



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

December 1, 2022

Temporary Assistance for Needy Families Manual

Transmittal # 76

This transmittal includes changes to the Temporary Assistance for Needy Families (TANF) Program and the Virginia Initiative for Education and Work (VIEW) Program. This transmittal aims to provide new, clarified, and revised guidance for both the TANF and VIEW Programs.

The 2022 General Assembly appropriated funds to continue the TANF Relative Maintenance Support Payment that began in 2020, and to extend eligibility to additional assistance units. Effective July 1, 2022, funding for the TANF Relative Maintenance Support payment was transferred from the TANF Block Grant to General Funds. When the appropriated funding for the TANF Relative Maintenance Support Payment is exhausted, the payment will end.

Effective July 1, 2022, there are two additional household categories that will be eligible for Relative Maintenance Support Payments:

1. Relative Maintenance Support Payment/TANF Opt-Out – Assistance units that include one or more children under the age of 18 years and that meet the relationship definition for TANF in Section 201.5.A, but choose to opt-out of receiving TANF payments, may be eligible to receive a Relative Maintenance Support Payment, when a caretaker assumed care of the child(ren) on or after July 1, 2022, to prevent the child(ren) from entering Foster Care in the Commonwealth of Virginia, as verified by a LDSS Family Services worker. Assistance units that include a parent are not eligible.
2. Relative Maintenance Support Payment/Kinship Care - A fictive kin relationship is defined as one that a child has with an individual who is not related by birth, adoption, or marriage to a child, but who has an emotionally significant relationship with the child. Assistance units that include one or more children under the age of 18 years and that meet the definition of a fictive kin relationship, may be eligible to receive a Relative Maintenance Support Payment /Kinship Care when a caretaker assumed care of the child(ren) on or after July 1, 2022,

to prevent the child(ren) from entering Foster Care in the Commonwealth of

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Virginia, as verified by a LDSS Family Services worker. Assistance units that include a parent are not eligible.

Note: Applications received and processed for TANF Opt-Out and Kinship Care requests on or after December 19, 2022, will be eligible to receive payments in these categories.

Unless otherwise stated, the provisions included in this transmittal are effective for all TANF eligibility determinations and VIEW Program assessments and reassessments completed on or after December 01, 2022.

For complete understanding, make sure to read the transmittal in its entirety.

This transmittal and manual are available on the Intranet through FUSION at <https://fusion.dss.virginia.gov/bp/BP-Home/TANF-and-VIEW/Guidance> and on the Internet at <http://www.dss.virginia.gov/benefit/tanf/index.cgi>.

Significant changes to the manual are as follows:

Page(s) Changed	Significant Changes
Section 203.1, page 1	The reference to Public Health Emergency was removed.
Chapter 300, Table of Contents	We added the following sections for the Relative Maintenance Support Payment changes: TANF Relative Maintenance Support Payment - 304.5 A. Relative Maintenance Support Payment/TANF Opt-Out - 304.5 B. Relative Maintenance Support Payment/Kinship Care - 304.5 C. Request for Assistance (TANF Opt-Out and Kinship Care) - 304.5 D. Eligibility Requirements (TANF Opt-Out and Kinship Care) - 304.5 E.

<p>Section 302.7.G, page 4b</p>	<p>At Item G, for purposes of determining eligibility for Emergency Assistance, the assistance unit composition was updated.</p> <p>In Emergency Assistance, the assistance unit includes:</p> <p>In cases of natural disaster, fire, or a family facing eviction, any member of the child's family living in the home whose income is considered countable for purposes of determining TANF eligibility. (See 302.2)</p>
<p>Sections 304.3, page 2; 305.3, page 17; 901.11, page 10; 1000.4, page 17; 1000.6, page 20; and 1000.7, page 21</p>	<p>Updated the form number for the Medical Evaluation</p>
<p>Section 304.5, page 4</p>	<p>This section was updated to reflect the changes to the Relative Maintenance Support Payment Program resulting from the 2022 General Assembly.</p> <p>The 2022 General Assembly appropriated funds to continue the TANF Relative Maintenance Support Payment that began in 2020, and to extend eligibility to additional assistance units. Effective July 1, 2022, funding for the TANF Relative Maintenance Support payment was transferred from the TANF Block Grant to General Funds. When the appropriated funding for the TANF Relative Maintenance Support Payment is exhausted, the payment will end.</p>

Effective July 1, 2022, there are two additional household categories that will be eligible for Relative Maintenance Support Payments.

Sections A, B and C were added to provide guidance for the different types of assistance units that will be eligible to receive Relative Maintenance Support Payments.

We added Item A which specifically provides guidance regarding the existing TANF Relative Maintenance Support Payment category. TANF assistance units that include one or more eligible children under the age of 18 years and that meet all other eligibility criteria for a TANF payment, will be entitled to a Relative Maintenance Support Payment when a relative caretaker assumed care of the child(ren) on or after July 1, 2020, to prevent the child(ren) from entering Foster Care in the Commonwealth of Virginia, as verified by a LDSS Family Services worker. This includes TANF assistance units with a budgetary deficiency that is less than \$10, and no payment is made. If an assistance unit's ineligibility is based solely on this minimum payment provision, the case will be approved and retained as an active TANF case. TANF assistance units that include a parent are not eligible. Additionally, minor wording changes were made for clarity purposes.

For spacing purposes, the last two paragraphs on page 4 were moved to the top of page 5.

We added Item B which specifically provides guidance regarding the Relative Maintenance Support Payment/TANF Opt-Out category. Assistance units that include one or more children under the age of 18 years and that meet the relationship definition for TANF in Section 201.5.A, but choose to opt-out of receiving TANF payments, may be eligible to receive a Relative Maintenance Support Payment, when a caretaker assumed care of the child(ren) on or after July 1, 2022, to prevent the child(ren) from entering Foster Care in the Commonwealth of Virginia, as verified by a LDSS Family Services worker. Households that include a parent are not eligible.

	<p>Note: Applications received and processed on or after December 19, 2022, will be eligible to receive payments in this category.</p> <p>We added Item C which specifically provides guidance regarding the new Relative Maintenance Support Payment/Kinship Care category. A fictive kin relationship is defined as one that a child has with an individual who is not related by birth, adoption, or marriage to a child, but who has an emotionally significant relationship with the child. Assistance units that include one or more children under the age of 18 years and that meet the definition of a fictive kin relationship, may be eligible to receive a Relative Maintenance Support Payment (Kinship Care) when a caretaker assumed care of the child(ren) on or after July 1, 2022, to prevent the child(ren) from entering Foster Care in the Commonwealth of Virginia, as verified by a LDSS Family Services worker. Assistance units that include a parent are not eligible.</p> <p>Note: Applications received and processed on or after December 19, 2022, will be eligible to receive payments in this category.</p> <p>For complete understanding, make sure to read the entire section.</p>
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Section 304.5., D-E, pages 7 and 8	<p>We added Item D which provides new guidance regarding Relative Maintenance Support Payments (TANF Opt-Out or Kinship) requests. An application must be made using the Relative Maintenance Verification Form. The application date will be considered the date the Family Services Specialist submits the completed and signed Relative Maintenance Verification Form to Benefit Programs.</p> <p>The Benefit Programs Specialist must determine eligibility within seven working days after the completed and signed Relative Maintenance Verification Form is received.</p> <p>We added Item E which provides new guidance regarding the eligibility requirements for TANF Opt-Out and Kinship Care requests. The Relative Maintenance Support Payment Program (TANF Opt-Out and Kinship Care) is a declaration program. The caretaker and the child(ren) for whom assistance is requested are not subject to the same eligibility requirements as TANF applicants/recipients.</p> <p>For complete understanding, make sure to read the entire section.</p>
Section 304.6, page 9	Due the expansion of the Relative Maintenance Support Payment guidance added to Section 304.5, we moved the RISE program guidance from page 5 to page 9.
Section 901.13, page 11a	At Item B., 2, we clarified the language for employment reporting requirements for VTP.
Sections 1000.8, pages 23 and 24	Updated the name and form number for the VDSS Employment Services Program Assessment form.
Sections 1000.8, page 25, and 1000.13, page 48	Updated the form number for the Activity and Service Plan.
Chapter 1000.13, pages 42 and 52	Updated the form number and name of the SNAP E&T and VIEW Referral to Work Site form.
Chapter 1000.13, page 50	Updated the form numbers and names for the Work Site Agreement, Work Site Position forms, and the VIEW Attendance/Performance Rating Sheet

Chapter 1000.13, page 53	Updated the form number and name of the Attendance & Performance Rating Sheet.
Chapter 1000.17, page 65	Updated the form number and name of the Education and Training Activities Attendance Sheet.
Chapter 1000.28, pages 95 and 95a	Added details about a Memorandum of Agreement (MOA) and a Memorandum of Understanding (MOU); updated the name of the Annual Plan and updated the titles of Regional Practice Consultants from Field Consultants. Page 95a was added, and sections C and D were moved to this page to accommodate the addition of the MOA and MOU details.

