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Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
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Secretary

JOHN A. WAGNER
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Field Operations Memo 2005-8
February 2, 2005

To: Transitional Assistance Office Staff

From:  Cescia Derderian, Assistant Commissioner for Field Operations

Re: TAFDC – Work Program Sanction Functionality Change and Participation Good Cause Warning Notices

Overview

Effective with Increment 2.1.13:

- **Level 3 and Level 4 sanctions will be created automatically but will need to be authorized by AU Managers and Supervisors** for recipients who do not cooperate with the Work Program requirement (detailed in Field Operations Memo 2004-37 A) as well as recipients who do not meet the Work Program participation hours or are ESP-required APs (including Teen Parents who are not cooperating or participating).
- The Participation Batch Job is being resumed. It was stopped in November 2004 (detailed in Field Operations Memo 2004-46)
REMEMBER : Until all Work Program increased hours reviews are complete, no recipients will be sanctioned for not meeting the new hourly requirement. However, recipients will continue to be sanctioned if their participation rate falls below 20 hours weekly.

Good Cause Warning Notices will be included with the Monthly Report and Participation and Response forms for all recipients.

- The Work Program sanction process for recipients who failed to cooperate with the Work Program requirement is being modified.
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**Work Program
Sanctions
Requiring “User
Intervention”**

Because of these changes to BEACON, *AU Managers* must determine whether the recipient should be sanctioned and then take appropriate actions. The following TAFDC Work Program sanctions require “user intervention” (i.e., AU Manager and Supervisor authorization to be released) when the recipient:

- fails to return a Participation and Attendance form. The due date is identified in the “Outstanding Participation Forms” View;
- fails to meet participation requirements. Failed participation is displayed online at the time participation is entered on the Monitor Participation window;
- refuses to cooperate with the terms of the EDP; and
- refuses to comply with the work program requirements or ESP requirements (including Teen Parent School Attendance and Noncitizen Community Service participation).

Note: The Work Program reduction/closing reasons that are still automated to “Pending Release” are: missing a scheduled assessment or reassessment appointment and failure to complete a Monthly Report. **These actions do not require user intervention.**

In order for the Level 3 and 4 sanctions to occur, BEACON will continue to create the sanction action through a batch job on the Interview Wrap-up window. This must be authorized by both the AU Manager and the AU Supervisor. **AU Managers must check their “Interview Wrapup – Pending Authorizations” view daily to ensure that the sanction actions are being processed timely.** The sanction actions to be authorized will be listed on the view as “Batch Sanctions” on the “Type” column and “Batch” on the “Requestor” column. Once authorized, they will no longer appear on the view.

**Work Program
Sanctions
Requiring “User
Intervention”
(continued)
Authorizing a
Sanction**

To authorize a sanction, the AU Manager must:

- go to the Interview Wrap-up window;
- click on “EBC Results” to view how the sanction impacts the grant and Food Stamps;
Note: AU Manager’s are reminded to enter the Food Stamp Attributed Amount (“Riverside Rule”) in the Other Income window following procedures in *A User’s Guide*, Chapter XIV, Section D pages 4 through 9.
- click on “Authorize” (if the sanction action was not acted upon within 10 days prior to the Release Date a pop-up message will appear telling the AU Manager that “The Release Date for this Request has passed. You must select EBC Results and Calculate before you can authorize this Request.”); and
- authorize the action.

Once the AU Manager takes the appropriate steps, the action will appear on the AU Supervisor’s “Interview Wrapup – Pending Authorizations” view. The sanction actions to be authorized will be listed on the view as “Batch Sanctions” on the “Type” column and “Batch” on the “Requestor” column.

To authorize the sanction action, the AU Supervisor must:

- review the sanction action;
- select the pending Authorization from the Interview Wrapup window,
- click on the Authorization button (if the sanction action was not acted upon within 10 days prior to the Release Date a pop-up message will appear telling the Supervisor that “The Release Date for this Request has passed. You must select EBC Results and Calculate before you can authorize this Request.” The Supervisor must not run the EBC Results, but reject the Pending Authorization. This will appear on the AU Manager’s “Interview Wrapup Rejected Authorization” view.), and
- authorize the action.

