

STATE DEPARTMENT FOR CHILDREN
AND FAMILIES
Family Services
Docking State Office Building
Room 581 - West
Topeka, Kansas 66612

9/30/13

To: Regional Directors
Economic and Employment Services Program Administrators
Economic and Employment Services Staff
KDHE-HCF Staff, including the KanCare Clearinghouse
Prevention and Protection Services Administrators
Other Staff

Re: Summary of Changes for Kansas Economic and Employment Services
Manual (KEESM) Revision No. 61 effective October 1, 2013.

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 – A revised [ES-3100](#), Application for Benefits and an [ES-3100r](#), Review for Benefits are being implemented with this revision. The ES-3100 and ES-3100r are only for food assistance, child care and cash assistance applications and reviews. A new format is being presented in the ES-3100. The application will only support applying for 4 persons. If there are additional persons in the home that are applying, the Additional Person page will have to be provided and completed by the applicant. All forms have been sent to the State Printer and will be available for use when received in the local offices. Due to the nature of the new 3100, staff distributing applications in the local offices will need to ask applicants how many people they are applying for in order to provide Additional Person pages if the applicant is applying for more than 4 persons.

All medical programs must be applied for using the medical applications. Refer to information from KDHE regarding the medical applications. Because of this the ES-3100.1 and ES-3100r are being obsoleted.

Child Care – With this revision, it becomes mandatory that adults included on a child care case not only be employed 28 hours per week, but also be earning at least the federal minimum wage per hour.

Food Assistance – This revision incorporates the annual adjustments to the

Food Assistance Program that are effective October 1 of each year. The gross and net income limits have increased this year in addition to increases to the standard deductions. The Standard Deduction for household sizes of 1-3 is increasing to \$152, household size of 4, \$163, household size of 5, \$191, and household sizes of 6 or more, \$219. In addition, the maximum excess shelter deduction is changing from \$469 to \$478. The SUA is increasing to \$371 and the LUA is increasing to \$194. Not changing for October are the maximum allotment amounts. These changes were processed with rollover in August, effective for October 1, 2013. Information about these changes was provided prior to rollover in August.

This revision also implements previous policy regarding able bodied adults without children (ABAWD) policies that were suspended in 2009 with the American Recovery and Reinvestment Act (ARRA) of 2009. The waiver that Kansas had regarding these policies is expiring effective September 30th. Effective October 1, 2013 able bodied adults without children aged 18 through 49 can only receive food assistance benefits for 3 months out of a 36 month period if they are not working at least 20 hours a week or participating in an approved training program. The 3 year period is starting October 1, 2013 and ABAWDs not meeting the work requirement will have 3 months, or until January 1, 2014 to meet the work requirement. Those who do not meet the work requirement must be terminated (removed from a case or case closed for one person household) by December 31, 2013 allowing for timely notice of adverse action. Detailed implementation information will be provided in the Implementation Memo.

Additional food assistance changes and clarifications are being provided in this manual revision.

General Assistance: References to General Assistance have been removed and where appropriate MediKan references have been added along with clarification of changes resulting in the elimination of any reference to the General Assistance cash benefit program.

Successful Families – KEESM is being revised to include misuse of TANF benefits as an element of fraud.

Employment Services – Work Experience is being revised to a time limited component.

DESCRIPTION, PURPOSE, AND DETAILS OF POLICY CHANGE

I. All Programs

A. Changes

1. A revised [ES-3100](#) and [ES-3100r](#) are being implemented with this revision. The new application is only for food assistance, cash and child care applicants. Medical programs must be applied for using KDHE application forms. Refer to instructions from KDHE.

The revised application has a new format. On page 3, the household is asked to list ALL persons residing in the home and asks if they are applying for that person. This is necessary for assistance planning and household composition purposes. After that, there are separate Person pages for each person for whom the applicant is applying. The page for Person 1, the applicant, is longer as additional questions regarding communication needs are asked of the applicant. Then there are pages for Persons 2- 4 as needed. If there are more than 4 persons in the household applying for benefits, Additional Person pages can be completed and inserted into the application. This new format will require staff at reception desks to inquire as to the number of persons being applied for so Additional Person pages can be provided as needed. Additional changes have been made to the ES-3100 as needed due to policy changes or other needs.

The ES-3100r is also being revised slightly to incorporate policy changes and other needs. The [ES-3820](#) is being revised to remove medical assistance as a program choice.

