sale of property is considered a resource, not income.

Nonrecurring lump sum payments are any payment(s) received in a month, made from a source that is not likely, in the foreseeable future, to make additional lump sum payments to the household. Lump sum payments may be received in one or more individual checks but are considered a lump sum if all money received is a part of the whole payment due.

Count lump-sum payments as income in the month received if it is received or anticipated more often than once a year.

Exempt lump sum payments received once a year or less, unless specifically listed as income. Count it as a resource in the month received.

If a lump sum is provided to assist with burial, legal, medical bills or replacement of damaged or lost possessions, disregard from the lump sum amounts earmarked and used for the purpose for which it was paid. A copy of the settlement may be requested to verify earmarked expenses; if it is questionable the expenses are related to the lump sum.

Note: If a household is receiving a settlement in installments, determine if the payor would have paid the total in one payment. If so, budget the lump sum as if received in one payment, not installments.

Exception: If any of the following situations occurs, a lump sum is counted as income in the month received:

- The countable lump sum plus other countable adjusted gross monthly income is less than or equal to 100% needs standard for the family's size.
- The lump sum is received by someone who is not a member of the assistance unit but whose income is applied to the assistance unit.
- Count lump sums received in any pending month as income unless otherwise exempt.

When a lump sum is counted as income in the month of receipt, count any amount remaining after that month as a resource.

745 Migrant or Seasonal Farm Worker Emergency Assistance

Exempt emergency assistance made to a migrant or seasonal farm worker household while in the job stream. This assistance may include, but is not limited to, emergency vendor payments for housing or transportation. It does not include vendor payments for gas or auto repairs to get the migrant back home or to another area of employment, nor does it include transportation to get the seasonal worker to the farm. These are not part of normal emergency grants.

> Verify income with the source of the emergency assistance.
>
> **Note:** Vendor payments from HUD for rent or mortgage, or state or local housing authorities, or any other source exempted by another policy are exempt.

746 Military Pay and Allowances

Military pay includes Basic Pay (BP), Proficiency Pay (PRO), Basic Allowance for Quarters (BAQ), or Basic Allowance for Subsistence (BAS) and as of May 2001, Family Subsistence Supplemental Allowance (FSSA).

Count military pay and allowances for housing, food, base pay and flight pay as **earned** income. FSSA will be counted as unearned income in all programs. FSSA income is shown on the member's "Leave and Earning Statement," which is the standard wage information form used by the military.

In those cases where a military member resides in privatized base housing and the BAH displays on the Leave and Earnings Statement (LES), the BAH must be budgeted as earned income and the amount listed as an allotment to the private housing company must be listed as rent on the RENT screen. These households would not be entitled to a utility deduction unless proof of out of pocket utility costs is provided (i.e. telephone).

SNAP Exception:

- Do not count as income any military pay withheld to fund education under the G.I. Bill.
- Additional payment received under chapter 5 of title 37, United States Code, by a member of the United States Armed Forces deployed to a designated combat zone shall be excluded from household income for the duration of the member's deployment if the additional pay is the result of deployment to or while serving in a combat zone, and it was not received immediately prior to serving in the combat zone.

747 MINOR PARENT INCOME

Minors are children under age 18. They are no longer considered minors beginning the month following the month in which they become age 18 or are emancipated. When a minor marries, they are emancipated even after divorce; therefore, they are no longer a dependent child and are ineligible in the parent's assistance unit. A minor may also be emancipated by a decree of emancipation issued by the juvenile division of the district court.

When minors are living with their natural/adoptive parents and the parents are not requesting assistance, the parent's income is used to determine eligibility for the minor's assistance unit. *In this instance, the minor's parents are called responsible parents and a responsible parent's income is always deemed.*

Minor unmarried mothers must live at home with their parent(s) or in an approved supervised living arrangement unless good cause is determined. A court-ordered emancipation in and of itself is not considered “good cause”, but may be taken into consideration when making this determination. Emancipated minor parents are required to provide the Emancipation Order with the application. The Emancipation Order will be forwarded to the Chief of E&P, who will request the DAG to petition the court to vacate the order.

Follow these steps when determining eligibility for households with a minor parent.

1. Determine which of the following situations describes the household:

A	minor parent minor parent's child minor parent's legal parent(s) minor parent's minor siblings
B	minor parent minor parent's child minor parent's legal parent(s) minor parent's minor siblings minor parent's stepparent
C	minor parent minor parent's child minor parent's legal parent(s) minor parent's stepparent minor parent's minor siblings legal parent and stepparent's mutual child

If the household is described in situation . . .	And the legal major parent's choice to apply for TANF is . . .	Include in the assistance unit . . .	Using these budgeting procedures,
A	yes,	all household members. Treat the minor parent as a child.	combine and count income/ resources according to TANF guidelines for exempt and countable income and resources.
A	no,	minor parent minor parent's child.	apply the legal parent's income using Responsible Parent Deeming/Step-parent budgeting procedures in A-660. Treat the minor parent's income according to adult caregiver policies.
B	yes,	all members except the step-parent. Treat the minor parent as child.	apply the stepparent's income if they are not included in the case. Follow budgeting procedures in A-660.
C	yes,	all members. Treat the minor parent as child.	count income according to TANF guidelines. If ineligible, process minor parent's application according to the procedures in the next situation.
B or C	no,	minor parent minor parent's child	count the legal parent's income using Responsible parent Deeming/ Stepparent budgeting procedures. Treat the minor parent's income according to adult caregiver policies.

- the stepparent is considered a relative of a specified degree and can be included when the natural parent is incapacitated.

Notes:

- If the minor parent lives with both parents, allow the needs of both parents when determining deemed income.
- Do not count resources of a minor parent's parent unless the parent is included in the household.
- Do not budget income of the stepparent of a minor parent.

748 Payments to Victims of Nazi Persecution

Exclude as income any payments made to individuals because of their status as victims of Nazi persecution. This includes Holocaust and Swiss payments.

749 PLAN FOR ACHIEVING SELF-SUFFICIENCY (PASS)

Exempt any income received by an SSI recipient.

Exempt from earned or unearned income any amount an SSI recipient deposits into a PASS account or uses toward completion of a PASS plan.

Note: If the PASS contribution is made from earned income, deduct the PASS contribution from the individual's gross earnings before deducting the 20% earned income deduction.

A PASS can be, but is not limited to:

- money deposited into a savings account to purchase a vehicle for employment transportation;
- money deposited into a savings account to start a new business; or
- money used toward an educational program.

The PASS plan must be approved by the Social Security Administration (SSA). The SSI recipient will receive a notice from SSA approving or disapproving the PASS plan. This notice is satisfactory verification of the PASS plan.

750 ADDITIONAL TYPES OF INCOME – PART III

751 Pensions

A pension is any benefit derived from former employment (such as retirement benefits or a disability pension). **Count as unearned income**.

752 RSDI (Retirement, Survivors and Disability Insurance) Benefits

Count the amount of the entitlement (including the amount deducted from the check for the Medicare premium), **less any amount** that is being **recouped** for a prior overpayment, as unearned income.

The legally obligated monthly fees, collected by representative payees from RSDI individuals, are deducted from the gross amount.

The Internal Revenue Service (IRS) offsets Social Security payments to collect claims for unpaid federal taxes under the Federal Payment Levy Program. The recouped amount for unpaid federal taxes will be **included as available income**. The BENDEX will continue to reflect the full monthly Social Security payment with no visible sign of this offset.

753 Reimbursements

Exempt a reimbursement (not to exceed the incurred expense) provided specifically for a past or future expense

- which are medical insurance reimbursements for expenses previously paid by the household.
- which are refunds from an employer for previously paid business expenses.
- other than a normal living expense.

Count any excess as unearned income <u>unless</u> the reimbursement is a flat allowance for the expense incurred.

753.1 Restitution to Victims of Crime

Exempt any restitution payments made to a victim of crime to replace specific items lost due to the crime.

754 Transitional Housing Assistance For The Homeless

Exempt – do not count.

755 Royalties

Count as unearned income.

756 SSI

Exempt the income and resources of an SSI recipient, including those whose payment is reduced to zero, living in the home if

- the SSI recipient would otherwise be an eligible member of the TANF unit,
- the SSI recipient would otherwise be someone whose income is "applied" to the TANF unit, or
- a TANF-certified member is the SSI recipient's payee.

If other SSI recipients live in the home and contribute to a member of the TANF unit, follow contributions policy.

Count the amount of the entitlement **less any amount** that is being **recouped** for a prior overpayment as unearned income. This includes any benefits paid to a representative payee and used for the needs of the SSI individual.

Exclude from SSI income any amount deposited in or used for a PASS plan and any legally obligated monthly fees collected by representative payees.

Note: Social Security Administration (SSA) benefits such as SSI and RSDI benefits are **not means-tested and not subject to the means-tested income penalty outlined in manual section B-600**.

Note: Retroactive lump sum installment payments are excluded as income.

757 Self-employment

An individual is self-employed if engaged in an enterprise for gain, either as an independent contractor, franchise holder, or owner-operator. This includes individuals working on a commission basis; e.g., Avon, Tupperware or newspaper delivery and/or individuals who collect cans and bottles or is a professional gambler. The self-employed individual's income and expenses must be verified.

If the individual has either income taxes or FICA withheld from his earnings, he is an employee and not self-employed.

757.1 Determining Self-employment Income

Annualize self-employment income intended for the household's annual support, whether the income is received monthly or less often. This figure is used to determine the monthly self-employment income.

If the household anticipates a substantial increase or decrease in self-employment income, use this figure to annualize.

Self-employment income intended to support the household for only part of the year is not annualized. Average this income over the number of months it is intended to cover. If the household has had self-employment income for the past year

- use the income figures from the previous year's business records or tax return, or
- if current income appears to be substantially different from income the previous year, use more current information, such as updated business ledgers or day books.

If the household has **not** had the self-employment income for the past year,

- average the income over the period of time the business has been in operation, and
- project that income.

Exception: If the newness of the business means there is insufficient information to make a reasonable projection, calculate the income based on anticipated earnings and expenses.

757.2 Calculating Self-Employment Income

1. Total all gross self-employment income (including the full amount of a capital gain) for the period of time over which self-employment is determined.

   Capital gain is the financial profit from a sale or transfer of capital assets (accumulated possessions such as products, raw materials, equipment, or ownership of a business).

   When calculating self-employment income, add any capital gains the household expects to receive during the certification period or prior to the next review of eligibility when determining monthly budgetable income. Use this amount, unless the individual reports a change in an unanticipated capital gain or a different amount than anticipated.

2. Determine net self-employment income by subtracting allowable costs of producing the income **(Examples (not all-inclusive):** identifiable costs of labor, sales tax, stock, raw materials, seed and fertilizer, advertisement, insurance premiums, utilities, repairs that maintain income-producing property, supplies, fuel, linen service, property tax and interest paid to purchase income-producing property). **Note**: Fuel expenses are not allowed without a detailed mileage record/log or other documentation showing beginning and ending mileage, destination, which supports the expense. The current state mileage rate is used to determine the fuel expense. (See State Administrative Manual). Documentation acceptable to IRS is acceptable to the Division.

Subtract payments on the principle of the purchase price of income-producing real estate and capital assets, equipment, machinery and other durable goods.

Do not deduct

- capital asset improvements;
- net loss which occurred in a previous period;
- work-related expenses, such as federal, state and local income taxes, retirement contributions, and travel to and from the place of business;
- depreciation;
- costs that are not related to the self-employment, e.g., entertainment, personal transportation costs; or
- any amount that exceeds the payment a household receives from a boarder for lodging and meals

Do not subtract payments on the principle of the purchase price of income-producing real estate and capital assets, equipment, machinery and other durable goods.

Note: If the individual conducts a self-employment business in his home, consider the cost of the home (rent, mortgage, utilities) as shelter costs, not business expenses, unless these costs can be identified separately as necessary for the business.

757. 3 Self-Employment Net Financial Loss

Do **not** deduct a self-employment net financial loss from other household income.

Exception: Deduct the loss if

- it results from a self-employment farming operation, and

- the household received or anticipates receiving annual gross income of $1000 or more from the farming operation. If the cost of producing self-employment farming income exceeds the income amount, the loss shall be offset against any other countable income of the household. **Note:** The computer applies the loss to the benefit calculation when the self-employment income code is used in the computer, once the farm loss is computed manually.

757.4 Income from Property

Consider income from property (non-liquid resources such as equipment, vehicles, real property), whether from renting, leasing, or selling on an installment plan, as budgetable income.

If the household member sells property on an installment plan, count the payments as income. Exempt the balance of the note as an inaccessible resource.

757.4.1 Determining if Income from Property Is Earned or Unearned

Count this income as earned or unearned depending on the amount of work involved in producing the income. Consider the income earned if the person spends an average of at least 20 hours per week in management or maintenance activities. Otherwise, count it as unearned.

For unearned income, deduct only the expenses associated with producing the income, such as interest on mortgage, property taxes, maintenance/repair costs, insurance on structure, advertising and utilities when paid by the landlord. For earned income also allow the standard deduction for earned income.

Exception: Count income from noncommercial boarding situations as earned income.

757.5 Income from Non-assisted Household Members

Determine whether a contribution from a household member not applying for or receiving benefits with other household members is countable using this policy, unless the person's income is specifically exempt by another policy.

If an individual not receiving benefits with other household members or in a separate assistance unit makes payments to the household because of a landlord/tenant relationship, determine countable income according to the roommate/boarder policy.

Example: Sally is purchasing her home and is paying $1200 a month for the mortgage. Sally's friend, who is not part of the assistance unit, pays her $600 a month towards the mortgage to reside in her home. This is considered a landlord/tenant relationship as Sally receives the benefit of the $600 paid by her friend towards equity in her home. The $600 payment would be evaluated as roomer/boarder income.

If the same individual lives in the home of a household receiving benefits and shares household expenses (not a landlord/tenant relationship), exempt any payment made for common household expenses (including shelter, utilities, and items for home maintenance). Any additional payments for use by an eligible household member are a contribution.

Example: John and a friend are renting an apartment for a total of $800 per month and share the utility costs. The friend gives $400 and half the utility costs to John monthly. John then adds his own $400 and forwards the money to the property manager. John also adds additional funds and pays the utility companies. This is considered a shared expense situation as a third party, the property manager or owner and the utility companies, receive the benefit of the payment, not John.

Note: Households sharing shelter costs are both entitled to a shelter deduction for their share of the expenses.

757.5.1 Noncommercial Roomer/Boarder Payments

Income from boarders includes all payments for room, meals, and other shelter expenses. Income from roomers includes payments only for room and other shelter expenses.

If the household receives roomer or boarder payments from the non-assisted household member, exclude the portion of each monthly payment that is a cost of doing business. This does not include money received from persons who are sharing shelter expenses. The client must indicate money received is income from renting a room and/or boarding, self-employment income or claim expenses as “cost of doing business” to offset income.

Do not give roomer/boarder status to

- anyone whose income can be applied to the household unit, or
- a dependent child who is an ineligible non-citizen.

Policy in manual sections A-300 and B-400 restricts who can receive roomer or boarder status.

The cost of doing business is defined as

An amount equal to, or less if verified, the 100% standard of need for the size of the boarder household.

a. for roomers-actual costs.
b. for boarders-
   - the amount of the monthly SNAP allotment for the number of boarders (average of more than two meals a day), or

- two-thirds of a full allotment for the number of boarders (average of two meals a day or less), or
- the actual cost of providing room and meals if the actual costs exceed the monthly SNAP allotment for the number of boarders.

Note: Identify and verify each expense when using actual costs.

757.6 Verification of Self-Employment Income

All self-employment income and expenses must be verified. It is the client's responsibility to provide proof of all income and expenses claimed. Use one of the following documents to determine income received and expenses paid.

- Most recent year's income tax return listing the current self-employment business; or
- Business records/ledgers listing specific income received (from whom, purpose and date) and expenses paid (to whom, purpose, and date.) Proof of all entries must be provided; or
- Form 2011-EG, Self-Employment Worksheet, completed and signed by the individual. Proof of all income received and expenses paid must be attached to the worksheet. If the individual provides a service (i.e. laborer, manicurists, beauticians, handyman) to other people in the income verification must include a listing of the clientele including name, telephone number, date of service and value of service. If the individual works on a commission basis (i.e. Tupperware, Avon, Mary Kay) the individual should submit a copy of the invoices provided by these companies showing cost of product and profit to the seller. If all other avenues of verification have been exhausted, a written statement may be accepted from the client regarding income received.

Note: When calculating monthly self-employment income either from business records/ledgers or Form 2011-EG, the net monthly self-employment income must be calculated using actual income received and expenses actually paid in that month. An expense claimed for the cost of inventory is only allowed in the month the inventory was actually purchased not in the month the inventory was used or sold.

757.7 Documentation Requirements

Document

- the method used to calculate budgetable self-employment income,
- deductions for the costs of doing business,
- the number of hours engaged in the enterprise, and
- other factors used to determine the amount of income.

758 Strikers

A striker is anyone who participates with one or more other employees in a work slow-down or stoppage. This includes a stoppage resulting from the expiration of a collective bargaining agreement. Individuals affected by a lock-out are not strikers. If circumstances deteriorate during the strike to the extent the individual loses his job (e.g., the company is forced out of business, permanent replacements are hired by the company, etc.), the individual will not be considered a striker.

758.1 Eligibility of Strikers

The entire assistance unit is ineligible for TANF for any month in which the caretaker is participating in a strike on the last day of that month.

When a member of the assistance unit other than the natural/adoptive parent is participating in a strike on the last day of a month, that person is ineligible for assistance for that month and their needs are excluded from the benefit grant. An overpayment is calculated when applicable.

Note: When an individual begins striking, assume they will be on strike on the last day of the month, and terminate or reduce benefits. If it is determined they will not be on strike the last day of the month, benefits continue.

A household with a striker is ineligible for SNAP **unless** the household

- was eligible the day prior to the strike and
- is still eligible.

Pre-Strike Eligibility

Use the income of all household members (including the striker) as of the day before the strike. If the household is ineligible, deny/terminate the household.

If the household was eligible before the strike, compute current eligibility. **Note:** Eligible striker households will not receive an increased allotment as a result of a decrease in the household's income due to the strike.

Current Eligibility

1. Calculate the striker's income for 30 days prior to the day the strike began.

2. Compare the striker's income in 1) above to the striker's current income (including union benefits and part-time jobs). Determine the higher of the two incomes.

3. Add the higher of two incomes (pre-strike and current) to the remaining household member's current income.

If the household is not currently eligible, deny/terminate the household benefits.

If the household is eligible based on both current and pre-strike income, the household is eligible if it meets all other criteria. Consider other eligibility criteria the same as income. The household must be eligible both currently and before the strike.

Exception: Individuals exempt from work registration for reasons other than employment are not considered strikers.

759 Temporary or Ongoing Assistance From Other Agencies/Organizations

Temporary or ongoing assistance from other agencies/organizations, such as General Assistance (GA), Indian General Assistance (IGA), Interim Assistance (IA) for pending SSI recipients, is budgeted as unearned income unless excluded by another policy.

Assistance from other agencies and organizations except out-of-state TANF which equals the difference between the payment allowance and the 100% need standard amount is excluded as income. The portion of the payment that **exceeds the difference between the payment level and the need standard is budgeted as unearned income** when the assistance is for:

- items not included in the need standard, OR
- the assistance supplements the need standard.

Budget the entire payment as unearned income unless it must be repaid to the issuing agency (e.g., county requires a recipient to sign a contractual agreement to repay Interim Assistance (IA) once approved for SSI and/or RSDI or program benefits).

760 ADDITIONAL TYPES OF INCOME – PART IV

761 Third-Party Beneficiary

Do not count money a household receives that is intended and used for maintenance of a non-assistance unit/household member.

If a single payment is received for more than one beneficiary, exclude the amount actually used for the nonmember up to the nonmember's

- identifiable portion, or
- prorated portion (if the portion is not identifiable).

Count as unearned income any money the beneficiary retains and does not use for the maintenance of a nonmember.

762 Trust Funds

Count as unearned income, withdrawals or dividends the household can receive from a trust fund that is exempt as a resource. **Note:** ALL trusts, including living trusts, are submitted to the Deputy Attorney General (DAG) for review and a determination of availability/accessibility excluding the trust situations noted in manual section A-500, Trust Referrals; however, if the person is currently receiving income from the trust, it is countable (this includes income from a Supported Living Arrangement trust fund).

763 Unemployment Insurance Benefits

Count as unearned income the gross benefit less any amount being recouped for a previous UIB overpayment. **Note:** Child support judgments against UIB payments are not considered an overpayment recoupment.

> **Exception**: If the overpayment was incurred due to fraud, the amount being recouped is not deducted from the gross payment.

In some circumstances, individuals have earnings which do not exceed the payment amount of their weekly UIB benefit. The gross UIB benefit is reduced by 75% of the amount of the earnings as reported by the individual to DETR.

Example: The individual is entitled to $200 per week gross UIB benefits and reports $100 in weekly earnings to DETR. When determining the UIB payment, 75% of the $100 or $75 will be budgeted against the benefit of $200, reducing the gross payment to $125. $100 x 75% = $75, $200 - $75 = $125.

764 Vendor Payments

Do not count payments a person or organization outside the household makes directly to the household's creditor or person providing the service.

Exception: Count as income money legally obligated to the household, but which the payer makes or diverts to a third party for a household expense. This includes obligated court-ordered child support payments that are diverted to a third party for expenses, such as shelter.

764.1 Vendor Payments from State and Local Government Funds

Exempt:

- vendor payments to a household with a migrant farm worker in the work stream that are paid with state or local government funds.
- third party vendor payments made by a person or organization, other than PA (Public Assistance) or GA (General Assistance), on behalf of a household using funds that are not legally owed to the household. This includes SLA vendor payments.

Note: When a shelter expense, such as rent, is vendor paid by GA or PA, count the income as unearned income and continue to allow the shelter expense when determining benefits.

Count the vendor payments to other people that are paid with state or local government funds, unless the payment provides assistance for

- medical expenses
- child care
- expenses related to natural disasters (**example:** fires or floods)
- energy or utility expenses

Note: Vendor payments paid with federal funds (**example:** federally funded housing assistance) are exempt.

765 Veteran's Benefits

Count as unearned income the gross benefit less any amount being recouped for a previous overpayment.

Exception: Exempt the portion of VA educational benefits used for items such as tuition, books, fees, equipment, child care necessary for school attendance, etc.

766 Miscellaneous Income

1. Blood Donations

   Exempt

2. Jury Duty Payments

   Exempt

3. Gambling Winnings

   Exempt

   Note: The receipt of a substantial jackpot must be evaluated as a resource and if the winnings are placed in an interest bearing account the monthly interest becomes countable income.

   Exception: Gambling winnings are countable to the household if they claim to be a professional gambler. Evaluate these winnings as self-employment income.

4. Panhandling or Income from Begging is exempt.

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Employment & Training

810 GENERAL PROGRAM DESCRIPTION

The Division of Welfare and Supportive Services employment and training programs are designed to assist members of TANF-NEON, TANF-Temporary Program and Supplemental Nutrition Assistance Program (SNAP) households become self-sufficient and reduce their dependency on public assistance programs.

The New Employees of Nevada (NEON) program provides employment, training and education to assist TANF-NEON recipients and TANF-Temporary recipients. NEON also provides support services in the form of child care, transportation, clothing, tools and other special need items necessary for employment. TANF recipients are required to meet the provisions of TANF work requirements.

The Supplemental Nutrition Assistance Program Employment and Training (SNAPET) program assists household members receiving SNAP assistance to increase their ability in obtaining employment. The SNAPET program has limited support services, including transportation, to assist households participating in the program and obtaining employment.

811 DISSEMINATION OF TANF ELIGIBILITY WORK REQUIREMENTS

During the TANF application process, staff will provide applicants with information regarding the work requirements, penalties for non-compliance, employment support services available through the NEON program, and available transitional benefits if they become employed.

812 ASSESSMENT

An Assessment is required for each adult household member and minor parent (including relative caregivers, SSI head-of-households and non-qualified, non-citizen head-of-households) applying for the TANF-NEON and TANF-Temporary Programs. The pre-screening assessment (first nine blocks of the DWSS E&T assessment. Form 2576-A) must be completed prior to assigning pre-eligibility work activities and prior to authorization of TANF benefits and/or support services, such as child care and transportation. New adult household members must not be added to the existing TANF-NEON case until a pre-screening assessment is completed. The Assessment should identify any self-disclosed barriers to obtaining and maintaining employment and include the individual's work history and employment goals based on the participant's responses. The post approval assessment can be completed prior to or after approval.

The assessments will be used to determine if the household requires immediate referrals for services, such as Crisis Intervention, housing, or mental health services.

For more detail on Form 2576-A, pre-screening assessment, post approval assessment and social work assessments, see Manual Section A-2000.

812.1 Job Readiness Status Assessment (Tiers to Self Sufficiency)

Each NEON participant must be assessed for their level of job readiness. This assessment will be used to determine the focus of the participant's Personal Responsibility Plan (PRP) and self sufficiency goals. The following are the Job Readiness Tiers:

- Assessment and Stabilization (Tier 1)

  The following participants are included in this Tier:

  - All newly approved cases pending completion of the post approval assessment and the social work assessment, if applicable.
  - Participants determined through the assessment process to have complex barriers, fragmented work history, no clear motivation, program compliance issues and self esteem barriers.

  Case workers will engage participants in this category in activities to stabilize the household circumstances and individual. The participant will be required to complete skills assessments for their issues and barriers to employment. Intensive social work case management services may be needed to stabilize and prepare the participant for employment readiness activities.

Note: If it is determined during the assessment process that a participant is pending SSI or may need assistance applying for SSI, the participant should be referred to a social worker, for potential participation in SOARS. SOARS (SSI/SSDI Outreach, Access and Recovery) is a program that assists participants in applying for SSI.

- Work Readiness Engagement and Job Preparedness (Tier 2)

  The following participants are included in this Tier:

  - Participants determined to need support to be work ready, have little or no stable work history for the last 12 months, have transferable soft skills, and demonstrate program compliance.

  The case worker will engage these participants in activities intended to improve their job readiness education and skills. The participant will be required to complete continued skills assessments and the case manager will monitor progress. They may benefit from On-The-Job Training (OJT) opportunities; time limited CWEP and community service activities.

- Employment Ready/Job Focus (Tier 3):

  The following participants are included in this Tier:

  - Participants determined to be work ready, have motivation, demonstrate program compliance, and have work supports in place.

  The case worker will engage these participants in job search, employment and employment related activities. Participants may be required to participate in job readiness preparedness classes and may benefit from employment referrals, OJT opportunities, time limited CWEP or community service activities or a referral to the Silver State Work Program (for details on the SSW referral process, see manual section 831).

- Job Retention/Wage Gain (Tier 4)

  The following participants are included in this Tier:

  - Employed participants with a vision for their self sufficiency.

The case worker will support the participant's efforts to maintain employment. The goal for these participants is meaningful, long-term employment with a potential for wage gain. These individuals may benefit from case manager support through contact and supportive services.

812.1.1 Tier Tracking and Reporting Requirements

The case manager will be required to track and report the tier levels for each assigned participant.

813 PRE-ELIGIBILITY REQUIREMENTS AND SUPPORT SERVICES

813.1 Pre-Eligibility Work Activities

NEON applicants, who meet the definition of a work-eligible individual (see manual section A-816.1), may be required to participate in work activities prior to approval for assistance. The goal is to assist families at the earliest opportunity by preparing them to meet work requirements of the NEON program.

Prior to requiring an applicant to participate in pre-eligibility work activities, staff must complete comprehensive assessments. Based on the assessment results, the applicant may be required to: keep appointments with staff, attend in-house orientations and/or training, participate in education activities, join a job club, participate in a job readiness program, register with Job Connect, make arrangements for child care and/or transportation, develop a PRP, Job Search, maintain current employment and/or any combination of the above.

The specific work activity requirements assigned by the case manager must be tailored to the individual household's circumstances. Requirements and consequences for failing to meet the requirements must be provided to client in writing. (i.e., appointment letter, PRP, Insufficient Information Form 2429, or other comparable document.)

If an applicant fails to cooperate with pre-eligibility work activities without good cause they will be denied TANF/NEON assistance.

813.2 Pre-Eligibility Support Services

The following support services may be provided to TANF-NEON program applicants participating in pre-eligibility activities:

a. Participant payments for mileage reimbursement (see Rate Chart in manual section A-814.2);
b. Bus passes or tokens;
c. Work permits;
d. Interview/employment related clothing (limited to no more than $150 without supervisory approval);
e. Fingerprinting for applicants with a confirmed job offer;
f. ID cards specific to employment or employment search;
g. Driving records when required for an employment application or acceptance of employment; and/or
h. Child Care assistance.

Please refer to manual section A-815.1 for information on issuing vouchers.

Note: TANF-Temporary program applicants are not eligible for pre-eligibility support services.

814 SUPPORT SERVICES

Support services are also available to assist TANF-NEON, TANF-Temporary, and SNAP participants during Employment & Training activities. All support service payments for authorized special needs and transportation must be processed within five (5) working days of receipt of the necessary verification, unless extenuating circumstances exist. Exceptions must be documented.

Support service needs for NEON participants are identified in assessments and are included in the participant's Personal Responsibility Plan (PRP). Support services may be authorized for both countable and non-countable work activities.

SNAPET participants receive payments or reimbursements for the cost of transportation and special need items, which are reasonably necessary and directly related to participation in the SNAPET program for no more than two (2) months of job search in a 12-month period and up to the first 30 days of employment if the client obtained employment while conducting SNAPET job search.

Support services may be provided to individuals who are disqualified from participating in SNAPET for failure to cooperate with work requirements if they need assistance to comply with program requirements to reestablish eligibility.

814.1 Child Care

TANF-NEON and TANF-Temporary participants who are primary caretakers of children may be eligible for child care services to facilitate program participation. Eligibility is based on the participant's need for child care to seek, accept or maintain employment or participate in other approved work activities, including meetings with DWSS staff.

A NEON participant with a child less than 6 years old may be exempt from the work requirements if suitable child care cannot be obtained. The child care contractor supplies verification (Form 2153, Work Required Exception) to the case manager regarding the inability to find suitable child care. (Refer to Manual Section A-816.2.1)

If it is determined the participant is not complying with the NEON requirements, notify the child care case manager immediately to terminate services. Notification can be in the form of a child care referral (Form 2728-WA), Interagency Referral (Form 6009), or email.

Refer to the Child Care Manual for additional information on child care eligibility.

Child Care Reimbursement – Nevada does not anticipate any SNAP funded childcare reimbursements due to partnerships with the Child Care Development Fund and Workforce Investment Act.

814.1.1 Referrals

Staff will provide a complete NEON Child Care Referral, Form 2728-WA, to the child care program contract staff when the work eligible applicant/recipient is in need of assistance to comply with pre-eligibility, and/or post-eligibility work activities. Note: This includes work eligible individuals with a NEON Code "E" who participate in an activity that promotes self-sufficiency and have a signed PRP supporting the need for child care. Staff must correctly identify the case as a one-parent or two-parent household on the referral form to ensure the child care assistance payments are paid through the correct funding source. There **must** be a purpose of care (i.e., Job Search, GED classes, PRP follow-up) and referrals must specify a set schedule indicating days and hours per day on the form. If a varied schedule exists, define number of days per week and if part-time (less than 4½ hours per day) or full-time (4½ hours or more per day). If the form is incomplete or if it appears to have been altered, it may be returned to the case manager or the contractor may contact the case manager to verify the data.

