



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #05-24-OPE

(This Policy Directive Replaces PD #05-23-OPE)

NEW INTENSIVE SERVICES CENTER (71)

Date: July 5, 2005	Subtopic(s): New Center
AUDIENCE	This policy directive is intended for staff at the Intensive Services Center and is informational for all others.
REVISIONS TO ORIGINAL DIRECTIVE	<p>This policy directive has been revised to:</p> <ul style="list-style-type: none"> • Correct the substance abuse referral process on page 4; • Amend the failure to comply/report with medical evaluation process on page 4; and • Correct the definition of NYCWAY Action Code 10SG on page 9
<p>BACKGROUND</p> <p>Center 71 will not take applications</p> <p>Specialized call-ins may be done at a later date.</p>	<p>On May 9, 2005, a Job Center for Intensive Services (71) opened at 109 East 16th Street, Second Floor, Manhattan. The new Intensive Services Center is a non-application center that will be focusing on cases that contain one or more adults with an employment barrier. Center 71 will initially service Public Assistance (PA) households that include an adult participant in sanction status because s/he failed to comply with PA employment requirements.</p> <p>Center 71 will process the cases for this sanctioned population in the same manner as all other Job Centers, with the exception of the recertification. At recertification or at any contact, participants at the Intensive Services Center with questionable or unverified information or documentation (listed on pages 8 and 9 of this procedure) will be referred to the Office of Revenue and Investigation's (ORI's) Bureau of Eligibility Verification (BEV) unit for a same-day investigative interview. BEV will be located on-site.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 2 at the prompt followed by 765 or
send an e-mail to *FIA Call Center*

Other services will also be available on-site such as Credentialed Alcohol and Substance Abuse Counselors (CASAC) for participants who indicate a substance abuse problem and Skills Assessment and Placement (SAP) vendors for those participants with no outstanding barriers who are willing to comply with engagement requirements. These on-site services allow for same-day referrals and minimize wait time for results/outcomes.

In addition, Center 71 was designed to facilitate the demonstrated compliance process for any sanctioned individual with a non-durational sanction or whose durational sanction period has expired and who has agreed to comply with the work rules in order to have his/her employment sanction lifted.

Once the sanction is lifted and the participant is actively engaged in concurrent activities, the case will be transferred out of the Intensive Services Center after completing two employment cycles in good standing.

Transferring cases to
Center 71

A mass transfer of active Manhattan and Bronx family cases that had at least one adult in sanction status for employment-related reasons took place on May 4, 2005. The following cases were selected for this transfer:

- Cases where the durational employment sanction expired;
- Cases where the durational employment sanction would have expired within 30 days; and
- Cases with a non-durational employment-related sanction where the individual had been in sanction status for 60 days or more.

Brooklyn, Queens and Staten Island cases that meet the above criteria will be transferred at the end of June. Workers should be aware that cases are only transferred to Center 71 through the mass transfer process. Workers cannot process a case transfer to Center 71.

PA households containing an adult(s) facing other employment barriers will be identified and transferred at a future date, at which time this policy directive will be revised to include pertinent instructions.

REQUIRED ACTION

Determining Willingness to Comply or Change in Status

At every interview or participant contact, the Worker must discuss work requirements with the sanctioned individual, encourage the participant to comply with the employment requirements and ask the participant if s/he is now willing to comply.

Participants with non-durational sanctions or durational sanctions that have expired

Full-time employment income reported

If the participant reports that s/he is employed 30 hours per week or more, the Worker must request verification of income (if not provided) and:

- Lift the sanction on day one;
- Initiate an **FIA-3A** on day two.

Note: In all instances of reported employment income, verification of the income must be requested and obtained. The individual must be allowed a minimum of 10 days in which to submit the verification.

If the individual fails to provide verification of income without good cause, a case closing must be processed for failure to return documentation (**V20**).

Part-time employment

If the participant reports that s/he is employed less than 30 hours per week:

- Request verification of income, if not already provided;
- Lift the sanction on day one;
- Initiate an **FIA-3A** on day two;
- Update/complete his/her Employability Plan (EP); and
- Refer to BEGIN Employment Plus on day two.

