

STATE DEPARTMENT OF SOCIAL  
REHABILITATION SERVICES  
Integrated Services Delivery  
Docking State Office Building  
Room 681 - West  
Topeka, Kansas 66612

**September 05 , 2008**

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. 37 effective October 1, 2008.

## **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.

**Adult Protective Services** – The critical incident notification process is being modified to reflect changes in how notification is given to the Secretary. These changes reflect changes within other programs regarding notification. There will also be a change in notification to the Attorney General’s office to include notification regarding outcomes of appeals. This change will have staff provide notification using form ES-1008.2, Memo Notification Regarding Outcome of Fair Hearing. There is also a change regarding notification to the Attorney General’s office when a corrective action plan is completed, using form ES – 1009, Notice of Termination of Corrective Action.

**Child Care** – The procedures for notifying central office of a critical incident involving a child care provider or facility are being added with this revision.

**Food Assistance** - This revision incorporates the annual adjustments to the Food Assistance Program that are effective October 1 of each year. Increasing are: the standard deduction amounts, the excess shelter deduction; the gross and net income limits; and the maximum allotment amounts. These changes were processed with rollover in August, effective October 1, 2008. Information about these changes was provided prior to rollover in August.

Changes are also being made due to the passage of Public Law 110-246, the Food, Conservation and Energy Act of 2008, also known as the Farm Bill. This law mandates the following changes effective 10/1/08: an increase in the standard deduction for household sizes of 1-3 from \$134 to \$144; an increase in the minimum benefit for 1-2 person households from \$10 to \$14; eliminating the caps on the dependent care deduction; permanent exemption of combat pay for military personnel; and excluding all retirement accounts and 529 educational savings accounts. An optional provision that is being implemented for October 1, 2008, is the inclusion of elderly and disabled households in simplified reporting. With this revision, all food assistance households will be subject to simplified reporting. Finally, the Farm Bill changes the national name of the Food Stamp Program to the Supplemental Nutrition Assistance Program (SNAP). The name of the Program in Kansas will

remain the Food Assistance Program. The terminology “food stamps” in the manual is being changed to “food assistance”.

Several other technical corrections and clarifications applicable to food assistance policy are also being included in this revision.

**Food Assistance and TAF** - 529 educational savings accounts such as Learning Quest in Kansas are now exempt as a resource for both TAF and food assistance. This change is due to the 2008 Farm Bill.

**Medical Assistance** - The Home and Community Based Services (HCBS) Technology Assisted (TA) Waiver program has been expanded effective August 1, 2008 to include individuals transitioning from the Attendant Care for Independent Living (ACIL) program. Additional clarifications are being included concerning transfers to an otherwise exempt pooled trust, the effective date of transfer for a disclaimer of inheritance, and the state of residence of an institutionalized individual who is emancipated and capable of indicating intent.

**Successful Families** - The Hardship Criteria is being revised to reflect the Agency’s philosophy that all mandatory TAF customers be engaged early in work activities, that hardship criteria be established by the twenty-fourth month of TAF assistance and cases not meeting hardship criteria be closed at the sixtieth month. Hardship status and work program exemptions for those adults over sixty years of age is being removed.

Work Experience and Supervised Community Service Program components are being updated to reflect the new formula, including child support income, for determining the number of hours a customer may participate.

Changes are being made to the Work Programs requirements in regards to assessments, closure protocol for the 60 month time limit, countable activities, reporting job search activities and zero-hour components.

## **DESCRIPTION, PURPOSE, AND DETAILS OF POLICY CHANGE**

### **I. ALL PROGRAMS**

#### **A. CHANGES**

1. None

#### **B. CLARIFICATIONS**

1. **Application Date** – Section [1411.2](#) is being revised to clarify that the actual signature page from the online application must be used when getting the signature from the applicant. Using a copy of the signature page from a paper ES-3100 or ES-3100.1 is not appropriate.
2. **Alaska Native Claims** – The manual is being modified regarding the treatment of Alaska Native Claims settlement payments. A clarification from USDA indicates

these payments are exempt in their entirety. Section [6410](#)(3) is being modified to incorporate this change.