If a household indicates they are in need of child care assistance, but are not required to participate in work activities (child-only, kinship care, etc.), DO NOT refer the family on a NEON Child Care Referral, Form 2728-WA. Staff should direct the client to the Child Care Unit for an eligibility determination under one of the other categories of child care assistance.

814.1.2 TANF Sanctions and Child Care Eligibility

TANF-NEON cases which are terminated for non-compliance with work activities (sanctioned) are not eligible for child care assistance, unless they meet the requirements for another child care eligibility category.

Immediately notify the child care contractor via the NEON Child Care Referral, Form 2728-WA, of the imposition of a sanction and include the effective date of TANF termination (sanction). Child care staff will terminate assistance and immediately notify the child care provider of this action.

Assistance will not resume unless the case manager sends a subsequent NEON Child Care Referral, Form 2728-WA, requesting services.

814.1.3 Child Care Overpayments and Intentional Program Violations

When applicants/recipients use their child care benefits for a purpose other than that which was authorized on the referral, an overpayment and/or an Intentional Program Violation (IPV) for the TANF and Child Care Programs may result.

If a child care overpayment is identified, the contractors will refer the overpayment to the Investigations & Recovery (I&R) Unit for pursuit and collection.

Examples of IPV scenarios:

Child care assistance was authorized and paid to allow the applicant to complete their pre-eligibility work activities. The recipient places the child in day care, but uses the time to attend a doctor's appointment.

Child care was authorized so the client could attend a PRP appointment. The recipient cancels the appointment, but uses the child care assistance.

814.2 Transportation

TANF-NEON and TANF-Temporary Program participants may receive assistance with transportation when it is necessary to complete a program activity.

814.2.1 Bus Passes

The Division of Welfare and Supportive Services purchases bus passes from public transportation providers for use by participants residing in areas where bus service is available. Supplies are maintained within district offices for distribution and participants are encouraged to utilize public transportation where it is available.

Transportation assistance, in the form of youth bus passes, may be provided to other household members when necessary to allow the NEON mandatory member to achieve the objectives set forth in their PRP.

Note: Some public transportation vendors will require a school or vendor generated ID card be presented with the youth passes.

All issued bus passes and tokens are to be documented in the Bulk Purchase Screen in OASIS no later than three (3) working days after the date of issuance.

814.2.2 Gasoline for Transportation

The Division of Welfare and Supportive Services allows for transportation costs reimbursement in the form of a participant payment and/or vouchers to assist the client in complying with work-related activities. The Employment & Training Transportation Claim Form (2750) must be completed and signed by participants requesting a reimbursement.

Transportation – SNAPET participants in a required activity are eligible to receive the following per month:

- Up to $25 biweekly for gas reimbursement, one monthly bus pass, or daily and/or weekly bus passes, the total of which is not to exceed a 30 day timeframe. Costs of support service payment authorizations/reimbursements are recorded in the participant case records to keep a history of authorized payments. All issued bus passes are to be documented in the Bulk Purchase Screen in OASIS no later than three (3) working days after the date of issuance.

The transportation reimbursement **can not exceed** the amount on the Mileage Rate Chart below. Gas voucher issuances can not exceed $25 per week.

Participant payments and vouchers for transportation must be processed within five (5) working days of receipt of the necessary verification.

Mileage Rate Chart

Miles Per Day (round trip)	Rate Per Day
1 – 20 Miles	$6 Per Day
21 – 50 Miles	$15 Per Day
51 or More Miles	$20 Per Day

814.2.3 DWSS District Office Bus Pass Inventory Policy and Procedures

All bus passes must be secured and accounted for from the time they are received in the office to the time they are distributed to participants. To reduce the risk of loss, access to inventory must be strictly controlled and limited to staff that have a business need. A separate inventory and accounting must be maintained for each program. To reduce exposure and loss, offices are to limit their on-hand supply to three (3) months. Orders are not to exceed a three (3) month maximum. Offices should provide their current inventory and rate of use when a General Requisition, Form 1010 is submitted to Central Office. Bus pass orders in excess of $1,000 must be delivered or mailed by the vendor. Offices are not to pick up or transport any quantities over the $1,000 amount.

814.2.4 Definitions

Authority Log: Form capturing which staff member(s) have access to what areas.

Bulk Storage: Combination safe or locking file cabinet in a secure location for storing of bus passes until needed.

Daily Use Storage: Locking file cabinet in a central location for the distribution of bus passes on a daily basis.

Distribution Log: Form to capture information on each bus pass distributed to a participant. **Note:** A separate inventory and distribution log is required for each program (NEON and SNAPET) and type of bus pass the office uses.

Master Log: EXCEL spreadsheet listing each purchase of bus passes from the vendor.

Retention and Disposition Schedule: Retain bus logs for a period of three (3) fiscal years.

814.2.5 Suggested Assignments

NEON MEMBER	BULK STORAGE (SAFE COMBINATION OR LOCKING FILE CABINET)	DAILY USE LOCKING FILE CABINET	CONDUCTS AUDITS / MONITORS CONTROLS	OASIS INPUT AND DISTRIBUTES TO CLIENTS
OFFICE MANAGER	X		X	
SUPERVISOR(S)	X		X	
SUPERVISOR(S)		X	X	
SOCIAL WORKER SUPERVISOR(S)		X	X	
ADMINISTRATIVE AID(S)		X	X	
FSS STAFF				X
SOCIAL WORKERS				X

NOTE: Supervisor(s), who have access to the safe's combination or the locking file cabinet where the bulk bus passes (bulk storage) are stored, must not have key access to the daily use locking file cabinet. Every office should attempt to keep the bulk bus passes separate from the daily use bus passes, however, it is understood this isn't always possible. NEON bus passes must be kept and tracked separate from SNAPET bus passes.

814.2.6 Establishing Written Office Procedures

Office Managers are required to have written bus pass procedures that meet the criteria established in this document and address the unique business environment and practices in their office. These procedures should include, but are not limited to: where bulk inventory will be stored; where daily inventory will be stored; define individual roles and responsibilities; who has access to what inventory; the number of passes bundled per daily use packet; limits on the number of passes accessible in the daily use inventory; distribution practices, record retention, etc.

814.2.7 Receiving Shipment of Bus Passes

Receipt of bus passes is restricted to the office manager and / or their designated supervisors with access to bulk storage. The delivery of bus passes will be logged by a minimum of two staff to ensure the presence of all passes ordered and the master bus pass log will be updated indicating receipt.

Bus passes should be bundled into daily use size packets for each pass type. The number of passes for each packet is established by the office in their written procedures and should be based on an individual office usage history.

The goal is to ensure an adequate supply of passes are available for daily operations, while limiting the liability should a loss occur. The following is an example:

Type of Bus Pass	# Per Bundle
Daily	50
Weekly	25
Monthly	25
10 Ride	25
Child	25

A bus pass log, for each type and bundle of passes will be created. Each bus pass serial number will be listed on a separate line of the log. Each log will be photocopied and the photocopies kept with the master log in the bulk storage area.

The bundles of passes by type and corresponding logs will be placed in individual sealed and date-of-delivery stamped envelopes. Both employees who verified the incoming inventory must sign over the sealed flap. Each envelope will list the type of pass and the pass series it contains (beginning number of pass and ending number of pass in the envelope).

Both employees who verified receipt of the bus passes will sign and date the vendor invoice which is forwarded to the Employment and Supportive Services (ESS) Unit in Central Office.

The bulk stock of passes will be kept in the bulk storage area along with the master logs showing the receipt and disbursement of passes and suspense copies for each bundled group of passes.

814.2.8 Daily Use Inventory

Bus pass inventory kept in the daily use storage area must be limited to no more that what is expected to be distributed for the work day. This will vary by office depending on caseload. The limits must be established in the office's procedural document. The following is an example:

Type of Bus Pass	# of Bundles
Daily	2
Weekly	1
Monthly	1
10 Ride	1
Child	1

One staff authorized to access the Daily Storage Area and one staff authorized access to the bulk storage area will sign the log(s) for each envelope of bus passes that are moved from bulk storage to daily use storage.

When the distribution of a full bundle of bus passes is complete, the log for that bundle must be placed with the master log for audit purposes.

Two staff will be present when a bundle of bus passes is opened for use in the daily inventory to verify the envelope contains the correct number of bus passes based on the type of bus passes (see table above) and that the sequence of the bus passes matches the sequence on the log. Any discrepancy must immediately be reported to the office manger or a supervisor (other than one opening the envelope) and a full audit conducted. If a loss is confirmed, refer to manual section 814.2.10.4.

814.2.9 Distribution To Clients

When a pass is distributed, staff must record the participant's name, case number and date next to the passes serial number on the log and initial their actions. The action must also be documented in the OASIS system using the Bulk Purchase Screen no later than the third working day after distribution.

Staff must ensure the participant acknowledges the date of receipt of the pass/passes in writing; this documentation must be retained for audit purposes. The following are some acceptable documentation practices:

- The participant signs and dates an acknowledgement of receipt on a copy of the Bulk Purchase screen in OASIS listing the pass(es) being distributed.
- The participant signs and dates an acknowledgement of receipt on a copy of the bus pass.

The documents may be retained in the case records or with the distribution logs, as long as the procedure is consistent within the office.

814.2.10 Staff With Audit Authority

Staff assigned to audit bus pass inventories must not be the same staff assigned and responsible for duties related to the receipt, secure storage and/or distribution of bus passes.

814.2.10.1 Daily Reconciliation

At the end of each business day, a staff member will reconcile the remaining passes in the daily use inventory with the logs.

814.2.10.2 Weekly Reconciliation

At the end of each week, a staff member with audit authority will ensure there is a Bulk Purchase screen for each name on the Distribution Log. Any errors found must be researched. Then, OASIS and/or the logs must be updated with the corrected information.

814.2.10.3 Monthly Reconciliation

A minimum of once a month, two staff with audit authority must audit the quantity of the bus passes in the bulk storage area to ensure the amount matches that of the master log. At least one of the staff assigned to this duty should be rotated on a periodic basis, so the same two staff are not always completing the audit. (Exceptions to this practice are allowed in rural offices with limited staff and must be addressed in the office's written procedures.) Both staff must sign and date the master log attesting to the correctness. The monthly inventory should be done no later than the fifth day of each month.

814.2.10.4 Reporting Losses

If any staff member suspects or confirms a loss of a bus pass(es), they are to immediately report such loss to their office manager. The office manager must immediately report the loss to the Deputy Administrator of Field Operations, Field Operations Manager, Chief of Employment and Support Services, the Chief of Investigations and Recovery and the Administrator.

814.3 Vehicle Repairs, Registration and Insurance – Employment Related Only

TANF-NEON and TANF- Temporary Program participants, who own a motor vehicle in need of repairs to provide safe and reliable transportation, may obtain up to a <u>lifetime maximum of $2,000</u> in vehicle repairs when necessary for employment or to attend activities leading to employment. Case managers shall verify vehicle ownership through DMV registration documents prior to the consideration of any vehicle repairs. Vehicle repairs include tires, battery, brakes, exhaust system, trans-mission/transaxle, differential, motor, electrical system repairs, vehicle registration fees (which includes the basic registration fee, government services tax, and supplemental government service tax), license plate fees, smog check when required for registration, and up to three months of basic motor vehicle liability insurance as required by Nevada state law. Two written estimates of repair costs must be obtained from licensed auto repair shops prior to approving the repairs and will be maintained in the casefile.

Note: When creating a voucher for vehicle repairs, registration, and/or insurance, it is important to select "Transportation Services–SS" in OASIS in the Support Service type field. Staff must select a Sub-Type of Auto Insurance, Car Registration or Car Repairs to ensure the lifetime limit is tracked correctly.

NEON or Social Work Supervisors may make an exception and authorize repairs when estimates are not available.

NEON or Social Work Supervisors must approve all vehicle repairs.

814.4 Community Work Experience Program (CWEP) Stipend

Participants in the Community Work Experience Program (CWEP) may receive up to a $40 per month payment to assist with work-related expenses. The payment may be generated monthly by the case manager in OASIS to each CWEP participant who participated in the program and met their CWEP work activity requirement as agreed upon in their PRP for the month. In the initial month, if a CWEP recipient is unable to meet their requirements due to a pending police background check and/or fingerprinting, the participant remains eligible to receive the monthly or one-time payment amounts as noted above.

814.5 Employment Related Special Needs

TANF-NEON and TANF-Temporary Program participants seeking employment may need work permits, clothing, tools or equipment to begin a job or CWEP placement. Verify the offer of employment or CWEP placement and necessary items prior to authorizing the purchase. Supervisory approval is required when the authorized amount exceeds $250.

Special Needs – Up to $200 for support services (i.e., Sheriff's Card, Driver's License, Health Card, clothing or shoes), which are reasonably necessary and directly related to participation in the SNAPET program, may be issued to a SNAPET participant per year.

Costs of support service payment authorizations/reimbursements must be recorded in the participant's case record and accurately detail a history of authorized payments. All payments and vouchers will be tracked on the Online Automated Self-Sufficiency Information System (OASIS).

The amount/value of special needs allowances must be documented and tracked in OASIS.

814.5.1 Vocational Education/Training Options

Vocational training opportunities for TANF-NEON and TANF-Temporary Program participants are offered to assist the participant in attaining the education, skills and/or qualifications they need to increase their ability to obtain employment and maximize their earning potential, thus reducing or eliminating their need for public assistance.

There are a wide variety of excellent vocational education/training choices available to Nevada residents and it is the intent of the DWSS to provide our NEON participants access to the training option best suited to their individual needs and interests.

If staff determines a participant is in need of additional job training and/or skills during the assessment process or if the participant expresses an interest in training, staff should assist the participant in exploring their training options.

All training decisions must be mutually agreed upon and documented in the PRP. A post-training plan for securing employment must be incorporated in the PRP (i.e., does the school or educational facility provide job placement services?).

There are four options for accessing training:

1. Contracted Training Vendors – Staff may refer clients to one of the training vendors with established contracts. The Division establishes contracts with training vendors when a significant number of NEON participants will benefit from the same course. Contracting allows the Division to specify the course content, length and schedule.

2. Community Partners – Staff may refer clients to Job Connect to access training opportunities offered through our WIA partners such as DETR, JOIN, Nevada Partners, Nevada Works, Culinary Academy, etc.

3. Financial Assistance – Participants often qualify for financial assistance when enrolled in universities, community colleges or qualified technical schools. When attending such an institution these opportunities must be pursued before authorizing training funds through an Individualized Training Agreement as defined in #4 below.

4. Individualized Training Agreements – Staff may establish Individualized Training Agreements with participants and vendors to purchase training on behalf of a NEON participant. These funds are either paid directly to the client or to the vendor depending on the Agreement established. (Refer to manual section 814.5.1.1 and 814.5.1.2)

Limitations

Each NEON participant may be authorized up to $2,500 per fiscal year for vocational training purposes. Exceptions to this limitation may be granted on a case-by-case basis by the Chief of Employment and Support Services, but will not exceed $5,000 per participant per fiscal year.

Purchase of Training may only be authorized if it qualifies under the definition of a core or non-core “Work Activity” when determining the Federal Work Participation Rate. (Please refer to manual section 821.1).

814.5.1.1 Providing Individualized Training Benefits

Providing individualized training benefits provides a wider range of training and educational choices to meet the needs of the participant. There are two types of agreements. One provides a lump sum payment directly to the participant and the other authorizes payment to the training vendor on behalf of the individual. To be eligible, the participant must:

- Have a signed Personal Responsibility Plan documenting their chosen career path, training needs, choice of training vendor and a post-training employment plan
- Meet the minimum pre-requisites for the training program
- Worked with the case manager to address all potential barriers to attendance (i.e., transportation, child care, doctor/agency appointments, etc.)
- Provide verification that financial aid in the form of grants is not available for this purpose
- Sign either the Individualized NEON Vocational Education Agreement – Participant Payment, Form 2781-EG/B or the Individualized NEON Vocational Education Agreement – Payment to Vendor, Form 2781-EG/A

  At a minimum, the agreement must include:

  - The amount of funds to be distributed to the participant
  - The vendor the participant will purchase training from
  - The training/course to be purchased
  - The timeframe the participant has to enroll and complete training
  - The consequences for using the funds for any purpose other than the purposes for which it was authorized
  - The consequences for failing to maintain acceptable attendance, progress or completing the course
  - An agreement that the participant or vendor will return any unused or refundable portion of the tuition to the Division
  - The Participant's signature
  - The authorizing signature of an FSS Supervisor or Social Welfare Manager and when applicable the vendor's representative
  - The Chief of Employment and Support Services or their appointed representative must approve agreements authorizing over $2,500 in benefits

814.5.1.2 Authorizing Training Benefits

The original training agreements are to be forwarded to the Employment and Support Services Unit in Central Office. When benefits have been authorized to go directly to the participant, staff must use the Participant Payment function in OASIS to generate a warrant. When benefits are to be paid directly to the vendor, forward the training agreement with a request for a vendor payment to program staff in central office. A copy is to be kept in the casefile.

Staff must allow adequate time for the client/vendor to obtain the funds prior to the course fee deadline. All Participant Payments are mailed the Monday following the week the benefit is approved in OASIS. Most Vendor Payments are mailed the Monday following the week the payment is approved by accounting.

IMPORTANT: A vendor must be registered with the Controller's Office and have a current/valid vendor control number, prior to establishing a training agreement. (Refer to manual section A-815.2).

814.5.1.3 Misuse of Funds Intended for Vocational Training

The participant is required to use the funds solely for the purpose of purchasing the training specified within the timeframes established in the training agreement, and is required to maintain acceptable attendance and satisfactory progress.

An overpayment will be established for any funds not used as outlined in the training agreement and/or any funds the vendor returns to the participant regardless of the reason (i.e., the course is canceled, the fees are misquoted, the vendor refunds all or part of the training/course fee, because the participant did not begin or complete the training/course.) An overpayment may be established for the entire amount of the benefit if the participant fails to complete the course satisfactorily.

If the participant fails to use the funds as agreed or fails to return funds to DWSS when they receive a refund from the vendor, they will be referred to I&R for an IPV hearing and their household may be disqualified for receiving TANF benefits for five years (60 months).

814.6 Court-Ordered Community Service Enrollment Fee

Payment of an administrative enrollment fee on behalf of NEON participants required to perform community service by a court of law may be paid when hours of attendance can be verified.

Participants may receive a bus pass, transportation reimbursement or a gasoline voucher (Refer to manual section A-814.2.2).

814.7 Relocation Expenses for Employment

Relocation expenses, for TANF-NEON participants with a verified job offer at least 50 miles from their current residence, may be authorized one-time only for no more than $1,000. Allowable expenses include the one-way rental cost of a do-it-yourself moving van or trailer, necessary rental liability insurance, fuel costs, and a maximum of $100 for hiring a laborer to assist in loading/unloading the moving van or trailer.

This relocation service may be allowed for training, work experience and job search on a case by case basis:

Case manager must obtain written approval from their supervisor prior to authorizing relocation assistance

814.8 Drug/Alcohol Treatment Co-pay Reimbursement

Experts in the substance abuse field have indicated the importance of investing clients in their treatment both emotionally and financially. The Division of Welfare and Supportive Services, in support of this philosophy, allows substance abuse treatment providers to collect a co-payment from TANF-NEON and TANF-Temporary participants. A reimbursement for any co-payment paid to the substance abuse treatment provider is authorized when the case manager and substance abuse treatment provider mutually agree the TANF participant has successfully completed their substance abuse treatment program. Reimbursement can be issued to the participant directly through the Participant Payment process in OASIS. A copy of the paid statement of co-payments from the vendor must be retained in the participant's file.

814.9 Job Retention Bonus Payment

Based on available funding, current and former TANF-NEON and TANF-Temporary Program participants, who obtained employment while a TANF participant are eligible to receive a one-time job retention bonus payment of $350; after completion of six (6) continuous months of employment averaging 25 hours or more per week in which the participant earned at least minimum wage. In-Kind income cannot be used to meet this requirement. To claim the Job Retention Bonus the participant must notify office staff and provide proof of meeting the job retention conditions within six (6) months of the month they complete the six (6) continuous months of employment. The case manager verifies the employment history, and generates the payment to eligible participants through OASIS.

814.10 Lifetime Limits for Some Support Service Categories

NEON participants have lifetime limits for the following support services:

a. Auto repairs/registration/ insurance
b. Job Retention Bonus and
c. Relocation expenses

It is the responsibility of the case manager to ensure participants do not exceed their lifetime limits. Before authorizing benefits in the categories above, the case manager must review the case history to determine the amount, if any, of their lifetime benefits the participant has received.

815 ONLINE AUTOMATED SELF-SUFFICIENCY INFORMATION SYSTEM (OASIS)

OASIS is the case management system designed and maintained to support the Employment and Training functions of the Division of Welfare and Supportive Services.

Staff must generate and save the following documents in OASIS. This documentation is related to fiscal accountability, legal requirements and automated case management functions. When OASIS is unavailable, exceptions to using the online versions of these forms must be documented in OASIS:

- Notices of Decision
- Participant Verification Form (PVF)
- Vouchers

Case managers may choose to use the DWSS approved online or hardcopy versions of the following forms. If the hard copy form is used, staff must document the activity in the OASIS case narrative and retain a copy in the casefile. Exception: Report of illness documentation from a doctor must be kept in a locked file cabinet if it contains any specific medical information of a diagnosis.

- Appointment letters
- Child Care Assistance referrals
- Intra-office referrals
- Job Search forms
- Assessment Form(s)
- Report of Illness
- Personal Responsibility Plans (PRPs)
- Assessment Summary (optional)
- Timesheets for activities

Staff is required to enter data in OASIS to:

- Authorize payment to vendors when vouchers are redeemed
- Create and store case narratives
- Generate participant payments (gas reimbursements, Job Retention Bonus, CWEP stipends, etc.)
- Track countable and non-countable work activities
- Track bulk purchase distribution (bus passes, and DMV vouchers, etc.)

815.1 OASIS Vouchers

The Authorization to Purchase, Form 2728-WA (commonly referred to as vouchers), are issued so eligible individuals may obtain the special need items and services necessary to comply with work-related activities. (Please refer to manual section A-814 for types of items and services which may be authorized.)

Vouchers are issued from the OASIS system. The system assigns each voucher a unique number consisting of the office code, fiscal year and sequential number. Please refer to the OASIS Task Guides for OASIS voucher instructions.

Hardcopy vouchers are available, but should only be issued when system problems prevent the case manager from using OASIS to create the voucher. (Refer to manual section 815.1.2)

815.1.1 Voucher Completion

All vouchers must include:

- The name of the vendor where it is to be redeemed
- The program the individual is participating in (i.e., TANF-NEON, NEON Pre-eligibility, TANF Temporary Program, SNAPET)
- The items and/or services being authorized for purchase
- The maximum payment amount being authorized
- The name of the participant
- Signature of the participant
- Signature of the Division representative issuing the voucher
- Signature of a supervisor when the maximized authorized amount:
  - exceeds $150 for pre-eligibility work activities or SNAPET participants
  - exceeds $250 for TANF-NEON or NEON-Temporary participants
- Supervisor/manager approval when applicable per policy.
- Signature of an office manager for vehicle repairs and certain moving expenses
- The name and address the voucher should be returned to for redemption

Note: TANF-Temporary and TANF-Loan Program applicants/recipients are not eligible for pre-eligibility support services.

815.1.2 Voucher Distribution

<u>OASIS Voucher</u>:

- OASIS Vouchers are created in OASIS and saved in OASIS Case History.
- The generated voucher must be printed and signed.
  (See manual section A-815.1.1 for required signatures.)
- A copy of the signed voucher is kept in the casefile, and the original is given to the participant to present to the vendor. Staff should encourage vendors to verify and document the participant's ID on the voucher, but we have no authority to require compliance with this request.
- The voucher may only be redeemed by the vendor specified on the voucher. If the vendor is unable to provide the items/services required or the participant prefers to use a different vendor, the participant must return to the office to obtain a voucher specifying a different vendor. The original voucher should be voided if it was not used to purchase any of the authorized items/services.
- The vendor or participant must return the voucher and an invoice or receipt to the originating office for payment authorization.

Hardcopy Voucher:

Hardcopy vouchers are negotiable documents with unique numbers. Supplies must be maintained in a secure environment. District offices are required to utilize an internal control log to track the forms distribution. Staff authorized to issue vouchers must track each individual voucher issued to participants. When OASIS is available, the issuance of a manual voucher must be documented in Case History and a replacement voucher created in OASIS. When redeemed, staff must submit both the original hardcopy voucher and the replacement voucher with the receipt to Accounting.

Hardcopy vouchers are printed on NCR paper and are only used when case managers are unable to generate a voucher in OASIS due to system issues.

- The voucher is completed and signed.
- The white and green copies are provided to the participant who will present it to the vendor. The canary and pink copies are maintained in a pending file within the district office.
- The goldenrod copy(s) must be batched weekly and forwarded to the Accounting Unit in Central Office. The weekly batch must include a statement indicating the beginning and ending voucher numbers issued. Accounting staff must account for all issued vouchers.
- If vouchers are voided, they must be returned to the Accounting Unit in Central Office with the weekly batch.
- Upon receipt of the item or service, the vendor retains the white copy and forwards the green copy and an invoice or receipt to the district office for payment authorization.

815.1.3 Voucher Redemption

- All vouchers must be returned to the originating office with an invoice or receipt for the items and/or services provided for payment authorization.
- The case manager reviews the invoice and receipt, to validate the purchased items were authorized, before entering the payment amount in OASIS. Invoices/Receipts need to clearly identify the date, vendor, purchased items and amount of purchase. When unclear, the case manager should contact the vendor to obtain and document this information. The total payment may not exceed the total maximum amount authorized. Particular items/services may exceed the estimated amount listed per line item.

- When it is determined vouchers have been altered or a receipt indicates the voucher was used to purchase unauthorized items/services; the case manager will determine whether it is a training issue with client (use form 6058-AF to formally notify a client of any incident where it appears a voucher was inappropriately used) or use prudent judgment as to whether the client intentionally misused the voucher and an IPV referral would be appropriate. If appropriate, refer the matter to I&R for a possible Intentional Program Violation (IPV) and establishment of an overpayment claim.

  Accounting will not process vouchers with unauthorized purchases, unless a copy of form 6058-AF or I&R referral is attached. The Division of Welfare and Supportive Services will honor the voucher with the vendor if the vendor used prudent judgment in accepting the voucher for the items/services provided.

- All voucher payments are authorized in OASIS on the Voucher Payment screen within five (5) working days of receipt.

  As a public agency, the Division of Welfare and Supportive Services does not pay State of Nevada **sales tax**. If the receipt indicates sales tax was charged, deduct this amount from the total payment amount.

  (When a hardcopy voucher is being redeemed, staff must issue a voucher in OASIS with the identical information originally entered on the hardcopy form (Exception: The current date must be used due to OASIS system constraints). Use the OASIS generated voucher number to authorize payment in the system. The hardcopy form must be voided and attached to the OASIS voucher when sent to the Accounting Unit for processing.)

- After authorizing payment in OASIS, attach the receipt/invoice to the voucher and forward to the Accounting Unit. Accounting staff will verify the payment amount and process the payment. Copies of the voucher are stored electronically in OASIS and copies of the invoice/receipt are kept in the casefile.

815.1.4 Voucher Payment Errors

When an error in the payment amount authorized in OASIS is discovered before the payment is processed by accounting, staff can correct the payment amount by entering the correct payment amount and selecting the [Override Payment] button to save the new payment amount.

When an error is discovered after the payment has been authorized by Accounting, the vendor will be asked to refund the overpayment. The supervisor must send a memo to the Chief of Employment and Support Services outlining the facts and attach a copy of all relevant documentation.

815.1.5 Unreturned Vouchers

Vouchers expire 15 days after issuance. If a voucher is outstanding for 30 or more days after expiration, it will appear on the delinquent voucher report (45 days from issuance). Case managers must take action on delinquent vouchers within ten (10) calendar days of the voucher appearing on their report. The case manager must determine if the voucher was redeemed by contacting the vendor and/or participant. If redeemed, obtain the necessary invoice/receipt to authorize payment. If unredeemed or if the participant cannot be reached, the voucher is to be voided in OASIS.

Failure to void outstanding vouchers in a timely manner leaves these funds obligated and they cannot be used to support other NEON/SNAPET activities.

815.1.6 Vouchers for Department of Motor Vehicle (DMV)

The Department of Motor Vehicles (DMV) provides driver's licenses (including test), identification and car registration services to our participants. DMV does not accept our vouchers, but provides their own vouchers for our use. These vouchers are negotiable documents with unique numbers. District offices may obtain a supply of these documents by contacting the Accounting Unit in Central Office. District office supplies must be maintained in a secure environment, and staff is required to utilize an internal control log to track the forms distribution.

When issuing the voucher to the client, include the client's name, UPI number, service requested, maximum voucher redemption amount, case manager's printed name, case manager's signature and district office. Use the Bulk Purchase function in OASIS to attach a record of the voucher to the participant's Case History.

DMV will send copies of redeemed vouchers to their central administration office, where they will be batched and sent to the Employment & Training Unit in Central Office. Program staff will utilize the Direct Pay function in OASIS to authorize payment. Payments are deducted from each office's support services budget based on the office of origin provided by the case manager on the voucher.

815.2 Vendor Registration

Payments can only be generated for vendors known to the State of Nevada Controller's Office and the OASIS system. Only registered vendors will be input into the OASIS system. DO NOT issue a manual voucher to a non-registered vendor.

When new vendors are identified, provide the vendor with the appropriate vendor registration forms or refer them to the Controller's Office's web site. Vendor registration forms are available online at: http://controller.nv.gov/VendorServices/Vendor_Services.html. The vendor must complete the registration forms and mail or fax them **to the Controller's Office** at the address or fax number provided on the form. Once registered, the Controller's Office will provide the vendor with a Vendor Registration Number.

To add the vendor to OASIS, email the following information to a program specialist in the Employment and Support Services Unit in Central Office:

- Vendor Name
- Vendor Address (include mailing address if it differs from physical address)
- Vendor Registration Number
- Tax Identification Number
- Vendor Telephone Number (non-mandatory)

If a vendor states they are already registered with the Controller's Office, but do not know their Vendor Registration Number, contact program staff for assistance.

When a voucher is redeemed, payment will be mailed or electronically transferred to the address and/or account provided by the vendor to the Controller's Office. The Controller's Office does not receive address/account change information from OASIS. If the vendor reports a change in either, please ask them to notify the Controller's Office and provide them with the appropriate forms. Change forms are available online at http://controller.nv.gov/VendorServices/Vendor_Services.html. Changes in addresses must also be reported to the Employment and Support Services Unit in Central Office so OASIS may be updated.

Registered vendors are not obligated to accept our vouchers and may choose not to at any time.

815.3 Returned or Lost/Stolen OASIS Warrants

The following steps are to be taken when a participant and/or vendor claims non-receipt of an OASIS generated warrant.

Please note: Field staff should NOT contact Accounting and/or program staff to determine if a warrant has been cashed before proceeding, as this will be determined as part of the reissue process if applicable.

1. Check the 'Returned Warrant Listing'

   The Returned Warrant Listing is a list of all warrants returned to Central Office. Accounting maintains this list and it is updated and emailed to designated district office staff each time one or more checks are returned in the mail. A new list is started each month, so you may need to check the list for a prior month based on when the check was issued.

