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STATE DEPARTMENT OF SOCIAL

Final -**06/09/03**

REHABILITATION SERVICES

Integrated Services Delivery

Docking State Office Building

Room 681 - West

Topeka, Kansas 66612

TO: Area Directors

Economic and Employment Support Chiefs

Economic and Employment Support Staff

Social Service Chiefs

Other Staff

Re: Summary of Changes for Kansas Economic and Employment Support Manual (KEESM) Revision No. 15 effective July 1, 2003.

PURPOSE, BACKGROUND and REASON FOR CHANGE

The changes outlined in this revision of the KEESM are being made for a variety of reasons. The change on where an application may be filed is being made as a result of the concept of "universal access", i.e., being able to apply for and have benefits managed in the county where a person does most of his/her business as opposed to being mandated to do business with SRS through the office in the county of residence. The changes in the ES-3151 (Statement of Medical Condition) form are being made to enhance cooperation between EES and Vocational Rehabilitation for those consumers who are eligible for General Assistance and may be benefitted by a referral to VR.

This revision implements a new change reporting system, simplified reporting, for all food stamp households except those in which all adults are elderly or disabled. This revision also implements change reporting for all TAF and RE recipients, and increases to \$50 the amount of change in unearned income which must be reported by change reporters. Formerly, any change of \$25 or more had to be reported. The change in the \$50 reporting threshold is mandated by Federal Food Stamp Program regulations published in the Federal Register, April 29, 2003.

Food Stamps: Simplified reporting, (formerly known as six-month reporting), was originally planned to be implemented in 2001. Several reasons prevented implementation, but the agency moved forward with the elimination of monthly reporting for most food stamp households effective October 1, 2001. Since that time, changes have occurred in Kansas and across the nation that make the implementation of simplified reporting viable and necessary for Kansas. First, the Farm Bill of 2002 changed the six-month reporting option to apply to all food stamp households not exempt by law, instead of just to households with earned income. With that change, the name of the option was also changed to simplified reporting. Second, the state's error rate continues to climb while the national average error rate continues to drop. Simplified reporting will help reduce the number of consumer errors and have an immediate impact on the overall error rate as described below. At this time, some 23 states have implemented simplified reporting and more are planning to implement. The overall affect of this will be a continued drop in the national average error rate.

A number of combined field and central office groups have been involved in the development of this change. The adoption of simplified reporting was originally based on the recommendation of the EES Rethinking Workgroup, the Policy Development Team and the EES Chiefs. This second iteration was recommended by the Today's Opportunities. . . Tomorrow's Organization (TOTO) Food Assistance Team which met from August to October of 2002 and made recommendations on implementation of provisions from the 2002 Farm Bill. This recommendation was then approved for implementation by the SRS Leadership Team.

Simplified reporting is a new and innovative process for affected food stamp households to report changes. Households are certified for a 12 month time period with an interim report due 6 months from the time the household is certified. Between the time of initial certification and when the interim report is due, the household is only required to report two types of changes; one, if its income rises above 130% of poverty (130% of poverty is the Food Stamp Program's gross income limit); and two, if the household contains an able-bodied adult without dependent (ABAWD) working 20 hours a week, the household must report if the ABAWD's work hours go below 20 hours a week averaged monthly. (Since a very small number of households will have ABAWDs working 20 hours a week, most affected households will have only one change they are required to report in a six month period of time.) For example, for households whose income fluctuates and does not go above 130% of poverty, no changes will be required to be reported and if not reported, the benefit established at certification can remain at this "fixed" level until the time the interim report form is due at 6 months. At the end of the 5th month of the review period, an interim report will be sent which gathers current information. This information will be used to determine the benefit level for the remainder of the review period.

There are many benefits to the implementation of simplified reporting. For affected food stamp households, reporting requirements are drastically reduced. The household may report other changes to the agency, but is not required to do so. If the household chooses to report changes they are not required to report, the state agency must however, act on all changes. Since the reporting requirements are reduced, simplified reporting households will have fewer client caused overpayments that occur and that have to be collected from current and future benefits.