3. **Combat Pay** – The manual is being revised to add combat pay to the list of exempt incomes in Section [6410](#). A new item (12) is added in alphabetical order. (The remainder of the items in [6410](#) are being renumbered accordingly.) Because procedures around counting this income are so detailed, Policy Memo [05-03-01](#) is not being obsoleted, rather a cross reference and a link are being included in the manual. The Policy Memo has been revised to remove the list of combat zones and to make other technical corrections. A new appendix item [X-12](#) is also being added to provide a current list of combat zones. The exemption of combat pay was made permanent in the 2008 Farm Bill.
4. **Income Exempt as Income Only and Income Exempt as Income and a Resource** – All individual numeric references to and about the items listed in KEESM [6410](#) are being removed. Instead we are placing several anchors in [6410](#) and when section [6410](#) is referenced within the manual, the links will go to an area on the [6410](#) page showing the type of income, rather than to the specific number within [6410](#). (E.G. "see KEESM 6410(37)" will be presented as "see KEESM [6410](#) Lump Sums"). The Table of contents on the left-hand side of the window will maintain an accurate numeric listing and link to each item.

This is being done to avoid having to change all the links to 6410 each time a new type of income is added to the section.

## II. ADULT PROTECTIVE SERVICES

### A. CHANGES

1. **Critical Incident Notification** – The Critical Incident notification process is changing to include notification to the Critical Incident Team. This procedure is lined out in Section [12130](#). The new process provides definitions in section [12131](#), and section [12132](#) explains the procedure for notification. The process will replace the current Critical Incident notification process.
2. **Corrective Action Plans** – Section [12443](#) is being changed to reflect notice of the outcome of corrective action plans to the Attorney General's office, using [ES-1009](#).
3. **Confirmed Finding Notification** – Section [12521](#)(3) is being changed to reflect notification to the Attorney General's office regarding the outcome of an appeal.

### B. CLARIFICATIONS

1. Section [12221](#) is being modified to include the categories available on the APS database for reasons a face-to-face visit may not be made with the involved adult.
2. Section [12410](#) is being modified to reflect the exceptions listed in the APS database regarding case findings.

### III. Child Care

#### A. CHANGES

1. **Concerns Related to a Child Care Provider or Facility** - Section [10300](#) is being re-titled and modified to include procedures for notifying central office of a critical incident involving a child care provider.

#### B. CLARIFICATIONS

1. **Children's Earnings** - Section [6410](#) is being revised to clarify that for child care, the earnings of any child under age 18 (or age 19 if the child is working towards the attainment of a high school diploma or its equivalent) are exempt unless the child is legally responsible for another person in the nuclear family.
2. **The Child Care Plan** – Section 7600 is being revised to remove reference to sending a copy of child care plans to child care providers. This reference was overlooked when the policy change was made that stopped sending copies of those plans to providers in January, 2007.

### IV. Food Assistance

#### A. CHANGES

1. **Supplemental Nutrition Assistance Program** – Section [1112](#) is being revised to reflect the new name of the Food Stamp Program. The new national name of the program is the Supplemental Nutrition Assistance Program (SNAP), however, in Kansas we will continue to call the program the Food Assistance Program. This change is due to The Food, Conservation and Energy Act of 2008, Public Law 110-246, also known as the Farm Bill. This section also now reflects the name of the Act that authorizes the program, the Food and Nutrition Act of 2008.
2. **Annual Adjustments to the Food Assistance Program Standards**– Effective October 1, 2008, the following appendices are being updated to incorporate the annual federal adjustments to the Food Assistance Program that increases the standard deduction, excess shelter deduction, and gross and net income limits:

Item [F-2](#), **Food Assistance Program Standards**;

Item [F-3](#), **Food Assistance Program Benefit Tables**; and

Item [F-11](#), **130% Income Reporting Chart for Simplified Reporters**. (The changes to item F-11 result from the increase in the Gross income limit.)

3. **Standard Deduction** – Section [7222](#) is being modified to increase the standard deduction amounts. The new amounts effective 10-01-08 are:

Household size 1-3 = \$144

Household size 4 = \$147

Household size 5 = \$ 172

Household size 6 or more = \$ 197

4. **Shelter Costs** – Section [7226](#) is being modified to increase the excess shelter deduction to \$ 446.

These amounts were entered into the KAECSES-AE system prior to rollover in August 2008 and were processed automatically with rollover. Information about the implementation of the annual adjustments was provided separately.

5. **Expedited Services** – The manual is being revised to modify the procedures when date of discovery on the APMA screen should be used. These changes are being made because the Federal calculation of timeliness for Quality Assurance purposes will always start with the date of application, regardless of whether the entitlement to expedited was discovered later. For this reason it is imperative that food assistance applications are screened for expedited services on the date of application. The only use for the date of discovery field on APMA should be for on-line applications. In these instances the date the signature page is received should be entered and KAECSES will track timeliness from that date. Sections [1415.1](#) and [1415.2](#) are being modified to incorporate these changes.