2. Resend a Returned Warrant

   If the warrant is on the list, an FSS, FSS supervisor, office manager and/or program specialist may email accounting staff and request the warrant be mailed to the correct address. The email must identify the check, the check amount, the intended recipient, AND the address to which it is to be mailed. The current contact person in Accounting is always identified each time the Returned Warrant Listing is emailed to the district offices.

3. Requesting Approval to Reissue a Warrant

   If a warrant is not on the Returned Warrant List and it is determined enough time has passed to be reasonably certain the warrant should have either arrived at its destination or been returned, the participant or vendor may request the warrant be reissued by completing and submitting a Lost/Stolen Warrant Affidavit Form-1060. The case manager is required to send Form-1060 to the Accounting Unit within two (2) days of receipt. Allow twenty (20) days for a response. If approved for reissue, a new warrant will be generated by program specialist staff. Please contact accounting staff if you have not received a response within twenty (20) days.

816 DETERMINING MANDATORY AND EXEMPT PARTICIPANTS

816.1 Employment & Training Status

Individuals who meet the definition of a "Work Eligible Individual" are NEON mandatory.

A Work Eligible Individual includes:

- All adults or minor head-of-households receiving assistance under TANF-NEON or a Separate State Program funded with TANF MOE; and
- Non-recipient parents living with a child receiving assistance. (Parents disqualified due to IPV, parents sanctioned for non-cooperation, Fleeing Felons, Drug Felons, Parole Violators)

The following are not considered Work Eligible Individuals:

- Minor parents who are not the head-of-household
- An undocumented non-citizen who is ineligible for TANF due to immigration status
- SSI or SSDI recipients
- Parents providing care for a disabled family member in the home (Refer to manual section A-816.2.3)
- Tribal TANF program recipient
- Non-recipient relative, other than a parent

SNAPET participation is mandatory for household members age **16 through 59**, unless exempt, as a condition of continuing eligibility.

SNAPET promotes the employment of participants through job search activities which provide a self-directed placement philosophy, allowing the participant to be responsible for his/her own development by providing job skills and the confidence to obtain employment.

816.2 NEON Exception, Exemption, and Not Work Eligible Criteria

816.2.1. Child Care Exception

A single custodial parent with a child under 6 years of age who proves appropriate child care is unavailable, unsuitable or unaffordable. The child care contractor supplies verification (Form 2153, Work Required Exception) to the case manager regarding the inability to find suitable child care.

Attempts must be made to adjust child care arrangements required activities to accommodate unavailable unsuitable child care, whenever possible. The case record is to note attempts made.

816.2.2 Single Parent 12-Month Exemption

Note: The Single Parent 12-Month NEON Exemption, Form 2139-WG, must be completed during the screening assessment for appropriate intake and ongoing cases.

A single parent caring for a child under age twelve (12) months may be exempt from participation for 3 months per pregnancy, not to exceed a lifetime limit of twelve (12) months. An additional three (3) months may be granted should the office manager determine the head of household to be suffering from a hardship. If a client goes to work they must report the change immediately and become a mandatory NEON participant if their scheduled hours are anticipated to meet work participation requirements.

ABAWD and non-ABAWD individuals, determined mandatory to participate in E&T, will be referred to participate in job search activities. **Note**: Refer to manual section B-470 for full ABAWD requirements.

Exception: In households entitled to expedited service, members claiming an exemption from SNAPET participation are requested to provide proof of the exemption as a postponed verification. If the proof is not provided, the member is required to participate in the SNAPET.

Note: Update SNAPET work code as appropriate.

FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EMPLOYMENT AND TRAINING EXEMPTIONS

An individual meeting a federal exemption is exempt from the ABAWD provisions (see manual section B-470.1). When an individual no longer meets a federal exemption, determine if the individual is then subject to the ABAWD provisions and SNAPET requirements. Update the SNAPET code (mandatory or exempt). The following are codes used in NOMADS:

The Single Parent 12-Month Exemption, Form 2139-WG (available in the OASIS Forms Library), must be completed by ALL TANF single parents with children under age 1. This will ensure the client understands the limitations of this exemption and the option of choosing to participate.

The exemption is effective:

- The month Form 2139-WG is signed by the client and worker. If mutually agreed upon by the client and worker, the exemption may be started in a future month. This agreement must be documented on the form
- The month of birth, if the client and worker signed Form 2139-WG and it was submitted prior to the birth of the child

The exemption must not be allowed for any month prior to the month the form was signed.

Note: This exemption is not available when both parents reside in the home, even if one parent is ineligible for TANF (i.e., SSI eligible, ineligible non-citizen, disqualified, etc.) or has been determined to be ill/incapacitated.

816.2.3 Parent Caring for a Disabled Family Member Exemption (Not Work Eligible)

A parent caring for a disabled family member is exempt if the following criteria exist:

- The disabled family member is living in their home; and
- Medical documentation is required, in the form of an ROI, signed by a physician, indicating the participant is needed in the home to provide the disabled family member with basic medical, personal or safety needs

Federal Exemption Codes NOMADS	Definition
00	Code is used to designate a TANF CHILD.
01	A household member subject to and complying with the NEON program, either mandatory or as a volunteer. If there are no NEON program services available, a person not otherwise exempt must register for work. **NOTE**: If a NEON case closes, update the SNAP case with the appropriate work code. If mandatory, the SNAP participant will be required to comply with SNAPET requirements.
02	Age 15 or younger.
03	Age 60 or older.
04	Parent(s) or other house-hold member responsible for the care of a child under age 6. Two adults can be exempt due to shared care of a child (e.g., both work different shifts and one takes care of the children during one period of time and the other person for the other period of time).

Staff must review the exemption status periodically based on the expected duration of the disability. A new ROI is only required when the condition is temporary and the duration of the disability AND need for care exceeds the original estimate provided by the physician.

Use the following codes to identify individuals who are not a work eligible individual or are otherwise exempt:

Federal Exemption Codes NOMADS	Definition
05	Household member caring for a disabled person of any age living with the household. A doctor's statement is required.
06	Receiving unemployment insurance benefits (UIB) or has applied, but has not yet been notified of eligibility.
07	Physically or mentally unfit for employment. Requires proof of a disability that is not obvious before exempting the applicant. A professionally qualified person in the field of psychiatric mental health is defined as: 1. A psychiatrist licensed to practice medicine in the State of Nevada and certified by the American Board of Psychiatry and Neurology. 2. A psychologist licensed to practice in Nevada. 3. A social worker, who holds a master's degree in social work, is licensed by the state as a clinical social worker and is employed by the Division of Mental Health an Developmental Services. 4. A marriage and family therapist licensed pursuant to chapter 641A of NRS (Marriage and Family Therapists). 5. A registered nurse who: a. is licensed in Nevada; b. holds a master's degree in the field of psychiatric nursing; and is employed by the Division of Mental Health and Developmental Services.
08	Persons receiving federal or state disability payments who are disabled and/or elderly and meet the definition in manual section B-432.
09	A regular participant or outpatient in a drug addiction or alcoholic treatment and rehabilitation program.
10	Employed or self-employed – at least 30 hours per week, or – receiving earnings equal to 30 hours per week multiplied by the federal minimum wage.
12	16 or 17 (not the head of household) attending school or training at least half time.
25	An eligible student age 18 through 49 enrolled at least half time in school or a training program, including an institution of higher education or training program through State Vocational Rehabilitation meet this exemption. Refugee training programs approved, funded or operated by the Office of Refugee Resettlement (ORR), Department of Health and Human Services (HHS), are federally recognized training programs. **Note:** Special student eligibility criteria in manual section B-480 must be met to qualify for SNAP.

816.2.4 EXEMPTION CODES

CODE E A single parent, who meets the definition of a work eligible individual caring for a child under age 12 months may be exempt up to three months per pregnancy, not to exceed a lifetime limit of 12 months. An additional three (3) months may be granted should the office manager determine the head of household to be suffering from a hardship. **Note**: Multiple births resulting from one pregnancy (i.e., twins) would qualify for one three (3) month exemption.

816.2.4.1 Not Work Eligible Individual Codes

CODE G Ineligible members of the TANF household who do not meet the definition of a work eligible individual (i.e., relative caregivers, SSI recipients, non-qualified non-citizens, minor parents who are not the head of household, fathers when the only common child is an unborn, etc.).

CODE I Participants caring for a disabled family member. The disabled family member must be living in the home. Medical documentation is required.

CODE S Ineligible members of the TANF household who do not meet the definition of a work eligible individual (SSDI recipients).

STATE SNAPET EXEMPTIONS:

An individual meeting a state exemption may be an ABAWD or Non-ABAWD.

State Exemption Codes NOMADS	**Definitions**
11	Individuals applying for SSI or have an SSI appeal pending until –determined eligible for SSI (change to exempt code E); or –determined ineligible for SSI and a work registration determination will be made Future-action case to check on SSI status and update ET code. **Note**: This code may not be used for ABAWD individuals.
15	–apparent alcohol or drug use.
16	Individuals with the following medical or family problems affecting availability for work or ability to seek or obtain employment –in their 4th or subsequent month of pregnancy; or
17	Child care costs exceed $200 per dependent under age 2 or $175 for children 2 years and older per month. This applies only when determined by Employment & Support Service staff.
19	Individuals laid off for 90 days or less.
21	Individuals living outside the metropolitan areas of Clark and Washoe Counties. **Note:** If an individual living in a rural area, who would otherwise be mandatory without this exemption, wants to participate, they will be allowed to do so as staff time and funding allows.
26	Individuals working a minimum of twenty (20) hours weekly or receiving weekly earnings equal to 20 hours per week at the federal minimum wage.
32	An individual who meets the homeless definition as defined below: – An individual who lacks a fixed, regular, and adequate nighttime residence; and – An individual who has a primary nighttime residence that is: a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); b. An institution that provides a temporary residence for individuals intended to be institutionalized; or c. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

816.3 Participation Deferrals

The following household members are mandatory work registrants; however, they are deferred from participation. They are not required to carry out SNAPET activities; however voluntary quit provisions which apply to other mandatory registrants also apply to these members.

NOMADS CODE	PARTICIPATION DEFERRALS
28	ABAWD other work program 20 plus hours.
29	Ineligible/Disqualified household member.

817 TANF WORK PARTICIPATION RATE REQUIREMENTS

Unless a TANF-NEON recipient meets one of the exempt criteria, they become a part of the mandatory NEON TANF adult population. The work participation rate is achieved through this population's participation in countable work activities. TANF recipients must participate in countable work activities as soon as administratively possible after approval.

817.1 TANF-NEON Work Participation Requirements

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 requires the Division of Welfare and Supportive Services meet certain performance criteria described below or face financial penalties in future years. Each district office is responsible for fulfilling the performance criteria.

For the purposes of determining monthly participation rates, no more than 30% of the individuals 19 or older in single and two-parent households who are mandatory (**Numerator**) may be engaged in Vocational Education Training.

817.1.1 Defining One- and Two-Parent Families for the Work Participation Rate

A TANF household with only one Work Eligible Individual in the home is defined as a one-parent household for purposes of the work participation rate calculation. This includes households with two parents when only one parent is a Work Eligible Individual.

Note: If one of the parents in a two-parent household is disabled (Aid Code “TN1”) or is exempt due to caring for a disabled family member (Aid Code “TN”), the household will only be required to meet the one-parent work participation requirements.

A two-parent family is a household where both parents are Work Eligible Individuals.

817.2 All-Family Participation Rate Requirement

The All-Family Participation Rate (includes one- and two-parent households) is determined as follows:

NUMERATOR

The number of families receiving TANF containing at least one work-eligible adult or minor child head of household participating in countable work activities for the minimum hours per week listed in the chart in manual section 817.3 divided by:

DENOMINATOR

The number of families receiving TANF containing at least one work-eligible adult or minor child head of household **<u>less</u>**:

— TANF cases with a NEON code '**E**' - child less than 12 months of age.

= WRP %

817.3 All-Family Participation Rate and Hours Per Week Table

Federal Fiscal Year	Percent	Hr/Wk
2002+	50%	30

NOTE: For limitations and special rules (i.e., like having children less than six (6) years old) see manual section A-821.5.

817.4 Two-Parent Participation Rate Requirement

The two-parent participation rate is determined as follows:

NUMERATOR

The number of families receiving TANF Two-Parent assistance or containing two work-eligible adults or minor child head of households participating in countable work activities for the minimum hours per week listed in the chart in manual section A-817.5 divided by:

DENOMINATOR

The number of families receiving TANF containing two work- eligible adults or minor child head of household:

= WPR %

Note: If one of the two parents is disabled, the family is excluded from the two-parent WRP calculation and only counted in the All-Family participation rate.

817.5 Two-Parent Participation Rate and Hours Per Week Table

Federal Fiscal Year	Percent	Hr/Wk
2002+	90%	35

A minimum of 30 of the 35 hours must be spent in core work activities. A maximum of five hours may be in non-core work activities. The hours of participation of **both parents** may be combined to attain the 35 hours when calculating the Two-Parent Participation Rate.

Exception: If the TANF Two-Parent family receives federally-funded child care assistance and an adult in the family is not caring for a severely disabled child, the hours of participation of both parents combined must total 55 hours per week, 50 of which must be in core work activities. The Division's Child Care Assistance Program uses state MOE funds to provide assistance to Two-Parent TANF families and is NOT federal assistance. Examples of child care assistance which may be federally funded, includes assistance provided by educational institutions, non-profit organizations, and tribal programs.

IMPORTANT: One of the two parents must be engaged in countable work activities for a minimum of 30 hours per week to count positively in the All-Family WPR.

818 REFERRAL TO EMPLOYMENT & TRAINING PROGRAM

818.1 E&T Determination

At approval, staff must ensure TANF/SNAP participants are referred to the appropriate Employment & Training Program by entering appropriate mandatory/exempt codes in NOMADS.

NEON codes are required for all TANF adults and minor parents in the assistance unit who are work eligible.

- **CODE A -** Mandatory parent or needy relative caregiver over 19 years old
- **CODE B -** Mandatory parent age 18-19
- **CODE C -** Mandatory parent, under age 18, not a high school graduate. Living with legal parent(s). This code is to be used even if the major parent is not TANF eligible (i.e., the parent is an SSI recipient or a non-qualified non-citizen) to ensure the minor is correctly referred to Social Work staff
- **CODE D -** Mandatory parent, under age 18, not a high school graduate. **Not** living with parent(s)
- **CODE M –** Mandatory non-recipient parents living with a child receiving assistance (parents disqualified due to IPV, fleeing felons, drug felons, parole violators and minor parents who are the head of household disqualified for not meeting eligibility requirements)

Note: Code E – Work eligible individual who qualifies for an exemption. For NEON exemption codes refer to manual section A-816.2.4.

SNAPET codes are required for all SNAP recipients.

- **CODE M –** Mandatory participant
- **CODE E –** Exempt participant

Note: An Exempt Reason code must be selected (Refer to manual section A-816.2)

- **CODE for Volunteers –** Enter Y in the Vol Sts field on the MEMB Screen in NOMADS (volunteers are not allowed support services).

818.1.1 SNAP Employment and Training (SNAPET) Orientation & Job Search

All mandatory SNAPET recipients must attend the program orientation and job search workshop. The workshop portion provides basic information about the program and is part of the first day of the Individual Job Search. The Individual Job Search requires the participant to actively seek work by making in-person or on-line contacts with prospective employers who have valid openings.

Job Search

Job Search is limited to eight (8) weeks in a consecutive 12-month period. When a participant has completed eight (8) weeks of job search in a consecutive 12-month period, they have met SNAPET requirements. Once a consecutive 12-month period has expired, SNAPET mandatory participants are required to attend an additional SNAPET orientation and 8-weeks of job search within a new 12-month period.

Participants attending the individual job search workshop are provided information on:

- Job seeking skills and techniques
- Employment application and resume completion
- Interviewing techniques
- Personal appearance
- Appropriate attitude and communication in the work place

At the conclusion of the job search workshop, the SNAP Employment and Training Program Agency/Client Contract, Form 2744-WA, and Individual Job Search Plan, Form 2674-WF, are completed and signed by the participant and case manager.

The SNAP Employment and Training Program Agency/Client Contract consists of:

- General Provisions
- Division Responsibilities
- Support Services
- Participant Responsibilities

The Individual Job Search Plan consists of:

- Purpose of the Individual Job Search
- The number of valid job contacts necessary to complete the plan (minimum of 10 contacts in a 4-week period).
- The beginning and ending dates of the job search (cannot exceed 8 weeks in a consecutive 12-month period)
- Consequences of failure to comply with the Job Search Plan
- Employer name, address, title of job opening, source of job opening information, person contacted, date of contact, the results of the contact and additional information as requested by Division of Welfare and Supportive Services staff

819 DISQUALIFIED/SANCTIONED PARTICIPANTS

819.1 Disqualified Participants

Participants disqualified from the TANF program are NEON mandatory and will be included in the federal work participation rate calculation. They may or may not be eligible for NEON support services as indicated in the following chart.

Type of Disqualifications	Eligible for NEON Support Services?	NEON Child Care Assistance
Intentional Program Violation	Y	Y
Drug Felony Conviction	N	Y
Fleeing Felon	N	Y
Parole Violators	N	Y
Battered non-citizen who has not served a five year bar*	N	Y
Minor parents who are the head of household disqualified for not meeting eligibility requirements	N	Y

* A Battered non-citizen who entered the U.S. on or after August 22, 1996 and who has not served a five year bar may be eligible to receive state-funded (MOE) TANF cash assistance. See A-437.1.

819.2 Participants in Non-Compliance with Work Activities (Conciliation Status)

A TANF participant currently in non-compliance with NEON (Conciliation Status) may participate in the NEON program and receive all NEON related support services. If the participant fails to resolve the non-compliance issue(s) within the allotted time frame, TANF assistance is terminated and they are not eligible for continued NEON related services.

820 SUPPORT SERVICES PROVIDED TO EMPLOYMENT & TRAINING PARTICIPANTS

Support services are available to assist TANF-NEON and TANF-Temporary participants during Employment & Training activities.

Refer to manual section A-814 for details regarding support services

821 WORK ACTIVITIES LEADING TO ECONOMIC INDEPENDENCE

Case management staff assists participants in planning and engaging in activities tailored to their unique circumstances with the goal of ending the families' dependency on TANF assistance. Below are some of the activities participants may be required to participate in:

- Attending scheduled meetings
- Accepting and pursuing employment referrals
- Participating in the development of a Personal Responsibility Plan (PRP)
- Signing a PRP
- Utilizing support services to eliminate barriers to employment
- Participating in a structured program of training or other work activities
- Accepting bona fide offers of suitable employment; and
- Maintaining employment

Case managers are required to have ongoing contact with participants to monitor progress and compliance with NEON work activities.

TANF participants engage in work activities based on their assessed needs and the goals set forth in their Personal Responsibility Plan (PRP).

- 1-parent households -- 20 of the 30 required weekly work participation hours must come from core activities.
- 2-parent households -- 30 of the 35 weekly work participation hours must come from core activities.

If the household is receiving federally funded child care assistance, 50 of the 55 weekly work participation hours must come from core activities (refer to manual section a-817.5 regarding an explanation of state vs. federal funds).

Refer to manual section A-817.1.1 for definition of one and two parent families/households Countable Work Activities are considered in determining the work participation rate and are federally categorized as core or non-core activities.

CORE ACTIVITIES

- Unsubsidized Employment
- Subsidized Private Sector Employment
- Subsidized Public Sector Employment
- Work Experience
- On-the-Job Training
- Job Search & Job Readiness
- Community Service Programs
- Vocational Educational Training
- Providing Child Care to Someone in a Community Service Program (not currently applicable)

NON-CORE ACTIVITIES

- Job Skills Training Directly Related to Employment
- Education Directly Related to Employment
- Attendance for High School/Equivalency

Note: Non-Core Work Activities are not considered in determining the participation rate unless the core activity is met first. However, non-core hours may be equally important in preparing a person to achieve a lifestyle of economic independence.

821.1 RULES FOR PAID ACTIVITIES

The following hours are countable and must be entered into the individual's OASIS NEON Calendar within ten (10) business days following the receipt of verification, but no later than the NEON Calendar cutoff (batch finalization process).

If hours for a prior month are received after cutoff (batch finalization process), narrate when the verification was received and the number of hours verified.

When projecting hours based on information received in prior months, hours must be entered by the last working day of the report month:

Note: The OASIS NEON Calendar is designed to capture hours based on weeks, with each week being a consecutive seven-day period, beginning with Monday and ending on Sunday.

821.1.1 **Actual Hours** – Actual hours are those hours the participant has worked. Actual hours may be averaged, but must be rounded up on a weekly, not daily, basis.

Actual work hours must be entered for at least the first week of new employment and/or until the client has worked and verified sufficient hours to allow the hours of participation to be projected.

Example: An employer's pay period begins on Thursday and ends the following Wednesday. Your client started on Saturday and worked 28 hours by the end of the pay period. From Saturday to Wednesday, the calendar should reflect 28 hours, unless days worked are known.

821.1.2. **Projecting Hours** – Projecting hours is the action of reporting verified, average weekly hours into future weeks/months. Participation in employment, subsidized employment and on-the-job training activities may be projected for up to six months if:

- A full week of actual hours worked has been verified AND a signed employer's statement indicating the number of hours are expected to remain consistent, OR
- A minimum of two weeks of actual hours have been verified AND it is expected hours will remain consistent.

Use the following methodology to PROJECT HOURS depending on the employer's pay periods:

CHART FOR PROJECTING HOURS		
Pay Period	Verification Required	Action to Take
Weekly	One full week (7 days) of verified actual hours with a signed employer's statement indicating the number of hours are expected to remain consistent or two full weeks of verified actual hours (two paychecks covering a 14 day period).	Report/enter the average hours worked for each future week. (If average weekly hours do not equal a whole number, like 32.3, round up to the next whole number 33).
Bi-Weekly	One full two-week paycheck (i.e., December 1-14 = 14 days).	Divide by two (2) to obtain the average weekly hours worked. Enter/report the average weekly hours for each future week. (If average weekly hours do not equal a whole number, like 32.3, round up to the next whole number 33).
Semi-monthly	One full semi-monthly paycheck (i.e., January 1-15, = more than 14 days in a pay period).	Divide by 2.15 to obtain the average weekly hours worked. Enter/report the average weekly hours for each future week. (If average weekly hours do not equal a whole number, like 32.3, round up to the next whole number 33).
Monthly	One full monthly pay check (i.e., November 1–30).	Divide by 4.3 to obtain the average weekly hours worked. Enter/report the average weekly hours for each future week. (If average weekly hours do not equal a whole number, like 32.3, round up to the next whole number 33).
Partial Pay Period	The verification must cover a minimum of one 7 day consecutive period with an employer's statement. Or, equal 14 consecutive days.	Divide the total number of hours worked by the total number of days worked to obtain a daily average. If you have enough information to project enter the average weekly hours for each future week. (If average weekly hours do not equal a whole number, like 32.3, round up to the next whole number 33).

a. **Weekly or Bi-Weekly Pay Periods**

When you are using one full week of verified actual hours with a signed employer's statement indicating the number of hours are expected to remain consistent, round the actual hours up and report/enter the hours for each future week. When you are using two or more consecutive weeks of actual hours the hours may be averaged and then used to project forward by totaling the number of hours worked and dividing by the number of weeks. If a week is not representative of what is expected in the future, it will be dropped or adjusted when determining the average. Overtime hours will be used in the projection when they are consistent based on the verification. If overtime hours are not expected to continue, do not include when calculating the projection.

Example: A client submits a weekly paycheck stub showing two hours of overtime with a signed employer's statement verifying overtime is expected to continue. The actual hours including overtime should be entered into the calendar week(s) and projected forward.

b. **Semi-Monthly/Monthly Pay Periods:** To accurately report and project hours, the Division converts semi-monthly/monthly pay periods into a weekly average of hours as follows:

- One full semi-monthly pay period – total hours worked divided by a factor of 2.15
- Two full "consecutive" semi-monthly or one full calendar month pay periods – Total hours worked divided by a factor of 4.3

c. **Partial Pay Periods**: Divide the total number of hours worked by the number of days worked to obtain a daily average. Multiply the daily average by the number of actual days worked in a seven-day consecutive period. **Note**: The verification used must cover a minimum of one seven-day consecutive pay period.

821.1.2.1 Verification for Projecting Hours

- Pay stubs
- Time sheets signed by the employer
- Documented third party verification is only acceptable when pay stubs cannot be obtained. Staff must clearly document their attempts to secure pay stubs.
- The Earnings Verification Form – 2074 is acceptable verification for projecting employment participation hours when the employer provides a minimum of one week of actual work history.

821.1.2.2 Ongoing Projections and Date of Discovery

Ongoing Projection – Once projected hours are calculated and being projected into future weeks/months, any entry into the NEON calendar must be completed by the last working day of the report month. Staff must document the verification and methodology used to determine the projected hours reported.

Date of Discovery – Is the day the participant reports or the agency otherwise becomes aware of a change in employment. Once aware of the change, staff must obtain current verification, if the participant did not already submit the required verification. The current verification is used to establish a new projection from the Date of Discovery forward. Enter the new projected hours beginning Monday of the week of the discovery. Use the previously projected hours for any week prior to the week of the Date of Discovery.

Note: Once current verification is obtained, the hours must be entered within ten (10) business days of receipt of verification.

821.1.3. Hours of Paid Holiday, Annual and/or Sick Leave Time

The holiday, vacation and/or sick leave hours employed participants are compensated for are considered regular hours worked and included in both calculations for actual and projected hours entered in the NEON Calendar.

821.2 RULES FOR UN-PAID ACTIVITIES

The following hours are countable and must be entered into the individual's OASIS NEON Calendar within ten (10) business days following the receipt of verification, but no later than the NEON Calendar cutoff (batch finalization process).

If hours for a prior month are received after cutoff (batch finalization process), narrate when the verification was received and the number of hours verified.

If hours are not being used, narrate the reason they are not being used.

821.2.1 Holiday and Excused Absences for Unpaid Scheduled Activities

When a client misses a scheduled unpaid activity due to a holiday or excused absence, participation hours may be reported within the limits of each type of absence below. The activity must be in an unpaid category such as work experience, community service, vocational education, or short periods of treatment (i.e., mental health, substance abuse or rehab activities). Note: Do not report uncompensated holidays and excused absences from paid activities such as employment or on the job training. Refer to the OASIS Task Guides for entry of activity hours.

a. **Excused Absences** – Recipients will be allowed 80 hours of excused absences from **unpaid** work activities in any 12-month period. This limit applies to the preceding 12 month period. No more than sixteen (16) hours of unpaid excused absences are allowed per report month. Unpaid excused absences are allowed on a case-by-case basis with the following limitations:

- The participant must have been scheduled to work the hours reported;
- The participant followed the worksite supervisor's policy for notifying them of their intended absence;
- The absence must be for reasons that an employer would reasonably classify as an "excused absence" (i.e., illness, illness of a family member, a doctor/dentist appointment, a meeting with a child's teacher, jury duty, etc.);
- Excused hours may be reported for no more than sixteen (16) hours in a "report" month as defined in the OASIS NEON Calendar; and
- Excused hours may be reported for no more than 80 hours in a 12-month period.

b. **Holidays** – Recipients who are unable to participate in an unpaid activity due to one of the following holidays will be credited for the hours they would have otherwise been scheduled to participate:

1. New Years Day
2. Martin Luther King Day
3. President's Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Nevada Day (Observed on the last Friday of October)
8. Veterans Day
9. Thanksgiving Day
10. Christmas Day

Example: A recipient is scheduled to participate in a work experience site Monday through Friday, six hours per day. Monday is President's Day and the office will be closed. The recipient will be credited six hours towards their work requirement and these hours will be reported by the Division.

821.2.2 FLSA – Fair Labor Standard Act

Fair Labor Standards Act (FLSA) is a federal law that guarantees a worker's right to be compensated fairly for their work. Community Service, Work Experience, and CWEP activities are subject to Fair Labor Standard Act (FLSA).

821.2.2.1 FLSA – (Fair Labor Standard Act) Calculation

A. When determining the maximum number of hours allowed under FLSA for a participant, add the, monthly TANF and SNAP benefit, then divide by the greater of the federal or state minimum wage. (Nevada offers two different minimum wages. For Medicaid recipients, use the lowest of the Nevada minimum wages. If the participant does not receive Medicaid, use the highest Nevada minimum wage). The final calculation for the maximum number of hours must be rounded down to the nearest whole number.

- When there are multiple TANF cases associated with the same SNAP case, prorate the SNAP benefit based on the number of individuals in the TANF case.

  EXAMPLE: Two adult sisters each with their own children share housing and receive SNAP benefits as one unit. Each sister has a separate TANF case. To determine FLSA participation hours for the TANF case, divide the total SNAP benefit by the total number of participants to get a prorated SNAP benefit for each household member. Then multiply that amount by the number of recipients in each TANF case. Use the sum of the TANF benefit plus the prorated amount of the SNAP benefit to determine the maximum FLSA participation hours per TANF case for that TANF household.

- When there is only one TANF household associated with a SNAP case, use the sum of the TANF benefit and full SNAP benefit to determine the number of participation hours allowed under FLSA.

  EXAMPLE: Client is the HOH on the NEON and SNAP case. NEON case includes HOH and her child. SNAP case includes HOH, her child, and HOH's boyfriend (not FOC). Since the NEON case has two (2) members and the SNAP case has three (3), count the entire SNAP benefit in the FLSA determination.

NOTE: When determining the FLSA limits for a 2 parent case the maximum number of hours allowable is for the household not per participant.

821.2.3 FLSA (Fair Labor Standard Act) Deemed Hours – The Division has adopted a "mini" Simplified SNAP Program to expand available core hours. Deemed hours allow the participant to meet their core hour requirement once they have participated the maximum number of hours authorized under the FLSA calculation.

If the participant completes the maximum number of hours allowed under FLSA limitations for the report month <u>and</u> the hours are less than the required core hours per week, deemed hours should be reported. The deemed hours reported in the NEON calendar should bring the total weekly average hours of participation up to the required core hours for the case type (20 hours for one parent cases and 30 hours for two parent cases).

Note: Deemed hours must be reported under one of the following OASIS codes: Community Service Programs (DC) and Work Experience (DW).

If the recipient does not work the maximum number of hours allowed under FLSA limitations, deemed hours can not be reported in the NEON calendar.

Note: Holiday and excused hours can not be used in the calculation of the maximum number of hours the participant participated.

821.3 Verification

Verification is required for all work activity hours recorded on the NEON Calendar. When a change in participation hours is reported or otherwise becomes known to the agency and the participant did not already submit the required verification, staff must send a request for verification of participation hours by the end of the next business day. The participant may be allowed up to 10 calendar days to provide the requested verification. Based on the type of work activity the participant is engaged in, the verification requirements and frequency of monitoring may vary. Refer to manual section A-821.4 (under each activities verification requirements).

821.4 Work Activities

821.4.1 Unsubsidized Employment (core)

Full- or part-time employment in a private, public or non-profit organization when the individual is receiving non-subsidized compensation for such work. Unsubsidized employment also includes self-employment and work in exchange for in-kind services.

A. **Self-employment** – An individual is self-employed if engaged in an enterprise for gain, either as an independent contractor, franchise holder, or owner-operator. This includes individuals working on a commission only, per-job or per-piece basis.

Use actual hours if hours are tracked and supervised by a third party.

When hours are not tracked and supervised by a third party, countable participation hours for self-employment are limited to no more than the number derived by dividing the individual's net self-employment income (gross income less business expenses), by the Federal Minimum wage and rounded up, not to exceed an average of 40 hours per week.