For staff, simplified reporting is far less administratively cumbersome than the current reporting processes of monthly reporting and change reporting. This is especially important in times of reduced staff resources across the state. For example, most fluctuations in income of \$100 or more that are currently not being reported as required by change reporting households will no longer be required to be reported. Thus an error and any resulting overpayment (or underpayment) of benefits will not occur. Overall, simplified reporting will reduce the number of overpayments caused by client error, which will result in less overpayments being established and collected by agency staff. In addition, processing problems that staff currently face associated with switching from a retrospectively budgeted monthly reporting household to a prospectively budgeted change reporting household and vice versa, will be eliminated. It is recognized that simplified reporting, as a new and different policy, will initially be more cumbersome for staff. But once the new policies are understood and assimilated by staff, simplified reporting will result in more efficient and effective administration of the Food Stamp Program for staff and consumers alike.

For the state, implementation of simplified reporting is necessary to help the state achieve and maintain a lower food stamp error rate. For the past two years, the state agency has been faced with a fiscal sanction due to an error rate above the national average. A fiscal sanction for FY 2002 is also projected. The preliminary error rate of 11.2% for Federal Fiscal Year (FFY) 2002 (10-01 through 9-02) is anticipated to result in a substantial fiscal sanction. Kansas had the 5th highest error rate in the Nation in FFY 2002. It is imperative that corrective action be taken that would have an immediate impact on the state's error rate. Simplified reporting will result in that needed immediate impact on the error rate. For example, if simplified reporting had been in place for the sample month of November 2002, the estimated payment error rate would have been 8.6% instead of 11.1%.

It is important to note that although simplified reporting will make an immediate impact on the percentage of errors that are client caused, it will not make an impact on agency caused errors. Issuing the correct amount of benefits to consumers at initial certification and when the interim report is processed will become even more important when simplified reporting is fully operational since there will be less opportunity to review a case between initial certification, the interim report and review. Determining the correct amount of benefits for consumers is providing good customer service. Households that are underpaid suffer when we do not issue the correct amount of benefits for their household circumstances. Households may not have enough food to feed their family. Households that are overpaid suffer later when we determine overpayments and collect the overpayment from future benefits or through other means that reduces the benefits or income available for their current needs.

It is also important to note that consumers who receive multiple benefits will have different reporting requirements for the different programs. This could be viewed as confusing for the consumer. However, it is believed that adequate notification to the consumer of their reporting requirements will alleviate this confusion. For example, for child care and food stamp households, notification of the change reporting requirements in addition to the simplified reporting requirements will be necessary. The consumer who receives multiple benefits need not make a distinction about which change reporting requirements are for which programs. That distinction will be made by the agency in determining what action needs to be taken on the change that is reported.

TAF: Monthly reporting is being eliminated for persons receiving Temporary Assistance for Families (TAF) and Refugee Assistance (RE). Rather than completing a monthly report form each month, TAF and RE recipients will be responsible for reporting changes, such as address, household composition, unearned income of more than \$50, and earnings of more than \$100, within 10 days of the change. General Assistance (GA) recipients are already change reporters. This change consolidates reporting requirements for cash, medical, and child care recipients as well as elderly and disabled food assistance recipients.

This will be a positive change for clients who will be relieved of the burden of completing and returning report forms in months when they have no changes to report. The elimination of monthly reporting complements local service delivery redesign by allowing clients the choice of using e-mail or a toll free number to report changes rather than mailing or personally delivering a report form each month. Monthly reporting is also work intensive for staff. With its elimination, staff will have more time to provide direct client services.

With the elimination of monthly reporting, retrospective budgeting is also being eliminated. Cash assistance cases will all be budgeted prospectively, using income conversion or income averaging, as appropriate, which is the same budgeting method used by all other assistance programs. Food stamp cases with a corresponding TAF case will no longer shift back and forth between retrospective and prospective budgeting in response to changes in the status of the TAF case. This change will simplify the programs for staff and reduce agency errors.