The following KEESM pages are being modified to include this change: [1411.1](#), [1411.2](#)

B. Clarifications

1. **Types of Countable Unearned Income (Others)** – A clarification is being added that payments from the Trade Adjustment Assistance (TAA) Program are countable unearned income. KEESM [6220 \(11\)](#) is being modified to include this clarification.
2. **Kansas Benefits Card** – The following sections of the KEESM are being modified to remove "Vision Card" and replace with "Kansas Benefits Card".

KEESM 1132.2, 1510, 1511.1, 1511.2, 1512.3, 1513, 1521, 1522, 1524.1, 2541.4, 2542.1, 11116.4.

3. **Pre-release applications** – A clarification is being made regarding the maximum allowable advance submission time for

a pre-release application by Department of Corrections staff. The maximum allowable time frame for submitting an application is 90 days prior to the date of release. Previously there was a disparity between the language in KEESM and the implementation memo with one stipulating a maximum of 30 days and the other 30+ days which was the intended verbiage.

KEESM [1411.3](#)(5) is being modified to reflect a definitive submission window.

II. Child Care

A. Changes

1. **EM (Non-TANF) Child Care** – Effective October 1, 2013 it will be required that adults included on a child care case be employed a minimum of 28 hours per week AND earning at least the federal minimum wage per hour worked in order to qualify for child care. This requirement applies to both regular and self-employment, except for individuals in the first six months of self-employment. For tipped professions, the adult's combined wages plus tips must equal at least the federal minimum wage per hour.

KEESM section [2820](#) and section [2835](#), item 2 are being modified to incorporate this change.

B. Clarifications

None

III. Employment Services

A. Changes

1. **Employment Services** – Effective October 1, 2013 the Work Experience Component will be limited to a period of 6 months during the 48 months of TANF eligibility. The EES worker must review the participant's progress and decide whether they should be placed at a new site or not after 90 days. Participants may be placed at as many sites as is appropriate. Work Experience sites should be able to offer the participant a job when possible.

KEESM [3310.4](#) will be revised to provide new guidelines and

time frames for Work Experience.

B. Clarifications

None

IV. Food Assistance

A. Changes

1. **Annual Adjustments to the Food Assistance Program Standards** – Effective October 1, 2013, the following documents are being updated to incorporate the annual federal adjustments to the Food Assistance Program. The changes for 10/1/13 include an increase in the standard deduction amounts for all household sizes, an increase in the gross and net income limits, and an increase in the maximum excess shelter deduction. The SUA is increasing to \$371 and the LUA is increasing to \$194. Households were notified of any changes to their benefits with the mass change notice issued after rollover in August 2013.

Documents being changed are:

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

Appendix Item [F-3](#), Food Assistance Program Benefit Tables

Appendix Item [F-11](#), 130% Income Reporting Chart

Form [ES-1510.1](#), Computation of Food Assistance Benefit

2. **Standard Deduction** – Section [7222](#) is being modified to increase the standard deduction amounts.

The new amounts effective 10-01-12 are:

Household size 1-3 = \$152

Household size 4 = \$163

Household size 5 = \$191

Household size 6 or more = \$219

3. **Shelter Costs** – Section [7226](#) is being modified to change the excess shelter deduction to \$478. The SUA is increasing to \$371 and the LUA is increasing to \$194. These amounts were entered into the KAECSSES-AE system prior to rollover in August 2013

and were processed automatically with rollover. Information about the implementation of the annual adjustments was provided separately.

4. **Able Bodied Adults Without Dependents (ABAWDs)** – The statewide waiver of the ABAWD provisions expires September 30, 2013. ABAWDS aged 18 through 49 who do not have any dependents or minor children in their food assistance household can only receive food assistance benefits for 3 months in a 3 year period if they do not work at least 20 hours a week or participate in an approved training program. The fixed three year period begins October 1, 2013.

The ABAWD information has been added to the following KEESM sections:

[1322.1](#) (8)
[2182](#) (Note)
[2520](#)
[2521](#)
[2522 through 2526](#)
[2527](#)
[9122.1](#) (2)

Form [ES-4312](#), **ABAWD Eligibility Tracking Form**, is being updated and linked in KEESM, and the **ABAWD Labor Surplus Chart**, [T-11](#), is being updated in the Appendix. In addition, the [ES-3116](#), **Simplified Reporting for Food Assistance Households**, is being revised to include the additional ABAWD reporting requirement.

Detailed implementation information will be provided in the Implementation Memo.

B. Clarifications

1. **Telephone Interviews** – The manual is being revised to incorporate Policy Memo 13-07-04 regarding an up 2 hour window-of-time for telephone interview scheduling. This was previously implemented on July 19, 2013.

KEESM [1412.4](#) is being changed to include this clarification.