If a participant is an independent contractor, franchise holder or owner-operator a self-employment worksheet (Form 2011 or Form 2120) must be completed, signed and submitted. Documentation must be provided substantiating claimed income and expenses.

Example self-employment as an independent contractor, franchise holder, or owner-operator:

- Owner and operator of an ice cream truck would have to use the self-employment worksheet to report his claimed income and expenses. His monthly income minus his monthly expenses divided by minimum wage would determine his average weekly hours.

If a participant works commission only or on a contracting basis **and** receives a pay stub, a self-employment worksheet (Form 2011 or Form 2120) is not required. The number of participation hours will be those tracked by the employer or the hours should be derived by dividing the gross income less expenses by federal minimum wage (unless hourly wage is known OR unless otherwise specified), not to exceed an average of 40 hours per week in a report month.

Examples of the many different types of commission or contracted employment:

- A truck driver who is an independent contractor and receives compensation via a paycheck that shows his deducted expenses we would use his gross pay less deducted expenses divided by minimum wage (unless otherwise specified) not to exceed an average of 40 hours per week in a report month.

- A Real Estate Agent working for commission submitted a time sheet verifying that he worked 40 hours per week but reports that he didn't receive a wage yet. We would use the tracked and supervised hours reported on the time sheet.

- A Saleswoman receives a sales commission or wage per demonstration (demonstrations are an hour long). If her sales commission is higher than the amount she would have received for her demonstrations, she receives the sales commission amount instead of the demonstration wage. We would use the documented wage divided by the commission to determine the hours worked (not to exceed 40 hours per week).

Self-employment hours may be projected. (See Projection of hours in section A-821)

B. **In-Kind Income -** Is work performed by the participant that meets the following conditions:

- The type of goods/services rendered in exchange for work, meets the TANF definition of 'in-kind' income (refer to manual section C-140) and that income is budgeted when determining TANF eligibility and monthly benefit.

- The work is assigned and hours verified in writing by the individual providing the in-kind income.

- The number of hours reported will not exceed the value of the in-kind income divided by the federal minimum wage.

  Work in exchange for in-kind income may be projected.

C. **Salaried employees:** When the Division verifies the employer does not track actual hours of work, the Division will report the number of participation hours as follows:

- If the employer provides the hourly wage, divide the gross income by the hourly wage to obtain the number of hours worked; or

- If the employer does not provide the hourly wage, calculate the hours reported by dividing the gross income by the federal minimum wage, not to exceed 40 hours per week.

821.4.1.2 Determining Countable Hours

Refer to manual section A-821.1 regarding "Rules for Paid Activities".

821.4.1.3 Verification

- Wage stubs
- Earnings Verification Form 2074 documenting actual hours worked and signed employer statements, self-employment worksheets with income records, if available, and expense receipts.
- Written documentation from the employer of actual hours worked. Must include date, participants name, **actual** hours worked, employer's signature, address and telephone number.
- The Work Number – An automated employee data warehouse service. Employers provide their payroll data to the vendor and refer all inquiries for payroll verification. It may be necessary to calculate the actual hours based on the gross income and hourly wage displayed on this verification, as the number of hours worked could default to a standard 40 hour work week, if not reported by the employer.

- Self-Employment – If required, the participant must complete and sign the Self-Employment Work Sheet (form #2011) or the Self-Employment/Tip Statement (form #2120) and provide documentation for income, and expenses claimed and paid. Documentation may consist of business records (i.e., income tracking record/calendar), signed statements from individuals purchasing services, invoices and receipts.
- Third Party Contact – A documented telephone call will be accepted as verification only if it is not possible to obtain a pay stub, the pay stub does not indicate the hours of work or if the information provided by the employer is incomplete. At a minimum, staff must document the date of the call, the name of the employer, the name and title and telephone number of the contact person, the actual hours worked and for what specified period of time. Staff must document their attempts to obtain pay stubs and the reason it is not available.

Verification documents are to be kept in the casefile. Participant statements, without backup documentation, are not acceptable verification. (Exception: Self-employment Income. A daily income tracking document is acceptable such as the Self Employment Income/Tip Statement, Form-2120, other comparable income/tip statement or a calendar the client uses to track their revenue.)

821.4.1.4 Supervision – N/A

821.4.1.5 Activity Code:

EM – Unsubsidized Employment

821.4.2 **<u>Subsidized Private and Public Employment</u>** – Employment for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a recipient. **Note:** On-the-job training programs with subsidies are not included in this category.

TANF recipients may be placed in subsidized employment through DWSS, the Division of Employment, Training and Rehabilitation, Universities (work study), Community Colleges (work study) or community agency providers.

821.4.2.1 Determining Countable Hours

Refer to manual section A-821.1 regarding "Rules for Paid Activities."

821.4.2.2 Verification

- Wage stubs
- Earnings Verification Form 2074 documenting actual hours worked and signed by the employer or their representative.
- Written documentation from the employer of actual hours worked. Must include date, participants name, **actual** hours worked, wages and employer's signature, address and telephone number.
- The Work Number – an automated employee data warehouse service. Employers provide their payroll data to the vendor and refer all inquiries for payroll verification. It may be necessary to calculate the actual hours based on the gross income and hourly wage displayed on this verification, as the hours worked could default to a standard 40 hour work week, if not reported by the employer.
- Third Party Contact – A documented telephone call will be accepted as verification only if it is not possible to obtain a pay stub, the pay stub does not indicate the hours of work or if the information provided by the employer is incomplete. At a minimum, staff must document the date of the call, the name of the employer, the name, title and telephone number of the contact person, the actual hours worked and for what period of time. Staff must document their attempts to obtain pay stubs and the reason if it is not available.

Verification documents are to be kept in the casefile. Participant statements, without backup documentation, are not acceptable verification.

821.4.2.3 Supervision – N/A

821.4.2.4 Activity Codes:

SE – Subsidized Private Employment
SP – Subsidized Public Employment

821.4.3 On-the-Job Training

Training in the public or private sector given to a paid employee while he or she is engaged in productive work and provides the knowledge and skills essential to the full and adequate performance of the job.

This category is limited to positions providing significant on-site training not to exceed a six-month period. If limited training is involved and the position is subsidized, report the participation hours under the Subsidized Employment activity type.

Refer to manual section A-824 for details of the NEON On-the Job Training Program.

821.4.3.1 Determining Countable Hours – Refer to manual section A-821.1 regarding "Rules for Paid Activities".

821.4.3.2 Verification

- Wage stubs
- Earnings Verification Form 2074 documenting actual hours worked and signed by the employer or their representative.
- Written documentation from the employer of actual hours worked. Must include date, participants name, **actual** hours worked, wages and employer's signature, address and telephone number.
- The Work Number – an automated employee data warehouse service. Employers provide their payroll data to the vendor and refer all inquiries for payroll verification. It may be necessary to calculate the actual hours based on the gross income and hourly wage displayed on this verification, as the hours worked could default to a standard 40 hour work week, if not reported by the employer.
- Third Party Contact – A documented telephone call will be accepted as verification only if it is not possible to obtain a pay stub, the pay stub does not indicate the hours of work or if the information provided by the employer is incomplete. At a minimum, staff must document the date of the call, the name of the employer, the name and title and telephone number of the contact person, the actual hours worked and for what period of time. Staff must document their attempts to obtain pay stubs and the reason if it is not available.

Verification documents are to be kept in the casefile. Participant statements, without backup documentation, are not acceptable verification.

821.4.3.3 Supervision – N/A

821.4.3.4 Activity Code:

OJ – On-the-Job Training

821.4.4 Work Experience

A work activity, performed in return for welfare that provides an individual with an opportunity to acquire the general skills, training, knowledge, and work habits necessary to obtain employment. The purpose of work experience is to improve the employability of those who cannot find unsubsidized employment.

Participation in a work experience or a community service program is subject to Fair Labor Standards Act (FLSA) regulations. Individuals cannot be required to participate in these work activities for more hours than the combined total of the TANF-NEON and SNAP benefits, then divided by the greater of the federal or state minimum wage. For specific calculation instructions refer to Manual Section A-821.2.2.1 and deeming instructions refer to Manual Section A-821.2.3.

Community Work Experience Program (CWEP) – The Division contracts with public and non-profit agencies to provide Community Work Experience Program opportunities. The Division also sponsors participants internally. The CWEP Work Experience Memorandum of Agreement form 2680-WA stipulates TANF recipients receive training and perform work duties for the sponsoring agency in exchange for TANF. The Division provides worker compensation coverage and pays the monthly premiums for participants in this activity.

Work Activities as assigned in a Residential Treatment Program – Hours of performing work-type duties as part of a residential treatment program for substance/alcohol abuse or shelter program for Victims of Domestic Violence may be counted as work experience in this category if the participant fulfills *assigned, supervised and documented* work responsibilities for the benefit of all the residents such as preparing meals, housekeeping or organizing group activities.

821.4.4.1 Determining Countable Hours –

- **Only actual verified hours of participation are to be reported.**

821.4.4.2 Verification

- Community Work Experience Program – (CWEP) worksite agencies sign the CWEP Work Experience Memorandum of Agreement form 2680-WA, which stipulates daily supervision and documentation of attendance and hours on a timesheet. The CWEP Time Sheet Form 2690-WA, along with Participant Evaluation Report, Form 2689, must be completed and signed by the work site supervisor and are required a minimum of once every two weeks.
- In-house CWEP – Divisional staff supervise, track and document participant hours daily. The sign in/sign out sheets or time sheets tracking participant hours can be used to verify hours.
- Residential Treatment Facilities – The residential facility will supervise and document all assigned work-type duties. Time sheets must be completed and signed by a representative of the facility and submitted to the Division a minimum of once a month.

Documentation must be available in the case file to support all actual hours of participation claimed in the monthly OASIS Calendar.

Note: The Division uses a variety of time sheet forms and will also accept forms from other agencies and organizations if they meet documentation standards. At a minimum, time sheets must provide the recipient's name, type of activity, date of participation, actual hours of participation each day and the name and signature of the person completing the form.

821.4.4.3 Supervision

- The CWEP agreement stipulates the supervisory responsibilities of the sponsoring agency and the expectation to provide training, work skills and daily supervision.
- Participants engaged in in-house CWEP are assigned to a staff member who is responsible for providing training and daily supervision.
- Residential Treatment Facilities supervise and document all treatment and work activities performed by residents.

821.4.4.4 Activity Codes:

AA – Drug/Alcohol Employment Activity
CW – Community Work Experience Program
DA – Domestic Violence Employment Activity
HA – Mental Health Employment Activity
WE – Work Experience
DW – Deemed Community Work Experience Program Hours

821.4.5 Job Search/Job Readiness

The act of seeking or obtaining employment and preparation to seek or obtain employment. This includes the time participants attend job clubs, job readiness classes, life skills training and other similar programs providing assistance with applications, interviews, resumes and other job search skills.

The following are counted in this activity:

- Job Search – This activity includes searching for job openings, applying with potential employers and interviewing for positions. The actual time spent registering, obtaining referrals and applying in-person or online will be countable participation hours under this category.
- Job Preparedness – This activity includes resume preparation, job clubs, practicing interviewing skills, working out the logistics of a job search plan (location of employers in relation to public transportation availability and child care centers), instruction in work place expectations, etc.
- Counseling/Treatment (Domestic Violence, Mental Health, Substance Abuse) – When determined necessary by a qualified medical or mental health professional, short-term substance abuse treatment, mental health treatment or rehabilitation activities may be counted in this category. Domestic violence counseling services may count to the extent that they constitute mental health treatment.

Note: The mental health provider is only required to complete and sign a Report of Illness/Incapacity Form indicating type, duration, and frequency of treatment if the activity is reported as participation hours in OASIS.

- Assessments – A variety of assessment tools are used by case managers and social workers to determine the participant's employment readiness and identify barriers to obtaining and maintaining employment.
- Other Rehabilitative Services – Vocational Rehabilitation Services may be counted in this category.

Job Search/Job Readiness activities are limited to no more than four (4) weeks in a consecutive period. The OASIS system is coded to count any week in which one (1) or more hours of activity is entered/reported in this category as a week of participation for this purpose. A week is defined as seven (7) consecutive days, Monday through Sunday.

Job Search/Job Readiness activities are defined in hourly increments and are limited to 240 hours for single parent households with a child under the age of six (6) or 360 hours for all other work-eligible individuals, in a 12-month period. Job Search activities completed prior to TANF approval do not count towards limits on this activity.

Staff should use prudent judgment when deciding whether to use (report) hours when participation is part-time or episodic, as this category is time limited. If participation hours are not reported in this category document the reason they were not used.

821.4.5.1 Determining Countable Hours

- Only the time the participant is actually engaged in counseling/treatment, assessment, or rehabilitative services activities may be counted.

- For job search activities, reportable hours will begin when the recipient reports to their district office or to the first prospective employer and will end when the activity is concluded. Time traveling between prospective employers will be reported. Time spent at lunch or other breaks will not be reported. Participants must take and report a minimum 30 minute lunch if participation was greater than 5 hours in a day. If an individual participates more than 8 hours in a day, a minimum of 1 hour lunch break must be taken and reported.

821.4.5.2 Verification

Acceptable verification includes time sheets, attendance records or electronic contacts provided by responsible third parties and/or documented and verified job search forms. Verification documents are to be kept in the casefile to support all actual hours of participation claimed in the monthly OASIS Calendar.

- Job Search – Recipients will be required to keep a time sheet documenting where, when, and with whom they participated in these activities on a daily basis (form 2145 Job Search Plan/Agreement). Staff will validate at least two random contacts reported each week. When logs are incomplete, not signed by the participant, or the review does not validate the activity, do not report any hours on that time sheet in the NEON Calendar.
- Job Preparedness Activities – Attendance in job clubs, job readiness classes, life skills training and other similar programs providing assistance with applications, interviews, resumes and other job search skills must be tracked daily and verified with signed time sheets a minimum of once a week.
- Substance Abuse Treatment – Recipients are referred to a SAPTA certified alcohol/substance treatment agency for evaluation and treatment recommendations. Time sheets provide written documentation of the recipient's participation in treatment. Hours are tracked daily and submitted by the treatment agency.
- Mental Health Treatment – A mental health professional is defined as a "Medicaid Approved Provider" of mental health services. Time sheets provide written documentation of the recipient's participation in treatment. Hours are tracked daily and submitted by the treatment agency.

821.4.5.3 Supervision

- Case managers supervise self-directed job search and job preparedness activities.
- Contracted life skill training providers are responsible for supervising recipients referred to them for the duration of the course (usually 2-4 weeks).
- Social Workers must closely monitor the treatment plan and activities of recipients receiving domestic violence, mental health and substance abuse treatment/services.

821.4.5.4 Activity Codes

AS – Assessment
DV – Counseling/Treatment (Domestic Violence)
MH – Counseling/Treatment (Mental Health)
SA – Counseling/Treatment (Substance Abuse)
JP – Job Preparedness
JS – Job Search
LS – Life Skills
MA – Minor Parent Assessment
OR – Orientation

821.4.6 Community Service Programs

Structured programs in which TANF recipients perform work for the direct benefit of the community under the auspices of public or nonprofit organizations. Community service participation is limited to activities that serve the community, improve the employability of the participant, and can be supervised daily.

Participation in a work experience or a community service program is subject to Fair Labor Standards Act (FLSA) regulations. Individuals cannot be required to participate in these work activities for more hours than the combined total of the TANF-NEON and SNAP benefit, divide by the greater of the federal or state minimum wage. (For specific calculation instructions refer to Manual Section A-821.2.2.1 and deeming instructions refer to Manual Section A-821.2.3).

When there is only one TANF household associated with a SNAP case refer to Manual Section A-821.2.2.2 to determine the calculation to use. When there is more than one TANF case associated with the same SNAP case refer to Manual Section A-821.2.2.2 to determine the calculation to use.

> Exception: Court ordered community service is not subject to FLSA standards as the recipient is not being asked to participate in exchange of the TANF benefit.

821.4.6.1 Determining Countable Hours – Actual hours of participation are reported.

821.4.6.2 Verification

- Time Sheets must be completed by a representative of the sponsoring agency to track daily participation and submitted to the Division as requested per the Personal Responsibility Plan.

Verification documents are to be kept in the case file to support all hours of participation claimed in the OASIS Calendar.

> **Note**: The Division uses a variety of time sheet forms and will also accept forms from other agencies and organizations if they meet documentation standards. At a minimum, time sheets must provide the recipient's name, type of activity, date of participation, actual hours of participation each day and the name and signature of the person (supervisor) completing the form. While the participant's signature is requested on some forms, it is not required for the verification to be valid and hours to be entered on the NEON calendar.

821.4.6.3 Supervision

- The case manager will make arrangements for a representative of the sponsoring organization to provide daily supervision.

821.4.6.4 Activity Codes

CS – Community Service
DC – Deemed Community Service Hours

821.4.7 Vocational Educational Training

Organized educational programs related to the preparation of individuals for employment in current or emerging occupations including education leading to a baccalaureate or advanced degree is countable in this category. Unpaid intern-externships are also countable under this category.

The case manager must document in OASIS the specific occupation for which the client is being trained, training facility, and verification of current enrollment. Training may include language instruction only if the instruction is directly related to a specific occupation. Vocational education provided in high school is not countable in this category. The lifetime limits of reportable hours for this activity is 12 months.

Note: The OASIS system is coded to count any month in which one (1) or more hours of activity is entered/reported in this category toward the time limitations. Staff should use prudent judgment when deciding whether or not to use (report) hours when participation is part-time or episodic in this category, as this category is time-limited. If participation hours are not reported in this category document the reason.

Distance Learning – Distance learning (as opposed to self-study) where students are not in the same physical location as the instructor is considered formal training under this activity. Most often, the student uses a computer and course software to participate in class. Students can have direct interaction with teachers and other students through internet access.

821.4.7.1 Determining Countable Hours

- Actual hours of participation are reported.
- Monitored study sessions where hours of participation can be documented can be counted in this activity. One hour of unsupervised homework time may count for each hour of classroom or distance learning time. Hours cannot exceed the hours required or advised by a particular educational program.
- No more than 12-months of Vocational Education will be reported for any individual.
- The case manager must document in OASIS the specific occupation for which the client is being trained.

821.4.7.2 Verification

- Time sheets are maintained by the client and/or instructor and are signed by the instructor or other authorized representative of the training institution.
- Electronic records of daily class attendance maintained and submitted by the educational institution.
- Contracted training vendors submit signed attendance and participation hours via fax or email. Documentation must be available in the case file to support all actual hours of participation claimed in the monthly OASIS Calendar.
- The Division may make space available for clients to use for completing study/homework. This time will be monitored and documented by Divisional staff.
- For unsupervised homework, a statement from the educational program indicating the amount of homework required must be in the file.
- In cases where the individual is participating in a distance learning program, via internet or video conferencing, documentation issued by the distance learning institution verifying that the student attended the session is acceptable. This documentation may include the attendance records or log-on and log-off records available on-line or in an electronic format.

Verification documents are to be kept in the casefile.

821.4.7.3 Supervision

- Daily supervision will be provided by the education/training provider, which is monitored by Division staff in support of hours entered into the OASIS Calendar.
- The Division may make space available for clients to use for completing study/homework. This time will be monitored and documented by Divisional staff.

821.4.7.4 Activity Code

VT – Vocational Training

821.4.8 Child Care

Providing child care to enable another TANF recipient to participate in a community service program (Refer to A-821.6).

Note: The Division has not developed a qualifying Child Care program. The Division continues to consider this as an option for the future and will amend this section when and if a program is developed.

Activity Code

CC – Child Care for a participant in a Community Service Program

821.4.9 Job Skills Training Directly Related to Employment (non-core)

Training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance to or adapt to the changing demands of the workplace. Types of training reportable under this category include:

- Vocational educational training leading to a degree
- Vocational education training not leading to a degree, but extending beyond the allowable 12-month Vocational Education Category limitation
- Basic skills and remedial training for adults when focused on the skills needed for employment
- ESL classes if the client has obtained a HS diploma or equivalent

821.4.9.1 Determining Countable Hours

Once the participant has met their core activity requirement, actual hours of participation in this category are countable. Core and non-core activities are reported on the NEON Calendar.

Monitored study sessions where hours of participation can be documented and one hour of unsupervised homework time may count for each hours of classroom or distance learning time. Hours cannot exceed the hours required or advised by a particular educational program. The case manager will document in OASIS the specific employer's requirement and purpose for training.

821.4.9.2 Verification

- Attendance and progress reports (time sheets) must be completed by the instructor or worksite supervisor on a monthly basis in support of hours entered into the OASIS Calendar.
- Electronic records of daily class attendance maintained and submitted by the educational institution.

Verification documents are to be kept in the casefile.

821.4.9.3 Supervision

- Daily supervision will be provided by the education/training provider.
- Division staff will monitor through collateral contacts and progress reports.
- The Division may make space available for clients to use for completing study/homework. This time will be monitored and documented by staff.

821.4.9.4 Activity Code

JT – Job Skill Training

821.4.10 Education Directly Related to Employment (non-core)

Means education related to a specific occupation, job, or job offer in the case of a recipient who has not received a high school diploma or GED. Examples of training that may be reported in this category include:

- Adult Basic Education
- English as a Second Language (ESL)
- General Equivalency Diploma

Note: Adult participants attending GED programs would be designated under this activity code.

821.4.10.1 Determining Countable Hours

Once the participant has met their core activity requirement, actual hours of participation in this category are countable. Core and non-core activities are reported on the NEON Calendar.

Monitored study sessions where hours of participation can be documented will be reported in this activity. One hour of unsupervised homework time may be counted for each hour of classroom or distance learning time. Hours cannot exceed the hours required or advised by a particular educational program. The case manager must document in OASIS the specific occupation, job or job offer for which the participant is receiving educational instruction.

821.4.10.2 Verification

- Attendance and progress reports (time sheets) must be completed by the instructor or worksite supervisor. All documented time sheets must be located in the file for each month when hours are reported in the OASIS Calendar.
- Electronic records of daily class attendance maintained and submitted by the educational institution.

Verification documents are to be kept in the casefile.

821.4.10.3 Supervision

- This activity requires daily supervision by the educational/training provider. Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation.
- Division staff will monitor through collateral contacts and progress reports.
- The Division may make space available for clients to use for completing study/homework. This time will be monitored and documented by staff.

821.4.10.4 Activity Code:

EE – Education Related to Employment

821.4.11 Regular Attendance at Secondary School or in a GED Program (non-core)

Note: STARS participants attending high school or GED programs would be designated under this activity code.

Regular attendance, in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

821.4.11.1 Determining Countable Hours

Once the participant has met their core activity requirement, actual hours of participation in this category are countable. Core and non-core activities are reported on the NEON Calendar.

Monitored study sessions where hours of participation can be documented will be reported in this activity. One hour of unsupervised homework time may count for each hour of classroom time. Hours cannot exceed the hours required or advised by a particular educational program.

Note: Countable hours for STARS participants - Refer to Manual Section A-825.1

821.4.11.2 Verification

- Attendance and progress reports (time sheets) maintained daily by the participant and/or instructor and certified by the signature of the instructor or other authorized representative of the training institution. All documented time sheets must be in the file for each month hours are reported in the OASIS Calendar.
- Electronic records of daily class attendance maintained and submitted by the educational institution.

Verification documents are to be kept in the casefile.

Exception: If a participant is attending high school, a written statement from the school regarding attendance is acceptable.

821.4.11.3 Supervision

- The case manager will make arrangements for a representative of the educational institution to provide daily supervision.
- Division staff will monitor through collateral contacts and progress reports.
- The Division may make space available for clients to use for completing study/homework. This time will be monitored and documented by staff.

821.4.11.4 Activity Code

ED –Attendance in Secondary School

821.5 Limitations and Special Rules

821.5.1 Work Eligible Individual Under Age 20

A TANF recipient who is a work eligible individual and has not attained 20 years of age is deemed to be meeting participation requirements if they:

- Maintain attendance at secondary school or the equivalent during the month. During summer or track breaks, the teen head of household is considered to be enrolled and attending school if they have not yet graduated and intend to return to school, or

- Participate in education directly related to employment for at least the minimum average number of hours per week specified in manual section A-825 or A-825.1.

821.5.2 Single Parent/Work Eligible Individual With a Child Under Age 6

A single parent or work-eligible individual (relative caregiver) with a child under age 6 is deemed to be meeting work participation requirements if engaged in work for an average of at least 20 hours per week during the reporting month. Only the following core activities count towards meeting the work participation requirements:

A. Unsubsidized Employment
B. Subsidized Private Employment
C. Subsidized Public Employment
D. Work Experience
E. On-The-Job Training
F. Job Search and Job Readiness
G. Community Service Programs
H. Vocational Educational Training

Note: The single parent designation for this purpose does not include households with a second parent or step-parent in the home even if they are not on benefits (i.e., NEON code G, I, or S).

821.6 Job Training

Job training is defined as on-the-job training (OJ), classroom vocational training (VT), community work experience program (CW) and any union apprenticeship program.

821.6.1 Job Training Requirement Exemption

When the Personal Responsibility Plan (PRP) signed by the TANF head of household includes a requirement to complete a program of job training, an exemption from this requirement is granted upon a determination the head of household:

- Must care for an ill or incapacitated member of his/her household;
- Is a single custodial parent of a child who is less than one year of age (3 months per pregnancy / 12-month lifetime limit);
- Is a needy relative caregiver (other than parent) sixty (60) years of age or older; or
- Is pregnant and determined to be unable to work by a physician.

822 REFERRALS TO OTHER AGENCIES

Services and programs offered by agencies and organizations within a community may enhance a NEON participant's ability to achieve economic independence. NEON staff provides referrals to participants in need of services including:

- Adult basic education classes or English as a Second Language (ESL) available from the public education districts, community colleges, or community literacy programs
- Mental health services
- Parenting classes
- Domestic violence counseling and shelter services
- Vocational rehabilitation services
- Child care services
- Drug/Alcohol testing and/or treatment services
- Job training
- Employment referral services and
- Job retention and/or job advancement opportunities
- Employment related dental

822.1 Specialized Services Available by Referral

Dental Assistance - Partial dentures required for employment may be authorized for payment through Medicaid for NEON participants when necessary (Medicaid Manual Section 1003). When a NEON participant is missing any one of the six upper or lower anterior teeth an official memorandum from the District Office must be sent to the participant's Medicaid authorized dentist. The memorandum must be on letterhead with a statement referencing the employment related need. NOTE: Without this official memorandum from the District Office, Medicaid will deny prior authorization and payment. Medicaid will deny any request submitted a second time without the memorandum.

Domestic Violence Services/Substance Abuse Treatment - The Division of Welfare and Supportive Services social workers who are referring participants to domestic violence and/or substance abuse providers must complete and save an OASIS Participant Verification Form (PVF) at the time of the initial referral and by the 5th of each month thereafter if they remain eligible for services Prior to the PVF form being completed in OASIS each month, it is the social worker's responsibility to ensure the client is TANF eligible or eligible for DV services while pending TANF assistance. In addition to the PVF form each month, the treatment plan must be documented in the participant's PRP and OASIS issue plan screen.

Exception: Documentation of domestic violence services in the PRP is not required while the case is pending a TANF eligibility decision.

823 COMMUNITY WORK EXPERIENCE PROGRAM (CWEP)

NEON participants lacking work experience or who have been unsuccessful in securing employment may be assigned to the Community Work Experience Program (CWEP). The purpose of the CWEP is to provide practical work skills training to TANF-NEON participants who have limited or no recent work experience, local work history, and/or transferable abilities to the workplace.

CWEP placements occur in public or non-profit worksites. CWEP worksites are encouraged to hire CWEP participants into available job openings as they occur; however, the worksite is under no obligation.

The NEON program pays the CWEP participant's monthly worker compensation insurance premium. Staff must enter all CWEP activity hours with the code (CW) into the NEON Calendar to ensure the participant's worker's compensation premium is paid. All CWEP participants must sign a "Memorandum of Understanding" (MOU) – VOLUNTEER IN STATE SERVICE, form 2716-WA, specifying the number of hours per week of the placement. Completion of the MOU occurs prior to beginning the placement. The office supervisor signs the MOU and retains a copy centrally within the office. At the end of each quarter, the district office must submit a report of CWEP participants to Central Office indicating that all required MOU's are signed and on file in the office.

CWEP Assessment -- Participants may be temporarily assigned to a local district office for CWEP activities to allow staff to better assess the participant's job readiness by observation and interaction in a work setting. This enables staff to identify participant strengths, training needs and potentially previously undisclosed barriers to employment.

823.1 CWEP Worksite Restrictions

CWEP participants cannot displace persons currently employed or displace individuals laid off or terminated from federally-funded jobs. CWEP positions may be established where positions are vacant due to voluntary termination, retirement, or normal attrition. Where organizations must cut back on services due to reductions in available funds, it is allowable to develop CWEP slots to do jobs that otherwise would not be done due to budget cutbacks.

The Division of Welfare and Supportive Services cannot allow CWEP duties to include driving of <u>any</u> vehicle.

823.2 CWEP Worksite Development

CWEP worksites must be public or private non-profit or not-for-profit entities. Private-for-profit entities may not be CWEP sponsors. CWEP work experience slots may be developed in churches or non-profit sectarian organizations when the function of the slot is non-sectarian (not limited or associated with a particular religious denomination). These slots must not be involved in any activity which promotes a particular religious philosophy or requires the participant to recognize or otherwise defer to a particular religious philosophy.

The case manager is responsible for contacting public and private non-profit agencies to develop worksites. Community Work Experience Program Component, Form 2685-WA, is given to potential worksites to provide background information on the philosophy and goals of the program.

823.3 CWEP Worksite Agreement

Public or private non-profit entities seeking to become an established CWEP worksite must sign the CWEP Work Experience Memorandum of Agreement, Form 2710-WA. The case manager explains CWEP and negotiates the completion of the memorandum of agreement. The case manager assists the worksite sponsor in the development of job descriptions for the CWEP slots. By signing the agreement, the worksite agrees to provide participants with training and supervision to enable them to perform work assignments. CWEP worksite supervisors are provided with the CWEP Worksite Supervisor's Handbook, Form 2717-WA, which outlines the scope, purpose, and expectations of the worksite including monthly completion of timesheets for CWEP participants (E&T Time Sheet, Form 2690-WA) and performance evaluations (Participant Monthly Evaluation Report, Form 2689-WA). Both Forms 2690-WA and 2689-WA are located in the OASIS Forms Library.

The case manager obtains:

- Two signed original copies of the CWEP Memorandum of Agreement from the worksite and forwards both to the social welfare office manager or their designee for approval.

Upon execution:

- One original is provided to the worksite; and
- One is retained in a file in the district office.

The case manager submits a signed copy to the ESS Program Specialist, Central Office.

The CWEP Memorandum of Agreement must be renewed every four (4) years.

823.3.1 CWEP Placements in DWSS Offices

CWEP participants placed in DWSS offices must sign "MEMORANDUM OF UNDERSTANDING (MOU) - VOLUNTEER IN STATE SERVICE, Form 2716-WA, specifying the number of hours per week of the placement. Completion of the MOU occurs prior to beginning the placement. The office manager signs the MOU and retains a copy centrally within the office. Background checks are completed by I&R on all CWEP participants prior to being placed in DWSS offices. The I&R Criminal Background Check form is to be submitted electronically to the regional I&R supervisor. Applicants are required to sign the form, authorizing the background check. The form must be completed by a DO Manager, Assistant Manager or their designee. I&R will respond to requests within two (2) business days whether the applicant (CWEP) is fit for office duty or recommended to be disqualified for office assignment.