Questions about this transmittal should be directed to regional program consultants or Mark Golden, TANF Program Manager, at (804) 726-7385, or mark.golden@dss.virginia.gov.

Dr. Danny TK Avula
Commissioner

203.1 EMERGENCY ASSISTANCE – Emergency Assistance (EA) may be provided to needy families with children who are eligible for TANF or are receiving TANF (including recipients whose TANF case is currently suspended due to a VIEW sanction), when the family is facing eviction or has experienced a natural disaster or a fire that results in unmet needs for maintaining the household or the home itself, as long as income eligibility is met. Natural disasters may include, but are not limited to, a tornado, hurricane, flood, or any disaster as declared by the Governor. The EW should note that the applicant does not simply declare an event a disaster.

The worker must explain the Emergency Assistance program to all TANF applicants at the time of application and discuss the appropriateness of EA to the applicant's situation. The application for Emergency Assistance must be made no later than 30 days from the date the disaster or fire occurred. If the applicant has been hospitalized during the 30-day period following the disaster or fire, the application for emergency assistance must be made within 60 days from the date the disaster or fire occurred.

Guidance in Section 401.1 regarding the time standard for processing applications also applies to EA. However, EA must be approved as soon as administratively possible, but no later than five working days after receipt of the final verification that substantiates eligibility. Note: Current TANF recipients that request EA are not required to provide additional verifications unless a change is reported during the verification process.

For Emergency Assistance applications, the Do You Have a Disability? must be completed for applicants who are not currently a TANF recipient or are not requesting TANF. The case record must contain the Rights and Responsibilities form or be otherwise documented to show that the applicant was provided with oral and written information about his rights and responsibilities and that he acknowledged receipt of the information. The Notice of Personal Responsibility for the TANF Program (032-03-0750), the Notice of Cooperation and Good Cause (032-03-0036), and the Notice of Intentional Program Violations and Penalties (032-03-0646) forms are not required for an emergency assistance application.

Conditions of Eligibility/Categorical Eligibility:

When the family has experienced a natural disaster, fire or is facing eviction the timeframes listed above, and all of the following conditions exist, EA must be granted immediately:

- A. The family includes at least one child who is under eighteen years or if 18, but not yet 19, is enrolled and attending a secondary school or vocational/technical school of secondary equivalency and is meeting the enrollment and attendance requirements as determined by the local school board (201.2)
- B. The child is a resident of Virginia, as defined in Section 201.6.
- C. The child, and all members of his family for whom assistance is provided must be a citizen of the United States or, if an alien, meet requirements, specified in Section 201.7. A child may be eligible for or receive TANF or Emergency Assistance even when other members of the family are ineligible.
- D. The child is living with a relative in a place of residence maintained by the relative as his own home. (See Section 201.5 B.)

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1. The EWB is fleeing to avoid prosecution or confinement or is in violation of probation or parole.*

G. In Emergency Assistance - The assistance unit includes:

1. In cases of natural disaster, fire, or a family facing eviction, any member of the child's family living in the home **whose income is considered countable for purposes of determining TANF eligibility. (See 302.2)**

302.8 FORMING THE COMPLEX ASSISTANCE UNIT - The most common type of assistance unit consists of one caretaker/relative and child(ren) living in a household. The following guidelines have been established to aid in determining who shall be included in an assistance unit when the household contains complex family situations:

- A. Minor Parent(s) - A minor parent is an individual under 18 years of age who is the natural parent of a child. A senior parent is a parent of the minor parent. Minor parents must meet school attendance requirements in order to have their needs included in the payment.

An unmarried minor parent, for purposes of TANF guidance, is a minor who is single, separated, or divorced. A married minor parent is a minor who is married and living with his/her spouse.

*Personal Responsibility and Work Opportunity Reconciliation Act of 1996

304.3 MEDICAL EXAMS FOR TANF/VIEW RECIPIENTS - In some situations, it may be necessary to have a medical exam completed in order to determine if a client should be exempted from VIEW, or to assess the client's ability to work or participate in the program. The Medical Evaluation (form 032-03-**1040**) is used to secure this information. The medical examination must have been made no more than 90 days prior to the date the Medical Evaluation form was signed.

The Medical Evaluation form can be completed by a medical doctor, including a psychiatrist, or doctor of osteopathy, or by a licensed physician's assistant or nurse practitioner working under the auspices of a medical doctor or doctor of osteopathy. The form is to be completed by a medical professional with thorough knowledge of the condition(s) that are believed to limit or prohibit the client's ability to work or participate in VIEW. Typically, this is the doctor or other medical professional who is currently treating the client for the condition. If, however, in the opinion of the agency, the client's condition is such that it should be evaluated by a specialist, then the specialist should make the evaluation and complete and sign the form.

Medical exams necessary to determine exemption status for VIEW or to assess a VIEW participant's ability to work or participate in the program will be arranged through Medicaid when possible. When Medicaid coverage does not exist, the medical exam can be paid for with VIEW funds. The agency will pay for the first medical exam; the agency may pay for additional exams, but is not required to do so.

The agency may choose to request and pay for a second evaluation from a medical professional whenever the first evaluation is deemed by the agency to be inadequate to determine the client's exemption status, or ability to work or participate, or is otherwise questionable.

304.5 RELATIVE MAINTENANCE SUPPORT PAYMENT - **The 2022 General Assembly appropriated funds to continue the TANF Relative Maintenance Support Payment that began in 2020, and to extend eligibility to additional assistance units.* Effective July 1, 2022, funding for the TANF Relative Maintenance Support payment was transferred from the TANF Block Grant to General Funds. When the appropriated funding for the TANF Relative Maintenance Support Payment is exhausted, the payment will end. Effective July 1, 2022, there are two additional household categories that will be eligible for Relative Maintenance Support Payments as outlined in Sections 304.5.B and C below.**

- A. **TANF Relative Maintenance Support Payment** - TANF assistance units that include one or more eligible children **under the age of 18 years and that meet** all other eligibility criteria for a TANF payment, will be entitled to a Relative Maintenance Support Payment when a relative caretaker assumed care of the child(ren) on or after July 1, 2020, to prevent the child(ren) from entering Foster Care in the Commonwealth of Virginia, as verified by a LDSS Family Services worker. This includes TANF assistance units with a budgetary deficiency that is less than \$10, and no payment is made. If an assistance unit's ineligibility is based solely on this minimum payment provision, the case will be approved and retained as an active TANF case. TANF assistance units that include a parent are not eligible.

Note: Children placed with a relative in the Commonwealth of Virginia by another state are not eligible for the Relative Maintenance Support Payment.

The TANF Relative Maintenance Support Payment is a monthly payment, **in addition to** the TANF payment and will be paid to eligible assistance units in the amount of \$200 for each eligible child in the qualifying TANF assistance unit that was diverted from Foster Care. This includes TANF assistance units that include a needy relative caretaker. If the child does not meet TANF eligibility requirements, the relative caretaker will not be eligible to receive the TANF Relative Support Maintenance payment. The Relative Support Maintenance payment does not apply to Diversionary Assistance, Emergency Assistance or VTP.

When a TANF application is received for a non-parent **caretaker that is also requesting the TANF Relative Maintenance Support Payment**, a separate TANF case should be established. All children not belonging to the payee shall be placed in a separate case. **At no time should the child(ren) of the non-parent caretaker be included on the payee TANF case.**

The Family Services Specialists will be responsible for identifying the child(ren) that has been diverted from Foster Care. The Family Services Specialists will complete the Relative Maintenance Verification Form and provide the relative caretaker with a copy to verify that the child(ren) is living in the relative caretaker's home to avoid placement into Foster Care. If applying for TANF assistance at a Local Department of Social Services, the relative caretaker must provide the Relative Maintenance Verification Form to the Benefit Programs Worker to qualify for the additional \$200 monthly payment. The Relative Maintenance Verification Form includes the caretaker(s), child(ren) and referring agency's information, in addition to the date the child began living in the home of the relative caretaker. **The form also records if the caretaker is requesting assistance for the TANF Relative Maintenance Support Payment.** The receiving locality is responsible for uploading the Relative Maintenance Verification Form into the Document Management Information System (DMIS).