Child Care: On February 1, 2003, the income eligibility threshold for child care subsidy was changed to 150% of the federal poverty level. This was done to assist in addressing the state fiscal year 2003 shortfall. As a result of legislative action, effective July 1, 2003, state fiscal year 2004, the child care subsidy is being restored to 185% of the federal poverty level.

Medical Assistance: The legislature restored, effective 7-1-03, the protected income limit of \$716 for HCBS programs. This figure had been reduced effective 2-1-03 as part of the allotment reductions used to balance the states fiscal 2003 budget.

Adult Protective Services: Revisions to Adult Protective Services reflect the statutory changes of H.B. 2254 as well as other changes including: 1) a new section incorporating information regarding law enforcement officers who now have the duty to receive and investigate reports of abuse, neglect, exploitation or fiduciary abuse; 2) instructions under which joint investigations between SRS and law enforcement will occur; 3) coordination of investigations by county or district attorney if a dispute develops between SRS and law enforcement; 4)

cooperation between agencies; 5) expansion of mandatory reporters; 6) additional wording in the definitions of adult caretaker and neglect; 7) expansion of the definition of Notification to Reporter; 8) inclusion of information related to HIPAA; and 9) inclusion of clarification of several items in sections described below at the request of APS staff for ease in implementation of policies.

I. ALL PROGRAMS

• CHANGES

Universal Access - Effective with this revision, applicants will be able to chose which office they wish to work with for EES related programs. As announced by the Governor of Kansas in late 2002, up to 23 county offices will be closing in the near future with the potential of additional closings in the next 2 years. As offices close, the work will be channeled to surrounding Service Centers (offices) within the SRS Management Areas. Unfortunately this will result in some consumers having to do business through offices that are no longer convenient for them.

With Universal Access, consumers may chose to work with an alternate office for a variety of valid reasons which would include:

- Convenience or if applying for a family member who lives in another Area. (E.G., a customer who lives in Johnson County applies in Overland Park for Nursing Facility coverage for a parent who lives in Seward County.)
- Needed services are available in the Area chosen and not in the Area where the customer lives. (E.G., a FS consumer in Jackson County may chose to receive benefits through Nemaha County because Jackson County does not have FS Employment & Training services available.)
- Natural center of business is in another county (E.G., lives in Kingman County but works in Sedgwick County.)

Consumers MAY NOT chose an alternate county for invalid reasons, which would include:

- Shopping for better services or a different worker.
- Avoiding negative consequences such as a work penalty or fraud prosecution.
- Answer shopping.
- Court jurisdiction does not allow the case to be handled at that service center.

A new subsection 1411.5 is being added as a result of this change. In addition, changes are being made in sections 10036, 10240 and 10270 to support this change.

B. CLARIFICATIONS

None

II. ADULT PROTECTIVE SERVICES

A. CHANGES

1. **Legal Base** - The passage of HB 2254 redefines the legal base for APS investigations.

