

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

08-31-10

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. 45 effective October, 2010.

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 – Changes in procedures when transferring cases between counties are being re-defined.

Child Care – Child care family share deductions will return to their pre-October 2009 levels effective October 1, 2010, because ARRA funding will end September 30, 2010.

Food Assistance – This revision incorporates the annual adjustments to the Food Assistance Program that are effective October 1 of each year. There are only two changes this year that are being implemented. The Standard Deduction for household sizes of 1-3 is increasing from \$141 to \$142. The maximum excess shelter deduction is changing from \$459 to \$458. Not changing for October are the gross and net income limits or the maximum allotment amounts. These two changes were processed with rollover in August, effective October 1, 2010. Information about these changes was provided prior to rollover in August. This revision also incorporates several changes and clarifications to policy. The changes include a change in categorical eligibility and a change to the time frames for cooperation with quality control after a non-cooperation penalty for refusal to cooperate with quality control has occurred.

Medical Assistance – This revision incorporates the change in the Presumptive Medical Disability Determination (PMDD) referral process. American Indians and Alaska Natives are now exempt from the premium

requirement under the Working Healthy (WH) program. The irrevocable burial agreement funeral services resource exemption has increased from \$5,000 to \$7,000. The Money Follows the Person (MFP) institutional residency requirement has been changed from 6 months to 90 days.

The personal needs allowance for an institutionalized individual has been corrected in the medical assistance planning section to reflect the current amount.

Successful Families – Clarification is being given for pregnancy verification, dependent care deductions, and proration of benefits when cash reopens.

Successful Families work programs uses Solutions Recovery Care Coordination (SRCC) to provide services to mandatory TAF customers with substance abuse barriers.

In conjunction with DBHS, EES has broadened the scope of activities that may be reported to the EES worker, who in turn may determine if these activities meet participation standards.

DESCRIPTION, PURPOSE, AND DETAILS OF POLICY CHANGE

I. All Programs

A. Changes

- 1. Sending County's Responsibilities** – Changes when transferring case files between counties are being redefined to require the transferring county to update information, if known, on the KAECSES system. The KSCares work program file will now be sent at the same time as the KAECSES file, even if closed.

KEESM [9221.1](#) and [9221.2](#) are being updated with this information.

II. Cash and Food Assistance

A. Changes

None

B. Clarifications

- 1. Fugitive Felons and Probation and Parole Violators** – A clarification is being provided for Section 2182, that the ineligibility for cash and food assistance for persons who are either fugitives from justice by reason of a felony conviction or

charge, or who are in violation of a condition of probation or parole imposed under federal or state law applies to juveniles. Section [2182](#) has been modified accordingly.

III. Child Care

A. Changes

1. **Family Share Deductions** – Adjustments have been made to increase the amount of the family share deductions for families receiving EM child care and who were assigned a family share deduction back up to the pre October 2009 levels. Funding from the American Recovery and Reinvestment ACT was used to temporarily assist parents with their out of pocket child care expenses. That ARRA funding ends September 30, 2010. Instructions for making this change will be included in the implementation memo.

B. Clarifications

None

IV. TANF and Food Assistance

A. Changes

None

B. Clarifications

1. **Joint Custody Situations** – The manual is being clarified regarding joint custody situations when both parents are requesting assistance for the child and they will not agree on which household will include the child. In these rare situations, the parent who applied for assistance first will receive assistance for the child. KEESM [2221](#) and [4211](#) are being modified accordingly.
2. **Whereabouts of Recipient Unknown** – A clarification is being included in Section [9124](#) regarding the return of interim report forms and review forms that are marked with no forwarding address. For food assistance and cash, the provisions of this section, e.g. sending an Informational Notice to the last known address, do not apply. This is because assistance will automatically terminate for failure to return those forms.

V. Food Assistance

A. Changes

1. **Cooperation with Quality Assurance** – For food assistance, a change is being made to this section according to recent federal regulations. The section has been reformatted for clarification and as a result, a new item has been added. The changes involve the amount of time after refusal to cooperate that the household shall not be determined eligible without providing verification. For refusal to cooperate with State quality control, if a household terminated for refusal to cooperate reapplies after 125 days (previously 95) from the end of the annual review period, the household shall not be determined ineligible for refusal to cooperate, but must provide verification in accordance with [1322.1\(7\)](#). For refusal to cooperate with Federal quality control, the date is changed from 7 months to 9 months. Section [2123](#) is being modified to incorporate these changes.
2. **Categorical Eligibility** – A change is being incorporated regarding categorical eligibility. Section [2513](#) is being changed from Reserved to Households Not to be Considered Categorically Eligible. This section was removed from the manual in a past manual revision according to categorical eligibility policies at that time. When policies regarding categorical eligibility subsequently changed, the section should have been reinstated to the KEESM, but was inadvertently not included.