Example 1: Ms. Perry assumed care of her grandchild Terri Lee on 07/02/2021, to prevent her from being placed in Foster Care. On 07/05/2021, Ms. Perry applied for TANF assistance for her grandchild Terri. On 07/20/2021, Ms. Perry provided all the requested verifications, to include the **Relative Maintenance Verification Form** that was provided by her Family Services Specialist, which verified Terri was placed with her on 07/02/2021. On 07/23/2021, the TANF application was approved, as all eligibility requirements were met. Ms. Perry received the \$262 standard of assistance for one in a Group II locality. In addition, Ms. Perry received the additional \$200 monthly Relative Maintenance Support Payment. Ms. Perry will receive a total of \$462 on a monthly basis.

Unlike TANF payments, TANF Relative Maintenance Support Payments are not prorated based on the date of the TANF application. If a relative caretaker applies for TANF any date after the first of the month, and if all eligibility criteria are met, the assistance unit will receive the entire \$200 payment per eligible child, for that month.

Example 2: On 10/15/2020, Ms. Tee assumed care of her niece Lala to prevent her from being placed in Foster Care. On 10/15/2020, the Family Services Specialist completed the Relative Maintenance Verification form for Ms. Tee. On 10/16/2020, Ms. Tee applied for TANF assistance for her niece Lala. On 10/23/2020, Ms. Tee submitted all the requested verifications to the local agency, to include a copy of the Relative Maintenance Verification Form that was provided by her Family Services Specialist. On 10/26/2020, the Benefit Programs Worker approved the TANF application. Although the initial TANF payment was prorated from the 10/16/2020 application date, Ms. Tee received the entire additional \$200 Relative Maintenance Support Payment for Lala for the month of October.

Example 3: Mr. Jones assumed care of his nephew Anthony Jones to prevent him from being placed in Foster Care, as verified by Family Services. Anthony receives a monthly SSI payment. Although Mr. Jones assumed care of Anthony to prevent him from being placed in Foster Care, Anthony is ineligible for TANF due to the receipt of SSI. Therefore, Mr. Jones is not eligible for the additional \$200 Relative Maintenance Support Payment. However, if Mr. Jones requests assistance for himself as a needy relative caretaker, he could receive a TANF payment if all other eligibility criteria are met.

Example 4: Ms. Martin applies for TANF for her niece Shelly and nephew John. Ms. Martin has an existing TANF case for herself and her two children Aiden and Ava. A separate TANF case shall be established for Shelly and John.

Example 5: Ms. Brown applies for TANF for her granddaughter Robin. Ms. Brown has an active SNAP and Medicaid case for herself and her son Larry. The non-parent caretaker TANF application shall not be added to Ms. Brown's existing case number. A new and separate case number shall be established for the TANF application.

Payment information about the TANF Relative Maintenance Support Payment will be provided to the customer in the **Relative/Kinship Care Support Maintenance Payment** Notice of Action at initial application, reapplication, and in conjunction with changes and at renewal.

- B. Relative Maintenance Support Payment/TANF Opt-Out - Assistance units that include one or more children under the age of 18 years and that meet the relationship definition for TANF in Section 201.5.A, but choose to opt-out of receiving TANF payments, may be eligible to receive a Relative Maintenance Support Payment, when a caretaker assumed care of the child(ren) on or after July 1, 2022, to prevent the child(ren) from entering Foster Care in the Commonwealth of Virginia, as verified by a LDSS Family Services worker. Households that include a parent are not eligible. Note: Applications received and processed on or after December 19, 2022, will be eligible to receive a payment in this category.**

The Relative Maintenance Support Payment for those that choose to opt-out of receiving TANF, is a monthly payment to be paid to eligible assistance units in the amount of \$200 for each eligible child in the qualifying assistance unit that was diverted from Foster Care. In this category, the TANF Standard of Assistance will not be received. Reasons for choosing to opt-out of receiving TANF payments could be, but are not limited to, the applicant does not want to pursue the family member for child support or cannot establish the relationship as required for TANF eligibility. Additionally, if an applicant is found ineligible for the TANF Relative Maintenance Support Payment due to TANF eligibility requirements not being met, the applicant must be evaluated for the Relative Maintenance Support Payment/TANF Opt-Out category. Examples of TANF eligibility requirements not being met include, but are not limited to, failure to provide requested verifications, unable to establish relationship or due to excess income. However, under all circumstances, the child must be living in the home of the caretaker to be eligible.

Example: Mr. Simmons assumed care of his grandchildren Thomas Lee and Nya Lee on 12/20/2022, to prevent them from being placed in Foster Care. His daughter Tonya Simmons, the mother of Thomas and Nya, struggles with substance use. On 12/20/2022, the Family Services Specialist completed the Relative Maintenance Verification Form for Mr. Simmons. Mr. Simmons chose to apply for the Relative Maintenance Support Payment only and chose to opt-out of receiving TANF payments. He is concerned that if he were to pursue child support as required for TANF eligibility, he would create an additional financial hardship for his daughter Tonya. On 12/20/2022, the Family Services Specialist submitted the completed Relative Maintenance Verification form to Benefit Programs. On 12/28/2022, the Benefit Programs Worker approved Mr. Simmons for the Relative Maintenance Support Payment/TANF Opt-Out, in the amount of \$400 per month (\$200 per eligible child).

Note: If a caretaker applies for the Relative Maintenance Support Payment/TANF Opt-Out any date after the first of the month and if all eligibility criteria are met, then the assistance unit will receive the entire payment per eligible child, for that month.

- C. **Relative Maintenance Support Payment/Kinship Care** - A fictive kin relationship is defined as one that a child has with an individual who is not related by birth, adoption, or marriage to a child, but who has an emotionally significant relationship with the child. Assistance units that include one or more children under the age of 18 years and that meet the definition of a fictive kin relationship, may be eligible to receive a Relative Maintenance Support Payment/Kinship Care when a caretaker assumed care of the child(ren) on or after July 1, 2022, to prevent the child(ren) from entering Foster Care in the Commonwealth of Virginia, as verified by a LDSS Family Services worker. Assistance units that include a parent are not eligible. **Note:** Applications received and processed on or after December 19, 2022, will be eligible to receive payments in this category.

The Relative Maintenance Support Payment/Kinship Care is a monthly payment to be paid to eligible assistance units in the amount of the TANF Standard Assistance for the appropriate locality group (Section 304, Appendices 1 and 2), plus \$200 for each eligible child that was diverted from Foster Care.

Example: On 12/19/2022, Ms. Riley assumed care of her neighbor's two minor daughters to prevent them from being placed in Foster Care. On 12/19/2022, the Family Services Specialist completed the Relative Maintenance Verification Form for Ms. Riley and submitted the completed and signed form to Benefit Programs. Ms. Riley chose to apply for the Relative Maintenance Support Payment/Kinship Care. On 12/23/2022, the Benefit Programs worker approved Ms. Riley's request for the Relative Maintenance Support Payment/Kinship Care. Ms. Riley lives in a group II locality, therefore she was approved for a \$785 initial and ongoing Relative Maintenance Support Payment/Kinship Care. The \$785 payment amount equals \$385 SOA in a Group II locality for two children plus \$200 per eligible child.

Note: If a caretaker applies for the Relative Maintenance Support Payment/Kinship Care any date after the first of the month and if all eligibility criteria are met, then the assistance unit will receive the entire payment per eligible child, for that month.

- D. **Request for Assistance (TANF Opt-Out and Kinship Care)** – An application must be made using the Relative Maintenance Verification Form. The application date will be considered the date the Family Services Specialist submits the completed and signed Relative Maintenance Verification Form to Benefit Programs. When processing TANF Opt-Out and Kinship Care Maintenance Support requests for assistance in the VaCMS, the worker must always select the program type as TANF. The Benefit Programs Specialist must determine eligibility within seven working days after the completed and signed Relative Maintenance Verification Form is received. TANF Opt-Out and Kinship Care Maintenance Support requests will display as TANF applications on the Pending Point and Time report in the VaCMS, and if not processed by the 30th calendar day following receipt of the application, the application will be considered overdue. When the 30th calendar day falls on a weekend or holiday, the worker must provide a decision on the application on the last working day prior to the 30th day.