823.4 CWEP Worksite Supervisor's Responsibilities

The CWEP worksite supervisor is responsible for:

- Providing supervision to CWEP participants
- Completing monthly evaluations for each site placement
- Providing weekly timesheets to the district office and
- Complying with all terms of the Memorandum of Understanding

823.5 CWEP Worksite Compliance Monitoring

The case manager ensures compliance with CWEP agreements. If a situation arises where it appears the worksite sponsor has violated the terms of the agreement, the case manager must:

- Contact the worksite sponsor to arrange a meeting to identify and discuss the issues of concern
- Meet with the worksite sponsor, review the terms of the CWEP agreement and discuss the issues of concern
- Identify the potential existence of worksite violations of the placement provisions (prohibiting displacement of current employees). The sponsor may be encouraged to develop another position for the CWEP participant or voluntarily terminate the agreement. If the worksite sponsor does not opt for one of the alternatives, the case manager must terminate the agreement and remove the participant from the CWEP placement.

823.5.1 Displacement Complaint Procedures

When a written complaint is made by an employee of a CWEP worksite who has been laid off or terminated and replaced in the position by a CWEP participant:

- Forward the complaint to the Division's hearing officer and a copy to the Division of Welfare and Supportive Services Administrator;
- The office manager works with the complainant and employer to negotiate a mutually acceptable resolution to the complaint; and
- If an informal resolution cannot be reached, a hearing is held following the Division's normal hearing procedures.

823.6 CWEP Worksite Participant Placement

The case manager works with the CWEP participant prior to the placement to ensure all support services identified in the Personal Responsibility Plan (PRP) are provided and the placement is consistent with the goals listed in the PRP. Prior to the placement, the case manager must inform the CWEP participant about the program providing them with a copy of the CWEP participant booklet, Form 2715-WA and discussing the responsibilities of the participant to be at the worksite when expected, notify the worksite supervisor when ill, and wear appropriate dress for the placement.

The case manager ensures, at least monthly, that attendance and evaluations are obtained from the CWEP worksite and documented in the case record. Unexcused absences and performance issues identified must be addressed timely and evaluated in the context of the PRP.

The number of hours per week performed by the participant at the worksite is determined in conjunction with specifications of the PRP, and consideration of the needs of the worksite. A CWEP participant may be assigned up to one day per week to pursue employment opportunities.

824 NEON ON-THE-JOB TRAINING PROGRAM

On-the-Job Training (OJT) is paid employment available to TANF recipients. These contracts are limited to $1,999.99 per participant per year. This amount is intended to pay up to 50% of the participant's salary or completed training hours. The employer is required to complete an employer fact sheet. The fact sheet requests a description of the training components. District office staff, work in partnership with the employer and the participant. Listed below are the requirements for employers interested in the program:

- Employers are requested to make a good faith effort to insure the trainee/employee is transitioned to a regular job upon completion of the contract.
- No employed worker shall be displaced by any trainee/employee.
- Hourly wage to the employee shall not be less than the contracted wage for like positions at any time. DWSS will not pay a reimbursement for overtime, commissions, holiday, vacation or sick pay. Wage reimbursement is for actual hours worked/trained up to 40 hours per week, not to exceed 50% of gross wage.
- Employer is to contact the NEON case manager immediately if issues arise which may jeopardize the participants continuing employment.
- Employer is to submit a monthly performance review sheet and verification of gross earnings to the NEON case manager.
- Worker's Compensation benefits must be provided at the same level and same extent as other employees in the company.

OJT forms are currently located on the DWSS "I" drive. The client cannot begin working at the OJT site until the Administrator has signed the OJT Contract (2010-WA). The forms are:

- OJT Contract (2010-WA)
- Employer Fact Sheet (2019-WA)
- Invoice and Attendance Record (2021-WA)
- Performance Review Sheets (2014-WA)

825 SUPPORTING TEENS ACHIEVING REAL-LIFE SUCCESS (STARS)

Pregnant and parenting teens under the age of 18 are mandatory participants in the STARS program and are case managed by social work staff.

Seventeen-year-olds who have obtained a high school diploma or its equivalency and have no barriers (see manual section A-826.2 for a list of barriers) may be transferred to an employment and training case manager. An exception to this would be if the 17-year-old reported issues with a protective payee requiring social worker intervention.

Pregnant and parenting teens age 18 and 19 without barriers as listed in manual section A-826.2 have the option of participating in the STARS program and case managed by a social worker if the following conditions are met:

- Regular attendance in high school or its equivalency (GED classes) leading to a diploma or equivalency. This includes Job Corp training, attendance in adult basic education classes or adult high school diploma classes
- Making satisfactory progress in the selected education component as determined by the educational/training institution.

825.1 OASIS NEON Calendar for STARS Participants

Actual hours of participation in educational activities must be entered into the individual's OASIS NEON Calendar for all STARS participants. Participants are still considered to be meeting their education requirements during normal school breaks (i.e., summer/spring/Christmas). During breaks, at least one (1) hour of educational activity must be entered in the NEON Calendar for a month, to ensure the participant is reported as meeting their work requirements for purposes of calculating the TANF Participation Rate.

826 ROLE OF SOCIAL WORKER

Division social workers assess, develop and amend Personal Responsibility Plans (PRPs), and provide ongoing case management services as assigned by conducting home and/or collateral visits. Division social workers may contact participants on a frequent basis via telephone, home and collateral visits. A social worker may provide services to those participants that have been determined to be in need of special attention which may include:

- STARS participants;
- Participants with significant barriers to employment. The social worker conducts in depth assessments to determine the extent of the barriers to achieving economic independence and makes referrals to appropriate service providers; and
- NEON participants who are currently experiencing physical abuse and/or fleeing from a domestic violence perpetrator. When a participant's work requirements

have been modified or waived for victims of domestic violence, refer to Manual Section A-2200 for "Good Cause" waiver information.

Social workers administer the Substance Abuse Subtle Screening Inventory (SASSI) tests to TANF participants suspected of chemical dependency. TANF participants identified with a high likelihood of a substance-related disorder may be referred to a contracted substance abuse provider for further testing. In cases where chemical dependency has been determined to be an issue, a social worker determines the need for a protective payee to ensure the TANF grant goes toward meeting the needs of the children.

Social workers administer additional assessments to TANF participants to identify barriers to self-sufficiency such as domestic violence, learning disabilities, problem gambling and cognitive processing issues. If assessment results indicate barriers to self-sufficiency, social workers refer participants to contract or community providers for further assessment and treatment.

Social workers may arrange for and sit as members on multi-disciplinary teams consisting of a variety of community resources, such as school district counselors, other agency social workers, probation officers, public health nurses, and medical professionals.

Social workers determine the appropriateness of living arrangements for pregnant/parenting teens no longer able to reside in the home of their parents (see manual section A-320).

Social workers determine and arrange for alternative living arrangements for pregnant or parenting teens no longer able to reside in the home of their parents.

826.1 Intra-Office Referral To and From Division Social Workers

TANF households requiring the assistance of a social worker will be referred to appropriate Division Social Workers in accordance to the procedures established in their office. Referrals to and from a Division Social Worker must be documented.

826.2 Significant Barriers to Employment

Social workers may be assigned to cases identified with significant barriers to employment. Significant barriers are identified as, but not limited to, the following:

- Known substance abuse issues
- Mental health issues for self or dependents, including severe depression, known or suspected
- The prevention of a participant's involvement in work activities or employment due to the caring of immediate family members with disabilities (NEON code I)
- History of physical or sexual abuse which prevent the participant's involvement with work activities or employment

- Current or past domestic violence which prevents the participant's involvement in work activities/ employment
- Certified medical injuries/disabilities in addition to other barriers/issues for participant
- Diagnosed or suspected severe learning disability
- Known behavioral disorders or
- Chronic homelessness

827 EMPLOYMENT & TRAINING COMPLIANCE

827.1 NEON Compliance

A. TANF-NEON Participants

NEON participation is required for all non-exempt TANF-NEON cash applicants and recipients. All TANF/NEON participants are considered to be in compliance with the work requirements when the applicant:

- Signs and complies with the Agreement of Cooperation, Form 2043-EE, (failure to sign the form results in denial of TANF assistance)
- Completes the initial assessment and fulfills assigned pre-eligibility work activities
- Participates in the ongoing assessment process
- Takes part in the mutual development of the Personal Responsibility Plan (PRP) and subsequent PRP amendments
- Accepts and participates in work related activities, counseling and/or referrals contained in the PRP (including referrals for additional testing assessments)

Individuals are not complying with the SNAPET if they:

- Refuse to provide information to determine their employment status;
- Refuse to participate in SNAPET activities or
- Voluntarily and without good cause quit a job or reduce their work effort, and after the reduction are working less than 30 hours per week. See manual section A - 830

If a member fails to comply with a UIB requirement, update the SNAP case in NOMADS with the appropriate SNAPET work code, which will (if mandatory) allow the participant an opportunity to cooperate with SNAPET requirements.

Note: If a NEON non-compliance sanction is applied to a specific individual in the TANF case, DO NOT disqualify the same individual in the SNAP case. Update the SNAP case in NOMADS with the appropriate SNAPET work code, which will (if mandatory) allow the participant an opportunity to cooperate with SNAPET requirements.

- Maintains communication by notifying the case manager of any problems or changes affecting program participation and
- Accepts a bona fide offer of employment

To demonstrate NEON compliance, a TANF-NEON participant must establish a pattern of both attending and actively participating in interviews, workshops, meetings and activities as identified in their Personal Responsibility Plan (PRP).

827.2 Action for Non-Compliance

When a TANF-NEON Program household fails to comply with the terms of their Personal Responsibility Plan (PRP), case managers may attempt to contact participants to determine if a resolution is possible without having to implement a conciliation/sanction action. When the case manager attempts to contact the client at a valid telephone number and has to leave a message, the case manager should, at a minimum, give the client until the end of the next regular work day to contact the case manager to resolve the issue of non-compliance. All attempted contact must be documented.

When there is no known phone number or the case manager attempts to contact the client at their known telephone number(s) and is unable to leave a message, the case manager may choose to send a letter to the client requesting them to contact the case manager OR document the attempt to contact the client and initiate non-compliance conciliation.

Use prudent worker judgment when initiating a sanction. The case worker is expected to weigh such factors as the client's past cooperation history, their known barriers to participation, the administrative time available and the goal of developing a positive working partnership with the client. If the case manager sends a letter requesting contact to resolve the issue of non-compliance, the client should be provided at least five (5) calendar days to respond to the mailed letter before initiating non-compliance conciliation. Prior to imposing a three (3) month sanction, caseworkers must staff the case with a supervisor.

The SNAPET case manager issues a "Notice of Non-Compliance" (NOCO) advising the participant of the specific requirement which was not met. The participant is allowed ten (10) days (the day following the notice date is the 1st day of the 10-day period) to contact the SNAPET case manager and to claim good cause (see manual section A-829).

If there is no response or good cause is not substantiated, the SNAPET case manager notifies the eligibility case manager within five (5) working days via an Intra Office Referral Report Form 6009-AG, and if it is the 1st, 2nd, 3rd or subsequent occurrence. Within two (2) working days of receiving the notice of non-compliance from the SNAPET case manager, the eligibility case manager disqualifies that member as follows:

First Violation - a minimum of one benefit month and until compliance;

Second Violation - a minimum of three benefit months and until compliance;

Third or Subsequent Violation - a minimum of six (6) benefit months and until compliance.

If the non-complying member moves to a new household, disqualify the member for the remainder of the penalty period.

Note: A benefit month is not a 30-day period; the disqualified month may be a prorated month.

If the case manager determines the household's circumstances have changed sufficiently to warrant a change in the PRP, which negates the non-compliance issue, the PRP will be revised. (See manual section A-2130.) The circumstances must be documented.

If the case manager determines a conciliation/sanction is the appropriate action, a conciliation notice must be sent to the client.

The Conciliation Notice must inform the household member what activity or activities they failed to comply with, the action(s) they must take to resolve the issue(s) of non-compliance, the time period they have to get into compliance, when their TANF cash assistance will end, and to contact their case manager immediately to resolve the non-compliance issue(s).

When terminating assistance or removing a member from the household because of non-compliance, the notice will advise the household of the specific requirement which was not met and what can be done to end or avoid the sanction.

If the non-cooperation disqualification is not imposed timely with proper SNAP notification, it is applied to the next ongoing issuance cycle allowing adverse action notification. Disqualification is not retroactive and there is no overpayment claim.

- If the client was never notified of the disqualification for non-cooperation when the last certification ended or the case was closed and the client reapplies for SNAP benefits, process the application as any other application.

- If the application is approved, notify the SNAP household of the E&T non-cooperation status allowing proper adverse action. If non-cooperation is not resolved within the notification period, disqualify the individual with the next issuance cycle after the adverse action time frame is met.

  Note: Disqualification cannot be applied until the participating household receives a SNAP notice based on non-cooperation. Notification from the SNAPET case manager to the household does not meet this requirement.

- If a SNAP participant is coded with work code **01** (subject to and complying with TANF-NEON requirements) and subsequently fails to cooperate with NEON, the SNAP client cannot be disqualified from SNAP at the same time. Update the SNAP work code with the appropriate code. If the SNAP recipient is mandatory and fails to comply with SNAPET work requirements, disqualification would then be applied allowing applicable adverse action.

Exceptions: Do not send a notice disqualifying a member if:

- A determination is made the member was exempt at the time of non-compliance. Correct the member's participation code and notify the SNAPET case manager that the individual will not be disqualified

- The non-compliance decision was made after assistance terminated or was denied. There is no penalty; however, notify the SNAPET case manager that the household's certification period ended prior to the non-compliance and no disqualification will be imposed

Impose the penalty in NOMADS by disqualifying the individual. This can be done by changing their member status to non-participating. An automated notice is produced when the person is changed to a non-participating member.

- Disqualifying the individual by changing their member status to non-participating. An automated notice is produced and sent to the household when the person is changed to a non-participating (disqualified) status.

827.3 Issuance Process of a Notice of Non-Compliance

Conciliation Process

When a sanction is imposed on a TANF-NEON Program household, the household will be given a conciliation period prior to termination of TANF assistance to resolve the non-compliance issue(s) as follows:

- Each household member is entitled to one 30-day conciliation period.

  Note: The one-time 30-day conciliation period applies to pregnant or parenting minors when they are the head of household.

- When a household member has previously utilized their one-time 30-day period, each subsequent sanction will have a 10-day conciliation period.

If, during the adverse action period the household:

- Appeals the noncompliance penalty
  - process the request and
  - continue benefits, unless the client waives that right

- Claims good cause or wishes to comply, refer them to their SNAPET case manager and notify the SNAPET case manager of their request. Continue benefits if a notice of compliance or good cause is generated by the SNAPET case manager prior to the termination date.

Note: If a household member in a 30-day conciliation period is not back in compliance within 15 days from the issuance date of the conciliation notice, a second reminder non-compliance notice is issued from Nomads.

If the last day of the conciliation period falls on a weekend or holiday, the client has until 5:00 p.m. the following work day to comply.

If the household does not comply, cash assistance terminates and a minimum three (3) month disqualification period will be imposed.

If notice of compliance or good cause was generated by the SNAPET case manager prior to the effective date of termination and received by the eligibility case manager after the termination, reinstate eligibility for the participant.

If the head of household contacts their case manager, the case manager will:

- Discuss the non-compliance issue and provide the head of household an opportunity to disclose what is prohibiting them from participating;
- Encourage the head of household to demonstrate compliance as set forth in their conciliation notice;
- Review the participant's PRP and/or work requirements. If the participant comes into the office to meet with their case manager a Conciliatory PRP will be completed. The Conciliatory PRP may contain the same requirements as the most recent PRP, if appropriate. If the case manager determines the household's circumstances have changed sufficiently to warrant a change in the PRP, the PRP will be revised as appropriate. (See manual section A-2130.) The OASIS case narrative must be updated to reflect the changes and the reason the sanction has ended;
- Consult with a social worker when deemed appropriate (see manual section A – 2020.3). Examples of this may include, but are not limited to:

    1. Referral to a social worker upon discovery the non-compliant member is in imminent danger of domestic violence if they cooperate.
    2. Consultation with a social worker to determine alternative methods of enabling the non-compliant individual to overcome a barrier to cooperation.

The head of household must:

- Demonstrate compliance (see manual section A-2130) with current or renegotiated work requirements; and
- When necessary, renegotiate work activities and participate in PRP amendments.

If, during a conciliatory period, the household fails to comply with another work or PRP requirement, it is included in the current sanction and must be resolved prior to the sanction being lifted. The head of household is notified in the initial conciliatory notice that the household must continue to comply with any other work or PRP requirements to have their TANF cash assistance continued.

827.4 NEON Calendar Status – Non Co-op with PRP

When a work-eligible individual is out of compliance with the terms of their PRP, the case manager must change the status of the NEON Calendar from "pending" to "denied." This action does not 'deny' benefits. The data is used to track cooperation as a state performance measure of the program for administration and legislators. If the work-eligible individual is in compliance with the terms of their PRP by the last day of the report month, the case manager must change the status of the NEON Calendar from "denied" to "pending." It is not necessary to "approve" all pending NEON Calendars, as this function is automatic. See OASIS Task Guide, Issue plan/NEON Calendar – F-04.03.

828 HEARINGS

A household is entitled to a hearing up to 90 days from the date of notice to contest:

- The worker's decision to not allow an exemption; and
- The denial or reduction of benefits because of noncompliance.

If a hearing is requested timely, process the request.

Note: The hearing officer notifies all involved staff of the hearing date and the hearing decision when the issue is non-compliance with E&T.

Process the hearing request when:

- The household appeals a decision of noncompliance with their eligibility case manager; or
- The eligibility case manager fails to provide notice of good cause or cure prior to termination or denies good cause.

Note: The hearing officer notifies all affected staff of the hearing date. SNAPET case manager may attend the hearing or must be available to respond to questions during the hearing if necessary.

If a TANF hearing is requested based on noncompliance with NEON and benefits are continued pending the outcome of the hearing, continue SNAP benefits simultaneously. If the non-compliance action is upheld, the disqualification is imposed the next issuance cycle after notification of the hearing decision.

829 RE-ESTABLISHING ELIGIBILITY

See manual section B-900 - Sanctions.

The disqualified member can re-establish eligibility any time after serving the disqualification period.

829.1 Re-establishing Eligibility During the Disqualification Period

Re-establish eligibility during the disqualification period if the disqualified member:

- Becomes exempt from participation; or
- Complies with the requirement not previously met.

Note: Disqualified members are added to the household with the next issuance cycle after proof of compliance is received from SNAPET case manager.

End the disqualification for an individual member effective the first issuance cycle after:

- The minimum sanction period has ended and verification of compliance is received from SNAPET case manager; or
- The member becomes eligible for another reason.

If benefits for a one-person household are terminated as a result of the noncompliance and they now want to comply, the individual must reapply. If the individual reapplies before the disqualification has ended and there is no proof of compliance from the SNAPET case manager, the eligibility case manager must deny the application.

829.2 Examples of Re-establishing Eligibility

Examples illustrating SNAPET non-compliance and actions to re-establish eligibility include but are not limited to:

Noncompliance	Compliance
1. The member fails to report for an interview with the SNAPET case manager.	The member completes the interview.
2. The member fails to participate in, complete and submit as scheduled the independent job search.	The member participates in, completes and submits as scheduled, the independent job search (or the number of remaining contacts if less) within the established time frame.
3. The member fails to attend Job Search/ Workfare.	The member attends the next available workshop/ orientation or if a class component, attends a day of class, if a class is available, within ten (10) working days, and the member wishes to continue that class activity. If no class is available within ten (10) working days, compliance is determined on a case-by-case basis between worker and participant. Compliance must be documented in record.
4. The member fails to provide supplemental information in the time frame requested.	The member provides the information or documents.
5. The member refuses to report to a prospective employer.	The member reports to • the employer, if work is still available, or • reports to another employer referred by the SNAPET case manager or ESD, if one is available. If there is no employer, they must complete job search contacts as noted above.
6. The member fails to accept a bona fide offer of suitable employment or continue employment unless terminated due to conditions beyond their control.	The member accepts the job, if still available. If not available, they must report to another employer referred by the SNAPET case manager, or if no job is available, complete job search contacts as noted above.
7. The member is penalized for noncompliance with work registration requirements.	The member's benefits are reinstated.

Note: If the individual was disqualified **and** more than one year has passed since the disqualification, the individual must attend an SNAPET Orientation before receiving SNAP.

If the individual was disqualified for less than a year, the participant must complete the SNAPET activity they failed to complete before receiving SNAP.

Note: When ending a member's disqualification, update the case with the proper member codes in the computer. An automated notice will be produced with the new allotment including the previously disqualified member.

829.3 Re-establishing Eligibility After the Penalty Period

Once the disqualification period has ended, the individual must comply to receive benefits, unless the individual is SNAPET exempt at time of application. Notice of compliance with work program requirements must be given.

Note: If the individual was disqualified **and** more than one year has passed since the disqualification, the individual must attend an SNAPET Orientation before the disqualification can be lifted.

Examples: John Dough did not complete Job Search 1 and was sanctioned in December 2003. As of August 2005, he wishes to reapply for SNAP. Add John Dough to the next available SNAPET Orientation, and if he attends, send a 6009 lifting the sanction.

John Dough did not complete Job Search 1 and was sanctioned in December 2004. As of August 2005, he wishes to reapply for SNAP. When John Dough completes Job Search 1, send a 6009 lifting the sanction.

John Dough did not complete Job Search 1 and was sanctioned in December 2004. As of August 2005, he wishes to reapply for SNAP. John Dough now qualifies for an exemption. Lift the sanction.

If the individual was disqualified for less than a year, the participant must complete the SNAPET activity they previously failed to complete before receiving SNAP.

830 DETERMINING GOOD CAUSE

Determine good cause for

- Voluntary quit;
- People required to register for work and fail to comply; and
- Those who's UIB is reduced or denied because of noncompliance.

Good cause exists when circumstances beyond the member's control prevent them from complying with SNAPET requirements.

Good cause includes, but is not limited to:

- Unavailability of care for children ages 6 through 11;

- Discrimination by an employer based on age, race, sex, color, handicap, religious belief, national origin, or political beliefs;
- Work demands or conditions that make continued employment unreasonable (**e.g.**, not being paid on time, seasonal/tourist type employment, etc.);
- A change of job;
- Illness of the participating member or another household member;
- Enrollment (at least half time) in a recognized school, training program, or institution of higher education that requires the head of household to quit a job
- Household emergency;
- Relocation to another county or political subdivision because of another household member's employment or school enrollment;
- Resignations by people under 60 years old that the employer recognizes as retirement;
- A job change that later does not materialize or results in employment of less than 30 hours a week or weekly earnings of less than the federal minimum wage multiplied by 30 hours;
- A habitual job change (**e.g.,** migrant work or construction habitually require workers to move from one employer to another);
- An unsuitable job.

Employment is unsuitable if

- The wages are less than the highest of:
  - the applicable federal minimum wage; or
  - eighty percent of the federal minimum wage, if the federal minimum wage is not applicable.
- The average hourly wage based on piece-rate is less than minimum wage;
- The household member, as a condition of employment, must join, resign from, or not join a labor organization;
- The work is at a place subject to a strike or lock-out at the time of the offer;
  Exceptions:
  - the strike has been enjoined under Section 208 of the Labor-Management Relations Act (29 U.S.C. 178-Taft Hartley Act); or
  - an injunction has been issued under Section 10 of the Railway Labor Act (45 U.S.C. 160)
- The degree of risk to health and safety is unreasonable;
- The household member is physically or mentally unfit for the job;
- The commuting time from the household member's home to the job is more than two hours a day. **Note:** Taking a child to and from a child care facility is not included.

- The distance from home to the job is unreasonable because, after considering commuting time and costs, the member earns less than minimum wage;
- The distance to the job prohibits walking, and transportation is unavailable;
- The job is outside the member's usual line of work. (This applies only during the first 30 days and does not apply if the member voluntarily quits a job.).

831 SILVER STATE WORKS PROGRAM (SSW)

The Silver State Works (SSW) initiative was designed to create an opportunity for employers to help strengthen Nevada's economy while receiving incentives to hire pre-screened qualified workers to staff their business.

To be eligible for SSW, TANF-NEON clients must be determined work ready, have motivation, demonstrate program compliance, and have work supports in place. A TANF-NEON participant can be referred to the Employment Services Unit Program's Workforce Services Representative (WSR's), or their designated Family Services Specialist (FSS) staff to be enrolled in the SSW Program when they have reached this level of work readiness.

Note: Designated FSS staff must be approved by the NEON Manager

Referral Process:

- The case manager will refer the participant for the SSW Program by sending a 6009 form to the Employment Services Unit's WSR's or designated FSS staff. The case manager must narrate this referral in OASIS.

- The Employment Services Unit's WSR's or designated FSS staff will ensure the participant meets the pre-screening criteria (work ready, have motivation, demonstrate program compliance, and have work supports in place) and all required forms for the SSW program have been completed.

- Once it has been determined the participant has met the SSW criteria, the Employment Services Unit's WSR's or designated FSS staff will update the Nevada Job Connect Operating System (NJCOS) to designate the participant eligible for the SSW Program.

- The Employment Services Unit's WSR's or designated FSS staff must send a 6009 to the case manager specifying the participant's status for the SSW program. If the participant is found to be ineligible for the SSW Program, the 6009 must explain why.

Note: Only designated staff is allowed to mark a participant as Silver State Works eligible in the NJCOS system; however, the staff with NJCOS training may utilize NJCOS to register work eligible individuals.

832 FORMS

1. 2009, Consent for Release
2. 2010, OJT Training Contract
3. 2012, OJT Introduction Slip
4. 2014, OJT Job Performance Review
5. 2019, Case Review Summary
6. 2021, OJT Invoice/Time Attendance Record
7. 2024, Personal Responsibility Plan (Adults Minor Parents)
8. 2026, PRP Amendment
9. 2031, Appointment Letter
10. 2036, Case Review Summary
11. 2043, Agreement of Cooperation (English/Spanish)
12. 2066, E&T Job Retention Bonus Denial Notice
13. 2067, Release of Consent/PG1, PG2
14. 2073, MDT Disclosure Agreement
15. 2074, Earnings Verification
16. 2133, Minor Parent SWK Assessment
17. 2135, TANF Action Form
18. 2139, Single Adult 12 Month/12 Week Exemption
19. 2142, Participation Verification
20. 2145, Job Search Info
21. 2254, Pre-Hearing Conference Report
22. 2257, School Attendance Record
23. 2310, Welfare to Work Certification
24. 2315, Welfare to Work Referral
25. 2429, Insufficient Information Form
26. 2451, Authorization to Release Information
27. 2546, Revised/Certified Birth Certificate
28. 2605, Burial: Request for Information
29. 2609, Case Transfer
30. 2672, Report of Illness, Incapacity or Disability (ROI)
31. 2674, Job Search Plan / Agreement
32. 2685, CWEP Component
33. 2689, E&T Participant Monthly Evaluation
34. 2708, Authorization to Purchase/Voucher
35. 2728, Interagency referral for Child Care Services
36. 2750, E&T Transportation Form
37. 2753, TANF – UP Applicant Referral to JOBS (NEON)
38. 2772, E&T Case Closure
39. 2798, Referral Form/ Statewide
40. 3112, Information and Referral Request
41. 4460, Employment Verification
42. 4810, Employment Earnings Status
43. 6009, Intra-Office Referral

1. 2031, Appointment Letter
2. 2241, Eligibility Data Change Request Form (optional)
3. 2346, SNAP Alert Sheet Form (optional)
4. 2674, Individual Job Search Plan and Agreement Form
5. 2708, Authorization to Purchase/Voucher
6. 2738, SNAP Program Notice of Non-Compliance
7. 2744, SNAP Employment and Training Program Agency/ Client Contract Form
8. 2758, Case Validation Narrative Form (optional)
9. 6009, Intra-Office Referral Report Form

Forms and Notices available on OASIS;

1. Domestic Violence Inventory
2. Information Cognitive Processing Screening Instrument (ICPSI)
3. Conciliation Letter
4. NEON Request for Information
5. NEON Orientation Invitation (manual)
6. Job Retention Referral Letter
7. Learning Needs Screening Tool
8. Vendor Reject Letter
9. Southern Oaks Gambling Screen (SOGS)

Computer Generated Notices/Letters;

1. Sanction Letter/ Adverse
2. NEON Orientation Letter
3. Conciliation Letter
4. Job Retention Bonus Letter

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Residency

900 RESIDENCY

910 ELIGIBILITY REQUIREMENT

910.1 Residence

Households must live in Nevada to be eligible for benefits. A permanent dwelling or fixed residence is not required;

However, a Nevada address at which the household can receive mail must be provided.

SNAP households are not required to have a fixed mailing address.

For Victims of Domestic Violence:

- Victims of Domestic Violence approved for a fictitious address receive a letter from the Secretary of State's Office containing an individual authorization code and substitute mailing address. Request and keep a copy of this letter in the case file for verification. Request the individual to provide a statement from the domestic violence advocacy group to verify a pending CAP application.

State Law NRS 217 allows victims of domestic violence to protect their location by applying for a fictitious address through the Secretary of State's Office Confidential Address Program (CAP). Anyone requesting to apply for this protection is referred to their local community domestic violence advocacy group. Local advocacy group staff will explain CAP and complete a domestic violence assessment. When advocacy group staff determine CAP is appropriate for the victim, they assist the victim in completing the application process, and forward the application and referral to the Secretary of State's Office. When an advocacy group has submitted a CAP application to the Secretary of State's Office or a victim has been approved for CAP, the Division of Welfare and Supportive Services (DWSS) must not require the person to provide their actual physical address. When the participant's assessment, plan, and related narratives are in OASIS, the case manager **MUST** maintain the assigned CAP address. The actual known residence address **MUST** not be entered into the OASIS system. Persons pending a determination for CAP may use an alternative address (i.e., friend, relative or shelter address). Victims of Domestic Violence approved for CAP can use the fictitious address assigned by the Secretary of State's Office.

910.2 Intent to Reside

People living in Nevada with the intention of making the state their home, or entering Nevada with a job commitment or seeking employment, meet the residency requirement.

Temporary absence from the state with subsequent return to the state, or intent to return when the purpose of the absence has been accomplished, is allowed and may not cause loss of residency. The household is responsible for receiving mail and cooperating by providing all information needed to establish or continue eligibility. See manual section A-300 for allowable absences.

Households living in Nevada for **any purpose other than vacation,** regardless of the length of time they have been here or plan to stay, meet the residency requirement.

Households applying for SNAP benefits are not required to reside in a permanent dwelling or have a fixed mailing address. The client's statement is sufficient verification the household is residing in the State of Nevada for any reason other than vacation.

Temporary household absences are allowed, e.g., vacationing with friends/ relatives or staying in a training institution, etc. However, a determination of the duration of the absence must be made. A household will remain eligible as long as residency has been maintained. **For example:** A school teacher works from September to June. In June the teacher travels out of state to visit family and will not return until August. The teacher maintains their physical residence and does not apply for assistance in the other state. Eligibility for this household continues as Nevada residency has not been terminated.

A person convicted in federal or state court, upon prosecution by the state agency, or found by the state agency of fraudulently misrepresenting residence to receive multiple TANF or SNAP benefits simultaneously from two or more states is ineligible for 10 years.

920 VERIFICATION OF RESIDENCY

Determine if the household intends to remain in Nevada at each application and review of eligibility.

