



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY / ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

**FROM: *Rosemary Malone*
ROSEMARY MALONE, EXECUTIVE DIRECTOR**

RE: CARES CODES FOR CLOSING AND SANCTIONING CASES

PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE (TCA)

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

The Family Investment Administration (FIA) has two key goals for staff in the TCA program and for TCA recipients. We must help as many people as possible find a job that will provide them a living wage (\$10 or more per hour) to allow them to support their families free of TCA, and to attain a 50 percent or better Work Participation Rate (WPR) by ensuring that all work mandatory recipients are attending federally defined work activities.

Proper coding of cases being sanctioned or closed is important to both goals. Appropriately closing cases moves customers out of the WPR denominator, which helps us increase the WPR because it decreases the number of Work Eligible Individuals (WEIs) that are counted. Customers are usually not eligible for assistance when they fail to comply with appropriate policy and procedures.

ACTION REQUIRED

We must consistently apply policy, to help as many customers as we can reach self-sufficiency through employment. This clarification supersedes previous guidance on the use of non-sanction codes, 566 or 552. We are providing these guidelines to ensure consistency statewide.

Failure to provide verification of time and attendance is now a sanction. Customers who do not verify time and attendance are not countable in the WPR. We will now treat them the same way we would treat a customer who does not comply with a work activity. Customers who do not comply with a work activity (without good cause) receive a 30-day conciliation period as part of the regular work requirements.

They do not receive a separate 30-day conciliation period for missing time and attendance. The first time the customer does not comply without good cause, use a 501 sanction code that cannot be cured until the information is provided. If the TCA closes, the benefit begins the day after the information is provided if it is less than 30-days. The second instance is a 502 sanction code. The customer must supply the missing time and attendance information, comply with their work activity and supply the required time and attendance verification for 10 calendar days, unless the customer has good cause. The TCA may close during the “cure” period. The customer’s benefit is prorated the next month from the day after the 10th day when the non-compliance is cured.

A third and subsequent non-compliance with work activity without good cause, has a 30-day sanction. If a customer returns time and attendance verification late (or fails to comply with another work requirement) for a 3rd time, send a notice of non-compliance and enter a 503 code on CARES. The customer is considered in non-compliance for the activity until the verification is returned.

Remember that when a TCA case closes before or during the sanction cure period, the customer’s benefit is prorated from the day after the sanction period ends. The customer loses the month’s benefits from the first day of the month to the day after the sanction was cured. **The customer is not issued the lost benefits.** The loss of the benefits is the customer’s penalty for the non-compliance.

Example: The customer brings in the verification of time and attendance on July 13. It was due on June 15. This is the 3rd time the customer has been non-compliant with work requirements. A Notice of Non-Compliance was sent to the customer on June 16. The 503 sanction code was entered in CARES on June 17. To cure the non-compliance, the customer must participate in the work activity for all the available days within a 30 calendar day period and submit the time and attendance verification timely. The TCA case closes June 30. The 30 calendar day period ends on August 13 (July 13 compliance began). The case manager resumes the customer’s benefits on August 14 (the day after the 30th day). The benefits are prorated. The customer is not issued benefits for July and is not issued the lost benefits. Time and attendance are instances of non-compliance. If the customer has previous instances of non-compliance with work activities, failure to return time and attendance verification moves the counter up. In this example, the customer had a prior instance of non-compliance (502) and failed to return time and attendance (non-compliance with work requirements) the instance is a third instance of non-compliance (503).

Example: The customer returns missing time and attendance on July 23. It is the second time the customer has been non-compliant with work requirements. She returns to her activity and begins the 10 day “cure” period on the 24th. The TCA case closes on July 31 because the customer has not completed the 10 day cure. The customer must participate and return verification of time and attendance through

August 2. Benefits are prorated and issued the day after the 10th day or in the example on August 3.

Customers do not have to file a new TCA application unless the TCA has been closed longer than 30 days. Customers must provide the missing time and attendance information before the sanction can be cured.

Please ensure that you are using the appropriate code when taking an adverse action against an assistance unit or individual. On the next page is a chart showing the appropriate codes to use. The TCA Manual and the Work Book have been updated appropriately.

ACTION DUE: Immediately upon receipt.

INQUIRIES:

Please direct TCA policy questions to Mary Ellen Scalley at 410-767-7953 or mscalley@dhr.state.md.us or Fatmata Khella-Mahoney at 410-767-7956 or fkhella@dhr.state.md.us.

cc: DHR Executive Staff
FIA Management Staff
Constituent Services
Help Desk

CARES TCA SANCTION AND CLOSING CODES		
Closing Cause	Circumstances	CARES Code
Failed to comply with Family Independence Plan (FIP)	The FIP is the agreement between the LDSS and the customer stating what the customer must do and what the LDSS will do to help the customer succeed. Work activities may be listed in the FIP but non-cooperation with the FIP is not non-cooperation with a work activity.	Do not use sanction codes for non-cooperation with the FIP. Allow the customer 10 days adverse action and if non-cooperation is not corrected, close the case on 566-non-cooperation with the eligibility process.
Missed redetermination/recertification appointment, no application filed	Without good cause	CARES closes on 235 code if the case manager has not initiated the redetermination
Missed redetermination/recertification appointment, application filed.	Without good cause Initiated the redetermination/reconsideration	Close on code 566 -Non-cooperation with the eligibility process.
Missed appointment for assessment (other than work)	Without good cause	Close on code 566 -Non-cooperation with the eligibility process.
Failed to provide required information	Without good cause and it is information the case manager can not obtain.	Close on code 552 Failure to give information to establish eligibility
Missed appointment with employment/jobs counselor for referral to activity	Without good cause	Deny an application on 566 -Non-cooperation with eligibility process Conciliate and sanction an on-going case.
Failed to return verification of time and or attendance	Without good cause	1st instance -30 day conciliation and if not corrected close on code 501 -non-cooperation with work requirement-1 st instance. 2nd instance, close on 502 and for the 3 rd , close on 503 .
Failed to attend work activity	Without good cause	1st instance -30 day conciliation and if not corrected close on code 501 -non-cooperation with work requirement-1 st instance. 2nd instance, close on 502 and for the 3 rd , close on 503 .

Closing Cause	Circumstances	CARES Code
Failed to cooperate with Child Support Enforcement	Without good cause	1 st instance 30 day conciliation, close on code 505 non-cooperation with Child Support requirements, if not corrected. 2 nd and 3 rd instance close on 505 –no conciliation.
Failed to cooperate with substance abuse requirements	Without good cause	1 st instance 30 day conciliation, impose an individual sanction (remove the needs of the individual do not close them off the case) if non-cooperation continues. Additional CARES codes should be entered in the DEM1 Hospital field. The codes are available in the TCA manual section 0700 Substance Abuse. For subsequent instances of non-cooperation do not allow another conciliation period.