The Family Services Specialists will be responsible for identifying the child(ren) that has been diverted from Foster Care for these categories. The Family Services Specialists will complete the Relative Maintenance Verification Form and provide the relative/caretaker with a copy to verify that the child(ren) is living in the relative/caretaker's home to avoid placement into Foster Care. The Relative Maintenance Verification Form includes the caretaker(s), child(ren) and referring agency's information, in addition to the date the child began living in the home of the caretaker. The form also records if the caretaker is requesting assistance for Relative Maintenance Support Payments (TANF Opt-Out or Kinship). If the caretaker chooses to apply for the Relative Maintenance Support Payment (TANF Opt-Out or Kinship), the Family Services Specialists will be responsible for delivering the completed Relative Maintenance Verification Form to Benefit Programs. The Relative Maintenance Verification Form will serve as an application for TANF Opt-Out and Kinship Care Maintenance Support requests and must be treated as such. The receiving locality is responsible for uploading the Relative Maintenance Verification Form into the Document Management Information System (DMIS).

- E. **Eligibility Requirements (TANF Opt-Out and Kinship Care)** – The Relative Maintenance Support Payment Program for TANF Opt-Out and Kinship Care categories is a declaration program. The caretaker and the child(ren) for whom assistance is requested are not subject to the same eligibility requirements as TANF applicants/recipients. The only eligibility requirements that must be met are the completion of the Relative Maintenance Verification Form, Virginia residency, and the child(ren) must reside in the household of caretaker that is requesting assistance. The signature of the caretaker on the Relative Maintenance Verification Form will serve as verification that Virginia residency is met, and that the child(ren) reside in the home of the caretaker. The Family Services Specialist will be responsible for collecting the birth date and social security numbers of the caretaker, and child(ren) for whom assistance is requested. If the information is provided, the EW will verify the social security number prior to processing the application using SVES (State Verification and Exchange System) or SOLQ-I (if not entered into the VaCMS record and/or verified at registration). However, if a social security number is not provided on the Relative Maintenance Verification Form, the application must be processed and not denied. All remaining non-financial and financial criteria are not applicable when processing TANF Opt-Out and Kinship Care requests. An interview with the applicant is not required to process the application.

Note: Children placed with a relative in the Commonwealth of Virginia by another state are not eligible for the Relative Maintenance Support Payment.

Unlike TANF payments, Relative Maintenance Support Payments are not prorated based on the date of the TANF application. If a caretaker applies for Relative Maintenance Support Payments any date after the first of the month, and if all eligibility criteria are met, then the assistance unit will receive the entire payment per eligible child, for that month.

Payment information about the Relative Maintenance Support Payment will be provided to the customer in the Relative/Kinship Care Support Maintenance Payment Notice of Action at initial application, reapplication, and in conjunction with changes, and at renewal.

Applicants/Recipients of Relative Maintenance Support Payments will not be eligible for Diversionary Assistance, Emergency Assistance or VTP. Additionally, recipients of Relative Maintenance Support Payments will not be subject to the 60-month limit on the receipt of benefits. However, when the appropriated funding for Relative Maintenance Support Payments is exhausted, the payment will end.

Applicants/Recipients of Relative Maintenance Support Payments will be required to report address changes, when an eligible individual leaves the home and when a parent of an eligible individual enters the home. These changes must be reported within 10 days, but no later than the 10th day of the month after the change occurs. The Relative Maintenance Verification Form advises the applicant/recipient of his obligation to report changes and the penalties for not doing so.

Eligibility for Relative Maintenance Support Payments recipients must be redetermined every 12 months. A TANF Renewal Notification and Renewal Application will be sent to all assistance units within the same manner as TANF recipients as outlined in Section 401.3.B. The recipient will only be required to complete Section A (Your Contact Information, Household Composition), Voter Registration, and Signatures. If applying for other programs, all applicable sections will have to be completed. The renewal application must be signed and dated to be considered valid. An interview is not required to process the renewal application. Eligibility determinations will be based on the information declared on the renewal application.

If a renewal application is not submitted or evaluated by the last day of the renewal month, assistance will stop. An assistance unit may not receive benefits beyond the renewal month. The VaCMS will automatically stop the issuance of benefits. The case will remain in an approved status until the end of the month following the renewal month or when action is taken on the submitted renewal application, whichever comes first.

When a recipient of Relative Maintenance Support Payments moves from one locality to live in another within the state and there is no other change in his circumstances which would render him ineligible, he is entitled to receive assistance without a break.

304.7 REACHING INDEPENDENCE THROUGH SAVINGS AND EDUCATION (RISE) - The 2021 General Assembly appropriated funds for the implementation of an individual development account (IDA)* program. RISE is an IDA administered by the Virginia Department of Social Services (VDSS) designed to support TANF recipients for the purposes of home ownership, transportation acquisition, pursue post-secondary education, small business ownership, or to achieve self-sufficiency.

To be eligible to participate in the RISE program, the TANF recipient must be employed, part-time, full-time or self-employed, and must complete financial and asset specific trainings. Additionally, the participant shall work with an intermediary who will review program requirements, work with the participant in establishing a savings goal, and assist in establishing and monitoring the RISE account. Once the participant meets their savings goal, TANF funds will be deposited in the RISE account. TANF will provide \$8 for every \$1 saved by the participant to purchase a qualified asset (i.e., home ownership, transportation, education, small business ownership, or self-sufficiency).

1. Incapacitated Adult/Child Care Disregard - Anticipated child care expenses, up to the appropriate maximums, must be disregarded in determining initial eligibility and determining the amount of payment (Steps 2 and 3 of [Appendix 3](#) to Section 305). The appropriate disregard will be based on the employment status of the client. The cost of child care may be paid for by a service vendor payment, by the client, or a combination. The child care expenses paid by the client are to be disregarded from earned income up to the maximum. Prior to allowing the child care disregard, it must be verified that a service vendor payment is not being issued concurrently.

The child care expenses can be incurred when an employed VIEW participant pays the difference in the above market rate and the amount paid by VIEW child care, or when an employed TANF applicant/recipient is paying her own child care costs. If the recipient is referred to VIEW disregard may be given until VIEW child care begins to pay for the care. If the VIEW participant continues to pay her own child care expense, the disregard can continue to be allowed.

Anticipated incapacitated adult care expenses, up to the appropriate maximum, will be disregarded in both the initial eligibility determination and determining the amount of payment. The appropriate disregard will be based on the employment status of the client. Incapacity must be supported by the Medical Evaluation form (032-03-1040) unless incapacity is established by receipt of Social Security Disability (SSDI) benefits or Supplemental Security Income (SSI).

Adult care expenses can be incurred when the applicant/recipient pays a provider to care for the incapacitated adult.

- a) Employment status refers to:
 - 1) Full-time Employment - Employed to work 30 hours or more per week on an on-going basis;
 - 2) Part-time Employment - Employed to work less than 30 hours per week on an on-going basis;
 - 3) Not Employed Throughout A Month - Applicable when an individual begins or terminates employment.

TANF until the entire 24-month period of ineligibility has expired.

Example 2: Ms. Smith, who is a TANF recipient with her sons Josh and Joe, began participating in the VIEW Program in March 2018. Josh moved out of Ms. Smith's home in June 2018 to move in with his aunt. The aunt applied for TANF, on Josh's behalf, in June 2018. The aunt's TANF application for Josh may be approved if Josh is otherwise eligible because Ms. Smith's TANF case was not in a period of ineligibility when Josh left.

- B. EXCEPTIONS: (1) If the caretaker dies during the period of ineligibility, the children may receive TANF with another relative, if otherwise eligible. (2) A minor parent or child who turns 18 during the period of ineligibility may apply and receive TANF in her own right for herself and her child(ren), if otherwise eligible. (3) If it is determined that the caretaker (both caretakers in a two-parent TANF household) became totally disabled during the period of ineligibility or became required to care for a disabled family member living in the household, and such a disability or situation prevents the individual from being self-supporting, the caretaker and children in the family may receive TANF payments without regard to the period of ineligibility. The worker must assist the parent in pursuing other benefits, as appropriate. (4) If a child is removed from the home of a parent as a result of a child protective services report or complaint during the period of ineligibility and is placed in the home of a relative, the relative may be eligible to receive assistance if otherwise eligible.

A Medical Evaluation (032-03-1040) completed by a medical professional will be used to verify the disability of the caretaker. (The client's disability will be considered total if the medical indicates that she cannot work 20 hours a week or more). The disability must be re-evaluated based on new verification at the end of the anticipated duration as originally noted on the medical form. If the duration indicated on the form is for more than 12 months or is identified as permanent, a new form must be obtained every 12 months. If the medical form is incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical. The medical exam for which a medical evaluation is based, must have been conducted no more than 90 days prior to the date the medical professional signs the form.