Note: The participant must return on day two for the BEGIN Employment Plus referral. Also, failure to keep a return appointment will result in a new sanction.

School/training

If the participant reports that s/he is currently in a school/training program and wants to complete it, Workers should initiate the EP and refer him/her to the Training Assessment Group (TAG) for approval, assessment and placement as per current procedure. If the school/training program is approved, the TAG Worker will enter Action Code **134H** in NYCWAY to have the sanction lifted.

Employment Barriers If the sanctioned individual is neither employed nor currently attending an approved school/training program and is willing to comply, the Worker must initiate an EP and address employment barriers, if any, in the following order:

- Domestic violence • If domestic violence is indicated, the Worker will make a same-day appointment for the sanctioned individual as per current procedure.
- Substance abuse • If the sanctioned individual requires substance abuse counseling or treatment services, the Worker should make a referral to the on-site CASAC Worker by answering the appropriate question in NYCWAY (Action Code 193D will automatically post). This can be a same-day referral.
- Revised
- Medical (WeCARE) • If the sanctioned individual claims a physical or mental health barrier to employment, the Worker should make a referral to WeCARE by entering NYCWAY Action Code **16WG**.

Revised **Note:** Unlike appointments for all other employment barriers, where failure to keep the appointment will simply result in the participant remaining sanctioned, once a medical evaluation has been scheduled, if the participant fails to report to or comply with the medical evaluation without good cause, the case will be closed.

- Needed at home • If the sanctioned individual claims s/he is needed at home, the evaluation will be made as per current procedure. Documentation of the needed-at-home status must be submitted.
- Child care • If the sanctioned individual requires child care before s/he can be engaged, the Worker must give him/her the names of two regulated child care providers as per current procedure.

Participants with durational sanctions that are still in effect who are now willing to comply

Sanctions Due to Expire within 30 Days If the sanction is due to expire within 30 days and the participant indicates s/he is employed (full or part time):

- Employed participants • Request verification of income if not already provided as instructed on page 2.
- If employed part time, give a return appointment that coincides with the expiration of the sanction period. Use NYCWAY Action Code **10SR** to schedule the return appointment.

Overpayments

In these instances, the income will not be budgeted until the sanction can be lifted. Prior to the lifting of the sanction, the Worker must determine any overpayments that occurred if the participant failed to report the income on a timely basis and those that will occur as a result of the Agency's delay in budgeting the income.

Note: New or increased employment income must be reported within 10 days of receipt.

Recoupment of overpayments

Overpayments that occur as a result of the participant's failure to report income on a timely basis must be recovered as concealed income. Overpayments that occur as a result of the Agency's delay in budgeting income must be recouped as Agency error.

Once the sanction period has expired, the Worker must:

- Process action to lift the sanction and manually budget the employment income;
- Initiate an **FIA-3A** for informational purposes only; and
- Submit recoupment request, if any.

In addition, when the participant that is employed less than 30 hours per week reports for the return appointment the Worker must:

- Update/complete the participant's EP; and
- Refer him/her to BEGIN Employment Plus.

School/training

If the participant indicates that s/he is currently in a school/training program, schedule a return appointment to coincide with the expiration of his/her sanction period. At the return appointment proceed as indicated on page 3.

If the participant is neither employed nor currently attending an approved school/training program:

- Explore and address any existing employment barriers as indicated on page 3.
- If there are no employment barriers or employment barriers are resolved before the expiration of the sanction period, schedule a return appointment using action code **10SR**.

Once employment barriers, if any, have been resolved and the sanction period has expired, proceed with the demonstrated compliance process.

Sanctions Due to Expire in More Than 30 Days If the remaining sanction period exceeds 30 days and the participant is employed (full or part time):

- Employed participants
- Request verification of income as previously instructed;
 - Initiate the **FIA-3A**.

Participants employed part time or not employed For participants who are not employed and for those who are employed part time, schedule a return appointment that coincides with the expiration of their sanction.

Outcomes of Initial Referrals Resulting from Barriers to Employment

Domestic violence Domestic violence – If the appointment was kept, proceed as indicated by the domestic violence (DV) Liaison’s recommendation.