REMINDER: AU Supervisors must review the AU prior to authorizing any sanction to pending release to ensure that the sanction action is appropriate.

**Good Cause
Warning Notices**

To ensure that recipients are being sanctioned appropriately, AU Managers must determine if a recipient has good cause for failure to meet the Work Program or the participation hours and determine if the sanction action should occur for these recipients. This should prevent recipients being sanctioned inappropriately (for example: failure to return Participation and Response forms for activities that a recipient is no longer participating in).

AU Managers are reminded that recipients who fail to cooperate with the Work Program/Teen Parent School Attendance/Noncitizen Community Service or who fail to meet participation guidelines for their activities will not have sanction requests automatically released.

Warning notices detailing good cause reasons were incorporated into the Work Program noncooperation sanction process detailed in Field Operations Memo 2004-37 A.

Effective with Increment 2.1.13, a Good Cause Warning Notice (Attachment A) will be included with **each**:

- Participation and Response form,
- Foster Care provision,
- Work Study/Internship Participation Form,
- Grandparent Child Care Provision form, and
- Community Service Participation form.

Note: Language describing good cause has also been added to the Monthly Report.

This is being done to ensure that recipients have been informed about claiming good cause prior to being sanctioned for failure to meet the Work Program requirement.

AU Managers are reminded that prior to authorizing a Level 3 or Level 4 sanction, good cause must be explored. If the recipient contacts the AU Manager or returns the Good Cause Warning Notice claiming good cause, the AU Manager must:

- explain good cause to the recipient;
 - tell the recipient how to verify the good cause reason;
 - generate a VC-1 giving the recipient 10 days to prove good cause; and
- Note:** If good cause is not verified within the 10 days, the sanction must be authorized following the steps on the previous page.
- once good cause is verified, the AU Manager must delete the pending sanction request from the Interview Wrap-up window.
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Deleting Pending Sanctions If the AU Manager and Supervisor do not want the pending transaction to occur or the recipient returns the Good Cause warning notice, the pending sanction must be deleted. To delete a pending sanction request, the AU Manager must:

- go to the Interview Wrap-up window;
 - highlight and select the existing pending sanction request;
 - click on the Delete push button;
 - click on the “Yes” button in response to the question “Are you sure you want to delete this data?”
 - on the Sanctions tab of the AU Composition Results window use the removal reason of “Good Cause.” This will prevent the sanction level from increasing the next time the recipient is sanctioned;
 - remove the recipient’s Ineligibility Reason that appears on the AU Composition Results window; and
 - if the good cause reason for not meeting the Work Program is expected to last beyond the current month, see Field Operations Memo 2004-37 A for the “Meets Compliance” process. This will prevent the recipient from being sanctioned while this temporary good cause situation exists.
- Note:** A recipient who is meeting the Work Program by participating in multiple activities or an activity plus employment will not be sanctioned if given good cause for not meeting participation requirements for one of the activities.

Special Instructions For Employed Recipients:

Deleting a sanction for good cause for a recipient who is meeting the Work Program requirement through employment **only** is a **two-day process**:

Day 1: Enter the information from the Monthly Report onto the Employment Status window. The overnight batch job will create a pending sanction request.

Day 2: Follow the instructions above to remove the pending sanction request.

**Noncooperation
Sanction
Process**

The Work Program sanction process will change with Increment 2.1.13. The process is as follows for the recipient who has not met the Work Program requirement during the 60-day work search period and fails to respond to the Department's efforts to help the recipient meet the Work Program requirement:

Day 61 - The mandated EDP is automatically mailed and the recipient is now "TEMP mandated." The recipient will appear in the "Mandated TEMP - Site Referral Required" view (Level 2 sanction).

Day 62 - (Day after Level 2 sanction) The AU Manager **must always call the community service site before making a referral.** For the sanction process to continue, once availability is confirmed, send the recipient a mandated Community Service Referral and Response form as stated on the mandated EDP. The recipient appears on the "Clients With Sanctions" view.