Residency must be verified at each application, anytime a household reports a move, the agency discovers they have moved or the place of residence becomes questionable. At the annual review of eligibility, previous verification regarding residency can be pulled forward if the household has not reported or the agency has not been made aware of a new address.

Homeless households are not required to have a fixed place of residence, but must have a mailing address.

Verify residency at each application/recertification. Previous verification regarding residency can be pulled forward at recertification if the household has not reported a new address.

921 POSTPONED VERIFICATION

Postpone residency verification if necessary to meet expedited service time frames.

922 HOW TO VERIFY RESIDENCY

Accept the household's statement as proof of residency and their intent to reside in Nevada.

930 MOVES WITHIN THE STATE

Households can retain their residency status when they move within the state. A person cannot participate as a member of more than one household in any month.

Exception — Residents in an approved shelter for battered women and children may participate twice during the initial certification cycle if they participated first with the person who abused or threatened them with abuse.

940 MOVES OUT OF STATE

An individual cannot participate in more than one state in any month.

Exception: Residents in an approved shelter for battered women and children may participate twice during the month of application if they participated first with the person who abused or threatened them with abuse.

A household or individual member becomes ineligible if they move to another state:

- with the intent to remain there, or
- without an intent to return

If the household no longer meets residence requirements, terminate assistance and notify them at their last known address.

A household is ineligible for benefits issued for a month after the household leaves the state.

When a household notifies the agency they will be moving or have moved out of the state,

- terminate the case effective the **next** issuance date, as long as benefits have not been authorized on the BMNT screen in NOMADS.

Note: The deadline to terminate the household is the next normal issuance date after the change is reported if adverse action is waived.

When a pending household indicates they have moved to another state, deny the application and notify the household at their last known address.

If the household returns within 45 days and declares the stay out of state was not intended to be permanent:

1. Reinstate assistance;

2. Issue restored benefits, if appropriate.

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TANF Cash Programs

1000 INTRODUCTION OF TANF CASH PROGRAMS

The Temporary Assistance for Needy Families (TANF) program recognizes family situations vary and the approach for some to meet their immediate and ongoing needs may be different. Nevada provides both assistance and non-assistance programs.

Each TANF application is evaluated with the household using Form #2136 “Temporary Assistance to Needy Families Cash Benefit Programs” to determine the category they wish to apply for. The family has the final decision which program they wish to apply for.

1010 ASSISTANCE PROGRAMS

The New Employees of Nevada (NEON) and the Child-Only programs are the two Nevada TANF cash assistance programs. TANF cash assistance is defined as cash payments provided to cover a family’s ongoing basic needs such as food, shelter, clothing, etc.

1010.1 New Employees of Nevada (TANF/NEON) Program

The NEON program is a work program for households containing work-eligible individuals. The household must meet the requirements established in the Personal Responsibility Plan. Refer to manual section A-800 for work-eligible determination.

1010.2 Child-Only Program

This program is designed for households who do not have a work-eligible individual. The adults do not receive assistance either due to their ineligibility (COS & COA) or because the caregiver is not the child’s parent (Relative Caregiver) and not requesting assistance for themselves (CON & COK).

Categories of Child-Only households include:

- Ineligible Adult(s) Child Only Citizen (COA)
- SSI Adult relative caregiver (COS)
- Relative caregiver (CON)
- Kinship care relative caregiver (COK)

Child-Only COS, CON and COK cases must be registered in the system with the youngest child as the Head of Household (HOH).

1010.2.1 Ineligible Non-Citizen Adults with Citizen Children

Ineligible adults/parent(s) who do not meet citizenship requirements are not eligible members of the TANF unit but may receive TANF for other eligible household members.

The income and resources of the ineligible non-citizen parents/siblings are used to determine the eligibility of the citizen child(ren).

1010.2.2 SSI Parents

Parents ineligible because of the receipt of SSI may receive TANF for other eligible household members. The income and resources of an SSI recipient are excluded in the eligibility determination.

1010.2.3 Non-Needy Relative Caregiver

A Non-Needy Relative Caregiver (NNRC) is a relative, other than a legal parent, who is not requesting assistance for themself and only requesting assistance for a relative child(ren). Only one non-parent caregiver may be included as a needy caregiver and they must be a relative of specified degree (see manual section A-300).

See manual section A-2600 for eligibility requirements and C-140 for payment amounts.

1010.2.4 Kinship Care

Kinship Care provides cash assistance to a relative of specified degree (see A-300) who is providing care for the child(ren) because of the absence of the child's parent(s) and must meet age and guardianship requirements. A Non-Needy Relative Caregiver (NNRC) may apply for and receive cash benefits for the child(ren) until all the requirements for Kinship Care are met. See manual section A-2600 for eligibility requirements and C-140 for payment amounts.

1015 TRANSITIONING BETWEEN TANF CATEGORIES

A new application for assistance is not required when on ongoing TANF/NEON adult member(s) in the assistance unit is approved for SSI. Transition the TANF/NEON to the Child-Only (COS) cash program. The system will process the program change to Child-Only when entries are made to the adult member's disability (DISA) and unearned income (UNIN) screens. The TANF/NEON case must be terminated no later than the month notification is received by the case manager of the SSI approval. Deny the request for any months cash benefits were issued.

The Child-Only (COS) case must be registered in the system with the youngest child as the Head-of-Household.

EXAMPLE: A TANF adult recipient reports by the 5th of April that their SSI was approved last month. The adult no longer meets the requirement for TANF/NEON. Cash benefits for the adult must be terminated effective May. Benefits under the Child-Only Program (COS) may begin no earlier than May 1st.

For all other programs, a new application for assistance is required.

1020 NON-ASSISTANCE PROGRAMS

The Self-Sufficiency Grant (SSG), Loan and Temporary Programs are the three Nevada TANF Cash *Non-Assistance* Programs.

1020.1 Self-Sufficiency Grant (SSG)

The Self-Sufficiency Grant (SSG) is a one-time lump-sum payment designed to meet immediate needs until regular income is received from employment, child support or other ongoing sources. While the case manager can determine which families are most appropriate for this payment, the family must choose whether or not it is appropriate for them. SSG is an option subject to approval by both staff and the participant. The amount of the SSG payment is negotiated based on the immediate need.

1020.1.1 Purpose of SSG

The purpose of SSG is to provide an opportunity for families who would be eligible for TANF to receive temporary, short-term support without “welfare”. SSG can aid families who need immediate help but is intended to preserve their independence from receipt of ongoing welfare.

SSG should ensure:

- Families are not placed at risk for long-term welfare dependency;
- Resources are quickly made available to resolve the family situation; and
- Jobs can be kept or accepted.

SSG is designed to help families with a temporary, non-recurring situation associated with employment. Eligibility to receive a one-time cash benefit is directly aimed at families who are either starting a job and awaiting their first paycheck, are on temporary leave from a job, or need assistance to accept a job they have been promised.

SSG is intended to be a one-time service for families; however, more than one SSG payment may be provided if a new or unforeseen circumstance appropriate for another payment occurs. Referrals will be made to community resources available to help the family build an alternative “safety net” in the future.

1020.1.2 Screening for SSG

A family must meet all eligibility criteria for TANF to receive SSG. Assess the family's reason for requesting assistance, the expected financial self-sufficiency that would meet the family's on-going needs, existing resources and employment prospects. The assessment must provide a reasonable assurance SSG will:

- Accomplish the immediate goal of sustaining the family until other readily identifiable resources become available;
- Prevent the family from needing TANF assistance in the foreseeable future; and
- Meet the immediate needs that cannot be met through other resources in the community, family or applicant's own means.

Examples of families that may be candidates for SSG include, but are not limited to:

- A family with a caregiver on maternity leave receiving little or no pay. The caregiver is expected to return to the same job within a few weeks and needs help with immediate short term needs.

- A family with a caregiver who has a solid job offer in Nevada or another state. The caregiver needs assistance between application and beginning employment.

- A family with a caregiver who recently became employed.

- A family who previously received public assistance for a short period of time. During this break, the family has been employed and self-supporting. The caregiver, now unemployed, has a strong prospect to return to work quickly if they can get their vehicle repaired and purchase special tools.

Caregivers who have numerous barriers to employment, an established history of traditional public assistance, and long-term, recurring crisis may require more extensive services. During the initial screening, the case manager will determine which families are appropriate for the SSG program.

1020.1.3 Needs Which May be Covered by SSG

The SSG payment can cover several different needs and can include, but is not limited to, the following items:

- work cards
- clothing/uniforms
- tools
- transportation

- vehicle repair
- driver's license
- occupational license
- mortgage/rent
- utilities
- other job-related expenses
- expenses for relocation to new employment (in-state or out-of-state)

OR

- any other expenses which, if met, would assist the family in being self-sufficient without the need for ongoing TANF.

1020.1.4 Eligibility

Only applicants may be approved for SSG assistance. Current recipients of TANF are not eligible; this includes persons ineligible or disqualified from receipt of TANF. Households are ineligible for SSG during an IPV disqualification period. The applicant must verify all of the following factors and the case manager must document the case record accordingly before a family can receive an SSG payment. The case manager will assist in verification when requested by the family.

1. The following TANF non-financial eligibility requirements must be met:

   - Household determination;
   - Citizenship;
   - Residency (Exception: Does not intend to reside in Nevada);
   - Age/relationship/domicile.

2. A family that is not eligible for TANF due to the time limit on assistance is ineligible for SSG.

3. Does not exceed the TANF countable resource limit of $6,000.

4. Gross countable income of the family at the time of application cannot exceed the TANF gross income limit of 130% of the Federal Poverty Level for the applicable family size. Use actual income received in the month of application and do not consider a best estimate of future income/earnings.

5. Applicants must be informed they are not eligible to receive TANF for the number of months determined by dividing the SSG payment by the maximum TANF grant for the family size at the time of payment. Any part of a month counts as a full month. The ineligible period begins the month SSG is authorized. Applicants may receive TANF prior to the end of the ineligible period if a hardship exists.

6. Applicants must sign Form 2136-EE if they choose to receive a SSG Payment in lieu of ongoing TANF.

7. Supervisor approval is required for all SSG payment approvals.

1020.1.5 Payment Determination

Based on the assessment the case manager and family make about the family's situation, the case manager and applicant will determine the amount of assistance needed. Together they will identify an adequate and reasonable amount of payment needed to resolve the situation and prevent a future need for TANF assistance. Document in the case record how the amount of SSG payment was determined. The case manager will strive to provide the most cost-effective, appropriate solution to the applicant's needs. Consider the family's current income and resources when determining the amount of the SSG payment.

The payment will be the amount necessary to resolve the crisis unless there is a compelling need for additional monies as determined by the supervisor and office manager.

1020.1.6 Payment Authorization

Procedures for issuance of the payment are as follows:

- The case manager must request supervisory approval for all payments.
- If the family requires an amount in excess of $1,000, fully document the circumstances to the office manager for approval.

1020.1.7 Time Limits and Period of Ineligibility

1. If a family receives an SSG payment, determine the number of months the household will be ineligible for any TANF cash assistance by dividing the SSG payment by the maximum TANF grant for the family size at the time of payment. Any part of a month counts as a full month. The ineligible period begins the month SSG is authorized. Applicants may receive TANF prior to the end of the ineligible period if a hardship exists.

2. The number of months covered by a SSG payment do not count as time limit months toward the Nevada 24-month time limit or the 60-month lifetime limit.

1020.1.8 Hardship

A family that has received a SSG payment may qualify for TANF prior to the end of the ineligible period if a hardship exists which causes the caregiver to lose the ability to support the family such as, but not limited to:

- Sudden onset of disability/incapacity of the caregiver or of a family member requiring the caretaker's presence in the home;
- Loss of a job through no fault of the caregiver; or
- Bona-fide job offer did not materialize.

1020.1.9 Circumstances Under Which More Than One SSG Payment May Be Made

A family may qualify for an additional SSG payment if a new or previously unknown barrier exists which may preclude the caregiver from retaining a job or obtaining a job or other income/resources needed for self-sufficiency. When a second application is submitted either before or after the end of the SSG ineligible period, the family circumstances must be thoroughly evaluated to determine whether the issuance of another SSG is in the best interest of the family. There may be issues not previously known to the family which require an additional payment shortly after the issuance of the first SSG. These may include, but are not limited to:

- Uniform or special shoes required for a job;
- New or additional car repairs are needed;
- Loss of home due to fire/flood/condemnation;
- Any other unforeseen circumstances which, if not met, would jeopardize the family's ability to remain self-sufficient.

However, a careful evaluation must be made as to whether the additional SSG payment will solve a short-term problem and enable the family to remain self-sufficient over the long term. If it appears an additional payment may only forestall an application for TANF, an additional SSG should not be granted and the family must be evaluated for other TANF cash programs.

1020.1.10 Treatment of "Diversion" Payments Received From Another State

If during the screening process, it is determined the applicant received a diversion payment from another state, the case manager will apply the other state's ineligible period.

1020.2 Loan Program

Eligible households will receive a monthly payment designed to meet the family's needs until an anticipated future source of income is received. The Loan Program **shall not** be considered as a way to extend financial assistance from other TANF programs.

1020.2.1 Future Source of Income

For the Loan program to be considered, **each** adult household member must have a reasonable expectation of a future source of income to provide for the repayment of the loan.

- A household receiving Interim Assistance Reimbursement (IAR) is not eligible to receive benefits from the TANF Loan Program. IAR households receive a monthly payment from their county agency while SSI is pending. A written agreement is required to have the household's SSI lump sum, if awarded, go directly to the county for reimbursement.

- A household whose TANF lifetime or Nevada time limit months have ended, or will end in the application month or approval month, are not eligible to receive benefits from the TANF Loan Program.

- If the household or a member of the household has an Intentional Program Violation or Sanction, please refer to B-900 to determine eligibility status of the household member or the assistance unit.

1020.2.2 Repayment Agreement

All adult household members must read and sign the Loan Agreement, Form 2135-EE, to acknowledge the loan program requirements, including repayment upon receipt of the anticipated income. The case manager must explain each adult member is individually responsible for repaying the entire loan. The responsibility for repayment follows the adult(s) who signed the repayment agreement.

When a TANF Loan adult member receives the anticipated income and does not repay the Loan benefits issued, benefit reductions, *will only* be taken from:

- Current or future TANF/NEON benefit payments where the adult member(s) who signed the repayment agreement is in the home and is currently receiving or begins to receive TANF/NEON; OR

- The parent(s) who signed the Loan Repayment Agreement is in the home, receiving Supplemental Security Income (SSI) and TANF Child-Only (COS case) benefits for the child(ren).

Benefit reductions **will not** be taken from:

- TANF/NEON or Child-Only cases when the agency has verification the parent(s) who signed the repayment agreement is deceased; OR

- Non-Parent Relative Caregiver (CON, COK) cases, because the relative caregiver and the child(ren) are not responsible for the parent(s) debt; OR

- Cases where Loan benefits were issued to an adult household member and their minor child(ren) and the child(ren) are now eligible for TANF/NEON as a caregiver for their own minor child(ren).

1020.2.3 Inability to Repay – Undue Hardship

Upon a finding by the Division Administrator of undue hardship which causes an inability to repay the TANF loan, repayment of the loan will be waived. The office manager or supervisor will document the case circumstances in a memorandum to the Chief of Eligibility & Payments, requesting determination of undue hardship.

Examples of Undue Hardship include:

1. The division has received verification the parent(s) who signed the Loan Agreement, Form 2135-EE are deceased.
2. An unexpected emergency, which exhausts the proceeds of the anticipated income prior to repayment of the loan.
3. Loss of proceeds from the anticipated income after receipt due to a natural disaster, i.e., fire, flood, etc., and the payer of the anticipated income is unable to reissue the proceeds.
4. Any other extenuating circumstance which is deemed to create an undue hardship by the Administrator.

1020.3 Temporary (TEMP) Program

An eligible household is limited to receiving no more than four months of payments designed to meet an immediate episode of need.

1020.3.1 Episode of Need

An episode of need is defined as an unforeseen circumstance such as a flood, earthquake, etc.

Requests to approve the TEMP Program for families experiencing a valid episode of need that can be resolved in four months or less are to be submitted to the Chief of Eligibility and Payments for a final decision.

Individuals who have used their 60 months lifetime limit of TANF benefits or are in the Nevada 12-month sit-out period, have a self-imposed situation and are not eligible for the TEMP Program.

A household applying for the TEMP Program who had a NEON case that was terminated/closed due to either non-cooperation with NEON Work Requirements or Child Support Enforcement, cannot use the case terminating/closing as a reason for an episode of need. This is considered a self-imposed situation and they are not eligible for the TEMP Program.

1020.3.2 Disposition

Benefit payments are limited to no more than four months per episode of need. An initial prorated payment in an amount equal to or greater than $10 counts as the first month.

The eligibility period will be limited to four months. The case manager may change the date to an earlier date, but not a later date. The system automatically ends Temporary benefits the first day of the last month of the eligibility period.

1030 ELIGIBILITY

Use the following chart to determine which elements of eligibility apply to each TANF Cash category:

Requirement	Manual Reference	Assistance Program		Non-Assistance Program		
		NEON	CHILD	SSG	TEMP	LOAN
AGREEMENT OF COOPERATION	A-800	Yes	Yes	No	No	Yes
APPLICATION PROCESSING	A-100	Yes	Yes	Yes	Yes	Yes
VERIFICATION & DOCUMENTATION	A-200	Yes	Yes	Yes	Yes	Yes
HOUSEHOLD DETERMINATION	A-300	Yes	Yes	Yes	Yes	Yes
CITIZENSHIP	A-400	Yes	Yes	Yes	Yes	Yes
RESOURCES	A-500	Yes	Yes	Yes	Yes	Yes
BUDGETING	A-600	Yes	Yes	Yes	Yes	Yes
INCOME	A-700	Yes	Yes	Yes	Yes	Yes
EMPLOYMENT & TRAINING ACTIVITIES	A-800	Yes	No	No	No	No
EMPLOYMENT & TRAINING SUPPORT SERVICES	A-800	Yes	Maybe	No	No	No
RESIDENCE	A-900	Yes	Yes	Yes	Yes	Yes
SCHOOL ATTENDANCE	A-1200	Yes	Yes	No	No	No
SOCIAL SECURITY NUMBERS	A-1300	Yes	Yes	Yes	Yes	Yes
MANAGEMENT	A-1400	Yes	Yes	Yes	Yes	Yes
CHILD SUPPORT	A-1600	Yes	Yes	No	No	No
REMINDERS	A-1700	Yes	Yes	Yes	Yes	Yes
CASE DISPOSTION	A-1800	Yes	Yes	Yes	Yes	Yes
ASSESSMENTS	A-2000	Yes	Yes	Yes	Yes	Yes
PERSONAL RESPONSIBILITY PLAN	A-2100	Yes	Yes	No	No	No
DOMESTIC VIOLENCE	A-2200	Yes	Yes	Yes	Yes	Yes
IMMUNIZATIONS	A-2300	Yes	Yes	Yes	Yes	Yes
TANF / TIME LIMITS	A-2400	Yes	No	No	No	Yes
TANF ANNUAL REVIEW OF ELIGIBILITY	B-100	Yes	Yes	No	No	Yes

Families not meeting the requirements of the program category they applied for are ineligible.

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1210 ELIGIBILITY REQUIREMENT

Children under age 18 may receive assistance if eligibility requirements are met.

- A child age 18 or over, not in school full-time, is ineligible.
- A child age 18 in school (high school, technical or vocational, includes GED program) full time and expected to graduate before or in the month of their 19th birthday is eligible for TANF through their graduation month.
- A child who will not graduate, or complete their GED, until after the month of their 19th birthday is ineligible the month following their 18th birthday.

Note: Eligibility ends effective the first of the month following the month of graduation or course completion. However, if high school courses are completed the month immediately proceeding the month of graduation, the child remains eligible through the graduation month.

Age	In School?	Graduation Month	Eligible?
18	No		No
18, but less than 19	Yes	Before or in same month as 19th birthday	Yes, until graduation
		After 19th birthday	No, not after 18th birthday
Over 19			No

1211 MINOR PARENTS

Minor parents (unmarried and under age 18) whose children are at least 12 weeks of age are ineligible for TANF assistance unless it is verified they are enrolled in and attending full-time, an elementary or secondary school, vocational, or technical school equivalent to a secondary school, or an approved alternative educational program (includes GED programs) (see manual section B-900).

1220 ENSURING SCHOOL ATTENDANCE

The Division of Welfare and Supportive Services (DWSS) will encourage the head of household to take every reasonable action to ensure children age 7 through 11 (under age 12) are attending school.

School attendance for a child(ren) age 7 through 11 (under age 12) is evaluated when the Personal Responsibility Plan (PRP) Form #2538 is initiated and as needed when the PRP is amended. See manual section A-2100.

1221 HOW TO VERIFY

Verify attendance by:

- contacting the school using Form 2257-EG:
- requesting enrollment verification from the caregiver:
- viewing the child's report card; or
- by contacting a collateral contact such as: other relatives or neighbors or evaluating other information to verify attendance.

1230 DETERMINING ATTENDANCE

The school system determines half- or full-time attendance. A child is considered in attendance even if out of school because of vacation, temporary illness, or family emergency.

A child is considered attending school if they are in an approved home school setting. A household is required to show verification they are meeting the requirements established by the school district.

Handicapped children may attend fewer hours than other students. They may also receive instructions from a visiting teacher at home and still meet the school attendance requirements.

A child enrolled in a vocational adjustment program is considered in school full time.

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Social Security Numbers

1310 ELIGIBILITY REQUIREMENT

As a condition of eligibility each applicant for or recipient of aid is required to furnish a Social Security account number (SSN) prior to approval, unless religious beliefs prohibit enumeration. Applicants and recipients of aid include individuals seeking or receiving assistance and any other individuals whose needs/income are considered in determining the amount of assistance.

Once proof of application has been provided, do not deny, delay or discontinue benefits pending receipt of the SSN.

Exceptions:

- **Good cause** — Individuals who cannot provide the verifications required by Social Security to apply for an SSN may receive assistance for each month they have good cause. Good cause exists when circumstances beyond the household's control prevent them from securing proof required to obtain an SSN. The household must report what actions have been taken to obtain the required verifications to apply for an SSN at redetermination/recertification. The SSN application must be completed as soon as verifications are received.

> **Expedited service** – Applicants eligible for expedited service may participate the first month without providing or applying for an SSN.

Excluded Persons:

Non-qualified non-citizens are not required to provide or apply for an SSN. If the non-qualified non-citizen's income and resources are countable to the individuals seeking or receiving benefits, other methods of income verification must be pursued.

> All individual SNAP household members who are not requesting assistance for themselves are not required to provide their SSN or apply for an SSN if they do not wish to do so.
>
> These individuals are treated like non-applicants, excluded from participation in the SNAP program and only their needs and request for assistance are denied.

However, the reason they do not wish to provide an SSN should be evaluated for "good cause". If the excluded individual's income and resources are countable to the individuals seeking or receiving benefits, this information must still be verified.

1311 WORKER ACTIONS AT APPLICATION

If an SSN is not provided, the case manager shall notify all household members they must apply directly with the Social Security Administration (SSA) to obtain an SSN. Pend the household, allowing 20 days to provide verification of SSN application.

SSA will provide the household a receipt (Form SSA-5028 (English) or Form SSA-5028 SP (Spanish)), as proof an "Application for an SSN" has been made. Notify the client to provide the receipt of application to DWSS and to provide the SSN when it's received.

Applicants or recipients can also obtain from SSA a replacement card or request a new card be issued because of a change to their name (marriage, divorce, court order or any other reason).

When a child is born in a hospital, the parent(s) are provided a receipt Form SSA-2853, that the application to apply for an SSN for the child was made.

1312 ACTION AT THE TANF REDETERMINATION/SNAP RECERTIFICATION

If Form SSA-5028 or SSA-2853 was accepted as proof of SSN application at approval, however an SSN has not been verified through the NUMIDENT interface and the individual has not received a Social Security card, refer the household to the local SSA office.

Notify the household of the requirement to provide current proof of application for an SSN using Form 2429. Allow the household 10 days to provide proof of current SSN application. Advise the household the result of noncompliance.

1320 FAILURE TO COMPLY

If a required member of the TANF household fails or refuses to comply, without good cause, with SSN requirements

- deny or terminate TANF.

If an individual who is requesting assistance fails to comply without good cause or voluntarily chooses not to provide a Social Security Number (SSN) or pursue enumeration for themselves or another required household member, disqualify/exclude the person without the SSN from participation.

Exception:

If the household is **unable** to provide proof of application for an SSN for a newborn, the household must provide the SSN or proof of application at its next recertification or within six (6) months following the month the baby is born, whichever is later. If proof of an SSN application for a newborn was provided but six (6) months has passed or it is time to recertify (whichever is later) and the household claims they never received the SSN, the household must provide proof they submitted a new application for an SSN within ten (10) days of the written request.

1321 Reestablishing Eligibility

If the TANF application was denied or terminated and later complies with Social Security Enumeration requirements a new application is required.

If a member is disqualified/excluded and later complies with Social Security Enumeration requirements include the individual effective the benefit month after being notified of their compliance.

1340 VERIFICATION

Social Security Numbers are verified using the NUMIDENT system, which is Social Security's database of SSNs. The agency receives the SSN verification tape daily, which interfaces with the system, and auto fills the status code for an individual's SSN, which has been registered in the system. For example, a verified SSN is identified with a "V" code. The "V" code must not be entered by the case manager, because the code is a "response" from SSA. If Numident returns a discrepancy code, the case manager must contact the household to clarify the discrepancy.

1341 SSN Discrepancy

If the SSN is not verified through the NUMIDENT process due to a discrepancy, an alert is generated to the case manager. SSN verification discrepancies must be resolved within thirty (30) days. If the discrepancy is not the result of an agency error (e.g., wrong number entered in the system), the household is required to resolve the discrepancy through SSA. If the household fails or refuses to cooperate without good cause in resolving the discrepancy:

Terminate benefits.

Disqualify the individual in the household for whom the discrepancy exists.

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Management

1410 EXPLORING FINANCIAL MANAGEMENT

Thorough examination of the way a household meets expenses is a useful tool to determine the accuracy of information the household provides. Two basic questions to examine management are

- How long has the household managed this way?
- Are reported income and resources enough to explain actual expenses?

1420 WHEN TO CONSIDER MANAGEMENT

Examine financial management at each application and review of eligibility and whenever a household reports a change in circumstances.

1430 HOW TO EVALUATE MANAGEMENT

- Review the household information to determine if there is enough income to meet their basic expenses. These include food, transportation, shelter, utilities, and other expenses for which the household is billed on a regular recurring basis. Look for clues to unreported expenses, income, or resources.
- Determine if the household has multiple sources of income such as tips, commissions, overtime, or bonuses.
- When a household borrows money from friends or relatives, determine if the loans are temporary and if the applicant intends to repay the loan.
- Determine if a household's expenses are paid directly by another source, such as HUD rental assistance, the Salvation Army, or insurance.
- Determine whether information given in the past is consistent with the current situation and if reliable assumptions for future periods can be made based on the information.

Note: Use Form 2016 to request Banking and Loan information. This information and any other needed to evaluate financial **management** may be requested on Form 2429 directly from the household.

1440 DOCUMENTATION REQUIREMENTS

Explain the household's management practices on the Validation Narrative, Form 2758 or a CLOG entry in NOMADS. Ensure adequate documentation of how expenses are met and all sources of income and resources are identified.

When expenses exceed income on a consistent basis or there are other financial management questions, document this in the computer narrative system.

1460 CASE ACTION

Do not deny or terminate benefits because of questionable or inconsistent management information. Deny or terminate benefits only when the household fails or refuses to cooperate in clarifying a household management discrepancy.

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Child Support

1600 PURPOSE

The purpose of the Child Support Enforcement Program (CSEP) is to ensure parents provide support for their children. The cooperation of the relative caregiver in obtaining financial support for dependent children (unless good cause exists) is an eligibility requirement for receipt of TANF/NEON and Child-Only cash benefits.

1610 ASSIGNMENT OF SUPPORT

Nevada State law (NRS 425.350) requires relative caregivers assign child support rights to the DWSS. The "responsible person" is the caregiver who applies for and receives TANF/NEON or Child-Only cash benefit. The signature on the application assigns child support rights for all individuals applying for benefits. The case manager must ensure the signature(s) and affirmation(s) have been completed on the application. Advise the caregiver the assignment of rights remains in effect while the household receives TANF cash benefits.

No more than one responsible person will be allowed per case except when there are two parents in the household with a separate child(ren) in the following scenarios:

- a household with married parents with no common child(ren) (double step parent case); or
- a household with two parents, married or unmarried, with a common child and each parent has a separate child.

The case manager must ensure both parents assign their rights to support for their own separate child(ren).

The following information is provided to the relative caregiver by the eligibility case manager and CSEP:

- the benefits of the child support program;
- the caregiver's responsibility to surrender any child support (voluntary or court ordered) received once the TANF/NEON or Child-Only benefits are approved;
- the caregiver's responsibilities in child support enforcement;
- the procedures for claiming "good cause";
- the case action and penalty for not cooperating with CSEP and a signed copy of the Non-Custodial Parent (NCP) form, 2906-EG.

When adding a new member to the case, if the same NCP has already been identified as a parent of another child in the assistance unit, do not complete a new Non-Custodial Parent (NCP) form for the added member. Update the existing NCP form with any new information about the NCP and add the new case member.

The relative caregiver is required to cooperate with CSEP by:

- providing information about the non-custodial parent(s);
- assisting CSEP in locating the non-custodial parent(s);
- assisting to establish paternity, if deemed necessary by Division staff;
- appearing at the CSEP office or court to sign papers, or provide necessary information;
- surrendering and endorsing all voluntary or court ordered child support (for TANF/NEON or Child-Only) received after benefits are approved.

When a minor parent receives benefits as head of household on their own case, they assign rights on their child's parent and not their own parents. When a minor receives benefits with a parent, an assignment is made for both the minor parent's absent parent and the minor's child's absent parent.

1611 GOOD CAUSE FOR NON-COOPERATION WITH CSEP

The relative caregiver has the right to claim "good cause", and request a determination of its validity, for not cooperating with CSEP. In a household with multiple non-custodial parents, good cause must be requested for each parent for whom the relative caregiver is claiming "good cause" exists.

The Non-Custodial Parent (NCP) form 2906-EG, explains the basis for "good cause" and type of evidence which must be provided to establish the claim.

The eligibility case manager will assist the caregiver in the process to claim good cause. The CSEP worker makes the "good cause" determination. *Assistance is not denied, delayed or terminated pending this determination if all requested information is provided.*

1611.1 Procedure to Claim Good Cause

Review the Non-Custodial Parent (NCP) form, 2906-EG, with all caregivers at the initial interview and whenever a child becomes a required household member and explain the "good cause" provisions. All caregivers:

- receive an explanation of situations which may justify a determination of "good cause" and the evidence needed to validate the claim. At this time, or any time thereafter, the caregiver is afforded the opportunity to file a "good cause" claim; and
- receive a copy of form 2906-EG signed by themselves and the case manager.

If the caregiver requests a "good cause" determination, it must be done in writing and the following action is taken:

- request the caregiver to provide evidence to substantiate the claim, unless a signed statement from the caregiver is one of the acceptable forms of evidence;
- complete form 2562-EE, Good Cause Report;
- send a copy of any evidence supplied and form 2562-EE, Good Cause Report form to CSEP;
- continue processing the application or redetermination. *DO NOT delay, deny or terminate benefits while a good cause determination is pending;*
- forward the evidence to CSEP within one working day of receipt.