2. **Joint investigations** - With law enforcement are allowed. It is recommended that SRS and local law enforcement agencies execute a Memorandum of Understanding describing when joint investigations will be used. Copies of the law enforcement investigation are required to be forwarded to SRS. When SRS is unable to interview the alleged perpetrator, SRS is allowed to use the law enforcement report to make a finding. In situations where a joint investigation is used, the ES-1019, Report to Law Enforcement from Adult Protective Services Regarding Alleged Criminal Activity is mandated. If a dispute develops between the law enforcement agency and SRS, the county or district attorney is required to take charge of the investigation and coordinate between the agencies. In addition, if APS believes a crime has occurred, law enforcement must be notified. The following sections are being modified to reflect these changes: 12110; 12300; 12313; 12330; and 12340. As a result of the new sections 12330 and 12340, the existing sections 12330, 12340 and 12350 are being renumbered as 12350, 12360 and 12370.
3. **HIPAA Issues** - Several sections are being modified to reflect changes in procedures that are resulting from HIPAA Privacy requirements. Information regarding federal regulations for HIPAA and regulatory cites are being included in this revision. Copies of these regulations were sent to APS supervisors to distributed with all APS staff. The Notice of Privacy Practice (NOPP) is being referenced as well. (See additional information on the NOPP in the Medical Assistance section below.) A copy of the NOPP is required to be left with the involved adult each time the ES-1003 is signed. Sections 12123 and 12311 are being modified and a new section 12124 is being added to reflect these changes.
4. **Mandated Reporters** -H.B. 2254 expanded and revised the list of mandated reporters and definitions. These include: adult, caretaker, financial institution and governmental assistance provider. In addition, if the caretaker or legal representative refuses to allow protective services to be involved with an adult who consents to such services and legal representation, an injunction may be obtained. Mandatory reporters who knowingly fail to report are subject to a Class B misdemeanor and mandatory reporters can be confirmed as having failed to report and their names placed on the register for failure to report. Section 12150 is being modified to reflect these changes.
5. **Corrective Action** - Instructions are being included that "corrective action measures" will be taken upon completion of the investigation or sooner, if such measures do not jeopardize the investigation. In addition, the criteria to determine a corrective action plan is being amended to exclude fiduciary abuse. These changes are reflected in sections 12140 and 12441.
6. **Alleged Minor Perpetrators** - New procedures are being added to section 12313 regarding interviewing alleged perpetrators under who are minors. The parent/guardian-conservator must sign written permission for the interview and may request to be present for the interview.
7. **Response Time** - Since the SRS Report Center has been discontinued and those reports are received by an answering service, the response time does not begin until the caller has been called back and all information needed to begin the investigation has been received from the reporter. Section 12220 is being changed to reflect this change.
8. **Investigation Reports/Data Base** - Effective July 1, the current ES-1004, Adult Abuse, Neglect or Exploitation Investigation Report, is being abolished. The information formerly gathered on the ES-1004 is being revised and APS social workers shall complete and input all data into the APS Data Base. APS social workers will no longer have to submit paper reports to Central Office. Section 12420(1) and 12430 are being changed to reflect these changes. In addition, section 12512 is being revised to delete the requirement to send an amended ES-1004 to Central Office if the confirmation is reversed. Wording discrepancies between sections 12430 and 12512 are being corrected.

B. CLARIFICATIONS

1. **ES-1008** - Clarifications are being made regarding the use of the ES-1008, Notice of Agency Decision. The ES-1008 cannot be sent to the alleged perpetrator if he/she was not interviewed. In addition, said report shall be sent within five (5) working days. Previously, this was a three working day requirement. Also, the alleged perpetrator must receive a copy of this report when interviewed. In addition, the SRS fraud investigator or central office Chief of Investigations should be notified if APS staff cannot obtain information required for the placement of names on the registry. Sections 12420 (2), 12420 (3) and 12430 support these changes.
2. **ES-1016** - Clarification is being added that the ES-1016, Memo Notification to Facility Regarding APS Finding, must be sent to the Chief Executive Officer where the abuse, neglect or exploitation occurred. Section 12420 is being changed to reflect this clarification.

III. CHILD CARE

• CHANGES

Effective July 1, 2003, the income eligibility threshold for child care subsidy is being changed from 150% to 185% of the federal poverty level. Households with income above 185% of FPL will not qualify for child care subsidy.

The following manual sections are being revised to reflect this change - 2835, 2840, 7440, Appendix #78 **Definition of Common Terms**, and Appendix #48 **Family Income and Share Schedule for Child Care Services**.