A clarification is also being made to this section regarding postponing verifications. To insure expedited timeliness, verifications should be postponed as much as practicable, with the exception of identity, which must always be verified. Also, the interview cannot be postponed for expedited services. If the household is entitled to a waiver of the face-to-face interview, a phone interview shall be conducted. Section [1415.2](#) has been modified to incorporate this clarification.

6. **Pension Plans** – Section [5430](#) is being revised to exempt all retirement plans for purposes of the Food Assistance Program only. This change is due to the 2008 Farm Bill.
7. **Dependent Care** – The manual is being revised to eliminate the caps on the dependent care deduction for purposes of the Food Assistance Program only. Prior to 10/1/08 the caps were: up to \$200 for each child under age 2; and up to \$175 for each child age 2 and over. This change is a result of the passage of the 2008 Farm Bill. Since there is no limitation on the amount of dependent care allowed, staff must take extreme caution when entering dependent care on the EXNS screen. The system will allow any amount up to \$999.99, which is the current system limitation. Section [7224](#) is being modified to include this change.

This change will be automated with rollover in August for cases with dependent care currently over the \$175/200 caps listed on EXNS. If staff have entered the capped amount on EXNS instead of the actual amount of dependent care in excess

of the caps, a report will be generated in mid September of food assistance cases with dependent care listed at exactly \$175 or \$200. Staff will need to review those cases on a case-by-case basis and enter the proper amount of dependent care. It is anticipated that less than 400 cases statewide will be affected by this change. Further instructions regarding the implementation of this change will be provided in the Implementation Memo.

8. **Household Responsibility to Report Changes** – The recently passed Farm Bill allows States to expand simplified reporting to all food assistance households. Because this change will simplify administration of the food assistance program for staff and customers, Kansas is adopting this change effective 10/1/08. Although all households will be subject to simplified reporting, households in which all adults are elderly or disabled and with no earned income cannot be required to submit an interim report form. If the elderly or disabled household has any earned income, the household must complete an interim report form.

As a result of these changes, the time limits for food assistance review periods are being simplified. All households will be certified for 12 months, except households in which all members are SSI recipients and there is no earned income can be certified for 24 months with the mid cert review due at 12 months. With these changes to review periods, homeless households, migrant/seasonal farmworker households and households containing an ABAWD will now be certified for 12 months with an interim report form due at 6 months, instead of being certified for a maximum of 6 months.

The following manual sections are being modified to incorporate these changes: [9110](#), [9120](#), [9121](#), [9121.1](#), [9121.2](#), [9122](#), [9122.1](#), [9122.2](#), [9122.4](#), [9122.6](#) and [9372](#). Appendix items [T-8](#), Reporting Notices Chart and item [T-9](#), Reporting Requirements Notice Matrix have also been revised.

Detailed implementation information for this change will be provided in the Implementation Memo. Training material will also be prepared and shared with staff.

## B. CLARIFICATION

1. Residents of Institutions – A technical clarification is being made to Section [4230](#). The word “or” is replaced with “of” in the parenthetical phrase “over 50% of 3 meals daily”.

## V. FOOD ASSISTANCE and TAF

### A. CHANGES

1. **Exempt Resources** – The manual is being revised to exempt 529 educational savings accounts (Learning Quest in Kansas) for purposes of the TAF and food assistance programs. This change is mandated for food assistance per the 2008 Farm Bill and is being applied to the TAF program for consistency purposes.

Sections [5410](#) and [5430](#) are being modified to incorporate this change.

## B. CLARIFICATIONS

1. **Trust Funds** – The manual is being revised to clarify that supplemental needs/care trusts established pursuant to 42 U.S.C. 1396p(d)(4)(A) are exempt for purposes of the food assistance and cash programs(except GA). Such trusts will be clearly marked if they were created pursuant to the above Federal site. These trusts do not have to be submitted to EES Central Office for cash or food assistance review purposes. The case record must be documented regarding why the trust is exempt. Section [5610](#) is being modified to incorporate this clarification.

## VI. MEDICAL ASSISTANCE

### A. CHANGES -

1. **HCBS TA Waiver** – The HCBS TA Waiver program is being expanded effective August 1, 2008 to include individuals transitioning from the ACIL program. A separate implementation memo has been issued concerning this change.