1611.2 Good Cause Claim and Acceptable Evidence

Good cause exists in the following situations:

- The child was conceived as a result of incest or rape.

  Evidence – a birth certificate or medical or law enforcement records indicating the circumstances surrounding the child's birth. If there is no such evidence, obtain the client's statement for a social worker referral by CSEP.

- Legal proceedings for the child's adoption are pending before a court.

  Evidence – court documents or other records.

- A licensed or private social agency is assisting the parent in deciding whether to keep the child or relinquish it for adoption.

  CSEP cooperation is required if the child has not been relinquished within three (3) months from the date discussion began. When a pregnant woman plans relinquishment, cooperation is not required unless she later decides against relinquishment.

  Evidence – a written statement of facts from the social agency.

- The child or caregiver may be physically or emotionally harmed (e.g., domestic violence) by cooperating with CSEP in establishing parentage or collecting support.

Evidence – court, medical, criminal, child protective services, social services, psychological, or law enforcement records, statements from mental health professionals and sworn statements from other individuals with knowledge of the circumstances, which indicate the non-custodial parent(s) might inflict physical or emotional harm on the child or caregiver. If there is no such evidence, obtain the client's statement for a social worker referral by CSEP.

After evaluating the evidence, CSEP will issue Form 2486-EE, Notice of Good Cause Decision to the client and forward a copy to the case manager.

The decision will indicate if the caregiver:

- **has good cause** for not cooperating and child support location/enforcement efforts will not be started or continued; or
- **does not have good cause** for not cooperating, child support locate/enforcement efforts will be started or continued.

1620 APPLICATION PROCESSING, COOPERATION AND REFERRALS

1620.1 Case Manager Responsibilities

Case managers must:

- explain to TANF/NEON, Child-Only caregivers of their responsibilities, at the application interview and after approval, as needed.

- determine if the caregiver's previous application for TANF/NEON or Child-Only benefits indicates the caregiver was in non-cooperation with CSEP. If the caregiver was in non-cooperation, the non-cooperation issue(s) must be resolved prior to approval of cash benefits;

- deny or terminate benefits when a caregiver indicates non-cooperation on the application, at the redetermination (RD), or fails to return the (NCP) Form 2906 for any child;

- obtain as much information as possible from the caregiver about the non-custodial parent(s) (NCP) by requesting they complete a Non-Custodial Parent (NCP) form, 2906-EG for all absent parents. If a parent is deceased, provide CSEP with the death certificate, if available, the names of the children of the deceased parent and as much identifying information as possible;

The household must pursue and take advantage of all income which is or may be available. If an absent parent is deceased, consider possible survivor's benefits (e.g., Social Security, VA) as potential income to the household.

- gather and forward "good cause" documents provided by the caregiver to CSEP;
- forward any documents provided by the applicant/recipient such as birth/marriage records, divorce decrees, child support orders, non-custodial parent identification;
- forward all NCP form(s) to CSEP upon approval of TANF/NEON or Child-Only;
- forward information on changes to CSEP, as required;
- deny or terminate TANF/NEON or Child-Only benefits as a result of non-cooperation referrals from CSEP;
- advise the caregiver if benefits are denied, application for support enforcement services may be made through CSEP;
- advise the caregivers who are not required to comply (SSG, Temporary and Loan programs) that child support enforcement services may be made through their local District Attorney's office;
- prepare hearings and CSEP will participate in representing the agency in the hearing process.

1621 INTERVIEW REQUIRMENTS

As part of the eligibility interview, case managers are required to:

- review the Non-Custodial Parent (NCP) form, 2906-EG with the relative caregiver;
- notify the caregiver that any child support (Voluntary or Court Ordered) received after notification of cash approval for TANF/NEON or Child-Only, must be surrendered to CSEP. Provide the caregiver with instructions on how and where to surrender the benefits; and
- forward the Non-Custodial Parent (NCP) form, 2906-EG, to CSEP within two working days.

1621.1 Non-Custodial (Absent) Parent – Information

To provide the most accurate information to CSEP, case managers will:

- obtain as much information on the non-custodial parent(s) as the caregiver can provide, and review the Non-Custodial Parent (NCP) form, 2906-EG, to ensure no areas are blank, and the information provided is complete;

  If a child has more than one possible father, such as a child born during marriage, a signed affidavit of paternity, a father named in a court order, or an alleged biological father, obtain information on all possible fathers. If a possible father is in the home, see section A-300.

- assist the caregiver to determine if additional information about the non-custodial parent(s) can be obtained from other sources;
- advise the caregiver to report any new or additional information about the non-custodial parent(s);
- ensure the caregiver is cooperating in providing information based on the interview and other related evidence.

1621.2 Surrendering Child Support Payments to CSEP

After TANF/NEON or Child-Only cash benefit approval, the caregiver must surrender all court-ordered or voluntary support payments for an assisted child to the CSEP received directly from the NCP or another child support agency.

To ensure the state receives all support for TANF/NEON or Child-Only reimbursement to which it is entitled, staff must:

- advise the caregiver to surrender all court-ordered or voluntary support payments received after approval;
- provide the caregiver the address to the State Collections and Disbursement Unit (SCaDU);
- forward any support payments that are received at the local office to the State Collections and Disbursement Unit (SCaDU) and provide the caregiver with a receipt for the surrendered support.

1621.3 Updates to CSEP Referrals

Once the initial referral has been sent to CSEP, provide updates to the referral if:

- changes in the household occur;
- changes to non-custodial parent information are made, no matter the source; or
- a denial/termination for non-cooperation is appealed.

Exception: Do not send a referral for household changes such as address, terminations, grant amounts and program categories.

1622 NON-COOPERATION WITH CHILD SUPPORT

1622.1 Intake Case Processing with an Unresolved CSEP Non-Cooperation

If the caregiver's previous cash case was terminated due to non-cooperation with CSEP, the new application cannot be approved until the non-compliance issue is resolved. If the caregiver fails or refuses to cooperate the application is denied.

Exception: If the cash case was terminated due to the household's non-cooperation of a child's NCP(s) and the child is no longer in the household or no longer meets the definition of a "dependent child", non-compliance is no longer an issue.

1622.2 Ongoing Case Processing for Non-Cooperation with CSEP

When notification is received from Child Support that the caregiver has failed to cooperate without good cause, TANF/NEON and Child-Only cash benefits will be terminated considering adverse action. If the caregiver subsequently cooperates on or before the last day of the TANF cash termination month, benefits are reinstated. If the caregiver cooperates after the last day of the cash termination month, a new application is required.

As a condition of a Non-Needy Relative Caregiver's (NNRC) eligibility to receive TANF cash benefits for the child(ren), the NNRC is required to comply with CSEP for all children for whom they receive assistance. Upon notification from Child Support the caregiver has failed to cooperate without good cause, TANF/NEON or Child-Only cash benefits will be terminated considering adverse action.

1622.3 Non-Cooperation Referrals from CSEP

All reports of CSEP non-compliance are sent to an email account of the responsible office for case action.

Upon receipt of the email, the case manager must notify the TANF/NEON or TANF Child-Only household of the CSEP non-cooperation and the case actions that will be taken. In addition, notification of the action taken must be sent through the office email account and to the IV-D worker.

1622.4 Manual Process

If CSEP receives a child support collection which equals or exceeds the TANF benefit, the excess collection may be passed on to the household and the case manager is notified. Upon receipt of the notification, considering adverse action, terminate TANF assistance.

If CSEP collects support in the month the case manager receives notice of excess CSEP collections, this may be passed on to the household, compare the current benefit amount to the countable collections, and determine ongoing eligibility.

1624 Receipt of IRS Tax Refund Intercept

TANF clients do not receive any money from the NCP's tax refund intercept. The intercept is first applied to all arrears owed as a state debt. If there is a balance remaining, it is then applied to arrears owed to the client. CSEP retains the tax refund money to pay off unreimbursed benefits.

1630 CSEP RESPONSIBILITY

Good Cause evaluation and decision:

After evaluating "Good Cause" evidence, CSEP will issue Form 2486-EE, Notice of Good Cause Decision to the client and forward a copy to the case manager.

The decision will indicate if the caregiver:

- **has good cause** for not cooperating and child support location/enforcement efforts will not be started or continued; or
- **does not have good cause** for not cooperating, child support locate/enforcement efforts will be started or continued.

Services provided by CSEP IV-D staff include:

- locating the non-custodial parent;
- establishing and enforcing financial and medical support obligations;
- establishing paternity;
- collecting and distributing child support payments; and
- processing support enforcement applications.

CSEP must:

- process applications and referrals for TANF/NEON and Child-Only households;
- determine non-cooperation EXCEPT when:
  - -Non-cooperation is indicated on the application or redetermination form; or
  - -A completed CSEP application is not provided for any child or unborn;
- advise the eligibility worker if non-cooperation is established after approval and when non-cooperation is resolved;
- advise the caregiver of non-cooperation penalty;
- notify the eligibility worker of surrendered support;
- notify the eligibility case manager of the date of death of a non-custodial parent (NCP) so the case manager is alerted to possible survivor's benefits (e.g., Social Security, VA)

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Case Disposition

1800 CASE DISPOSITION

At the end of the interview the case manager must evaluate all factors of eligibility and determine if the case remains pending, approved or denied depending on the individual case circumstances.

1810 CASE REMAINS IN PENDING STATUS

If all verification/information cannot be obtained during the interview the case will remain in pending status until the needed verification/information is received to approve benefits or the case is denied either due to non-cooperation or some other reason for ineligibility. If the case remains in pending status, the household will receive Form 2429.

This form advises the household of the following:

- the reason a decision is pending;
- the information needed or action which must be taken;
- the date the information must be provided or action taken; and
- the date of denial if the household fails to cooperate.

1820 CASE APPROVAL – ELIGIBILITY DATES AND BENEFIT AMOUNTS

When all factors of eligibility are met and all verification/documentation has been obtained the case manager will approve the case.

When benefits are approved the household will receive a Notice of Decision advising them of the following items:

- the date benefits begin;
- amount and type of benefits;
- who is eligible;
- the ineligibility of any household members;
- the right to appeal; and
- where free legal assistance is available.

- the date benefits begin;
- the amount of benefits;
- the length of certification;
- the ineligibility of any household members;
- the right to appeal;
- available free legal representation;
- that benefits may change if a pending TANF application is approved.

Case managers have the ability to add free form text to any Notice of Decision to include additional information not generated by the system to clarify action taken.

1821 ELIGIBILITY EFFECTIVE DATE

A household's eligibility begins the first day of the application month, if all eligibility requirements are met.

Cash benefits are effective on the date of approval or the 30th day from the date of application, whichever is earlier. If the prorated amount is less than $10, no payment is made.

The following examples show possible beginning dates for eligibility:

Example No. 1: The household applies on April 10 and benefits are approved April 21. Prorate the payment from April 21; however, financial eligibility begins April 1.

Example No. 2: A household applies April 2. The approval date is May 2, benefits are paid from the 30th day, May 1; however, financial eligibility begins April 1.

Example No. 3: TANF benefits for a household were terminated effective the end of March. On April 9, the household reapplies. The approval date is April 19. Benefits are prorated from April 19.

Example No. 4: The household applies on April 30. The approval date is May 29, and because of proration, benefits for May are calculated to be less than $10 and are not paid. A full benefit is issued for June.

The initial SNAP benefit month is the first month for which a benefit is issued to:

- a household not previously certified, or
- to a household which does not reapply within the timely recertification period. **Example**: Household waits until 10 days following the end of its certification period to reapply. Because the household failed to apply prior to the last day of the certification, the application is processed like an initial intake application as a break in benefits has occurred.

Eligibility begins the initial month effective the date of application if otherwise eligible. Benefits are prorated the initial month of application based on the application received date. Prorated benefits are issued from the date of application even if the prorated amount is less than the minimum benefit amount.

Households may be ineligible for the first benefit month, but approved for ongoing benefits, or eligible for the first benefit month and ineligible for subsequent benefits. **Do not deny** ongoing benefits unless the entire household is ineligible.

Exception: When a TANF case is closed for not cooperating with NEON, an application received prior to the month benefits end must be denied. The household may reapply effective the month after the month benefits end or when their mandatory sit-out period is completed.

If a TANF application is received during the sit-out period and is denied, review the application for SNAP requests or changes reported.

1822 PRORATION OF INITIAL BENEFITS

Using the TANF Grant 30th Day Time Limit Table in manual section C-120, calculate prorated benefits for the first month of eligibility from the earlier of the

- approval date, or
- 30th day in cases taking 30 or more days to approve.

SNAP benefits for the initial month of certification are prorated from the date of application. The initial month's prorated and the next month's benefit are approved as separate issuances at the same time when a household applies after the 15th of the month.

Example of application on or before the 15th: The household applies on April 8th. Benefits are prorated and approved from the period of April 8th through April 30th. The ongoing benefit is from the first through the last day of each month. A person applying on the 31st day of the month is considered to have applied on the 30th and would have benefits prorated using 30 days.

Example of application after the 15th: The household applies on April 24th. Benefits are prorated from April 24th through April 30th. The second or following month's benefit for May 1st through 31st is also approved and issued at the same time.

If the household meets expedited status and postponed verification (PV) is requested but not provided by the specified date, the household is ineligible to receive the third month's issuance.

Exception: Migrant or seasonal farm workers (in or out of the work stream), who were certified for SNAP in Nevada or another state the month prior to the application month, are eligible to receive a full benefit (1st through the last day) regardless of the application date. The application date must be entered as the first day of the month. If this is or CANNOT be done, contact the Help Desk for assistance in correcting the APPL date.

1822.1 Calculating the Prorated Amount

1. Determine the household's monthly benefit based on household size and net income, and

2. Determine the **prorated** benefit by applying the instructions in manual section C-120 for prorated benefits using the monthly benefit and whichever of the following dates is earlier:

   - approval date, or
   - 30th day from the application date. The date of application is the first day of the 30-day period.

Nevada uses a standard 30-day calendar formula *(full month's benefit X 31-date of application ÷ 30 = allotment)* to determine monthly benefits. This means a person applying in February or on the 31st of the month is the same as applying on the 30th. Always subtract the application date from 31 days, regardless of the number of days in the month.

Benefits for the initial month are prorated using the 30-day formula as follows:

1. Subtract the date of application from 31 to arrive at the number of days to be prorated.
2. Divide the benefit for the household size (after all allowable deductions and expenses are applied) by 30 days. The sum is the daily SNAP benefit amount. Round to cents.
3. Multiply the number of days in #1 by sum in #2. Drop the cents.
4. The results in #3 is the prorated benefit amount.

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Example: A household with a monthly benefit computed to be $395 applies on July 17. The household's prorated allotment for July is $184 (31-17 = 14 days. $395 / 30 days = $13.166 = $13.17. $13.17 x 14 = $184.38 = $184.)

The system will automatically compute and prorate the initial month's benefit based on information determined by the case manager. When completing manual budgets, use the same formula to determine the prorated benefit amount.

1822.1.1 Benefits Prorated by the System

The system will automatically compute prorated benefits for:

TANF based on the date of approval or the 30th day from application, whichever comes first. Benefits prorated to be less than $10 are not issued.

INITIAL and ONGOING eligibility and payment amounts are calculated based on information determined by the case manager.

All benefits for new approvals are issued the day after approval, except for future months. Benefits are issued once a month for ongoing cases and are subject to the cut-off and adverse action dates listed in manual section C-100.

SNAP based on the date of application.

Note: In some situations, a household may be ineligible for the application month and following month but eligible in the third month ongoing. Due to existing programming, NOMADS will not allow a case to be processed past the first two months of ineligibility and denies the case ongoing. In these situations, the case manager must reinstate the case for the third month and approve benefits forward without prorating the benefits for the eligible month.

1823 REDETERMINATION/RECERTIFICATION PERIODS

Except for the Temporary Program, TANF households do not have certification periods. They remain eligible until determined ineligible. However, a redetermination is required every 12 months.

To prevent an overdue redetermination, process it by monthly cut-off of the month in which the redetermination is due.

Refer to manual section B-120 for the redetermination process.

The following are guidelines for certification periods. Households are certified based upon their circumstances. The first month of eligibility is the first month of the certification period.

Once approved, certification periods cannot be shortened. A certification period can only be adjusted due to a system problem or input discrepancy (such as transposed numbers). Do not shorten the certification period due to an incorrect policy decision.

1823.1 3 Months or Less Certification

Certify households for a **full** 3-month period, not including a prorated application month, when:

- The only household member is an ABAWD, not exempt from the three month limitation as defined in manual section B-400.

Certify households for less than three months when the household requests a shorter certification of if they indicate they will no longer qualify for benefits (e.g., moving to another state). The case manager must document in the case record the reason for a certification period less than three months.

1823.2 6 Month Certification

Households in which **all** members are not elderly or disabled will be approved for a 6 month certification which includes the prorated application month. These households are designated as Simplified Reporting households with limited reporting requirements and must have all of the household's eligibility factors evaluated every six months.

If a Simplified Reporting household is approved for more than 6 months in error, the case must have an ALRT/TASK created to send out a Review of Eligibility form (ROE) in the sixth month. If the ROE is not returned the case must be terminated. The ROE will be considered the interim report which is required for a Simplified Reporting household approved for more than 6 months.

1823.3 12 Month Certification

Households in which **all** members are either elderly (age 60 or older) or disabled (see manual section B-400) are approved for a 12 month certification which includes the prorated application month. These households are designated as Status Change reporters and are required to report the changes listed in manual section B-600 within 10 days of the change.

If there are other required members in the household who are not eligible to receive SNAP benefits due to a disqualification or citizenship requirement, the ineligible required member(s) must also be elderly or disabled for the household to be certified under this category.

1830 ADVERSE ACTIONS – DENIALS AND TERMINATIONS

1831 DENIAL OF A PENDING APPLICATION

Adverse action is not required when denying a pending application. Denial of the pending application is

effective immediately.

Office managers must carefully consider "good cause" for TANF applicants who provide requested verifications untimely and request reinstatement of their application. If "good cause" is not granted, applicants must submit a new application to have TANF eligibility determined.

effective immediately if the household is ineligible or withdraws its request for assistance. Otherwise, the application is held until the 30th day following the date of application before a denial action is taken. The day after the date of the application is the first day of the 30-day period.

The system contains a 30-day edit to prevent the premature denial of initial applications for non-cooperation, missed interview appointments and questionable residency.

When benefits are denied the household will receive a Notice of Decision advising them of the following items:

- the reason the application was denied;
- the effective date of denial;
- the right to appeal; and
- the availability of free legal representation.

Case managers have the ability to add free form text to any Notice of Decision to include additional text not generated by the system to clarify actions taken.

1832 REDUCTIONS/TERMINATIONS AFTER APPROVAL

1832.1 Time Frames

Federal regulations require timely notification to ongoing households before the effective date of a benefit reduction, termination or loss of eligibility unless the 13-day adverse action period is not required.

TANF and SNAP terminations waiving adverse can continue to be posted after the cut-off dates if the benefits have not been issued based on the BMNT screen.

When multiple actions are taken, the 13-day advance notice period begins from the date of each action on the notice. Households have the right to file a hearing request on each action.

1832.2 Adverse Action Charts

1832.2.1 Adverse Actions Not Requiring Advance Notice

1832.2.1.1 Notice of Decision Not Required

In the following situations, adverse action is waived and a Notice of Decision is not required:

TANF – REASON FOR REDUCTION OR TERMINATION	SNAP – REASON FOR REDUCTION OR TERMINATION
1. Death of the entire TANF assistance unit.	1. Death of the entire SNAP household.
2. Continued benefits cease as a result of a fair hearing decision upholding the agency's proposed action.	2. Household was previously notified: a. When increased allotment to restore lost benefits terminates and restoration is complete. b. Of fluctuating benefits within its certification period.
	3. Continued benefits cease as a result of a fair hearing decision upholding the agency's proposed action.

1832.2.1.2 Notice of Decision Required

In the following situations, adverse action is waived; however, a Notice of Decision is required and must be sent to the household.

TANF – REASON FOR REDUCTION OR TERMINATION	SNAP – REASON FOR REDUCTION OR TERMINATION
1. The household requests reduction or termination of TANF benefits in writing.	1. The household voluntarily requests, in writing or in the presence of a case manager (in person or by telephone) SNAP be terminated.
2. The household supplies written information which requires termination or reduction and a signed written statement they understand the consequences of supplying such information is obtained. When a verbal request for termination is received, the recipient is given a 13-day advance notice of the closure.	2. The household submits written information, such as a change report form, signed by the household, which clearly necessitates reduction to a specific amount or termination, without the need for any additional verification or follow up.

3. A household or individual in the household has applied or been approved for assistance in another state or the household reports a move to another state.	3. The household reports they have moved or are moving from the state or another state agency has reported the household or individual has applied for benefits in the other state.
4. Loss of Contact (LOC) – A household's address is unknown and mail is returned by the post office, or information verifies the household is no longer at the Nevada address provided and a new address is not known.	4. Postponed Verification (PV) is not returned, and if the client was notified in writing that benefits would end the last day of the first monthly benefit, unless the application is filed on or after the 16th day of the month. Eligible applicants filing on these dates receive two issuances (prorated amount and the second month's benefit) upon approval. In these cases, PV will impact the third benefit month.
5. Intentional Program Violation (IPV) disqualification and resulting reduction or termination of benefits to remaining household members.	5. Intentional Program Violation (IPV) disqualification and resulting reduction or termination of benefits to remaining household members.
6. The individual is an inmate of a public or mental institution.	6. Federal Mass Change
7. The individual has been placed in skilled nursing care, intermediate care, or long-term hospitalization.	7. The treatment center is no longer approved by the state or certified by FNS.
8. The head of household or a payee is deceased and no temporary payee is available.	8. The household was previously notified of a benefit change resulting from TANF or SSI approval from a joint application.
9. A child is legally removed from the home or is placed in foster care by his/her legal guardian.	9. Change from cash repayment to benefit reduction due to failure to make repayment of established claims.
10. Information indicates assistance should be reduced or terminated because of probable fraud and this is verified by collateral sources.	

Note: A 30-day notice for failure to comply with PRP requirements includes the 13-day adverse action.

REMINDER: **Do not** take a separate negative action on a case that has already been issued a Notice of Expiration (NOE), because the benefits are already ending.

If the 13-day adverse action period does not expire until after the last day of the current issuance month, the client is eligible for benefits the following month unless the certification period has ended.

1833 Termination at Redetermination or Recertification

Adverse action is required when a household is determined ineligible at redetermination due to excess income, resources, household composition or non-cooperation.

Timely Recertification - SNAP households who file a timely recertification application prior to or on the 15th of the last month of their certification, and fail to cooperate, are not denied until the first of the following month. The system is programmed to automatically post these denials.

Untimely Recertification – SNAP households which apply after the 15th of the last month of certification, and fail to cooperate, are denied using the same policy as initial applications.

1834 Delayed or Corrected Notices

If notice of adverse action is required and the agency fails to meet this deadline or mail the legal notice in time to allow adverse action for the intended benefit requiring change, the benefits or eligibility status cannot be changed until the following month.

When a corrected notice is sent, the 13-day advance notice period begins from the date of the correct notice. Action to deny, reduce or terminate benefits based on the original notice no longer applies. Manually changing the notice date will also change the notice time frame.

Once a case is approved, same day negative corrections cannot be made on benefits already authorized. If a case approval decision is posted, changes to the case circumstances can only be acted on following adverse action rules. If an incorrect approval is posted, overpayment referrals must be processed for those incorrectly authorized benefits. Same day corrections increasing benefits can be posted when administratively possible. When same day corrections are done or posting discrepancies occur, the correction will normally generate a notice and notice text for each posting action. Multiple actions are hard to track and confuse the household. A CLOG with clear documentation as to what occurred is required.

For example: If a case was incorrectly denied due to incomplete inclusion of information, such as allowable expenses or other household members, and then approved on the same day, CLOG the events and add free form text to the notice explaining what has happened and which action is correct. This is done so other individuals reviewing the case or a hearing representative can understand which action is the latest action.

1840 RIGHTS OF APPLICANTS

1841 Right to Appeal

Households have the right to appeal decisions about their cases. Notice of the right to appeal is included on legal notices and other printed forms.

A TANF household must request a hearing in writing.

A SNAP household may request a hearing verbally or in writing. If a request for a hearing also includes a timely request for continued benefits, the benefits must be continued within two (2) work days of the date of the request or three (3) days, whichever comes first. Other programs require a written request for a hearing.

1842 Availability of Free Legal Representation

Legal notices and other printed forms contain the name, address and phone number of free legal services that are available in the area.

1843 Continued Benefits

If a household's request for a hearing is received PRIOR to the effective date of the proposed action or WITHIN 13 DAYS from the date of the Notice of Decision (the day after the date on the notice is the first day of the 13-day period), whichever is later, the household shall be provided continued benefits until:

- the hearing decision is made, unless a written request not to continue benefits is provided; or the hearing officer makes a preliminary finding the sole issue is one of state or federal law requiring automatic benefit adjustments.

Note: If the action is to assign a protective payee because of mismanagement and the caretaker appeals the action, issue the TANF benefit to a protective payee until the hearing decision is rendered.

- the certification period ends; or
- the household waives their right to continued benefits verbally or in writing; or
- the household voluntarily withdraws their request for a hearing or for continued benefits; or
- the hearing officer renders a decision in the agency's favor.

If a hearing request is not received timely, good cause must be shown. Good cause may include (not all inclusive) hospitalization of the client or other family emergencies, postal service delays, agency oversights, misrouting of the hearing request, transportation problems and telephone service access. If guidance or clarification is needed for a good cause determination, contact the Central Office program specialist responsible for the program for which the hearing is filed.

1844 Hearing Decisions

After the hearing decision is rendered

- take action to reduce or terminate benefits, if the Division's action is upheld; or
- continue benefits, making any necessary payment adjustments, if the decision is in the household's favor.

Households may submit an application while pending a hearing with continued benefits. This is allowed because the household cannot be denied the opportunity to reapply or access benefits in the event the hearing is lost or abandoned, which usually creates an automatic overpayment. If circumstances have changed, the household may be eligible with the new application and the client would not have an overpayment for the continued benefits or the amount may be reduced based on the date of application. If the hearing is found in favor of the client, continue benefits and deny the new application.

See manual section B-1000 for hearing procedures for continued benefits.

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Assessments

2000 ASSESSMENTS

2010 GENERAL DESCRIPTION

Assessments are completed for each member of the TANF household at initial application and during the ongoing eligibility period. The purpose of an assessment is to identify existing job skills, prior work experience, and determine the employability of each household member. The need for job training, transportation, and child care services is evaluated. Individuals are screened for domestic violence, substance abuse, mental health issues and other factors, which may be barriers to achieving self-sufficiency. Each child in the household is screened to ensure immunization records are current. The school attendance of each child age 7 through 11 is reviewed to determine if the head of household is taking every reasonable step to ensure children are attending school. During the assessment process issues and barriers preventing self-sufficiency are identified and ranked in the OASIS Issue Plan Screen. The assessment results are used to develop a Personal Responsibility Plan for Self-Sufficiency and make appropriate community referrals.

2020 DIVISION OF WELFARE AND SUPPORTIVE SERVICES ASSESSMENT

All household members are assessed prior to authorizing TANF benefits. The Division of Welfare and Supportive Services (DWSS) Assessment is located on the “I” drive. The Assessment can be completed in sections by multiple staff or can be completed entirely by social work staff. The Assessment provides a structured format for completing an interactive interview and documenting a participant’s answers. The Assessment sections gradually become more intensive, requiring additional qualifications for administration.

The two-page Division of Welfare and Supportive Services Assessment and Personal Responsibility Plan-Child Only Cases (Form #2037-WA) is completed for child only cases.

The DWSS Assessment is completed for TANF applicants.

The Assessment is comprised of four forms:

1. #2576-A1 – Assessment Pre-Screening
2. #2576-A2 – Assessment Post-Approval
3. #2576-A3 – Assessment Psycho-Social
4. #2576-C – Work History Assessment

The Assessment Summary (Form #2576-B) is an optional form based on participant responses, and the need for a structured documentation format.

The Work History Assessment (Form #2576-C) is a mandatory form. This form is completed by the participant to identify existing job skills and prior work history to determine employability and to evaluate the need for supportive services. This form should be utilized by the participant as part of their master job application.

The Pre-Screening Assessment (Form 2576-A1) must be completed **prior** to the participant receiving TANF benefits or support services. An interactive interview with household members asking the questions contained on the Assessment and relevant follow-up questions is completed. The household member(s) interests, skills, abilities, and social service needs must be completed and documented.

A portion of the Pre-Screening Assessment is designed to screen for learning disabilities, CPS involvement, minor parents, domestic violence, substance abuse, and mental health issues in addition to employability factors. More specific or in-depth assessments completed after approval will build on the information gathered during the initial assessment interview. An Assessment is completed for each adult household member or minor parent. Information provided by the household regarding the minor children must be documented. The Assessments must be printed and retained in the participant's case file. The Psycho-Social Assessment may be removed from the case file and destroyed, at the discretion of the social worker in order to protect confidentiality, provided the findings were summarized in a confidential case narrative.

All dependent children in the household are screened to ensure Immunization requirements established by state law are fulfilled. (See manual section A-2300.)

The head of household is screened to ensure every reasonable action is taken to facilitate school attendance of dependent children ages 7 through 11. (See School Attendance, manual section A-1200.)

2030 REFERRAL PROCESS FOR SOCIAL WORK INTERVENTION

Identified issues and barriers must be evaluated to determine if a need exists for an immediate referral to a division social worker. When it is determined social work intervention is appropriate, follow the procedures established in your district office. Examples may be a disclosure of a current domestic violence or substance abuse issue or a need for crisis intervention.

2040 ASSESSMENT FORM INSTRUCTIONS

2040.1 Assessment Prior to Approval of TANF Benefits

The questions on the Pre-Screening Assessment have been formulated to gather specific types of information; however, the questions are not to be considered all-inclusive. The interviewer is expected to ask additional questions based on the client's responses and circumstances. Below is a chart showing the type of information sought as part of the Pre-Screening Assessment. The Pre-Screening Assessment must be completed prior to approval for benefits, authorization for support benefits, and assignment of pre-eligibility activities.

QUESTION	CONSIDER
What type of help do you need?	Document the participant's response. Has the participant identified the need for financial assistance, medical assistance or referrals to community resources?
Description of current living situation.	Document the participant's response: house, apartment, shelter, homeless, boarding with friends/relatives, rent, own, location of services, condition, etc.
Financial Situation	Document the participant's responses. Type of income and details of that income (who, when, how much, etc.): child support, Social Security, employment, etc.
Education Level	High School diploma? GED? College or trade school? STARS consideration-under age 20 and interested in HS diploma or GED; learning disability? If STARS or learning disabled, refer to a social worker for further assessment.
Do you have any of the following issues? Medical, mental health, pending SSI/SSD? Does the disability limit ability to work or train?	If mental health issues are currently a barrier to employment, refer the individual to a social worker for further assessment.

QUESTION	CONSIDER
6a) Has drinking limited your ability to work? 6b) Has drug use (illegal and/or prescription) limited your ability to work? 6c) Could you pass a drug test today?	If currently a barrier to employment, refer the individual to a social worker for further assessment.
7a) Have you ever experienced domestic violence? 7b) Are you currently in a domestic violence relationship?	Document and contact a division social worker if the client discloses any domestic violence issues within the last 2 years. Immediately refer to a social worker if there is any indication of present danger to the participant.
Current DFS / CPS involvement?	If yes, refer the individual to a social worker for further assessment.