- If a full waiver is granted, lift the sanction and issue benefits from the date the participant indicated his/her willingness to comply.
- If a partial waiver is granted, the participant must comply with the demonstrated compliance process before the sanction can be lifted. Ensure that any other barriers are resolved before the demonstrated compliance assignment is made and that any future assignments are within the parameters of the DV waiver.

If the appointment with the DV Liaison is not kept and the participant does not want to comply with the work rules, the sanction must remain in place and the case recertified, provided the participant has complied with all other requirements.

Substance abuse Substance abuse – If the participant keeps the CASAC appointment, proceed as indicated by the CASAC evaluation.

- If the participant is in need of treatment but deemed employable, s/he must comply with the demonstrated compliance process before the sanction can be lifted.
- If the participant is in need of intensive substance abuse treatment, the sanction must be lifted and assistance issued from the date that his/her willingness to comply was indicated. Once the sanction is lifted, the participant’s compliance with treatment must be monitored as per current procedure.

If the participant fails to keep the CASAC appointment or is deemed employable but continues to refuse to comply with work rules, the sanction cannot be lifted. The case is recertified with the sanction still in place, provided the participant has complied with all other requirements.

Medical evaluation

Medical evaluation – If the participant keeps the WeCARE appointment and complies with the evaluation process, proceed as indicated by the outcome.

If the participant is deemed employable, whether fully or with limitations, s/he must comply with the demonstrated compliance process before the sanction can be lifted. It must be noted that, because of the comprehensive nature of the medical evaluation, the follow-up activities will occur after the case has been recertified if the participant has otherwise complied with all other recertification requirements. However, if thereafter the participant complies with the demonstrated compliance process, s/he must be supplemented from the date his/her willingness to comply was indicated.

- If the participant is employable with limitations (WeCARE eligible), compliance with the Diagnostic Vocational Evaluation (DVE) will satisfy the demonstrated compliance requirement. WeCARE will enter NYCWAY Action Code **169D** to indicate completion of the DVE by selecting from the list of options on the system. WeCARE will also post Action Code **134H** to alert Center 71 to lift the sanction.
- If the participant is fully employable, WeCARE will return the participant to Center 71 for assignment and completion of the employability plan.
- If the participant is deemed unemployable, the sanction must be lifted and assistance issued from the date the participant indicated his/her willingness to comply.

If the participant fails to keep the WeCARE appointment, the entire public assistance case must be closed. The individual who fails to document a medical claim and does not comply with a medical evaluation is considered employable for Food Stamp (FS) purposes and requires a separate FS determination.

Able to comply, barriers resolved

If there are no barriers, or all barriers have been resolved, the participant must comply with the demonstrated compliance process before the sanction can be lifted. This includes individuals who want to attend school/training but are not yet enrolled/attending.

Demonstrated Compliance Process

To initiate the demonstrated compliance process, update the participant's EP and make a same-day referral to SAP. NYCWAY will then post Action Code **917S** and print the Referral to Skills Assessment and Placement Vendor (**W-502**) form for the participant to begin the five-day compliance process that starts on the following Monday. The demonstrated compliance process will include both job search and work experience activities.

Lifting the sanction

In the afternoon of the fourth day of the compliance process, the SAP vendor will enter NYCWAY Action Code **134H**. This will place the participant on the **SLIFT** worklist for lifting of his/her sanction. The **SLIFT** worklist should be monitored by the Center Director's designee, who must ensure that:

- The sanction is lifted immediately and the participant is issued assistance from the date s/he indicated a willingness to comply;
- The case is made active the next day and that the SAP/WEP assignment is made;
- The EP is completed and signed by the participant; and
- The assignment notice is sent to the participant.

Note: Failure to comply with the demonstrated compliance process will result in the affected individual remaining in sanction status.

Ongoing assignment

Upon completion of the demonstrated compliance period, the participant will report back to the JOS Worker for completion of the EP and assignment to the ongoing work activity. Assign to SAP/WEP through the assignment menu option in NYCWAY if it is not available through the EP. Each assignment must be individually made, choosing SAP first. Once the assignment is made, a notice will be produced and sent to the participant informing him/her of the new assignment.

