

Kansas Department of Social and Rehabilitation Services

Janet Schalansky, Secretary

Integrated Service Delivery - Candy Shively, Deputy Secretary (785) 296-3271
Economic and Employment Support - Sandra Hazlett, Director (785) 296-3349

MEMORANDUM

To: EES Chiefs and Staff

Date: April 15, 2002

From: Sandra C. Hazlett

RE: Implementation Instructions for
May 1, 2002 KEESM Revision No. 9

This memo provides instructions and information regarding the following May 1, 2002 KEESM changes:

- Change in policy so all food stamp denials for failure to appear for two scheduled interviews shall be denied on the 30th day.
- Instruction regarding counting TAF months of assistance from other states.
- Inclusion of special procedure when applying a comparable TAF penalty to a food stamp household member.
- Change in policy to exempt 401 (k) plans for the Food Stamp Program.
- Change in policy regarding processing changes.
- Change to require verification of all gross earned income changes (Food Stamp Program).
- Clarification regarding payment documentation when a work program case with a pending work program authorization is transferred to another county.

The May 1, 2002 manual revision is available online on the [KEESM home page](#) and the [Summary of Changes](#) (formerly State Commissioner's Letter) is available by clicking on the "SCL" button on the home page. Hard copy of this material will be issued to staff by May 1, 2002.

1. **KEESM 1414.2 - Denial** - (See Summary of Changes, item 5.) As explained in the Summary of Changes, KEESM section 1414.2 contains a major policy change regarding the denial of **food stamp applications** when the household has missed two scheduled interviews (either face-to-face or telephone interviews). Effective May 1, 2002 all food stamp denials for failure to appear for two scheduled interviews **shall be denied on the 30th day** following the date of application. The following changes are applicable:

The system has been modified to deny on the 30th day from the date of application instead of the 20th day when a completed interview is not indicated on the INDA screen.

Staff may **NOT** manually deny applications prior to the 30th day for failure to complete the interview process.

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In addition to denying the application on the 30th day, this revision mandates that a new notice be sent to households when they miss a scheduled interview. This notice is X045, the Notice of Missed Interview (NOMI). As explained, the Notice of Missed Interview notifies the household that they have missed a scheduled interview and that they need to appear for an interview or their food stamp application will be denied.

The NOMI will be automatically sent on the 4th workday after the client misses the first or second interview date scheduled on INDA. If only one interview date is entered on INDA, and a "Y" is not entered in the "Completed" field by the **end of the third workday** following the interview date, the NOMI notice will be issued the next workday. If two interviews are scheduled on INDA at the same time and a "Y" is not entered in the "Completed" field by the end of the third workday following the **second** scheduled interview date, the NOMI notice will be issued the next workday. For both of the above situations, if the day the notice is to be mailed is a weekend or holiday, the NOMI will be mailed the first workday following the holiday or weekend.

EXAMPLES: 1.) An application is received on April 10th. An interview is scheduled on April 15th and entered on INDA. The client does not complete the interview and INDA reflects that the interview has not been completed (either "N" or left blank in the "Complete" field). A Notice of Missed Interview will be processed the night of the 18th and mailed on the 19th.

2.) An application is received on April 10th. Two interview times are scheduled for the client, either April 15 or April 18 and entered on INDA. The client does not complete either interview and INDA reflects that the interview has not been completed (either "N" or left blank in the "Complete" field). The Notice of Missed Interview will be processed the night of April 23 and mailed on April 24.

NOTE: A NOMI will not be sent if an interview is scheduled 3 days (or less) prior to the 30th day and the interview is missed since the application will be in denied status on the day the NOMI would normally be sent.

NOTE: Programming of the NOMI is currently in progress. It is anticipated that the programming and testing will be completed by May 1. If it is not completed on time, there is the possibility that staff will need to send a manual NOMI until the KAECSES changes are in production. If this is necessary, a separate message will be issued to staff with additional instructions.

OTHER ISSUES:

- a. With the implementation of these changes, it is important that offices register applications on a timely basis, within one working day of receipt.
- b. Interview dates must be entered on INDA when they are initially scheduled. Two interview dates can still be entered on INDA for those offices that schedule two initial interviews on the same notice.
- c. **Completed** interviews must be indicated on INDA with a "Y" in the "Completed" field **within 3 working days** after the date of the interview. If this is not done timely, a Notice of Missed Interview will be incorrectly sent to the household on the 4th working day.
- d. Denials for failure to complete the interview process will be done on the 30th day

following the date of application. If the 30th day is a weekend or holiday, the application will be denied on the first work day prior to the 30th day.

- e. As a result of this change, timeliness programs have been modified such that denials done **on the 30th day** (or the first workday prior if a weekend or holiday) will be considered **timely**. This change should relieve any concerns staff have regarding missed interview denials done on the 30th day being untimely.
- f. The NOMI will not be sent at review when the interview is missed. (Only one interview is required to be scheduled for reviews.)

2. **KEESM 2240 - Counting Assistance from Other States** - (See Summary of Changes, item 12) Federal law and state regulation limits receipt of Temporary Assistance for Needy Families (TANF) cash assistance to 60 months including any TANF assistance received in other states after 10-1-96. Effective May 1, 2002 EES staff are to count TANF assistance received after 10/1/96 in other states toward the 60 month time limit for all new TAF applications and TAF add-a-program situations. Case actions taken on existing TAF cash cases prior to May 1, 2002 which either considered or did not consider assistance from other states should not be changed. If the existing TAF case should close and reopen following a break in assistance of one or more months, assistance from another state that is documented in the case record shall then be considered in the months on assistance count.

EES staff are to make a reasonable effort, as defined by local policy, to verify the receipt of assistance from others states when an individual applies for TAF (including TAF add-a-program situations). Local policy may take into consideration the location of the specific offices (border locations), prudent person follow-up to client verbal and written statements, and other factors determined by the area to be appropriate. The verbal and/or written verification from the other state(s) shall be documented in the case record. In situations where verbal verification from the other state(s) has been accepted for the case action, it may be necessary to later obtain written verification if the client disagrees with the information and/or appeals the case action.

TAF applicants who have already received 60 months of TANF cash assistance will not be eligible for additional months of TAF cash assistance in Kansas. These individuals are also not eligible for the 12 month extended services described in 3410. TAF applicants who have received 59 months or less from other states and meet all other eligibility requirements may be approved and the agency protocol described in KEESM 2241 is to be followed before the TAF cash case may be closed due to the 60 month time limit.

Months of cash assistance from other states that are funded with 100% state funds are not considered TANF months and are not counted in the time limit. Diversion payments made by other states are also not considered TANF months on assistance.

To document the months of TANF assistance from other states on KAECSES, staff shall complete the **Adding TANF Months From Other States to KAECSES** form in the KEESM Appendix (#96) and send electronically or fax to SRS HELP DESK. On this form, unless the months are consecutive and from the same state, it is necessary to enter each month separately for KAECSES to correctly calculate the TAF months. A copy of the completed form needs to be in the paper case file. There is an example of a completed form attached to this Implementation Memo. Please note the modifications to the **Adding TANF Months From Other States to KAECSES** form on the attached example. These modifications include: additional instructions regarding the state abbreviations, correction of the HELP DESK fax number and change from

Security Key to Pen. These modifications to the form will be incorporated in the upcoming KEESM revision. It is recommended that the number of months of assistance received from other states also be noted on INDA.

A programmer will enter the information from the form into KAECSES. Until completion of system modifications, the TAF month counter displayed on KAECSES, the alerts, the Notice of TAF Months Used (X088), and any reports listing the number of months will only reflect Kansas TAF months. The system generated notice (X088) has been changed to note that the total number of months does not include cash benefits received in other states. The TAF approval notices have also been modified to include a worker entry field for the number of months of assistance received from other states.

The target date for completion of the system modifications is late summer of 2002, and the TAF counter will reflect total months of TAF receipt at that time.