• CLARIFICATIONS

None

IV. FOOD STAMPS AND CASH ASSISTANCE

• CHANGES

- **Budgeting Requirements** - To implement change reporting and prospective budgeting for all cash assistance cases, Section 7000 of the KEESM is being reformatted and rewritten where appropriate to remove all references to monthly reporting and to retrospective budgeting.
 - **Section 7100 - Budgeting of Income** - is being modified to remove all references to monthly reporting and retrospective budgeting and now reflects that a prospective (income estimate or conversion) or income average method of budgeting shall be used in determining eligibility and amount of benefits/family share for all programs, including food stamp cases subject to simplified reporting.
 - **Section 7200 - Deductions From Income** - is being modified to remove all references to retrospective budgeting. All expenses, such as child care and medical, will be budgeted prospectively.
 - **Section 7400 - Standards for Budgetary Requirements** - is being modified to state that proration is not applicable when persons are reinstated when an interim report is provided in the month following the effective date of closure. Reference to proration when persons are reinstated after providing a monthly report form are being removed.

No other changes are being made to this section other than renumbering and cross references.

2. **Reporting Requirements** - To implement Simplified Reporting for Food Stamps and Change Reporting for all cash assistance cases, Section 9000 of the KEESM is being totally reformatted and rewritten where appropriate. The title of Section 9000 is now **REPORTING CHANGES, TRANSFER OF ASSISTANCE AND REVIEWS**. Section 9100 describes households responsibility to report changes, 9200 describes transfer of assistance and 9300 describes reviews.

- **Section 9100 - Household Responsibility to Report Changes** - is being modified to remove all references to monthly reporting, as follows:

- **Section 9121** - formerly contained the policies for households subject to monthly reporting. This section has been modified to reflect that cash, child care, medical (excluding Family Medical), and food stamp cases in which all adults are elderly or disabled must report changes within 10 days of the date the change becomes known to the household. The agency must then act upon the change within 10 days of report. A new chart is being included in this section to define when changes "become known to the household". For example, for a new source of income, the change becomes known to the household upon receipt of the first pay check, and must be reported to the agency within 10 days.

The chart on Change Reporting Requirements which is included in Section 9121 is being modified to reflect that changes to unearned income must be reported by change reporters when the amount increases or decreases by more than \$50. Formerly, any change of more than \$25 had to be reported.

Other than renumbering and correcting cross references, no other changes are included in this subsection of the manual.

- **Section 9122** - which formerly contained policies regarding change reporting (moved to 9121), now contains all new policies for simplified reporting. Simplified reporting applies to all food stamp households except those required to change report as stated in the paragraph above. These households have only two reporting requirements for purposes of the Food Stamp Program between the date of certification and the completion of the interim report form (or next review). First, they must report changes in the amount of gross monthly income (earned and unearned) that result in the household's gross monthly income exceeding 130% of the monthly poverty guideline for their household size. As previously stated, 130% of poverty is the Food Stamp Program's gross income limit. Second, for households containing ABAWDs meeting the 20 hour week work requirement of 2520 (1), the household must report any changes in work hours that bring the ABAWD individual below 20 hours per week averaged monthly. These policies are contained in section 9122.1.

Eligibility and benefit amount for simplified reporting households will be determined using the prospective budgeting methodologies that are currently described in 7110. See 9122.3.

One of the requirements for adopting simplified reporting is that households must be certified for a minimum of 6 months. Those certified for longer than 6 months, which will be the great majority, will be required to also complete and submit an interim report 6 months from the time the household is certified. Eligibility and benefits for the remainder of the review period will be based on information reported on the interim report. Failure to return the interim report will result in food stamp case closure. These policies are explained in 9122.2.

Certain households, specifically migrant and seasonal farm workers and homeless households, cannot be required to submit an interim report, thus they cannot be certified for longer than 6 months. These households will still be considered subject to simplified reporting. These policies are explained in 9122.4.