This section provides that a household which contains a member disqualified for fraud per [11200](#), cannot participate solely on the basis of categorical eligibility. The household may be otherwise eligible, but the disqualified member may not participate under any circumstances. This also applies to a household containing a member who is disqualified as a fleeing felon or a probation/parole violator per [2182](#). And lastly, a household who is closed for failure to complete the Interim Report Form or 12 Month Report Form cannot participate based solely on categorical eligibility.

3. **Annual Adjustments to the Food Assistance Program Standards**– Effective October 1, 2010, the following appendices are being updated to incorporate the annual federal adjustments to the Food Assistance Program. The only changes for 10/1/10 are an increase in the standard deduction for household sizes of 1-3 from \$141 to \$142, and a decrease in the maximum excess shelter deduction from \$459 to \$458. Households were notified

of any changes to their benefits with the mass change notice issued after rollover in August 2010.

Items changed are:

Item F-2, **Food Assistance Program Standards;**

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

Household size 1-3 = \$142

Household size 4 = \$153-no change

Household size 5 = \$179-no change

Household size 6 or more = \$205-no change

5. **Shelter Costs** – Section [7226](#) is being modified to change the excess shelter deduction to \$458.

These amounts were entered into the KAECSES-AE system prior to rollover in August 2010 and were processed automatically with rollover. Information about the implementation of the annual adjustments was provided separately.

B. Clarifications

1. **No Sales Tax on Food Assistance Purchases** – Section [1133.3](#) is being modified to clarify that even though sales tax cannot be charged on food assistance purchases, sales tax will be charged on the value of a coupon(s) used when purchasing food with food assistance benefits. For example, a \$1.00 coupon is used while purchasing food. The \$1.00 will be taxed and the customer will have to pay sales tax on the \$1.00.
2. **Households Entitled to Expedited Service** – This section is being clarified due to a recent federal directive. When calculating rent/mortgage costs to determine eligibility for expedited services, separate fees for payment of other shelter expenses, such as condominium fees or homeowners' association fees are not to be included. If the fees are included in the monthly rent/mortgage payment, then they are allowable. KEESM [1415.1](#) has been modified to incorporate this clarification.
3. **Re-Establishing Eligibility After a Comparable Penalty** – The manual is being clarified regarding re-establishing eligibility after a comparable penalty. The provisions of 3522 also apply

and can be used to re-establish eligibility. For example, if the individual secures employment with weekly gross earnings, or adjusted gross earnings for self-employment, at least equal to the federal minimum wage multiplied by 30 hours; the comparable penalty can be cured if the household does not reapply for TAF. A cross reference is, therefore, being included in KEESM [2552\(2\)](#) to refer to the provisions of [3522](#).

4. **Dependent Care-** Special KAECSES procedures for situations where the person paying the dependent care is coded DI are contained in [6520\(2\)\(a\)](#). A cross reference is now being included in [7224](#) to that section.
5. **Households That Cannot be Required to Submit an Interim Report** – A clarification is being provided in [9122.4](#). When determining when an elderly or disabled adult has earned income (and thus subject to interim reporting), earned income does not include income that is otherwise exempt, such as Senior Companion income ([6410 \(54\)](#)) or Foster Grandparents ([6410 \(25\)](#)).

VI. Medical Assistance

A. Changes

1. **PMDD Referral Process** – The Presumptive Medical Disability Determination (PMDD) referral process has been changed. The Telephone Consultation (TC) has been eliminated as an eligibility requirement and a formal referral to the PMDT is not to be completed until the applicant appears to be otherwise eligible. Several forms have been revised and an additional one created to accommodate the new process. A separate implementation memo addressing this change has been issued.

KEESM sections [2662.4](#), [2662.5](#), and [2662.6](#) will be updated with this revision.

2. **WH Premium Exemption for American Indians** – American Indian and Alaska Native recipients under the Working Healthy (WH) program are exempt from the premium requirement. These individuals will not be responsible for paying a premium in order to access coverage. The classification of an individual as an American Indian or Alaska Native is based on client statement and requires no further verification. A separate implementation memo addressing this change has been issued.

KEESM section [2664.5](#) will be updated with this revision.

3. **Funeral Agreements** – The total exempted resource amount allowed to be designated for funeral services in an irrevocable burial agreement has increased from \$5,000 to \$7,000. A separate implementation memo addressing this change has been issued.

KEESM sections [5430\(1\)](#) and [\(9\)](#) will be updated with this revision.

4. **Money Follows the Person (MFP)** – The length of stay in an institution prior to qualifying for coverage under Money Follows the Person has been changed from 6 months to 90 days.

KEESM section [8219](#) will be updated with this revision.