20 Days after the AU Manager sends the Community Service referral referenced on the Mandated EDP –

In the overnight batch process, a Warning Notice is produced and mailed to the recipient.

10 Days after first Warning Notice –

During the overnight batch process, the request to sanction the AP is created to "Pending Authorization." **For the sanction process to continue, the AU Manager and Supervisor must authorize the sanction following the procedures on page 3. (Level 3 sanction).**

Day after Level 3 Sanction Notice was sent –

For the sanction process to continue, the AU Manager **must** (after calling the site for availability) send the recipient a mandated Community Service Referral and Response form or a referral to any other activity the recipient had selected. The recipient appears on the "Clients With Sanctions" view.

20 Days after the AU Manager sends the referral that follows the Level 3 reduction notice –

During the overnight batch process, a Warning Notice is produced and mailed to the recipient.

20 Days after second Warning Notice –

During the overnight batch process, the request to close the AU is created to "Pending Authorization." **For the sanction process to continue, the AU Manager and Supervisor must authorize the sanction following the procedures on page 3. (Level 4 sanction).**

**“TEMP
Mandated”
Recipient and
Referral to Other
Activity**

If on Day 62, a recipient who is “TEMP Mandated” wants to be referred to an activity other than community service, the AU Manager must:

- in the Activity Sequence List window, select the activity **other than** community service that the recipient wishes to enroll in;
Note: The “Sanction Interrupt” process is still in effect while this referral is being made.
- go to the ESP Referral Disposition window;
- highlight and select the new activity;
- select the appropriate activity site and generate a Referral and Response form; and
- inform the recipient that he or she must enroll in the selected activity and begin participation (unless he or she has Good Cause) in 10 days or they will be referred to a community service site and the Sanction process will continue.

If the recipient does not enroll or start participating in the selected activity in 10 days, the AU Manager must:

- go to the ESP Referral Disposition window;
- highlight and select the TAFDC Community Service activity on the window; and
Note: This activity was created when the mandated EDP was created.
- select the appropriate community service site and generate the Referral and Response form for this site (this will continue the sanction process);
IMPORTANT: AU Managers **must always call the community service site before making the referral to confirm availability of slots.**

Sending the referral to the recipient will inform him or her that he or she must now participate in community service.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline at 617-348-8478.

Attachment A

LANGUAGE WITH VARIABLE TEXT

{BEACON USER STREET_ADDRESS}
{BEACON USER CITY, STATE, ZIP}

Massachusetts Department of Transitional Assistance

{RECIPIENT NAME}
{RECIPIENT MAILING ADDRESS}
{RECIPIENT CITY/TOWN, STATE, ZIP}

{RECIPIENT SSN}
{BEACON USER OFFICE NAME}

{MM/DD/YYYY}

Dear {RECIPIENT_NAME}:

If you are subject to the Work Program requirement or ESP requirements, you must fill out the enclosed form and return it to your worker by the date noted on the enclosed form. You must do this as part of meeting your requirements.

Unless you have a good cause reason for not meeting your required hours, your benefits may be lowered or your family's benefits may be stopped. If you have met your hours and return the enclosed form to your worker you do not need to claim good cause

If you feel you have good cause for not meeting your requirement, circle the good cause reason(s) below and mail or bring this notice to your worker by the date noted on the enclosed form. Good cause includes (circle one or more):

- lack of appropriate and available child care;
- lack of affordable and reliable transportation;
- lack of an available and appropriate community service site identified by the Department;
- a disability or illness;
- participating in housing search; or
- other reasons established by the Department (including a family crisis, emergency or other compelling circumstances).

You MUST provide verification of this reason(s). You may include verification with this notice. If you do not include verification with this notice or if the verification you include is not enough, your worker will contact you to tell you what verification is needed.

Your Transitional Assistance (TAFDC) benefits will not be affected by this warning notice. But, if you do not return this notice **by the date noted on the enclosed form** to tell us about any good cause reason you have for not meeting your Work Program requirement, we will send you a notice telling you that the benefits you receive for yourself or your family may be stopped. That notice will give you a right to appeal.

You may ask your worker for ways to meet the Work Program requirement or to explain good cause.