To determine the 130% monthly poverty income guideline, staff will consider all persons in the household including persons coded DI, and DF . For example a household consists of mom (DF), dad (IN), and three children who are all coded IN. The household will be told their 130% limit is \$2,295, the gross income limit for a family of 5. All households must be informed of their reporting requirements and the appropriate 130% income reporting threshold. Special KAECSES notices have been developed for this purpose. In addition, once the limit is determined for the household, it will remain the same, even if the household size changes, until the time the interim report or next review is processed, whichever comes first. These policies are outlined in 9122.5.

As previously stated, households certified for longer than 6 months will be required to complete and submit an interim report 6 months from the time the household is certified as a simplified reporter. The interim report will gather information necessary to determine continued eligibility for the remainder of the review period. The interim report is mailed on the 20th day of the 5th month of the review period. The household must complete and return the form by the 5th day of the following month. The mailing of the interim report (KAECSES notice X843) is automated based on the IR due date on FSAD. If the form is not registered on RERE by the appropriate deadline, the food stamp case is automatically closed and a closure notice sent. System details about the implementation of this policy change will be provided at a later date. Section 9122.6 contains all policies and procedures related to the interim report including processing the interim report, verification required at the time the report is processed, action required if verification is not received, termination of benefits if the interim report is not received, and reinstatement of assistance if the form is received after case closure. These policies are based on policies used for processing the monthly report form.

The next section, 9122.7, describes the procedures for processing changes not required to be reported. These are changes reported by the household, or learned of by agency staff, outside of the interim reporting process. Appropriate action shall be taken on all such changes. Timely and adequate notice of action is required.

Section 9122.8, provides the procedures for acting on reported changes that are required to be reported. Basically if a household reports that their income has exceeded 130% of poverty for the household size, the agency must determine if continued eligibility for benefits exists. If not, the food stamp case is closed. However, because the gross income limit does not apply to special and categorically eligible households, special provisions apply to those type of households. These provisions are described in this section. For the few households who will also contain an ABAWD working 20 hours a week and who report a reduction in these hours to less than 20 hours a week averaged monthly, procedures require determining first if the person has become exempt from the ABAWD provisions or if they have good cause for the reduction in work hours. If not, and they have not received three months of benefits as an ABAWD, assistance will continue until the three month time limit is reached. If the person has already received their three ABAWD months, then action should be taken to remove the person from the case.

The remainder of the changes to section 9100 are renumbering existing material and correcting cross references and a few minor technical corrections.

- **Section 9200 - Transfer of Assistance**

Section 9200 contains the policies for transfer of assistance. No changes have been made to this section other than renumbering and changing of cross references and changing references to the IM-3161 form to the ES-3161 form.

- **Section 9300 - Reviews**

Section 9300 contains policies for reviews. The section has been renumbered and cross references changed. In 9372, item (1) is being modified to clarify that 3 month review periods can only be used for change reporting households. Item (2) is being modified to provide that in addition to households containing an ABAWD, simplified reporting households consisting of migrant and seasonal farm workers and homeless households are to be certified for 6 months. Item (4) has been modified to provide current system information about the SSI mid-review contact. More details about the process that were previously provided to staff in memo form are now being included in the manual. In 9373, references to family medical policies have been removed from the manual, as all family medical policies are now contained in the Kansas Family Medical Assistance Manual (KFMAM).