Evaluating Indicators

At the recertification interview or at any participant contact, evaluate the case circumstances and/or documentation provided to determine if an in-person referral to BEV is required based on the indicators listed below.

Referral to BEV

The PA recertification is not completed until a determination from BEV is received.

If it is determined that the participant meets any of the indicators listed below, continue the recertification interview and referral process (including engagement) and:

- Enter Action Code **10SB** into NYCWAY to make a same-day referral, as available, to the on-site BEV investigator, selecting from the following drop-down list of valid reasons for making the referral:
 - Questionable maintenance
 - Questionable household composition
 - Questionable source of income
 - Questionable address
 - Questionable documents

- Unresolved Resource File Integration (RFI) issues
 - Failure to comply (FTC) with Office of Child Support Enforcement (OCSE) eligibility requirement
 - Suspect spouse in-house
 - Cases sanctioned more than three times
 - Employed off the books
- Enter a case comment indicating the nature of the questionable/discrepant information.
 - Print out the Appointment Notice/Referral to Bureau of Eligibility Verification (**W-140JJ**) and give it to the participant.
 - Instruct the participant to report to BEV and wait to be called.

BEV will interview the participant, make a determination and post an outcome code in NYCWAY.

Outcomes at BEV

If the participant complies, the BEV Worker will enter one of the following NYCWAY Action Codes to indicate the outcome of his/her assessment:

- **10SE** – indicates that the participant is eligible with changes.
- **10SF** – indicates that the participant is not eligible for PA.

The Worker must evaluate and ensure that the BEV recommendation for both of the above two codes is within, and supported by, current regulatory requirements.

Revised

- **10SG** – participant is eligible with no changes and no further action is necessary. Participant is eligible to proceed with demonstrated compliance assignment.
- **10SI** – indicates that there are issues that require further investigation but participant can be recertified at this time.

If one of the above codes is entered, complete the recertification and process case according to BEV's recommendations, if any.

If the participant fails to report or comply, BEV will enter one of the following codes:

- **496E** – indicates failure to report (FTR) to office appointment at BEV.
- **496F** – indicates failure to comply (FTC) with BEV.

Note: Both the **496E** and the **496F** result in a case closing. When code **496F** has been entered, use the appropriate WMS case closing code that identifies the area in which the participant failed to cooperate (based on BEV case comments in NYCWAY). See pages **1.3-46** to **1.3-47** in the WMS Workers' Guide to Codes.

**PROGRAM
IMPLICATIONS**

Food Stamp
Implications

If the individual was also sanctioned for food stamps, the FS sanction may only be lifted if the sanction period has expired and the participant is willing to comply or if the individual becomes exempt from the Food Stamp Employment and Training (FSET) requirements for any reason.

Expired FS Sanction

If the FS sanction for the PA individual has expired and s/he is now claiming a disability, the FS sanction must be lifted. If the individual documents the disability, s/he must be coded as work rules exempt. If the disability is not documented/verified, s/he must be coded as work rules required.

In instances where the PA case of a sanctioned individual (whose sanction period for PA and FS has expired) is now being closed for failure to comply with efforts to document a claim of disability, the FS sanction must first be lifted (day one) before the PA case is closed in order to allow the sanctioned individual to be included in the resulting automatically established Non-Public Assistance (NPA) FS case. The reason for this is that failure to document disability is not a part of the FS program denial criteria.

Cases closed with a separate determination code will continue to receive FS per the automated process.

Medicaid
Implications

There are no work requirements for Medicaid.

**FAIR HEARING
IMPLICATIONS**

Avoidance/
Resolution

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up to date. Remember that participants must receive either adequate or timely and adequate notification of all actions taken on their case.

Conferences

A participant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS/Supervisor I at any time. If a participant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen.