2. **Prisoner Verification System** – A technical clarification is being made to this section. The look back time period for matches with the SSA Prisoner data base has been changed

from current or prior year to showing incarceration information from the last six months.

KEESM [1435.1](#) and [1435.2](#) are being modified to include this clarification.

3. **Joint Custody Situations** – A clarification is being made to this section regarding joint custody situations and only one parent is applying for benefits. If the one parent situation is not 50-50, that parent must still meet the criteria of the children living in the home and providing more than 50% of the children's meals. Previously the manual could have been construed to mean that one parent could apply and get benefits even if the children did not live with the parent and the parent did not provide over 50% of the child's meals.

The NOTE in KEESM [4211](#) is being modified to incorporate this clarification.

V. Refugee Program

A. Changes

None

B. Clarifications

1. Clarified the eligibility of Cuban and Haitians admitted with certain immigration status are eligible for benefits in a manner similar to refugees and have similar eligibility.

Information detailing specific immigration coding that is applicable linked in the Miscellaneous Forms to

<http://www.acf.hhs.gov/programs/orr/resource/state-letter-10-03>.

VI. Successful Families

A. Changes

1. **Definition of Fraud** – Additional fraud definitions are being included in KEESM [11210](#). The additional wording includes the transaction/use of cash assistance in any liquor store, casino, gambling casino, or gaming establishment, or any retail establishment which provides adult oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. It also includes the use of cash assistance to buy

non-food items such as alcohol, cigarettes, tobacco products, or lottery tickets.

B. Clarifications

1. **60% disregard** – KEESM [7211](#) is being clarified to allow the 60% disregard only for individuals with earnings who have received TANF in one of the last four preceding months. This is not a change from the actual practice.

Form [ES-3104.1](#) has also been modified to reflect policy.

I. Successful Families and Food Assistance

A. Changes

None

B. Clarifications

1. **Money Payments KEESM** – [1511.1](#) and [1511.2](#) are being written to include additional wording on exclusions for the use of cash and food assistance which incorporates federal rules and state policy.

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

A. All Programs

[ES-3100](#), **Application for Benefits for Families**. Medical is being removed as an option because KDHE has developed an application for medical only.

[Additional Persons](#): This document is available to capture information about persons for whom there was not adequate space on the ES-3100.

[ES-3100r](#), **Review Form**.

[ES-3820](#), **Notice of Eligibility Review**

B. Food Assistance

[ES-4312](#), **ABAWD Eligibility Tracking Form**

[ES-1510.1](#), Computation of Food Assistance Benefit

ES-2007 [English](#) and [Spanish](#) Inserts are being updated with correct gross and net income amounts for the period covered by this revision.

[ES-3116](#), **Simplified Reporting for Food Assistance Households**

C. **Successful Families**

[ES-3104.1](#), **TANF Benefit Determination**

D. **Employment Services**

[ES-4418](#), **Keytrain Referral/Turnaround Form**

E. **Medical Assistance**

[ES-3904](#), **HIPAA Compliant Authorization to Disclose Information.**

This was updated in September 2013 to be HIPAA compliant.

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

A. **Food Assistance**

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

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

[F-11](#), **130% Income Reporting Chart**

[P-1](#), **Medically Necessary Items Which are Allowable Deductions for Food Assistance or Can be Applied Toward a Spenddown** – A

new item, 37, has been added for food assistance purposes only. This item provides that nursing home care and hospital payments made by the household for an individual who was a food assistance household member immediately prior to entering a hospital or nursing home are an allowable medical expense. The remainder of the items have been renumbered accordingly.

[T-11](#), **ABAWD Labor Surplus Chart**

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

EFFECTIVE DATE

All policies in this revision are effective October 1, 2013. Additional information is being included in the Implementation Memo.

EFFECT ON LOCAL STAFF (No significant effect unless mentioned below.)**Employment Services**

This change will require work program case managers to monitor the work experience participants more closely and spend additional time in face-to-face appointments.

Food Assistance

The change regarding ABAWDs will require extensive work for staff in October to December 2013. All potential ABAWD cases will require review to determine if the ABAWD is meeting the work/training requirement to continue to get food assistance benefits past December 2013. It is anticipated that approximately 20,000 persons will be potentially affected by this policy change.

MATERIALS OBSOLETE BY THIS REVISION

Policy Memo 13-07-04, Telephone Interviews

ES-3100.1, **Application for Cash, Medical, and Food Assistance Benefits for Elderly and Disabled**

ES-3100.1r, **Review Form For Elderly and Persons with Disabilities**

COORDINATION EFFORTS

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

Sincerely,
Jaime Rogers, EES Director
Economic and Employment Services
JR:am

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