- **Other Changes** - Many sections in the KEESM referenced sections in 7000 and 9000. These references have been identified and are being changed as needed. They are not being individually identified for purposes of the Summary of Change, but they can be seen on the accompanying manual pages. Sections incorporating additional substantive changes are noted below.
 - **Section 1212.5 - Responsibility to Report Changes** is being modified to include simplified reporting and remove monthly reporting.
 - **Section 1412.3 - Agency's Responsibilities for the Interview**, item (7) is being modified to remove monthly reporting and include simplified reporting as reporting responsibilities which require an oral and written explanation at the time of the interview.
 - **Section 1423 - Reinstatement of Assistance**, item (1) is being modified to include completion of an interim report form for food stamp simplified reporters as a reason for reinstatement of assistance in the month following the month of closure or suspension. In addition, failure to return a complete monthly report form has been removed as a reason for reinstatement.
 - **Section 1432 - Adequate Notice Only**, item (10) is being modified to provide that adequate notice only is required for changes resulting from information reported on the interim report form.
 - **Section 1612 - Continuation of Benefits** is being modified to indicate that households subject to simplified reporting who fail to submit a complete interim report form are not entitled to continued benefits pending the outcome of a fair hearing when the reason for the fair hearing is to contest the imposed reporting requirement. Reference to failure to submit a monthly report form has been removed from this section.
 - **Section 2513 - Households Not to be Considered Categorically Eligible** has been removed and marked "Reserved" due to the elimination of monthly reporting.
 - **Section 2520 - Able-Bodied Adults Without Dependents (ABAWD)** has been modified to include a cross reference to 9122.8 which describes the reporting requirement for ABAWDs working 20 hours a week.
 - **Section 2552 - Treatment of Income and Resources and Special Procedures** is being modified to remove references to changing food stamp cases whose TAF cases do not reopen within a month following closure for a penalty to non-monthly reporting status. This is a moot issue with the implementation of change reporting for TAF.
 - **Section 2560 - Special Provisions for Food Stamp Programs When There Is a TAF Failure to Cooperate with CSE** is being modified to eliminate references to changing cases to non-monthly reporting status as this is a moot issue with the implementation of change reporting for TAF.

- **Section 6220 - Types of Countable Unearned Income**, Item (4) is being revised to eliminate reference to budgeting assigned child support for monthly reporting households. Item (9) regarding gambling winnings is being modified to remove reference to gambling payoffs for monthly reporting households.
- **Section 7110 is being modified to remove references changing food stamp cases whose TAF do not reopen within a month following closure for penalty non-monthly reporting status. This is moot issue with the implementation of change TAF.>7110 - Prospective Budgeting for Cash and Food Stamp Change Reporters, Food Stamp Simplified Reporters and for Medical Assistance and Child Care**, has been modified to state that the prospective budgeting methodology is to be used to determine eligibility and amount of benefits for households subject to simplified reporting.
- **Section 11124 - Computing the Overpayment** is being revised to include instructions for computing overpayments for cases subject to simplified reporting. Instructions for computing overpayments that occurred when a household was subject to monthly reporting/ retrospective have been retained.

• CLARIFICATIONS

None

• GENERAL ASSISTANCE

• CHANGES

Effective July 1, 2003, the ES-3151, Statement of Disability, is being revised. This revision is being made to better gather information regarding that person's medical condition and help to determine if a Vocational Rehabilitation (VR) referral would be justified.

This revision removes all disability terminology from the form and adds a series of questions intended to elicit more detailed information. In keeping with the removal of disability terminology from the form, the form is also being retitled "Statement of Medical Condition". The policies in section 2313 have not been changed (other than the renaming of the form) and this form will still be mandatory for determining GA eligibility.

2. CLARIFICATIONS

None

6. MEDICAL ASSISTANCE

• CHANGES

- **Notice of Privacy Practice** - The security requirements of the Health Insurance Portability and Accountability Act (HIPAA) went into effect April 14, 2003. Beginning on that date, all persons determined eligible for a healthcare benefit program are to be sent a Notice of Privacy Practice (NOPP) to provide an outline of the agency's use of protected health information. The notice was developed in a standardized format as specified by the Act.

HIPAA requires the agency to provide each household participating in a healthcare coverage program on the above date a copy of the NOPP. The medical fiscal agent, EDS, produced and mailed all initial notices to participating consumers. All households newly approved for health benefit coverage must also receive a copy of the NOPP. This can generally be accomplished by including a copy of the NOPP with the initial medical ID card. A notice must also be sent to all households when a medical card is not sent (such as an unmet spenddown case). A NOPP must also be sent to the household when a new member is added to the assistance plan. Households with a break in healthcare coverage of a year or more must be sent a NOPP regardless of whether one has been sent in the past.