When the caretaker is needed on a substantially continuous basis to care for a family member who is living in the household (the family member does not have to be included on the TANF payment), the family member must have a verified physical or mental disability and must have caretaking needs that prevent the caregiver from being self-supporting. These caretaking needs include the need for attendance, supervision, and home care, and other needs related to the family member's disability. A medical professional must complete a Statement of Required Presence of Caregiver form (032-03-0020) to verify the family member's condition, and the need for the caregiver to be available on a substantially continuous basis. If the disabled family member is out of the home for substantial portions of the day, the caretaker will not be considered to be needed on a substantially continuous basis, and the TANF payments will not be extended beyond the 24th month. For the caretaker acting as a caregiver for a disabled member living in the household, a task and reminder to obtain a new medical form must be set 30 days prior to the end of the anticipated duration as noted on the medical form or every 90 days, whichever occurs first.

When the disabled caretaker is eligible to receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), on-going verification of the disability will not be required. When the disabled family member who requires a caregiver is eligible to receive SSI or SSDI, additional verification of the need for a caregiver for the disabled family member will

the time she becomes eligible for a VTP. In some rare circumstances, this will not be the case, but the client will still meet the definition of a VIEW participant and may be determined eligible for a VTP.

Example: Client is sanctioned, but reports employment after the end of the fixed sanction period, thereby curing the sanction. Prior to any action by the EW, the ESW will open the VIEW enrollment and notify the EW to lift the sanction. If the client's income from employment makes the client ineligible for the next month, the client will still be evaluated and approved for VTP if she meets the VTP eligibility criteria. The ESW will close the VIEW enrollment and open the VTP enrollment in the ESP module. (Note: Individuals who report employment during the fixed sanction period do not meet VTP eligibility criteria.)

2. Prior to establishing a VTP, the EW must verify the client's wages. For previously reported employment, **the EW must have a copy of the previous month's pay stubs or verification of employment (not more than 30 days old)**. If the wage verification is more than 30 days old, the client must provide current verification of employment prior to the effective date of the TANF case closure. **The number of pay stubs will vary based on the client's pay schedule.** For new employment, the client will have 10 days from the date the new employment is reported to verify the employment. This 10-day period may extend beyond the effective date of the TANF case closure. (For example, TANF case is closing effective April 30. Client reports new employment on April 29. The client will have until May 9 to provide verification of the new employment.)
3. The client may be eligible for VTP if he/she meets all other VTP eligibility criteria. Client statement may be used for prospective calculations to determine ongoing TANF eligibility but not for the establishment of the VTP. In all instances, a VIEW case must already be open prior to the establishment of a VTP.

The first of the twelve VTP payment months should be the month established by the VaCMS system following TANF case closure. This will be either the month immediately after the TANF case is closed or the next month.

Example: The EW enters the TANF case closure on February 14 effective February 28. The EW does not enter the VTP until February 27, after the February 26 cut-off date. The VTP period will then begin April 1, the first month when the action can be implemented. The client will not receive a TANF payment or a VTP payment for March. However, the client will be entitled to a full twelve months of VTP as long as she continues to meet VTP eligibility criteria. The VTP period will run from April 1 through March 31.

4. When the client is eligible for a VTP, the EW will contact the ESW to make sure that the ESP enrollment is open prior to closing the TANF/VIEW or TANF-UP/VIEW case. The EW will then enter information in VaCMS to establish the VTP and generate the monthly payment. A Notice of Action will generate through Central Print to notify the individual of the VTP approval, the TANF/VIEW or TANF-UP/VIEW case closure and reporting requirements.
5. If a client who is approved for, and begins receiving a VTP, appeals the TANF case closure and requests that the TANF payment be reinstated during the appeal, the VTP will be stopped. If the client loses the appeal and the TANF case is closed, the EW will again evaluate eligibility for a VTP following VTP guidelines. If the client is eligible for VTP, the 12-month VTP eligibility period will begin with the month after the second TANF case closure.

Reminder: Assignment to Job Search/Job Readiness may be the most appropriate assignment for a particular client even if she has already completed the maximum number of Job Search/Job Readiness hours during the previous 11 months and the new assignment will not count toward participation.

In the following specific circumstances, the initial assignment to job search and/or job readiness may not be appropriate:

- when the client is working full-time and has earnings commensurate with her skills
- when the client has already completed an assignment to job search/job readiness during her current 2-year period of TANF eligibility and would benefit from direct assignment to a component activity designed to lead to achieving a living wage
- when the client is in the last three months of pregnancy and would benefit from an assignment to another VIEW activity
- when participation in other activities, including education or training activities, will assist the participant in achieving a living wage.

- D. The VIEW worker may assign the client to activities for the month of assessment (which may be a partial month). Additionally, the VIEW worker must assign the client to activities for the next three full months after the month of assessment. All assignments will be recorded on an Activity and Service Plan (032-02-1000) and will be entered into the ESP module in VaCMS no later than 3 working days after the Activity & Service Plan is completed. (Note: The worker will enter the initial job search assignment into the ESP module immediately. The additional assignments will not be entered into the ESP module until the required reassessment is completed at, or near the end of, the job search assignment.) If it becomes necessary to change an assignment included on the initial Activity and Service Plan, a new plan will be completed.
- E. If the participant obtains full-time employment, she will not be required to participate in other VIEW activities. While the client is not required to participate in other program activities, she is required to respond to any correspondence from the VIEW worker and to keep all appointments, including reassessment appointments.
- F. If the participant obtains employment that is not full-time or employment less than minimum wage, she will be required to fully participate in VIEW program activities designed to help her find full time employment. She will be assigned to activities that combined with employment hours, total at least 35 hours a week.
- G. If the participant has not obtained unsubsidized full or part-time employment at the completion of the job search component, she will be reassessed and placed immediately into another program activity.

It is anticipated that the client's specific program assignment will be to an activity/activities that most directly leads to a living wage and which allows the client's participation to be included in the federal participation rate calculation, if possible.

- H. At the end of each component assignment, the client will be reassessed and assigned to another activity. The focus of the reassessment will be on the client's progress in the activity, and an evaluation of the client's needs for additional program activities and services in order to secure unsubsidized employment.

The reassessment will include an exploration of any barriers, including a verified disability, limited English proficiency, lack of reasonable accommodations or support services, or other barriers, that may make it difficult for the client to search for or obtain employment.

1000.6 VIEW VOLUNTEERS

- A. Local agencies must serve TANF recipients who are exempt from VIEW and choose to volunteer. An individual who is exempt from participation can volunteer for VIEW only if she is able to participate for the required number of weekly hours after any needed accommodations are provided. (See 1000.7). An individual exempt from VIEW participation because of a temporary medical condition who wishes to participate must provide a new Medical Evaluation Form (032-03-1040) completed by a medical professional. The Medical Evaluation must state that the individual is able to participate and list limitations, if any that would affect the individual's ability to participate. It should be made clear to the individual that by volunteering, she gives up her exempt status and becomes a mandatory participant subject to the same participation requirements and penalties for non-participation as other mandatory VIEW participants. Note: TANF recipients under the age of 18, SSI recipients, and ineligible aliens cannot volunteer to participate in VIEW.
- B. If the TANF case of an exempt client who volunteers for VIEW closes, and the client reapplies, the client's exemption status will be determined as part of the eligibility process. The client will be referred to VIEW if she is no longer exempt. If the client's previous exemption was for a temporary medical condition or for caring for a disabled household member, she must secure a new medical if she states she is unable to participate in VIEW for either of those reasons. If the client is determined to be exempt at reapplication and again wishes to give up her exemption and participate, she may do so if funding is available.
- C. Applicants can volunteer for VIEW only after the TANF application has been approved. They are eligible for the VIEW enhanced disregards in the month following the month the VIEW APR is signed at the initial assessment. Note: The APR cannot be signed prior to the initial assessment except when it must be signed prior to TANF approval as a condition of eligibility. (See 1000.9)
- D. If a volunteer is assigned to an activity and does not participate as required, that individual will be referred for sanction. A sanction will be imposed unless the individual has good cause for not participating. Following the end of the fixed sanction period and compliance, the individual will continue as a mandatory participant. Exception: In the case of an individual exempt based on caring for a child under 12 months who fails to comply and is sanctioned, the individual can reclaim the exemption following the end of the fixed sanction period if she no longer wishes to participate in VIEW. The exemption will end once she has used the balance of the 12-month eligibility period and she will then be referred to VIEW as a mandatory participant.
- E. Recipients enrolled in full-time postsecondary higher education may have the option to participate in VIEW. As outlined in House Bill 484, it exempts from mandatory participation in the VIEW program recipients of Temporary Assistance for Needy Families who are enrolled full-time in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and are taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license.