The FH&C AJOS/Supervisor I will listen to and evaluate the participant's complaint. After reviewing the case file and discussing the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor, s/he will determine if the action taken was correct. If the determination is that the action taken was correct, the FH&C AJOS/Supervisor I will explain the reason for the determination to the participant. If the explanation is accepted, no further action is necessary. The AJOS/Supervisor I must complete a Conference Report (**M-186a**).

If the determination is that the action taken was incorrect or correct but lacking the supporting documentation, the FH&C AJOS/Supervisor I will settle in conference (SIC), enter detailed case notes in NYCWAY and forward all verifying documentation submitted by the participant to the appropriate JOS/Worker for corrective action to be taken. In addition, if the adverse case action still shows on the **Pending (08)** screen in WMS, the AJOS/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form (**LDSS-3722**) if the case has been granted aid continuing (ATC) to change the **02** to an **01**, or a PA Recoupment Data Entry Form (**LDSS-3573**) to delete a recoupment. The **M-186a** must also be prepared.

Evidence Packets

Should the participant elect to continue his/her appeal by requesting or proceeding to a Fair Hearing which has already been requested, the FH&C AJOS/Supervisor I is responsible for ensuring that further appeal is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

All Evidence Packets must contain a detailed history, copies of relevant WMS screen printouts, other documentation relevant to the action taken and copies of NYCWAY **Case Notes** screens.


LIMITED ENGLISH SPEAKING ABILITY (LESA) IMPLICATIONS

For Limited English Speaking Ability (LESA) participants, make sure to obtain appropriate interpreter services in accordance with Policy Directive #02-43-OPE.

REFERENCES 05-ADM-08

RELATED ITEMS PD #01-38-EMP
PB #04-135-EMP
PB #04-215-EMP
PD #05-07-ELI
PB #05-22-SYS

ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

W-140JJ Appointment Notice (Rev. 6/28/05)
W-140JJ (S) Appointment Notice (Spanish) (Rev. 6/28/05)
W-502 Referral to Skills Assessment and Placement (SAP) Vendor (Rev. 6/28/05)
W-502 (S) Referral to Skills Assessment and Placement (SAP) Vendor (Spanish) (Rev. 6/28/05)

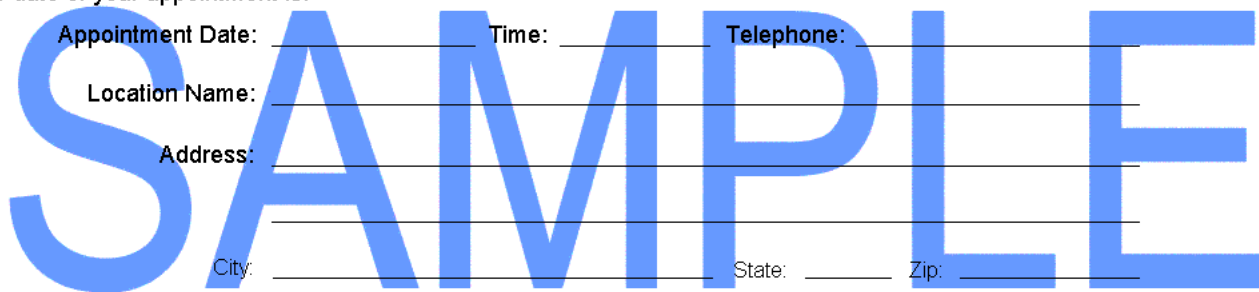


Date: _____
Case Number: _____
Case Name: _____
Center: _____
Caseload: _____
Action Code: _____

Appointment Notice

The date of your appointment is:

Appointment Date: _____ Time: _____ Telephone: _____
Location Name: _____
Address: _____
City: _____ State: _____ Zip: _____



Travel Directions:

If you are working, you must bring proof of your income such as recent pay stubs or a letter from your employer when you report. Other forms of proof can be accepted if these are not readily available.

This is a mandatory eligibility appointment. Failure to keep this appointment may result in the closing of your public assistance case. If you are receiving child care benefits and fail to keep this appointment, these benefits could be terminated.

Some good cause reasons for not reporting to your case eligibility review appointment:

- A full-time work schedule that conflicts with the review appointment.
- Extraordinary transportation difficulties that make it impossible for you to report to your eligibility review appointment.
- A personal or family emergency that prevents you from reporting to your eligibility review appointment.
- Extraordinary circumstances beyond your control that prevent you from reporting to your eligibility appointment.