QUESTION	CONSIDER
Minor Parent (under 18)	If yes, refer the individual to a social worker for further assessment.
Worksheet Section	Use this section for summary.

2040.2 Post-Approval Assessment

Prior to or after approval of TANF cash benefits, the assessment process resumes. The Post-Approval Assessment (form 2576-A2) utilizes a strength-based format to assess the information obtained during an initial Assessment and builds on it to further define issues and barriers. The case manager obtains and documents additional details to identify family issues and further define barriers in order to develop a successful Personal Responsibility Plan such as:

1. Mental and physical condition;
2. Housing/Living arrangement;
3. Transportation needs;
4. Child care needs;
5. Level of education;
6. Reading, writing, math skills;
7. English language skills;
8. Employment skills;
9. Inter-Familial relationships;
10. Social skills; and/or
11. Substance abuse issues.
12. Domestic violence issues
13. Child Protective Services involvement
14. Legal issues

During the Assessment process, referrals to other agencies are made to obtain more in-depth information. The assessment must be completed prior to the initial Personal Responsibility Plan (PRP) and in a timely manner to ensure the PRP is developed and signed within established timeframes. Any person receiving cash assistance from the Division of Welfare and Supportive Services (DWSS) **must** have a Pre-Screening and Post-Approval Assessment and a PRP.

2040.2.1 Post-Approval Assessment Instructions

When correctly done the Post-Approval Assessment should provide a detailed picture of the household circumstances. The assessment has questions to prompt and help guide the interview; however, the questions are not to be considered all-inclusive. The interviewer is expected to ask additional questions based on the client's initial responses. Issues and barriers must be identified in the Participant Issues screen in OASIS.

The areas to be addressed are listed below with an explanation of the type of information staff are expected to gather and document.

QUESTION	CONSIDER AND DOCUMENT
TANF application purpose	Document why the participant is seeking assistance.
Housing/Living situation:	Document the type of housing the participant has, who lives with the participant, location, condition, etc. Document housing issues the participant may have. Consider referral to housing agency if current housing is inadequate.
Transportation:	Document how the participant gets around town. Consider providing the participant with a bus schedule and they know how to read it. Does the participant have a driver's license or ID?
Child Care Needs:	Who will care for your children while you are in an activity?
Education:	High School diploma? GED? College or Trade School? STARS consideration-under age 20 and interested in HS diploma or GED? Learning disability? Current IEP for children?
Certifications/Trainings:	Have you been certified in a specific job or task on a job? (i.e., CNA, CDL, Vocational training, etc.) What type? When?
Family and Support System:	What type of support system do you have? Would your family and friends be supportive of your goals? Is the other parent of your child/children in the home? Is the absent parent involved in your child's/children's life? If so, to what extent?
Health Issues:	Medical issues? Mental Health issues? Pending SSI/SSD? Current status (pending, denied, in appeal) Caring full time for a disabled household member? If yes, are they related to you by blood or marriage? (If yes to both, review for "I" code status).

QUESTION	CONSIDER AND DOCUMENT
Legal Issues:	Document reported arrest dates, charges, convictions, time served. Also document information concerning probation/parole offices, fines, community service obligations, and any pending court appearances/lawsuits.
Social Issues:	Domestic violence? Substance abuse? Could you pass a drug test today? Were you ever involved with DFS/CPS as a child?
Goals:	What are your current employment goals? What are your overall goals? Short term: (Where do you see yourself in the next 6 months): Long term: (Where do see yourself in the next 5 years).
Ranked Issues/Barriers:	List and rank identified issues/barriers on the Participant Issues screen in OASIS.

2040.3 Social Work Assessments

In the assessment process, if the case manager identifies severe multiple factors such as domestic violence, suspected chemical dependence, mental health, relationships or child rearing issues, which may present barriers to achieving economic independence, refer to a division social worker. The social worker is required to conduct an interactive interview to determine the extent and severity of barriers to becoming self-sufficient. The social worker conducts interviews with family members, completes a home study, and may interview school teachers, counselors and any medical professionals providing care to the family. Ongoing assessment may result in additional referrals to obtain more detailed information on intellectual and mental functioning.

The areas to be addressed are listed below with an explanation of the type of information social workers are expected to gather and document.

QUESTION	CONSIDER AND DOCUMENT
Childhood Background:	Describe your childhood: Who raised you and how were you disciplined? Was there abuse or neglect in the home? How many brothers/sisters and what type of communication do you have with them? How does your childhood affect you today? Positively/negatively? Did your family receive public assistance?

Support System:	Who do you call in an emergency? Who do you call on when you need to talk or just need advice? Friends, family, spiritual, church affiliation, social clubs?
Teen Parents:	Age first became sexually active; age at first pregnancy; age of absent parent; parenting classes; prenatal care history; school attendance.
Issues with Children:	Behavior problems; IEP; gang involvement; school attendance; parenting classes; absent parent of child(ren) involvement; current or past CPS involvement; CPS worker name and number; your method of discipline.
Medical Background:	Current condition(s)/diagnosis: Current treatment/physician's name and last appointment attended; Current medications/OTC (actually taking?); History of accidents/surgery; How is ability to work affected or limited? (What can you do?)Family planning.
Mental Health Background:	Current or past condition/diagnosis: Current treatment/physician's name and last appointment attended; Current treatment/counseling/medications (actually taking); History of inpatient/outpatient treatment; How is ability to work affected or limited; What type of work can you do; History of suicide attempts; behaviors: How do you currently feel? How long? Family mental health history.
Disability/Incapacity:	Condition/diagnosis: Date of SSI application; denial/appeal information; Advocate or legal agency involvement; Caring for disabled family member; Report of Illness and/or Essential Task Questionnaire required?

QUESTION	CONSIDER AND DOCUMENT
Addiction Background:	Self and Family History (alcohol, drugs (illegal, Rx, OTC, gambling); current/previous use/dependency.
Domestic Violence Background:	History of DV – Adult/childhood; physical, sexual, emotional, verbal, isolation, financial, harassment; DV shelter experiences; injuries; hospitalizations; arrests/who; TPO. DV counseling – Current/Previous; safety plan; Are you currently safe?
Client Strengths:	Document client strengths.
Assessment Scores:	Document scores obtained from completing additional social work assessments.
Ranked Issues:	List, rank and document identified issues on the 'Participant Issues' screen in OASIS.
Recommendations:	Document social work recommendations.

2050 ASSESSMENT SUMMARY

All assessments completed must be printed and placed in the participant's file. The Psycho-Social assessment may be removed from the case file at the discretion of the social worker in order to protect confidentiality. The Division of Welfare and Supportive Services Assessment Summary (Form #2576 B) is available on the "I" drive. This form is optional and may be completed by staff to summarize their findings and make initial recommendations.

The Assessment findings must be summarized in the OASIS Narrative Screen. Select 'Assessment Summary' narrative category and narrative detail fields. The Assessment Narrative is used to summarize the identified strengths/barriers, employment history/goals and social service needs of the participant.

2060 PARTICIPANT ISSUES

Issues and barriers to self-sufficiency identified during the assessment process must be listed and ranked according to priority on the Participant Issue screen in OASIS.

2070 REFERRALS FOR SERVICE

Referrals are made to organizations and agencies trained in areas of specialization to assist the case manager in the process of identification and/or treatment of barriers to employment.

2070.1 Vocational Assessment Testing

The Division contracts with the Department of Employment, Training and Rehabilitation's Vocational Assessment Center (VAC) to obtain testing services for NEON participants. Testing consists of measurements of vocational aptitude, academic skills, interests, verbal and non-verbal problem solving skills and self report information. The VAC administers the tests, scores, interprets the results and provides a written report outlining test results and vocational recommendations.

2070.2 Drug Testing/Substance Abuse Treatment Referrals

During the assessment process or at any time the case manager learns or suspects a participant may be affected by an issue of chemical dependence, the participant is referred to a division social worker who administers the Substance Abuse Subtle Screening Inventory (SASSI). Where SASSI results indicate a positive probability regarding chemical dependence, the participant may be required to submit to a more in-depth substance abuse assessment and referred for treatment.

2070.3 Domestic Violence Treatment Services

The Division contracts with non-profit organizations providing emergency shelter, counseling, support groups and other services to victims of domestic violence. Identification of the existence of domestic violence results in the referral to division social workers for further assessment and/or case management services. (See manual section A-2200.)

2070.4 Mental Health Services

Participants, identified through the assessment process, as needing mental health services, are referred to a person professionally qualified in the field of psychiatric mental health. Providers may be employed by community, state, or contracted mental health facilities with the Division of Health Care, Financing and Policy.

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Personal Responsibility Plan

2100 PERSONAL RESPONSIBILITY PLAN (PRP)

The Personal Responsibility Plan (PRP) is a contract between the Division and the TANF household outlining a jointly-developed plan to assist the TANF household to achieve their highest level of self-sufficiency.

2110 INDIVIDUALS REQUIRED TO HAVE A PRP

A PRP must be developed for the following TANF or TANF/NEON recipients:

- Single parent head-of-household (HOH);
- Each parent in a two-parent household (Head-of-household must sign both plans);
- Each minor parent;
- Non-needy caretakers (NNCT) responsible for a minor child receiving TANF assistance;
- Needy, non-parent caretakers; and
- Ineligible parent caretakers receiving assistance for their minor children (i.e., non-qualified non-citizen, SSI parent, disqualified parent, etc.)

A PRP may be used as a tool to assist adults receiving benefits through the TANF-TEMP or TANF-Loan programs.

2120 PRP TIME FRAMES AND EXPIRATION DATES

A PRP must be initiated or completed no later than five (5) business days from the date of TANF or TANF/NEON approval. Steps must be taken to initiate or complete a PRP within five business days of a work eligible individual joining an existing TANF or TANF/NEON household. Proof of PRP initiation must be retained in the hard file or OASIS (i.e., copy of appointment letter inviting client to a PRP appointment or the completed PRP). PRPs must be completed and signed within 60 days of TANF approval. A PRP expires 24 months after it is established or last updated.

2130 PRP FORMS

Personal Responsibility Form 2538–WA is used to establish a PRP for all “work-eligible” individuals as defined in manual section A-816.1

Child-Only Assessment/Personal Responsibility Form

The Child-Only Assessment/Personal Responsibility Form 2037-WA is a two (2) page form used to establish a PRP for TANF households with no "work-eligible" members.

Eligibility staff must review Form 2037-WA each time TANF eligibility is reviewed. If the PRP has not expired and there are no changes of circumstances, staff must document that the PRP was reviewed and is still current. If the PRP has expired, or will expire prior to the next scheduled TANF eligibility review, a new PRP form must be completed by eligibility staff. If a change in circumstances is found prior to TANF eligibility review, the PRP must be amended by eligibility staff within 10 days of the reported change.

2140 PRP DEVELOPMENT

The PRP must be developed and personalized based on the household's unique circumstances. A participant's strengths, interests, work experience/skills, employment barriers and other issues are identified through the assessment process and serve as a foundation for the PRP.

The case manager facilitates development of the PRP in collaboration with the participant and documents the plan on Form 2538-WA. To be effective, it is crucial the participant be allowed to take ownership of the plan by having input regarding the goals, tasks and time frames being established.

At a minimum, the plan will:

- Identify the household's barriers (issues) to achieving economic independence;
- Outline the specific steps (tasks) to be taken by the participant, to achieve economic independence;
- Document the negotiated time frames by which each task will be completed;
- List how the Division plans to support the participant's efforts;
- Document the children's immunization and education status and encourage the caretaker to keep the children's immunizations current and support school attendance and academic progress;
- Address the monitoring and verification requirements for each work activity per established policy; and
- Provide specific contact information for whom the participant must contact if they are unable to fulfill responsibilities listed on the PRP.

Participants will be held accountable for complying with the PRP, so it is important the PRP be written in a clear and concise manner. The contents must address the household's specific barriers/issues, be realistic in expectations and contain the detail necessary to support any subsequent case decision or action taken by staff.

The PRP must be signed and dated by the case manager and the participant for whom the plan was developed. The TANF head-of-household is responsible for ensuring all household members comply with the requirements of their PRPs and must sign the PRPs developed for other members of their household.

EXCEPTION: PRPs for the victims of domestic violence are confidential and their contents are not disclosed to other members of the household. The head-of-household is not required to sign the PRP if it would violate this policy.

The signed PRP is retained in the case file and a copy provided to the household.

2150 SPECIAL PRP REQUIREMENTS FOR MINOR PARENTS

In addition to the requirements outlined in manual section A-2140, the PRP for a TANF household containing an unmarried minor parent must include:

- A statement that the head-of-household will ensure the unmarried minor parent attends training to learn the necessary skills to care for a child;

- A statement encouraging the head-of-household to ensure the unmarried minor parent participates in a program providing mentors to assist the minor parent with their education, self-sufficiency goals, life skills, money management, nutritional education, conflict resolution training, interpersonal relationship counseling and job seeking goals. Any incentives granted to encourage school participation must be related to the PRP developed with the minor parent; and

- A statement addressing the minor parent's expected level of school attendance or a plan for returning to a regular or alternative school.

2160 RENEGOTIATION AND AMENDMENT OF THE PERSONAL RESPONSIBILITY PLAN (PRP)

Renegotiate and amend the PRP when the participant is demonstrating effort and:

- Completes the tasks outlined on the prior PRP and the next steps toward self-sufficiency need to be established;
- Additional employment barriers/issues are identified;
- The planned work activities change;
- The participant becomes employed, changes employers, ceases to be employed;
- An individualized training contract is being established;
- Monitoring and verification requirements of work activities must be updated;
- The household's circumstances change.

Amending the PRP is an ongoing case management process, which should be initiated no later than five business days after a qualifying change. Special circumstances requiring an exception to this time frame must be documented.

Staff must document the reasons a PRP is amended.

2170 NON-COMPLIANCE WITH TERMS OF THE PERSONAL RESPONSIBILITY PLAN (PRP)

Initial Personal Responsibility Plan

Participation in the initial development of the Personal Responsibility Plan (PRP) is an eligibility requirement.

TANF-NEON households who fail to cooperate in the development and completion of the PRP may be terminated from TANF using the NOMADS termination code T: Failure to cooperate with Work or Personal Responsibility Plan requirements, allowing for adverse action.

If the client is able to comply (establish a PRP) prior to the effective date of the case closure, assistance should be reinstated. When a client requests to reschedule their PRP appointment, they will be scheduled for the next available PRP appointment slot, if one is available prior to the closure date. If the client is unable to come into compliance prior to the date of closure (i.e., no PRP appointments are available before the effective date of closure) the household will need to reapply for assistance to regain eligibility for assistance.

Established Personal Responsibility Plan

Families who fail to cooperate with the terms of an established PRP or fail to attend an appointment scheduled to amend their existing PRP may be conciliated, unless they meet one of the exceptions in manual section B-933. Once the conciliation process has been initiated, the 3 month sit-out period will be imposed if the household does not comply within the conciliation period or the case terminates for any other reason.

Domestic Violence

2200 DOMESTIC VIOLENCE

2210 IDENTIFICATION

The Division is required to periodically evaluate applicants/participants to identify victims of domestic violence. An evaluation is accomplished by reviewing and signing Form 2678-EG at initial application and redetermination. Each district office is asked to have brochures, posters and other informational material relating to domestic violence and local resources available in their office lobbies, restrooms, training rooms, etc.

2211 DEFINITION

When an individual displays a pattern of power and control over another individual, domestic violence may be present when any of the following occurs:

■ Verbal Harassment	■ Economic Control
■ Loss of Self Control	■ Physical Abuse
■ Social Deprivation	■ Family Isolation
■ Emotional Abuse	■ Sexual Abuse

An applicant/participant is experiencing **current** domestic violence when:

1. The perpetrator is actively inflicting abuse (physical or emotional) on the client; or
2. The participant's current ability to participate in work activities or with Child Support Enforcement is impaired due to a current or past domestic violence situation.

2220 DISCLOSURE

Any disclosure of domestic violence is voluntary. Applicants/participants who voluntarily disclose domestic violence are to be screened to determine if the disclosure is a current or past domestic violence situation and how the situation affects their ability to participate in the Child Support Enforcement and/or NEON programs.

There are circumstances when requiring a family member to comply with NEON, Child Support Enforcement or eligibility program requirements may endanger or threaten the physical safety of the household. If it is determined a member of the household would be endangered, temporarily waiving participation in a program activity may be necessary.

The following guidelines are to be used when disclosure of domestic violence occurs:

SITUATION	ACTION/RESPONSIBILITY
Family currently experiencing physical abuse and/or is fleeing from perpetrator.	Case manager or CSEP requests the participant meet with a division social worker for an immediate assessment and potential referral/case management of a domestic violence situation. Case manager or CSEP will follow procedures for barriers to eligibility, work requirements and CSEP. Advise victim of the Confidential Address Program (CAP) administered through the Secretary of State Office.
Claiming barriers to E&T activities.	Case manager or CSEP will provide participant information on local domestic violence groups and community resources. Case manager or CSEP makes referral to social worker. Social worker conducts an assessment and determines circumstances surrounding the domestic violence situation. If it is determined domestic violence is a barrier to employment, the social worker will work in partnership with the case manager to determine requirements of the participant's Personal Responsibility Plan (PRP) (refer to E&P manual section A-2100.
Claiming "Good Cause" not to cooperate with CSEP.	Case manager follows "good cause" procedures under E&P manual section A-1600.
No immediate danger or barriers.	Case manager or CSEP informs participant of their local domestic violence community program.

Prior domestic violence occurrence may affect an individual's current ability to cooperate with program requirements. Flexibility and sensitivity are required when working with domestic violence victims regarding program requirements. When the case manager is unsure how to proceed with a past domestic violence case, the case manager is to consult with a Division social worker. In current domestic violence situations, the case manager may explore alternative procedures to obtain eligibility verifications and reasonably extend time limits, documenting the rationale used to make a decision if time is extended.

Mandatory employment and training requirements may be altered to take into consideration the current domestic violence situation and how the situation is affecting the family, living conditions and opportunities to move the family to self-sufficiency. The participant's assessment must reflect the domestic violence situation. The PRP must specify the work mandatory requirements (work being defined to include non-countable activities).

2230 VERIFICATION

When victims of domestic violence require special handling (extended time frames for providing eligibility verification or a waiver for working with child support or employment), verification of their domestic violence situation is required.

Verification includes:

1. A copy of court, medical or law enforcement records reflecting the domestic violence situation; or
2. Signed statements from child protective, social services, advocacy groups working with the family; or
3. Signed statements from other individuals with first-hand knowledge of the circumstances surrounding the request for the waiver.

The Division social worker may help the family obtain needed verification. If no documents exist and the Division social worker can substantiate the domestic violence situation, his or her signed statement is adequate verification.

2240 CONFIDENTIALITY

The Division must not disclose to any person, other than the victim, that a determination of domestic violence has been made. However, the Division may disclose the information to the Secretary of Health and Human Services or his/her designee for purposes of including information in the Federal Parent Locator Service.

NRS 217 allows victims of domestic violence to protect their location by applying for a fictitious address through the Secretary of State Office's Confidential Address Program (CAP). When such an address is established, the Division must accept the address and not require the person to provide their residence address. Anyone requesting to apply for this protection must be referred to their local community domestic violence advocacy group. Local advocacy group staff determines if the CAP program is appropriate for the victim, assists the victim in completing the application process and forwards the application and a referral to the Secretary of State's Office. Persons pending a determination from the CAP program may use an alternative address (i.e., friend, relative or shelter address) in the interim.

The Secretary of State's Office provides a notice to the applicant approving or denying the request for a fictitious address. If approved, the notice will contain an individual authorization code and substitute mailing address for the household. The address will be a Carson City address, even if the applicant resides outside the area. A copy of this notice must be kept in the case file. The address used must include the authorization code. When completing the TANF action form, place the authorization code in the first address field and list the fictitious address in the second address field.

Individuals with a fictitious address must be allowed at least 17 days for mailing (refer to E&P manual section A-134).

2250 GOOD CAUSE WAIVERS

Determine good cause waivers through an individualized assessment based on need. Social workers may case manage participants requiring domestic violence services and develop individualized Personal Responsibility Plans (PRPs). Good cause waivers are to be reviewed by the social worker no less often than once every six (6) months.

Substantiated victims of domestic violence may be granted a good cause waiver to not participate in the following:

1. Cooperation with Child Support Enforcement as determined by CSEP;
2. Work requirements mandated by NEON; or
3. Eligibility requirements to establish cash assistance as approved by the office manager.

No negative action (denial, sanction, termination) may be imposed on an active domestic violence case without social worker intervention/concurrence.

Good cause waivers of normal program requirements are provided only when such requirements would make it more difficult for individuals:

- to escape domestic violence: or
- unfairly penalize those who are or have been victimized; or
- who are at risk of further domestic violence

When it is determined a good cause waiver is appropriate, social work/case managers must:

1. Have screened the family for domestic violence;
2. Refer the family to counseling and/or domestic violence services;
3. Document how specific program requirements would:
   a. make it more difficult for an individual to escape a domestic violence situation; or
   b. unfairly penalize those who are or have been victimized; or
   c. put the participant at risk of further domestic violence.

2260 STATISTICAL REPORTS

The division must be able to report to the Nevada State Legislature and federal government on the numbers of individuals disclosing domestic violence. The following items are reported from all district offices to Central office staff on a monthly basis:

1. Number of domestic violence disclosures;
2. Number of good cause waivers for child support;
3. Number of good cause waivers for employment and training activities.

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Immunizations

2300 IMMUNIZATIONS

2310 ELIGIBILITY REQUIREMENT

All case managers must ensure each dependent child receiving TANF assistance and not enrolled in school receives the standard immunizations established by the Nevada State Health Division. If the immunizations are not current, the caregiver's Personal Responsibility Plan (PRP) must include steps applicable to meeting the immunization requirements. The case manager/ETS will advise applicants/recipients they may obtain standard immunizations at little or no cost from local health clinics.

2311 Exemptions

An exemption may be granted if:

– a written statement signed by a licensed physician is provided indicating medical conditions prohibit immunizations; or

– a written statement signed by the child's caregiver is submitted stating immunizations are contrary to their religious belief.

2312 Standard Immunizations

Recommended immunizations for children determined by the Nevada State Health Division are listed in the chart below:

Recommended Childhood and Adolescent
Immunization Schedule

	Range of Recommended Ages				Catch-up Immunization				Preadolescent Assessment			
Vaccine ▼ / Age ►	Birth	1 mo	2 mo	4 mo	6 mo	12 mo	15 mo	18 mo	24 mo	4-6 y	11-12 y	13-18 y
Hepatitis B[1]	HepB #1	only if mother HBsAG (-)										
									HepB series			
		HepB #2			HepB #3							
Diphtheria, Tetnus, Pertussis[2]			DTaP	DTaP	DTaP		DTaP			DTaP	Td	Td
Haemophilus *Influenzae* Type b[3]			Hib	Hib	Hib[3]	Hib						
Inactivated Poliovirus			IPV	IPV	IPV					IPV		
Measles, Mumps, Rubella[4]						MMR #1				MMR #2	MMR #2	
Varicella[5]						Varicella			Varicella			
Pneumococcal[6]			PCV	PCV	PCV	PCV			PCV			
Vaccines below this line are for selected populations									PPV			
Hepatitis A[7]									Hepatitis A series			
Influenza[8]					Influenza (yearly)							

2320 VERIFICATION

The child's caregiver must provide a certificate signed by a physician or registered nurse stating the child has received the required vaccines and proper boosters OR is complying with the schedules established by the State Health Division.

! **Applicants**

Verification is required within six months after approval for applications dated as of January 1, 1998.

! **Ongoing Recipients**

Verification is required within six months from the review of eligibility for applications dated prior to January 1, 1998.

2330 FAILURE TO COMPLY

When a caregiver does not comply with immunization requirements, the household is deemed to have failed to comply with the terms of the PRP and may be subject to sanction (manual section B-900).

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TANF TIME LIMITS

2400 BACKGROUND

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, also known as the 1996 Welfare Reform Act, became law effective August 22, 1996. This comprehensive legislation changed the nation's welfare system into one requiring work in exchange for time-limited cash assistance. It created the federal Temporary Assistance to Needy Families (TANF) Program, which replaced Aid to Families with Dependent Children (AFDC). The TANF program imposed a cumulative 60-month lifetime limit on the receipt of cash assistance, including TANF received from other states.

PRWORA provided states the authority to establish and implement the federal 60-months federal lifetime limits.

Nevada implemented the 60-months federal lifetime limit January 1, 1997, while other states' TANF programs may have started before or after January 1, 1997. Beginning January 1, 1998, Nevada established policy of how the 60-months lifetime limits would be received.

Effective January 1, 1998, federal regulation required that a household in which a minor parent who is/was the head of household for their own case are limited to receiving TANF benefits, whether consecutive or cumulative, from Nevada or any other state for 60-months.

Effective October 1, 1999, TANF time limits do not apply to any month a recipient did not receive cash benefits due to the $10 limit, or the benefit amount is reduced to zero to recover an overpayment.

Nevada implemented the Loan Program effective October 1, 2007 as a result of the "Deficit Reduction Act (DRA)". Nevada implemented policy regulations to mirror the TANF/NEON time limits for any months an adult member received Loan cash benefits beginning October 1, 2007.

Although federal and state time limits are very stringent, benefits may be received beyond the state or federal time limits if the head of household is suffering from a qualifying hardship.

2410 ELIGIBILITY REQUIREMENT

2411 TANF PROGRAMS TIME LIMITS

2411.1 When Time Limits are Applied

Time limits ***are*** applied to:

- Nevada's TANF/NEON and/or Loan Program;
- Any TANF benefits received from other states;
- A household (effective January 1998) in which a minor parent is/was the head of household for their own case; and
- Any months in which a recipient lived in Indian country or an Alaskan native village with an adult unemployment rate of ***less than 50%.***

Note: The Washoe Tribe of Nevada and California (WTNC) ***does not*** meet the adult unemployment rate of less than 50%; therefore, any month an adult household member received Tribal TANF benefits must be considered in the time limit counts. Enter Tribal TANF months on the adult member's time limit screen (MEMB>TLMT).

2411.2 When Time Limits are Not Applied

Time limits do NOT apply to:

- Child-Only Programs because an adult household member does not receive benefits;
- Nevada's
  - Self-Sufficiency Grant (SSG) and/or
  - Temporary (TEMP) Program

2412 Federal Time Limits

A household may not receive from Nevada or any other state more than 60 months of TANF cash benefits.

A TANF/NEON and/or Loan household in which any adult member (this includes a minor parent who is/was the head of household for their own case) received TANF benefits from Nevada or any other state for 60 months, regardless of whether consecutive or cumulative, is prohibited from receiving TANF/NEON, Loan or SSG cash benefits, unless the head of household is granted a hardship extension.

2413 Nevada Time Limits

In addition to the federal lifetime limits implemented by Nevada January 1, 1997, Nevada established policy effective January 1, 1998 of how the 60-months lifetime limit benefits would be received.

Provided federal lifetime limits have not been met, Nevada benefits may be paid as follows:

1. The household is limited to receiving whether consecutive or cumulative, a maximum of 24 months of Nevada issued cash assistance. After receiving 24 months, they are prohibited from receiving cash assistance for 12 consecutive months.
2. After not receiving cash assistance for 12 consecutive months, the household may reapply for cash benefits, if eligible, for another 24 months.
3. After not receiving cash assistance for an additional 12 consecutive months, the household may reapply for cash benefits, if eligible, for the final 12 months.

Exception: Benefits **may** continue if the household has an approved qualifying hardship.

2414 WHEN TIME LIMIT COUNTS BEGIN

Nevada's TANF/NEON and/or Loan cash assistance counts in the month payment is received, rather than for the month the payment was authorized.

> **Example**: Client applies for NEON on April 22 and the case is approved on June 30. The client receives the first cash benefit in July which covers July, as well as a prorated benefit for May and June. Since the benefit for all months was **received** in July, only July will count toward the time limit.

NOTE: All new TANF/NEON or Loan applications must include a look back at any months an adult household member received TANF LOAN benefits beginning October 1, 2007. The Loan months must be manually added to the TANF TLMT screen.

The total time limit months from NEON and/or Loan will be used by NOMADS in determining the federal lifetime and Nevada months for TANF/NEON and/or Loan eligibility. If a new adult household member is added to an existing NEON case, the added individual's Loan months must be evaluated and considered in determining the assistance unit's continued assistance.

NOMADS is the state's "official" TANF time limit tracking record. Federal and state retention for keeping records is 37 months. Households who dispute the state's official time limit tracking record must provide proof they did not receive the benefits.

2415 FEDERAL AND NEVADA EXCEPTIONS OF TIME LIMITS

The following exceptions are ***not*** considered in the Federal or Nevada time limit counts:

- Battered non-citizens who entered the U.S. on or after August 22, 1996 and have not served a five year bar will receive Nevada state-funded (MOE) TANF cash assistance. Once the five year bar is served, cases must be transferred from MOE to federal TANF, if otherwise eligible. (Refer to A-400);
- Any month in which the recipient lives in Indian country or an Alaskan native village with an adult unemployment rate of at least 50%. Refer to TANF Charts/Part C-190 for a list of tribal lands with a 50% unemployment rate.
- Child-Only cases because an adult household member does not receive benefits for themselves.
- Any months (effective October 1, 1999), recipients did not receive benefits (i.e., benefit amount is under $10 and benefits are not issued, or the benefit amount is reduced to zero to recover an overpayment).
- Individuals ineligible for TANF due to felony drug-related conviction.
- Support services provided for pre-eligibility work activities.

2420 HARDSHIP

All TANF cases reaching state and federal time limits are to be reviewed by the Hardship Committee in each district office for possible extensions to the 24- or 60-month rules. The Hardship Committee is made up of the Employment and Training/ NEON and Social Work Supervisors in each district office. Should a supervisor need assistance, a designee may be appointed by the Chief, Employment and Supportive Services.

2421 Granting a Hardship to Federal and State Time Limits

The Personal Responsibility and Work Reconciliation Act of 1996 imposes a 20% limit of the average TANF caseload on the number of households allowed an exemption from the federal 60-month lifetime limit on receipt of TANF benefits. Households with hardships will be monitored through the OASIS system Hardship Tracking report.

The district office Hardship Committee members, on behalf of the division, may determine the head of household to be suffering from a hardship after considering the input from the Hardship Committee.

The decision of district office Hardship Committee members is final and not subject to appeal.

2422 Extension of Benefits Due to Hardship

A household receiving benefits beyond the state or federal time limits because the head of household is suffering from a qualifying hardship may continue to receive benefits for as long as the head of household is suffering from the hardship. A household that is not currently receiving benefits, but later suffers a qualified hardship, may reapply for and receive benefits beyond the state or federal time limits. Once the head of household no longer suffers from the hardship, the household is not eligible to receive benefits:

- for 12 consecutive months if the household has not reached the federal 60-month lifetime limit.
- during the lifetime of the head of household if the household has reached the federal 60-month lifetime limit, unless the head of household again suffers from a hardship.

Exception:

A head of household suffering from a hardship under the following circumstances will not be eligible to have benefits extended due to the hardship:

- Being an adult, single custodial parent with a child less than one year of age if they have used their 12-month lifetime NEON exemption limit for this hardship reason.
- The administrator must deny or suspend granting extensions to the federal time limit for hardship reasons due to the 20% limitation of individuals in a hardship category.

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