1000.7 VIEW PARTICIPANTS WITH DISABILITIES

Some VIEW participants have disabilities, including temporary medical conditions, or are caring for family household members with disabilities, that may affect program participation. Disabilities may be identified during the application process when the client is given the “Do You Have a Disability” form, or later as a result of VIEW screening or evaluation. When the ESW has documentation of a verified disability and the effect of the disability on program participation, accommodations can be put in place so that the participant is not denied the opportunities available through VIEW. Having a disability does not mean that an individual cannot successfully participate in VIEW activities and move toward self-sufficiency.

The Medical Evaluation Form (032-03-1040) will be used to determine if a client referred to VIEW should be made exempt or when the client’s ability to work or participate in the program is unclear. See [Chapter 901.2.C](#) for specific guidelines regarding medical evaluations.

Accommodations may include, but are not limited to: part-time or flexible hours for work activities, providing the individual with work activities in a specific work environment that enables the individual to participate in work activities, providing particular types of jobs or work activities that are consistent with the person’s limitations, activities that are scheduled so they do not conflict with ongoing medical or mental health treatment, additional notice of program appointments, additional explanation of program rules, job coaches, additional time to complete program requirements, and additional intervention before an individual is sanctioned for non-compliance with VIEW program requirements.

See the Job Accommodation Network site for an extensive list of accommodations by disability <https://askjan.org/>.

Some individuals are caring for family household members with a disability, and can only participate part-time, during particular hours, or on a flexible schedule. When an individual has such a limitation, the employment services worker must find work activities for the individual that do not conflict with the individual’s care-taking responsibilities. The Statement of Required Presence of Caregiver form (032-03-0020) will be used to verify the family member’s condition, as well as the necessity for care that limits the individual’s availability for work.

Some individuals have disabilities that limit when they can carry out work activities. For example, some individuals have appointments for medical or mental health treatment, substance abuse treatment, or rehabilitation services such as physical therapy. When an individual has such appointments, the employment services worker will coordinate program assignments with the verified treatment-related appointments.

Examples: Ms. A lost her job because she frequently gave customers the wrong amount of change. It is determined that she has a learning disability that makes such transactions very difficult. The worker may arrange for training that will teach Ms. A techniques that will allow her to make accurate change despite her disability. Alternately, the worker might assist Ms. A in identifying suitable jobs that do not require this skill.

Ms. B is caring for a child with a disability and keeps losing her job because she is frequently called away from work by the child’s school to deal with health-related emergencies. The worker helps Ms. B locate employment that allows the flexibility she needs.

Ms. C frequently leaves TANF due to employment, but just as frequently reapplies after losing her job. It is determined that a mental impairment prevents her from handling many work situations. The worker helps Ms. C find employment with fewer challenges and provides intensive job follow-up to help Ms. C work through any problems before they result in job loss.

the ESW will send a Communication form to advise the EW to close the case. If the recipient subsequently requests that the TANF case be reopened prior to the effective date of the case closure, she must complete the initial assessment appointment and sign the Agreement of Personal Responsibility before the TANF case will be reopened. The VIEW worker will make every effort to schedule this appointment prior to the effective date of the TANF case closure. The recipient will be advised that if she fails to attend the appointment, the TANF case will be closed based on her original request.

1. If the participant does not appear for the interview, the ESW must attempt to contact the client verbally. If the ESW determines from the contact that the participant did not have good cause for missing the appointment, or if the ESW is unable to contact the client verbally, the ESW must take action to begin the termination process. Based on agency procedures, the ESW will either send the client the VIEW Notice of Sanction/Termination (032-02-0307) or the Advance Notice of Proposed Action within 3 business days of the missed appointment. Alternately, the ESW will immediately notify the EW who will send the ANPA within 3 business days of receipt of the notification.
2. The ANPA notifies the client that she must contact the ESW within 10 days from the date of the notice with documented good cause or the agency will take action to terminate the TANF case.
3. If the client decides to be interviewed by the ESW and to sign the APR, and does both prior to the effective date of case closure as specified on the ANPA, the case will not be closed.

D. Client Failure to Attend the Initial Assessment Interview After Having Signed the APR as a Condition of TANF Eligibility.

If a client's TANF case is closed because she refused to sign the APR, she must sign the APR as a condition of eligibility if she reapplies for TANF. If her TANF case is approved and she is referred to VIEW, and if she then fails to keep the appointment for the initial assessment interview, her case will be sanctioned, not terminated.

E. The VIEW Assessment Interview

The ESW will conduct an interview with the client either face-to-face, by telephone, or virtually, to determine her prior education, training, work experience, service needs and current job readiness. The interview will be strength-based and will focus on the client's strengths in all areas of life and work rather than on deficits or barriers.

The interview will include:

1. An identification and evaluation of the participant's job readiness skills, occupational skills and interests, education, work history, and family/life circumstances. The assessment will focus on the skills and abilities the participant already possesses that would allow her to progress to living wage employment. The **VDSS Employment Services Program** Assessment form (032-22-1090), or other assessment instrument approved by the agency's TANF/VIEW Regional Consultant, will be used to record the information obtained in the interview.
2. A determination of the participant's functional literacy. If the participant does not have a GED, associate degree, or bachelor's degree, her functional literacy will be determined through use of the Information Sheet (032-03-0311-02-eng) or other literacy assessment tool such as the Test of Adult Basic Education (TABE) or the Comprehensive Adult Student Assessment Systems (CASAS) instrument. Prior test scores from the TABE or CASAS,

which establish an approximate educational/basic literacy level, can be used in place of the Information Sheet if the score is no more than one year old. [Note: The literacy determination can be made at the initial assessment, or can be conducted later; in all cases, it must be completed by the first reassessment].

3. An initial identification of the client's employment/educational goal(s) and the types of program assignments that may be completed throughout the client's VIEW participation. The **VDSS Employment Services Program** Assessment form (032-22-1090) will be used to record this information.
4. A detailed evaluation of child care and other supportive service needs.
5. An initial discussion of possible disabilities of the client or family household member that may interfere with the client's ability to participate in VIEW and/or to work. A copy of the "Do You Have a Disability" form must be in the case record.
 - a. All VIEW participants must be offered screening for domestic violence, learning disabilities, mental health disabilities, physical disabilities; and substance abuse within 90 days of signing the APR. Examples of valid screening tools can be found in "Screening for Employment Barriers: Issues and Tools", which can be accessed in FUSION under Benefit Programs on the TANF/VIEW Training Documents page. The link is <https://fusion.dss.virginia.gov/bp/BP-Home/TANF-and-VIEW/Training-Documents>
 - b. Participants whose screenings indicate the possible presence of a disability will, with the client's agreement, be referred for an in-depth evaluation.
 - c. All individuals, including those who choose not to be screened, and those who have been screened and referred for an in-depth evaluation, will be assigned to an appropriate program activity based on the initial assessment.
 - d. If the in-depth evaluation indicates the existence of a disability, treatments and/or services to address the disability will be made part of the client's required program assignments and will be recorded on the Activity and Service Plan.
6. An evaluation of other issues that may clearly affect program participation or employment. Such issues may include verified barriers to employment.