If you are unable to report to your eligibility review appointment, you must contact the number listed above so that appropriate arrangements can be made to accommodate you.

CASH ASSISTANCE IS TIME LIMITED. A JOB IS YOUR FUTURE!



Fecha: _____
Número del Caso: _____
Nombre del Caso: _____
Centro: _____
Unidad del Caso: _____
Código de Acción: _____

Aviso de Cita

La fecha de su cita es:

Fecha de la Cita: _____ Hora: _____ Teléfono: _____

Nombre del Local: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Indicaciones de Viaje:

SAMPLE

Si usted trabaja actualmente, debe traer, al presentarse a la cita, comprobante de su ingreso, como talones de paga recientes o una carta de su empleador. En caso de que dichos documentos no estén disponibles, se aceptarán otros tipos de pruebas.

Esta cita de elegibilidad de su caso de asistencia pública es obligatoria, y el no presentarse a ella puede resultar en el cierre de su caso. Si usted recibe beneficios de ciudadano infantil y no acude a esta cita, dichos beneficios podrían ser discontinuados.

Algunas razones válidas por las cuales no presentarse a su cita de revisión de elegibilidad:

- Un horario de trabajo a tiempo completo que interfiere con la cita de revisión.
- Dificultades fuera de lo común respecto a transporte que le imposibilitan presentarse a su cita de revisión de elegibilidad.
- Una emergencia personal or familiar que le impide presentarse a su cita de revisión de elegibilidad.
- Circunstancias ajenas a su voluntad que le impiden presentarse a su cita de elegibilidad.

Si usted no puede presentarse a su cita de revisión de elegibilidad, debe comunicarse al número que aparece más arriba para que se puedan concertar los arreglos que le convengan.

LA ASISTENCIA EN EFECTIVO TIENE LÍMITE DE TIEMPO, ¡MIENTRAS QUE EL TRABAJO ES SU FUTURO!



Date: _____
Case Number: _____
Case Type: _____
Caseload: _____
Action Code: _____

Referral to Skills Assessment and Placement (SAP) Vendor

If you are a single parent or caretaker relative, you may have an opportunity to participate in a range of work activities including work experience, job search and education or training programs.

If you do not keep this appointment or do not participate as required, your application for public assistance may be denied or your current public assistance and/or Food Stamp benefits may be reduced for a specific period of time or your public assistance benefits will remain reduced or your public assistance case may be closed. Failure to comply with public assistance work requirements has no effect on your Medicaid eligibility. There are no work requirements for Medicaid. This appointment can only be rescheduled in cases of emergency; all emergencies must be documented.

Appointment Date: _____ Time: _____ Telephone: _____

Center Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Travel Directions:

SAMPLE



Fecha: _____
Número de Caso: _____
Tipo de Caso: _____
Unidad de Caso: _____
Código Postal: _____

Envío al Proveedor de Servicios para Evaluación de Habilidades y Colocación (Skills Assessment and Placement – SAP)

Si usted es un padre o una madre soltero(a) o un tutor pariente, puede que tenga la oportunidad de participar en una variedad de actividades de trabajo, incluidas experiencia laboral, búsqueda de empleo, y programas educativos y de capacitación.

Si usted no cumple esta cita o no participa como se le requiere, su solicitud de asistencia pública puede ser rechazada o sus beneficios actuales de asistencia pública y/o Cupones para Alimentos podrían ser reducidos por un período de tiempo determinado. Además, sus beneficios de asistencia pública podrían permanecer reducidos o su caso puede cerrarse. El no cumplir con los requisitos de trabajo de asistencia pública no afecta su derecho a Medicaid. No existen requisitos de trabajo para Medicaid. Esta cita sólo puede ser programada de nuevo en caso de emergencia; toda emergencia debe ser documentada.

SAMPLE

Fecha de la Cita: _____ Hora: _____ Teléfono: _____

Nombre del Centro: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Indicaciones de Viaje: