

STATE DEPARTMENT OF SOCIAL
REHABILITATION SERVICES
Integrated Services Delivery
Docking State Office Building
Room 581 - West
Topeka, Kansas 66612

04-15-11

To: Regional Directors
Economic and Employment Support Program Administrators
Economic and Employment Support Staff
KHPA Staff, including the HealthWave Clearinghouse
Social Service Administrators
Other Staff

Re: Summary of Changes for Kansas Economic and Employment Support
Manual (KEESM) Revision No. 47 effective May, 2011.

OVERVIEW OF CHANGES

A brief overview of the major changes is described below. Other clarifications and technical corrections are also included and described in the next section. Additional technical corrections not mentioned here are being incorporated in KEESM as needed.

All Programs – This revision changes how the Earned Income Tax Credit is received by individuals. Federal regulations ended the availability of on-going EITC payments throughout the year. The EITC may now only be claimed at the end of the tax year.

Child Care – New poverty level guidelines have been published by the Department of Health and Human Services. These guidelines affect the eligibility standards in the Child Care program.

Food Assistance - This revision implements a change involving making a determination of eligibility for expedited service. Instead of allowing actual utility costs when determining if shelter costs exceed income, the agency must use the Standard Utility Allowance (SUA) if the household is entitled to use the SUA. If the household is not entitled to the SUA, then actual utilities as reported in the expedited section are to be used. There are also several policy clarifications for food assistance being included in this revision.

Food Assistance and TAF – This revision implements two changes in policy affecting Food Assistance and TAF. First, this revision mandates checking The Work Number for possible employment at the time of application, review and IR for all persons age 18 or older requesting or receiving benefits. This revision also implements a change regarding telephone interviews. Instead of telephone interviews being optional, they are being mandated for food assistance and TAF

applications and reviews for online, dropped off and mailed in applications. Face-to-face interviews can still be requested using prudent person judgment based on the household's circumstances and the agency's needs, especially for TAF applicants needing to complete and review the Work Readiness Screening. The household may also request a face-to-face interview if they so choose.

Medical Assistance – The new federal poverty levels are being adopted, including an increase in the minimum community spouse income allowance, the dependent family member allowance, and the excess shelter deduction. Also incorporated in this revision are a change in the substantial home equity limit, elimination of the Plan for Independence from the WORK program and addition of language concerning communication, and a change in the length of the Working Healthy Temporary Unemployment period.

DESCRIPTION, PURPOSE, AND DETAILS OF POLICY CHANGE

I. All Programs

A. Changes

1. KEESM [6410\(18\)](#) is being revised to remove wording regarding on-going EITC payments. With the change in Federal Statutes in 2010, on-going EITC is no longer an option. All EITC payments are now only available annually.

B. Clarifications

1. **Self-Employment Income** – Removal of the wording "Termination of" in KEESM Section [7122\(4\)](#) provides a more concise heading for the information contained in Number 4 regarding Self-Employment Income and the changes that require a change in budgeting.
2. **Intermittent Income and Deductions** – The policy is being clarified regarding the treatment of intermittent income when the case closes and reopens during an established time period for counting intermittent income. In these situations, the intermittent income is continued to be counted when the program reopens. An example is also included. KEESM [7121](#) is being modified to include this clarification.

II. Child Care

A. Changes

1. **EM (Non -TAF) Child Care** – KEESM section [2835](#), item 3 is being modified to waive the employment criteria for participants

in the KHPOP program.

B. Clarifications

None

• Food Assistance

A. Changes

1. **Expedited Service** – The manual is being changed as a result of a directive from USDA. When determining eligibility for expedited service, the agency is to use the household's rent or mortgage amount and the SUA (if mandated to use the SUA) instead of using actual utilities reported on the expedited screening section of the application. If the household is not mandated to use the SUA, then actual utilities as reported in the expedited screening section would be used to determine eligibility for expedited. The paper application is being revised to include this change and it is also being incorporated into the new online application under development. Section [1415.1](#) is being modified accordingly.

B. Clarifications

1. **Treatment of Income and Resources and Special Provisions** – This section is being clarified to state that after a TAF CSE penalty, that even though a penalty is not applied to the food assistance person who failed to cooperate, that the TAF income must be counted the month after the TAF program is closed to insure that food assistance benefits do not increase as a result of the TAF penalty. This should have been included when we ceased comparable CSE penalties for food assistance. Section [2552 \(1\)](#) now contains these procedures. In addition, the cross reference at the end of [2165.1](#) is being corrected from 2560 to 2552(1).
2. **ABAWDS** – Section [2520](#) which was formerly for ABAWDs and currently marked reserved, is being corrected to include the correct date for the suspension of ABAWD policies which is September 30, 2011. The field was previously notified of this change.
3. **Student Participation Criteria** – [Item 2](#) of this section is being clarified. Instead of saying that the student meets student eligibility criteria if they participate in a federal or state financed

work study program during the regular school year, the change now states the student meets student eligibility criteria if they are approved to participate in a federal or state financed work study program. This wording more closely matches the NOTE that follows to help explain how to qualify under this provision.

A new item 7, is being added to [2531](#) to provide that participants in the Kansas Health Profession Opportunity Project (KHPOP), are considered to meet student eligibility requirements. The new eligibility criteria states that a student meets student eligibility criteria if he/she is participating in an employment and training program for low-income households that is operated by a State or local government where one or more of the components of such program is at least equivalent to an acceptable food assistance employment and training program component. We have determined that KHPOP meets this requirement.