KEESM sections [8200.1](#), [8200.2](#) and [8214](#) will be updated with this revision.

### B. CLARIFICATION

1. **Residency** – Clarification is being included with this revision concerning the state of residence of an institutionalized individual who is emancipated from his/her parents or who is married and capable of indicating intent. The state of residence for these individuals is the state where the individual is living with the intent to remain there permanently or for an indefinite period.

KEESM section [2152](#) will be updated with this clarification.

2. **Transfer to Exempt Trust** – Clarification is being included with this revision concerning the transfer of assets to an otherwise exempt pooled disability pay-back trust. Transfers to the trust will be considered an uncompensated transfer if the individual establishing the trust is age 65 or older.

KEESM section [5722](#)(2) will be updated with this clarification.

3. **Disclaimer of Inheritance** – Clarification is being included with this revision concerning the effective date for a disclaimer of inheritance. The date of the decedent's death is the effective date of the transfer.

KEESM section [5722](#)(3) will be updated with this clarification.

## VII. SUCCESSFUL FAMILIES

### A. CHANGES

1. **Hardship Status** – KEESM [2243](#) is being revised to reflect the Agency's philosophy that all hardship criteria be determined by the twenty-fourth month of TAF assistance. When mandatory adults are unable to participate in work programs, a hardship assessment needs to be completed by the time a customer has reached 24 months of TAF assistance. Hardship Criteria have reduced from six criteria to five. In addition, cases where there is no hardship will be closed at sixty months. Any case remaining open past the sixty months is to be in hardship status and have approval from the EES Program Administrator or designee. Corresponding KEESM Sections [3210](#), [3220](#), [3230](#), [3240](#), and [3530](#) are being revised to reflect these changes to policy.
2. **Work Experience and Supervised Community Service Programs** – KEESM [3310.4](#) and [3310.6](#) are being updated to reflect the new requirement that scheduled hours for these components are determined using a formula based on TAF plus Food Assistance, minus Child Support retained by the State, divided by minimum wage, divided by 4.33. Customers meeting the formulated hours are to be deemed as meeting work participation in the primary work components.
3. **Agency Protocol Prior to Terminating TAF Cash Cases Due to 60- month Time Limit-** The CASA, LD Screen, Vocational assessment and Psychological evaluation will no longer be required for all mandatory TAF customers. KEESM [2242](#) is being revised to reflect this change.
4. **Assessment Process-** KEESM [3130](#) is being revised to focus on determining hardships by the 24th month of TAF benefits. The mandatory core assessments are now the Work Readiness Screen, the Self Assessment Tool and the SASSI. Customers will collaborate with case managers on other assessment/screening assignments based on guidelines provided in section [3130](#). Reasons for additional testing will be documented by the case manager.
5. **Unsupervised Study Time and Bachelor Degree Studies-** Federal Regulations now allow states to count unsupervised study time towards work program participation rates. Case managers may count up to an hour for each hour of scheduled class time. Supervised study time will need to be documented. The total of supervised and un-supervised study time may not exceed the hours required by the educational program for successful completion of the course. The last 12 months of study for a Bachelor Degree that is skill specific and meets the State's occupational demands criteria may be counted as Vocational Education. Daily supervision is being revised to reflect the new federal definition in KEESM [3300](#) as well. There is additional guidelines on documenting Distance Learning programs
6. **Work Experience Program-** KEESM [3310](#) is being revised to allow soft skills classes and work-shops that are intended to prepare the customer for a work experience site placement to count as WXN participation. These activities must be

a part of the work experience program agenda.

7. **Job Search/Job Readiness** – The formula in KEESM [3310](#) used for calculating participation time in job search activities is being removed. Customers are required to report the actual amount of time spent in job search activities.
8. **Components Not Countable for Federal Work Participation-** KEESM [3330](#) is being revised to limit the assessment component (ASE) to no more than 30 day non-consecutive intervals once the 90 day assessment period has ended. No Appropriate Component (NAC) is being removed from KEESM and will be replaced with PRC(Parent Responsible for Child Care) and WPP (Work Program Penalty) codes for tracking purposes. If a case Closes for other reasons and the customer remains eligible for Job Transition (JOTR) services, the case manager will code SESP with the activity code that most closely matches the reason for closure. The description line by the component on SESP may be used for further explanation.

## B. CLARIFICATIONS

1. Clarification is being given as to when the Work Readiness Screen and the Self Assessment should be reviewed and /or re-given. There Is also clarification as to assigning applicants to work program activities.
2. Clarification is being given for the use of the Flexible Transportation Payment (FTP) in KEESM [3411.1](#).