3. **KEESM 2552 - Treatment of Income and Resources and Special Procedures** - (See Summary of Changes, item 14.) This section describes procedures when applying a comparable TAF penalty to a food stamp household member. Special procedures are necessary when the TAF case is closed for a first time penalty since cooperation oftentimes occurs immediately after the case is closed. If action is immediately taken to remove the TAF grant from the food stamp case, the household may receive an unwarranted increase in food stamp benefits if they subsequently cooperate and the TAF case is reinstated. To prevent this from occurring, the follow special procedures apply:

When a comparable first time penalty is applied, the person who failed to cooperate shall be removed from the FS case, however, the TAF benefit shall not be removed immediately from the FS budget and the case shall be kept in retrospective budgeting.

If the person cooperates by the 15th day of the month following the month of TAF case closure and TAF benefits are reinstated, the person is to be re-added to the FS case for the month following the month the change occurred (cooperation).

If the person does not cooperate by the 15th day of the month following the month of TAF case closure, the FS case shall be rebudgeted by removing the TAF benefit, making other needed changes to the case and converting it to non-monthly reporting/prospective budgeting for the following month. No additional benefits shall be provided for the month following TAF case closure.

4. **KEESM 5430 (14) - Pension Plans** - (See Summary of Changes, item 20.) This section has been modified to indicate that 401(k) plans are exempt as a resource for purposes of the Food Stamp Program. Effective 5/1/02 a new resource code, **KF** is available to use for a 401(k) plan. This code will exempt the resource for food stamps and count it for other programs. The code can be used on the LIRE and OTAP screens. This new code will be incorporated into the revised code cards effective May 1.
5. **KEESM 9311.1 - Processing a Change** - (See Summary of Changes, item 34.) As noted in the Summary of Changes, this section applies to changes reported by non-monthly reporting FS and cash households. This section has been modified to indicate that when acting on changes that increase benefits, if required verification is provided within 10 days from the date of verification request, increased benefits are to be provided the month following the month **the change is reported**. (Prior policy stated that increased benefits would be provided the month following the month verification was requested.) If verification is provided after 10 days from verification

request, the increased benefits are to be provided the month following the month the verification is received. The following examples will illustrate the change in policy:

Prior Policy: A change that would increase benefits is reported on 3/27. Verification is requested on 4/1 and received on 4/9. Increased benefits would have been provided for May, the month following the month of verification request.

New Policy: A change that would increase benefits is reported on 3/27. Verification is requested on 4/1 and received timely on 4/9. Increased benefits are to be provided for **April**, the month following the month the change is reported.

If verification is not provided timely, (i.e., within 10 days) then the increased benefits are to be provided the month following the month the verification is received. Examples:

A change is reported on 3/15 that would increase benefits. Verification is requested on 3/18 and received on 3/30. Increased benefits would be provided for **April** (even though verification is not received timely, it is received in March, thus benefits would be increased for the month following the month the verifications are received).

If verification is not received until April in the above example, increased benefits would be provided for **May**, the month following the month the verifications are received.

6. **KEESM 9311.2 - Verification at the Time a Change is Reported** - (See Summary of Changes, item 35.) This section also applies to non-monthly reporting households and is mandated to apply to food stamp cases. A chart has been added to this section to clarify the verification requirements when a change is reported and to include a change regarding the verification of earned income for food stamps. Effective with this revision, when a change in earned income is reported that will decrease benefits, gross earned income must be verified, unless the change reported will result in the case being closed for excess earned income. Prior to this change, gross earned income had to be verified only if benefits were increasing as a result of the change.

This change is being implemented due to the current food stamp error rate and the fact that budgeting the correct amount of earned income is very important in providing the correct amount of FS benefits.

The section has been further expanded to explain that if giving the household 10 days to provide verification would result in the change being made after adverse action deadline, the change should be made based on available information with follow up to obtain the required verification. Please carefully review this manual section and become familiar with this new verification rule.

7. **KEESM 9621.2 (2) - Program Instructions** - (See Summary of Changes, item 37.) Work program cases may now be transferred with outstanding work program payments. A new KsCares Security Profile is available so that KsCares payments may be made after the client's KsCares case has transferred to a new Area. When this option is utilized, documentation of the payment needs to be sent to the new county.

SCH:PJ:jmm

Attachment:

Adding TANF Months from Other States to KAECSSES