Verified barriers to employment include mental and physical disabilities, learning disabilities, substance abuse and domestic violence. Each of these barriers requires verification by another agency or professional qualified to identify the specific barrier before it is entered on the VIEW Screening and Assessment Details page in the ESP module in VaCMS. Additionally, a "yes" response to "Are there barriers to employment?" relates only to verify barriers. Unless the worker has verification of a barrier, the response must be "no" and no barrier entered. Verification may be provided by agencies such as domestic violence shelters or substance treatment programs, as well as by professionals qualified to assess learning disabilities, health or mental health conditions. In all cases in which the worker receives documented confirmation of the condition or situation from the referral source, the worker will enter the verified barrier:

- Domestic Violence
- Learning Disability
- Mental Health
- Physical Disability
- Substance Abuse

The verified barriers are considered in making specific program assignments. They are not the basis on which hours of participation can be reduced except in the case of domestic violence when the specific VIEW assignment is identified as putting the family's safety in jeopardy. All other reductions in the hours of participation must be based on a Medical Evaluation signed by a medical professional. (See 901.2C)

7. An explanation to the client of the following:
 - a. program goals and philosophy
 - b. program requirements, including an explanation of the responsibilities and expectations of participants in the VIEW program
 - c. the right to disclose a disability to the agency, and the benefits of doing so
 - d. role of the Agreement of Personal Responsibility in describing the mutual responsibilities of the client, worker, and agency
 - e. the consequences of not signing the Agreement of Personal Responsibility
 - f. the beginning of the two-year limitation on the receipt of TANF benefits which begins the month after the month the Agreement of Personal Responsibility is signed
 - g. the requirement to be involved in work activities throughout the two-year period of VIEW participation
 - h. the benefits of immediate employment (eligibility for the enhanced disregard, increase in skill level, employability, and income)
 - i. the benefits of "banking" months by requesting TANF case closure in order to save months of TANF eligibility
 - j. penalties for failure to comply with program requirements including sanctions and consequences for hardship exception requests
 - k. good cause reasons for not complying with program requirements
 - l. the requirement to respond to all agency correspondence
 - m. the name and phone number of the ESW and/or other agency contact
 - n. the availability of the VIEW Transitional Payment (VTP) as an incentive for retaining employment
8. Signing the Agreement of Personal Responsibility (APR)
9. Following the interview, the ESW will assign the client to the appropriate program activity. The assignment will be located within a reasonable distance of the participant's home. The Activity and Service Plan (032-02-1000) will be used to record this information.

1. Suitable Placements - If the ESW does not have a suitable FEP or on-the-job training placement available, the participant will be immediately screened for placement in a suitable community work experience site.

Suitable is defined as follows:

- a. The worker has evaluated a good match between the participant's skills, abilities, and interests and the position description;
- b. The employer agrees to provide needed training to do the job; and
- c. The net monthly wages (take home pay) estimated by the employer exceed the amount of monthly TANF benefits the participant was last paid. The ESW can obtain the most recent TANF payment amount by reviewing the participant's TANF payment history in VaCMS on the Issuance Summary/Search screen or by contacting the EW.

4. Criteria for the FEP Participant

- a. The participant must be able to perform the minimum requirements for entry into the job and be capable of performing the duties of the job with the provision of training by the employer at the end of the placement.
- b. The supportive services needed by the participant can be provided.
- c. The participant may participate in FEP more than one time but must not have been previously sanctioned while assigned to a FEP placement.
- d. A participant cannot enter a FEP placement if she is in the process of being referred for a 2nd or 3rd sanction.

If the participant has been referred for a 1st sanction and a FEP placement is available and the participant signs the Full Employment Program Agreement prior to the effective date of the sanction, the 1st sanction can be avoided. For a participant in a first sanction, a participant may be referred for FEP participation. As long as the fixed period has been served, the FEP assignment is the verified act of compliance and the sanction may be lifted.

- e. More than one participant may be screened and referred to an employer for an interview for the FEP positions.
 1. The ESW should complete the VIEW Referral to Work Site form (032-02-0300) to be given to each referred participant to take to the job interview.
 2. After the employer indicates his selection on the participant's **SNAP E&T and VIEW** Referral to Work Site form (032-02-**1060**) and signs the Full Employment Program Agreement (032-02-0309) for the participant's placement, the participant is to be assigned to the FEP position on the Activity and Service Plan (032-02-**1000**) and in the ESP module. The ESW will give the participant the FEP Information Sheet (032-03-0441).
 3. The ESW will complete the Full Employment Program Communication Form (032-03-0655) and forward it to the EW as notification of a FEP placement.

- d. If a regular employee at the FEP place of business feels that he/she has been displaced and the situation cannot be handled satisfactorily through the employer's grievance process, the Virginia Department of Social Services will act as a mediator. The employer should be informed that the "Employee Grievance Procedure – Grievance Form A" form can be obtained at the local social services agency employment services department or at <http://www.dhrm.virginia.gov/docs/default-source/edrdocuments/form-a-2017.pdf?sfvrsn=4>. Once the form is completed, it is to be given to the local agency's employment services department. The employment services department will send the form and all pertinent information to:

Virginia Department of Social Services
801 East Main Street
Economic Assistance and Employment Unit
Richmond, Virginia 23219-3301

- e. The employer should agree to contact the ESW as soon as a FEP placement position is available.

9. FEP Assignment

- a. Once the agreement is signed, the ESW will meet with the participant to develop a new VIEW/TWA/Transitional Activity and Service Plan (032-02-**1000**) and to arrange needed supportive services. At a minimum, the Plan must include:
1. Name and phone number of the FEP supervisor;
 2. Place of employment;
 3. Days and hours of work, and hourly pay the participant will receive;
 4. Notice that the participant must call the FEP placement supervisor and the ESW if the participant will be absent from work;
 5. An explanation that the participant's monthly TANF benefits will be stopped for the duration of the placement, except when the participant was unable to complete the scheduled hours for a reason beyond his control, and that wages received from the FEP employer will be counted for the Supplemental Nutrition Assistance Program (SNAP) and Medicaid.
 6. Notice that the participant has the right to appeal the suspension of the participant's TANF payments; and
- b. The ESW will explain the benefits of the Earned Income Tax Credit (EITC), including the monthly advance payment feature, to the participant.
- c. The ESW should assist each interested participant in applying with the employer to receive a monthly advance EITC payment.

Guidelines:

- b. The local agency and the public or private non-profit organization to be used as a worksite will enter into an agreement that sets forth the responsibilities of each. The form, Work Site Agreement (032-02-**1070**), will be used for this purpose and will be signed by both parties.
 - c. The ESW and/or work site supervisor will complete a Work Site Position form (032-02-**1080**) for each position developed at a work site. The form will describe the specific duties of the position, the days and hours the position is available, and will provide contact information for the work site supervisor. The form will be signed by the ESW or other local agency contact and by the work site supervisor or other contact.
 - d. The ESW will provide the work site supervisor with a written description of the expectations for supervision of a CWEP placement. The expectations for the supervisor will include, but are not limited to, the following:
 1. Explain the rules and expectations of the work place to the client.
 2. Provide a work space, and any necessary tools or supplies, in order for the client to carry out the responsibilities of the position.
 3. Ensure that any reasonable accommodations identified on the Activity and Service Plan are provided by the work site.
 4. Provide daily supervision and training as agreed to in the VIEW Work Site Agreement.
 5. Provide immediate notification to the ESW in case of an accident, or if the participant does not come to work, comes in late, or does not follow the rules of the work site.
 6. Provide the ESW with a completed VIEW Attendance/ Performance Rating Sheet (032-02-**1010**) by the 5th day following the end of the report month.
2. Matching the Client to the Worksite

The goal of the VIEW Program, and of each of the VIEW allowable activities, is to increase the client's employability and help her become self-sufficient. In order to accomplish this when assigning a client to CWEP, the worker must ask the following questions in order to make an appropriate placement:

- What is the client's employment goal?
- What are her interests?
- What kind of environment will best suit her? Does she want to be in an office? Does she like working outside?
- What new skills does she need to learn? What old skills does she need to refresh?
- Does she need to learn and practice work behaviors?

- d. The weekly number of hours of a CWEP assignment equal the total TANF dollar amount plus the SNAP benefit amount divided first by the minimum wage and then by 4.33.
 - e. The number of hours of a CWEP assignment is calculated at the time of the placement and is fixed. They do not vary from week to week or month to month. The hours are recalculated at each reassessment and at any time there is a change in the size of the assistance unit which also changes the benefit amount. Note: Mass changes to the SNAP allotment amounts and changes to the minimum wage amount will be addressed at the next reassessment after the change.
 - f. CWEP hours are not reduced by travel time to and from the placement. All CWEP hours are to be worked; meals and breaks can be included with hours worked or can be subtracted based on how they are treated for paid employees of the work site.
 - g. Calculation of Work Hours for TANF and TANF-UP Cases: Combine the total TANF dollar amount with the SNAP benefit amount received by members of the TANF household. Do not include the value of SNAP benefits received by household members who are not included in the TANF payment. Divide the total of the TANF payment plus SNAP benefits by the minimum wage, to determine the number of CWEP hours to be worked each month. Divide that result by 4.33 and round the final result down to the next whole number to determine the number of hours to be worked each week in the CWEP assignment.