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

### A. Adult Protective Services

1. [ES-1008.2](#), **Memo Notification Regarding Outcome of Fair Hearing**, and [ES-1009](#), **Notice of Termination of Corrective Action**, are being modified with a place to check for distribution to the Attorney General's ANE Unit.

### B. Food Assistance

1. [ES-1510.1](#), **Computation of Food Assistance Budget (Electronic Version)**, has been modified to incorporate the increased standard deduction and other amounts effective October 1, 2008. The new form is in Excel and is being programmed to allow staff to tab from enterable field to enterable field. [Instructions](#) for completion of the 1510.1 in Excel are also being included in the manual.
2. [ES-3103](#), **Income/Expense Worksheet** – An Excel version of the Income/Expense worksheet has been added to the Forms Section. Staff can download the form and use the calculation features of the Excel version. [Instructions](#) for completion of the 3103 in Excel are also being included in the manual.
3. [ES-3115](#), **SSI 12 Month Report Form** – A paper version of the SSI 12 month report form is being included in the Forms section to be downloaded if needed. There are two

versions of the form available at this time, the English version and a version in Russian.

### C. Successful Families

1. [ES-4310](#), **Need for Care**, is being modified to generate specific information for the case manager.
2. [ES-4309](#), **Doctor's Statement**, that will be used state wide for disability determination is being has been developed and will be posted on the Forms section of KEESM.
3. [ES-4306](#), **Job Search Report**, form is being developed for the customer to report actual job search hours.
4. OARS Referral and Monthly Status report forms, located in the Miscellaneous section of KEESM, have been revised and updated.

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

### A. Adult Protective Services

1. **X-11, APS Fax Transmittal**, is being removed. CFS Form 2017, the fax cover sheet to the Attorney General's office for confirmed findings is replacing it and will be located in the miscellaneous forms section.

### B. Child Care

1. [X-6](#), **Definitions of Common Terms**, is being revised to include definitions for "Child Care Critical Incident Non-Abuse Neglect" and "SRS Critical Incident Team.

### C. Food Assistance

1. [F-2](#), **Food Assistance Program Standards**;
2. [F-3](#), **Food Assistance Program Benefit Tables**;
3. [F-11](#), **130% Income Reporting Chart for Simplified Reporters**;
4. [T-8](#), **Reporting Notices Chart**
5. [T-9](#), **Reporting Requirements Notice Matrix**
6. [X-12](#), **Current Combat Zones**

### EFFECTIVE DATE

The change in the HCBS TA Waiver program is effective August 1, 2008. All other policies in this revision are effective October 1, 2008. Additional information is being included in the Implementation Memo.

### EFFECT ON LOCAL STAFF

### **Adult Protective Services**

The changes in this revision will have minimal affect on staff. Most of the changes are to ensure adequate communication with our customers and partners. The appeal summary form will ensure consistency with how staff responds to appeal requests across the regions. Additionally the changes coincide with work being done by the APS Policy Advisory group, which looks at program policy.

### **Food Assistance**

The changes in this revision will have a minimal affect on staff. Most of the changes will be automated with mass change at rollover in August. Simplified reporting changes will simplify the administration of the food assistance program for staff and customers.

### **Successful Families**

EES case managers will have more time to spend up-front with the customers in determining hardships, promoting early engagement and concentrating on customer-driven services.

### **MATERIALS OBSOLETE BY THIS REVISION**

**Form IM-3108, Case Worker Card** – This form is being obsolete in all languages due to lack of use and because staff are able to order business cards as needed.

**Form EP-4306, Employer Contact Record**, is being obsolete. Staff will use the ES-4306 in the future.

**Appendix item F-9, Cash Program Standards** – This item is being obsolete in all versions because the information is no longer valid. All versions will continue to be available on the KAECSSES tables.

The current information from F-9 is available on the following Appendix items:

**F-4, TABLE I** –TAF/GA NonShared Living

**F-5, TABLE II** –TAF Shared Living

**F-6, TABLE III** – GA NonShared Living

**F-7, GA Pro Rata Tables**

### **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, the Training Advisory Team. The medical material has been coordinated with KHPA. Successful Families material has been coordinated with the Work Experience/Community Service Work Site Development/Utilization Work Group, SRS Legal, and KCSDV.

Sincerely,  
Bobbi Mariani, Director

Economic and Employment Support  
BM:AM:lf

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