A copy of the NOPP is available at the following SRS Internet address:
http://www.srskansas.org/hipaa_nop.html.

A new section, KEESM 2930, is being added to support this new requirement. Additional SRS policy material is found in the HIPAA Policy as published at
<http://www.srskansas.org/hipaa.html>.

- **HCBS and PACE Monthly Income Standard** -The monthly income standard for participants in these programs is increasing from \$645.00 to \$716.00. This change is effective for benefit months beginning 07-03. For the benefit months 02-03 through 06-03, a standard of \$645 applies. A standard of \$716.00 is applicable for benefit months prior to 02-03. This change is based on action taken by the 2003 Kansas Legislature and is included in the SRS budget.

KEESM 8260 is being revised to reflect this change. Appendix Item #55 - Medicaid and HealthWave Standards is also being revised to reflect this change as well as a change in the HealthWave premium amounts (see the KFMAM).

A separate implementation memo will be issued.

2. CLARIFICATIONS

None

• WORK PROGRAMS

• CHANGES

Support Services Specific to TAF Work Program Participation - A new support service, Work Transition Allowance, is being added in 3411.2 (4). This payment, funded from the TAF Employment Service Allocation, is available on a case-by-case basis in situations where the budgeting of earned income creates a hardship for the family.

• CLARIFICATIONS

None

FORMS SECTION (Not previously identified)

• ALL PROGRAMS

- The IM-3105.3 , **An Important Reminder From SRS!** and the IM-3105.4, **Acknowledgment of Reporting Responsibilities** are being revised due to the elimination of monthly reporting. Both forms have also been renumbered as an ES form. Please note

that these forms are only to be used for change reporting households. They are not to be used for simplified reporting food stamp households.

- The following forms to support monthly reporting are being obsoleted: ES-3114 - **Monthly Report Form** (mailed version), ES-3114.1 - **Monthly Report Form** (field version) and IM-3114.2 - **Instructions for Completion of the Monthly Report Form**.

- **FOOD STAMPS**

1. FP-1510.1, **Computation of Food Stamp Benefit** (10-98) is being revised and renumbered to an ES form.
2. ES-1512, **Change Report Form**, is being revised effective 7/1/03 due to the reporting changes described in this manual revision.

MISCELLANEOUS FORMS SECTION (Not Previously Identified)

None

APPENDIX (Not previously identified)

None

EFFECTIVE DATE

The elimination of monthly reporting and retrospective budgeting and the implementation of simplified reporting is effective August 1, 2003. Training and detailed implementation instructions for these changes will be provided prior to implementation. Revised forms, new notices and other implementation materials are in development and will be provided prior to implementation.

The other changes in this revision are effective July 1, 2003 for all applications and reviews received or processed after that date.

MATERIALS OBSOLETE BY THIS REVISION

None

EFFECT ON LOCAL STAFF

Universal Access will have an impact on all parts of EES. Staff will need to be cognizant of the fact that they will be receiving applications from outside their respective counties and these applications will be valid.

Extensive training will be required on the simplified reporting requirements. That training is being prepared by central office and is currently scheduled for delivery in the latter part of July and first week of August, 2003.

The changes in General Assistance require only that the existing supplies of the ES-3151 be destroyed and the new form to be used for all applications to be processed on or after July 1.

COORDINATION EFFORTS

The material in this letter and manual revision have been coordinated with staff in the Economic and Employment Support Section, Child Support Enforcement, Health Care Policy - Medical Policy, Rehabilitation Services, the EES Chiefs, the Policy Development Team, the Implementation Planning Team, EES Program Training Unit, the EES Rethinking Workgroup, the Today's Opportunities. . .

Tomorrow's Organization (TOTO) Food Assistance Team and other EES field staff. Changes were also coordinated with the Kansas Department on Aging.

Sincerely,

Bobbi Mariani, Director
Economic and Employment Support

BM:MSW:jmm

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