CWEP placements cannot exceed 32 hours a week. The weekly CWEP assignment will be reduced to 32 hours if the calculated hours exceed that number.
 - h. CWEP Assignments for TANF-UP Cases: Both parents in a TANF-UP case may be placed in CWEP. In that circumstance, each will be required to participate the calculated hours. For example, if the calculation requires 25 hours of participation, and if both parents are assigned to CWEP, each individual will participate 25 hours a week. Additionally, each individual will have to be assigned to another activity for an additional 10 hours per week to meet his/her VIEW participation requirement.
5. Referral of the Client to the Work Site: After the client's hours of CWEP participation are determined, and a good work site match is made, the ESW will work with the client and the work site to schedule an appointment for the client to be interviewed for a position. The ESW will complete the **SNAP E&T and VIEW Referral to Work Site form (032-02-1060)**, make a copy for the record and give the referral to the client to take to the interview. The work site supervisor will complete the bottom portion of the form, copy it for the work site, and send it back to the ESW showing the outcome of the interview. If the work site accepts the client for the placement, the worker will proceed with putting the client in CWEP and in arranging any needed supportive services.
- If the client does not have Medicaid coverage, the worker will provide both the client and the work site supervisor with a signed copy of the Notification of Workers' Compensation Requirements and Procedures form (032-03-0675) and will explain the responsibilities of all parties should there be an injury at the work site.
6. Concurrent Assignments: Since it is not possible for a CWEP assignment to meet the 35-hour participation requirement, all participants assigned to CWEP must also be assigned to another component that will enhance employability.

If it is in the best interest of the participant, the hours to be worked in the CWEP assignment can be reduced by the hours the client is assigned to another work activity.

7. Work Site Monitoring: The ESW will provide on-going monitoring of the CWEP placement.
 - a. On-going monitoring will include a monthly review of the Attendance & Performance Rating Sheet (032-02-1010) received from the work site supervisor by the 5th day of the month following the report month. Based on the review, the ESW will work with the work site supervisor and the client to resolve any issues affecting the placement.
 - b. The ESW will conduct a formal reassessment with the participant every three months. In preparation for the reassessment, the worker will contact the work site supervisor to determine if the client's performance is satisfactory. If the client is not satisfactorily performing the duties of the position, the ESW will work with the supervisor to identify the specific duties not being performed, the reason for the unacceptable performance, and ways to improve the participant's performance.
 - c. The worker will remove the participant from the CWEP placement for misconduct or violation of the work site's policies at any time based on the request of the work site.

8. Workers' Compensation

VIEW participants not eligible for Medicaid who are participating in the CWEP component are deemed to be employees of the Commonwealth for purposes of the Workers' Compensation Act. Such persons shall be eligible for reimbursement for medical costs if the injury is covered under the Workers' Compensation Act, but shall not be eligible to receive weekly compensation.*

- a. If a claim is accepted, Workers' Compensation will pay medical costs for services provided by a panel physician as authorized by the Workers' Compensation Act for covered injuries only.
 - (1) The VIEW participant should notify her medical provider that she is seeking attention for a workers' compensation claim and request medical providers to submit medical reports and bills for covered injuries to Managed Care Innovations (MCI).
 - (2) MCI will review the medical report, confirm the treatment is related to a covered injury and remit payment to the medical provider for services of the covered injury.
- b. Local agencies who assign VIEW participants not eligible for Medicaid to CWEP placements must follow these steps to ensure proper coverage in the event of an accident on the job.

* 2005 Acts of Assembly, HB2462

1000.17 MONITORING SATISFACTORY ATTENDANCE AND PROGRESS

Satisfactory attendance and progress must be monitored for all education or training assignments – vocational education and training, job skills training and education below the post-secondary level. The ESP module in VaCMS must be updated as appropriate to reflect progress.

- A. Satisfactory attendance and progress is measured according to the attendance and satisfactory progress policies developed by the education or training provider and approved by the local social services agency.
 - 1. In the case of education below the secondary level, satisfactory progress is defined as one-grade level increase for every three months of participation.
 - 2. In the case of post-secondary education, satisfactory progress is defined as maintaining a “C” average for each grading period and completing the number of credits needed each grading period to successfully complete the degree in the two-year time period.
- B. Daily supervision and record keeping will be provided by the education or training course instructor.
- C. The ESW will monitor the participant to assure that she is making satisfactory progress. Satisfactory progress is used to assess the continued appropriateness of the education or training component.
- D. The ESW will examine and maintain in the participant’s case record copies of attendance records, certificates, diplomas and grades.
- E. Education and training providers will complete an Education and Training Activities Attendance Sheet (032-03-1020) each month. The client may complete the attendance sheet if it is signed by the instructor or another school/training program official.
- F. The ESW will contact the instructor to determine if the participant is satisfactorily progressing and to determine if the participant will successfully complete the activity within the two-year limit on TANF eligibility. Documentation of these discussions will be kept in the contact log.
- G. For ABE, ESL, and GED assignments, documentation of satisfactory progress will be made every three months. In the case of post-secondary education, the participant’s progress will be monitored at a time consistent with the institution’s schedule, e.g. at the end of a semester or quarter.
- H. If it appears to the ESW and the education or training instructor that the individual may have a cognitive, developmental, learning or other disability that is impeding her progress, the participant will be screened for learning disabilities if screening has not yet been done. If the screening indicates that the participant is likely to have a learning or other disability, the individual will be referred for an in-depth evaluation. If it is determined that the participant has a verified disability, and there are reasonable accommodations that would help the individual progress in the program, the ESW will work with the individual and education or training provider to put such accommodations in place.

1000.28 CONTRACTS

Agencies may enter into financial agreements with individuals or organizations to operate portions of their Employment Services program. Agencies are bound by State statutes set forth in the Virginia Public Procurement Act and by any local procedures that may supplement the Act. Contracts made with other state entities, including community colleges and Workforce Innovation and Opportunity Act (WIOA) agencies are not subject to the requirements of the Virginia Public Procurement Act, but may be subject to local procurement procedures.

A financial arrangement between a local social service agency and any other entity for the provision of VIEW activities and services is a contractual relationship and can be entered into only if the standard contract format in Appendix B is used. No other agreement or written arrangement, including a **Memorandum of Agreement (MOA)** or a Memorandum of Understanding (**MOU**), can be substituted for the use of the standard contract.

Note: A MOA or a MOU is a document describing an agreement or understanding between two or more parties. It expresses a partnership between the parties, indicating an intended common line of action. It is often used in situations where the parties cannot create a legally enforceable agreement or where parties do not imply a legal commitment. A MOA or MOU is a generally accepted form of a commitment or commitments between governmental entities. A MOA is used when there is monetary compensation involved and a MOU is used when there is an exchange of goods and/or services between two or more parties. However, legally the terms are interchangeable. If a MOA or MOU is needed, then seek assistance from a contract specialist or legal counsel.

Contracts negotiated at the time the **Employment and Training** Annual Plan is developed will be sent to the agency's TANF/VIEW **Regional Practice** Consultant with the VIEW Plan. Contracts developed outside this timeframe will be sent to the **Regional Practice** Consultant as soon as the contract has been signed by both parties. The **Employment and Training Annual** Plan will be modified as necessary and sent to the **Regional Practice** Consultant.

The **Regional Practice** Consultant will provide technical assistance to the agency in developing and/or negotiating contracts as needed.

A. Consideration in Contracting

Prior to contracting, the agency must determine what is to be contracted and why. The agency must determine that the contractor can provide services of an equal or higher quality and/or at a lower cost than the agency itself. Care should be taken to insure that the contract represents an extension of services, rather than compensation for services previously provided at no cost. If the contract is with an agency or organization that serves TANF recipients or other economically disadvantaged populations, the contract must contain a certification from the provider that the services being contracted for are not otherwise available from the provider at no cost.

B. Services That Can be Contracted

Any program activity or service may be contracted as long as the agency is able to justify the contract in terms of quality of services, cost, and anticipated outcomes. However, any contract that includes initial client assessment normally the responsibility of an ESW, and/or overall on-going case management of all or part of the agency's VIEW population, must have prior approval by the **Regional Practice** Consultant in consultation with the Home Office.

C. Selection of Service Providers

When selecting service providers, the local agency must take into account such things as the past performance of the contractor in providing similar services, the contractor's demonstrated effectiveness, fiscal accountability, cost efficiency and other factors which the local agency determines are appropriate. A process must exist that documents these factors were considered.

D. Contract Outcomes

The contract should be written so that acceptable performance and outcomes are clear to both parties. Additionally, the contract should make clear how outcomes will be measured and with what frequency. Success should be defined incrementally and in terms of completion.