B. Clarifications

1. **Personal Needs Allowance** - This section is being updated to reflect an increase in the institutional personal needs allowance that was inadvertently missed from an earlier revision.

KEESM section 8120(3) will be updated with this revision.

VII. Successful Families

A. Changes

1. **SRCC Work Components** – KEESM [3330.1](#) will be revised to remove the existing in-patient treatment work components. The EES worker will now receive a monthly report from SRCC which will notify the EES worker of any possible countable activity the customer may be involved in during their substance abuse treatment. It will be up to the EES worker's discretion to decide whether the customer's activities count towards federal participation. SRCC will be responsible to track and verify hours in the event the customer is selected to be part of the Federal monthly sample pull.

The ES forms 4412, 4413 and 4414 will be combined into one universal form (ES-4412) that functions as a referral, turn-around and assessments notification form. A monthly Report form (ES-4413) will be available for SRCC to report to EES as to the activities of the customer, the contacts with the customer

and if the customer is in cooperation status.

B. Clarification

1. **Child in the Family** – Clarification is being provided in [2210](#). Proof of pregnancy is not required to approve cash assistance.
2. **Persons Included in the Assistance Plan** – [7211](#) is being revised in accordance with previous changes for not requiring verification of dependent care costs unless questionable.
3. **Proration is not applicable to** – Clarification is being added to indicate that proration does not apply to cash assistance cases which reopen the month following the month of closure.

[7401.2](#) is being modified, with the former text labeled (a) and the added clarification labeled (b).

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

A. Food Assistance

[ES-1510.1](#), **Computation of Food Assistance Benefit** – The Excel version of this form is being revised based on the October 2010 deduction amounts.

B. Medical Assistance

1. [ES-3901](#) – Presumptive Medical Disability Determination Referral
2. [ES-3903](#) – Presumptive Medical Disability Determination Questionnaire
3. [ES-3906](#) – Presumptive Medical Disability Determination Changes/Decision
4. [ES-3909](#) – Presumptive Medical Disability Determination Cover Letter

C. Successful Families

1. ES-4412 – Universal form combining ES-4412 (Turn Around Form SRCC), ES-4413 (SRCC Assessment and Results and Referral form), and ES-4414 (EES Case Worker Referral Form to SRCC).
2. ES-4413, **SRCC Monthly Report**.

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

A. All Programs

[X-8](#), **ICT Checklist**, has been updated to reflect the procedural changes in KEESM 9221.1 and 9221.2.

B. Child Care

[F-1](#), **Monthly Family Income and Share Deduction Schedule for Child Care Services** – This table is being changed to return to the pre-October 2010 levels due to the ending of the ARRA funding.

C. Food Assistance

[T-10](#), **Food Assistance Shelter Changes Chart** – The title of this desk aide has been changed from food stamps to food assistance.

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

[W-9](#), **Request for Taxpayer Identification Number and Certification**, is being added to the Miscellaneous Forms list. It will be linked directly to the form on the IRS site.

EFFECTIVE DATE

All policies in this revision, except those related to Medical Assistance, are effective October 1, 2010, and these policies apply to all applications and reviews received or processed on or after that date unless stated otherwise. For ongoing cases the changes and clarifications are applicable at the time of the next review/IR or case change involving the affected policy. Additional information is being included in the Implementation Memo.

The change in the funeral agreement resource exemption amount and the change in the Money Follows the Person institutional residency requirement were both effective July 1, 2010. The change in the Presumptive Medical Disability Determination (PMDD) process was effective August 19, 2010. The Working Healthy (WH) premium requirement exemption for American Indians and Alaska Natives is effective with the issuance of the implementation memo.

EFFECT ON LOCAL STAFF

Child Care

This change will be work intensive for staff, as they will have to access each EM child care plan to reauthorize it with the new family

share, and if there is a Food Assistance case attached, adjust the child care expense and reauthorize, sending a notice if benefit amounts change. Since this is a negative change, work on all child care cases will have to be completed by September 17th, the 10 day adverse action deadline for October benefits.

Medical Assistance

The change in the Presumptive Medical Disability Determination (PMDD) process should reduce the amount of staff time invested in processing these cases.

MATERIALS OBSOLETE BY THIS REVISION

- A. The Memo "Work Readiness Screening and Assessment for Refugees" is obsolete and has been removed from the Internal Memos site. The content will be updated and placed on an appropriate site. Staff will be notified when it is available.
- B. ES-4413, SRCC Assessment and Results and Referral form and ES-4414, EES Case Worker Referral Form to SRCC.
- C. ES-4322.1SRCC, Community Service/Work Experience Assignment and Site Report, will be deleted.
- D. Appendix item C-17 is being obsoleted and staff are being directed to the W-9 form in Miscellaneous Forms.

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.

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

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