4. **Re-establishing Eligibility for a Food Assistance Potential Employment Penalty-** A clarification has been added to [3522](#), regarding the maximum length of a food assistance penalty period for a potential employment penalty. The maximum length is 12 months which corresponds to the maximum length of a comparable penalty (see [2552\(3\)](#)). A new item, 4, has been added to [3522](#).
5. **Child Support** – A clarification is being included in [7124](#) regarding the averaging of child support. A note is being added to clarify that when closing a TAF case with assigned child support, the assigned support should be averaged for the food assistance case.
6. **Dependent Care** – Section [7224](#) and [7227.6](#) are being modified with some minor technical changes. No policy changes or procedures are being changed as a result.

IV. Food Assistance and TAF

A. Changes

1. **The Work Number** – The manual is being revised to mandate that The Work Number be checked for possible employment at the time of application, review and IR. This only applies to persons requesting or receiving benefits who are age 18 or older. This change is being implemented as a corrective action to lower the food assistance error rate and is being adopted for TAF for consistency purposes. KEESM [1322.1](#), [9122.6](#) and [9333](#) are

being changed accordingly.

2. **Checking BARI/BASI** – The manual is being revised to add TAF to the header in [1322.1\(12\)](#) and [1322.2\(4\)](#). This clarification is for consistency and procedural purposes since staff are for the most part already checking BARI/BASI for TAF at the time of application and review.
3. **Telephone Interviews** – The manual is being revised to mandate the use of telephone interviews for food assistance and TAF (as appropriate) applications and reviews that are submitted online, dropped off or received through the mail. Face-to-face interviews should be conducted for households who apply in person at the local office and the household stays for the interview. A face-to-face interview in lieu of a telephone interview can still be required using prudent person judgment based on the household's circumstances and the agency's needs, especially for TAF applicants needing to complete and review the Work Readiness Screening. In addition, it is also being clarified that when scheduling an interview, a date and time for the interview must be provided to the household. KEESM [1412.4](#) is being changed accordingly.

B. Clarifications

None

V. Medical Assistance

- A. **Changes** – The following changes are applicable to the medical programs as indicated.

1. **Poverty Level Changes** – New federal poverty level guidelines have been published by the Department of Health and Human Services. The guidelines affect the eligibility standards for the following medical groups:
 - a. Income standards for the Medicaid poverty level and HealthWave XXI program, premium standards for the HealthWave XXI program;
 - b. Income standards for the QMB, LMB, Expanded LMB, QWD, and Medicare Part D Subsidy programs;
 - c. Income standards for the TransMed program;

- d. Income standards and premium standard for the Working Healthy (WH) program;
- e. For spousal impoverishment, the minimum community spouse income allowance increases from \$1,822 to \$1,839. The dependent family member allowance increases from \$608 to \$613. The excess shelter deduction increases from \$197 to \$199.

The following KEESM sections, forms, and appendix items are modified with this change:

Sections [8144.2](#) and [8244.2](#)

[ES-3104.5](#), Determination of Need

[ES-3163](#), Income Allowance Determination

Form [ES-3165](#), Working Healthy Premium Information

Appendix Item [F-8](#), Medicaid and HealthWave Standards.

Separate implementation instructions will be issued to staff for these changes.

- 2. **Substantial Home Equity** – The substantial home equity limit for individuals applying for long term care coverage is increasing from \$505,500 to \$506,000. This increase corrects an earlier mathematical rounding error.

KEESM section [5331.1](#) is being updated with this revision.

- 3. **WORK Program** – The following changes have been made to the WORK program:
 - a. **Plan for Independence** – All reference to the Plan for Independence has been removed from this section since that is no longer an element of the WORK program.
 - b. **Communication** – A new section ([8400.8](#)) has been added to outline communication responsibilities between EES eligibility staff, Benefit Specialists, and the Program Manager. KEESM section [8400](#) is being updated with this revision.

B. Clarifications

1. **Working Healthy (WH) Program** – Three examples have been added to the countable earned income section to help clarify when this threshold has been met.

KEESM section [2664.3\(2\)](#) is being updated with this revision.

FORMS (Explanation provided if not mentioned previously in this summary.)

A. All Programs

1. [ES-3105.1](#), **Request for Information**. The pdf version has been revised and added to the KEESM Forms list. The Word version will be updated as soon as possible with the same changes. Until it is updated, staff may continue to use the Word document currently online when necessary.

B. Medical Assistance

1. [ES-3104.5](#), **Determination of Need**
2. [ES-3163](#), **Income Determination Form**
3. [ES-3165](#), **Working Healthy Premium Information**

C. Successful Families

1. [ES-4413](#), **SRCC Monthly Report**. Substance Abuse Treatment and 12-Step Group have been added to the list of activities. The updated form was posted to KEESM in April 2011.

APPENDIX (Explanation provided if not mentioned previously in this summary.)

A. Child Care

1. [F-1](#), **Monthly Income and Family Share Deduction Schedule for Child Care Services** has been updated to reflect the new poverty level income limits.

B. Medical Assistance

1. [F-8](#), **Medicaid and HealthWave Standards**

C. Successful Families

1. [E-4](#), **TAF 60 Month Limit Questions**. An additional question has been added to the list.

MISCELLANEOUS FORMS (Explanation provided if not mentioned previously in this summary.)

EFFECTIVE DATE

All policies in this revision are effective May 1, 2011. Additional information is being included in the Implementation Memo.

EFFECT ON LOCAL STAFF

Child Care

The changes and updates included in this revision will have minimal impact on staff.

Medical Assistance

The medical changes contained in this revision will likely result in a slight increase in staff effort to incorporate the new poverty level changes.

MATERIALS OBSOLETE BY THIS REVISION

COORDINATION EFFORTS

Within EES, the material in this letter and manual revision has been coordinated with staff in Economic and Employment Support, the EES Program Administrators, the Implementation Planning Team, and the Training Advisory Team.

Sincerely,
Bobbi Mariani, Director
Economic and Employment Support
BM:am

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