



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF SOCIAL SERVICES

**July 1, 2022**

### **Temporary Assistance for Needy Families Manual**

#### **Transmittal # 74**

This transmittal includes annual changes to the program calculations for the Temporary Assistance for Needy Families (TANF) Program and the Virginia Initiative for Education and Work (VIEW) Program. The purpose of this transmittal is to provide new, clarified and revised guidance for both the TANF and VIEW Programs.

HB [484](#) Exempts from mandatory participation in the Virginia Initiative for Education and Work 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.

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 July 1, 2022.

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 201.1, page 1a

At Item C., we added clarification regarding the eligibility of a parent or relative/caretaker.

The only eligible child in the home receives SSI. The SSI child must meet all of the eligibility criteria listed in 201.1.A. and B. (school attendance) for the parent or caretaker/relative to be determined eligible for TANF.

The only eligible child in the home receives an adoption assistance payment. Even though the child who receives an adoption assistance payment may not be eligible to have his needs included in the TANF payment amount, he is deemed eligible for TANF for purposes of qualifying the parent or caretaker-relative for TANF.\*\*\* (Refer to 302.7.C.4.).

The only eligible child in the home receives a federal, state, or local foster care maintenance payment. Even though the child who receives a foster care maintenance payment is not eligible to have his needs included in the TANF payment amount, he is deemed eligible for TANF for the purpose of qualifying a non-parent caretaker/relative, but not a parent, for TANF. (Refer to 302.7.C.5) (See 201.5.B. regarding ineligibility of the natural parent or other caretaker-relative to receive TANF for this child in his prior home.)

Section 201.2, page 3e

The verification list was updated. A valid SOLQ response from SSA may be used to verify age.

At Item A, information and a reference to the Superintendent's Memo were added:

Note: The Virginia Department of Education (DOE) provides the following guidance regarding truancy to local school systems: "At five unexcused absences, the direct contact with the parent should include informing the parent that the LDSS will be notified of the student's absences when unexcused absences reach seven days. At seven unexcused absences, the school should notify the LDSS that the student is considered 'truant' and include LDSS in scheduling the attendance conference. In notifying the LDSS, the VDOE recommends that the school division include the number of excused absences as well as unexcused absences to promote an understanding of the level of support the student and family may need."\*\*\* The determination of truancy is always made by the local school system.

Footnote added:

\*\*\*Virginia Department of Education  
Superintendent's Memo #057-22

[https://www.doe.virginia.gov/administrators/superintendents\\_memos/2022/057-22.pdf](https://www.doe.virginia.gov/administrators/superintendents_memos/2022/057-22.pdf)

At Item B.1., Michele Atkinson's name and telephone number were replaced with an email address for Learnfare.

Note: Local agency staff who encounter technical issues related to the Learnfare program can contact [tanflearnfare@dss.virginia.gov](mailto:tanflearnfare@dss.virginia.gov) for assistance.

At Item C, the use of the Truancy Notification Letter Template was introduced:

Using the Truancy Notification Letter Template, notify the caretaker, in writing, of the truancy of a member of the assistance unit. The Truancy Notification Letter must be used, and each child in the household identified as truant must be listed in the letter. The Truancy Notification Letter Template is available on FUSION under TANF/VIEW forms page [<https://fusion.dss.virginia.gov/bp/BP-Home/TANF-and-VIEW/Forms>].

At Item D, sub-item #2, the statement about the progress and compliance reviews were added:

2. a time frame for achieving compliance; including a 30-day progress review and a 60-day compliance review;

At Item D, the purpose of the 30-day progress reviews and the 60-day compliance review were explained:

The worker or designated agency staff must conduct a 30-day progress review and a 60-day compliance review. The purpose of the 30-day progress review is to determine the family's progress toward achieving compliance with school attendance requirements and to assist the family in achieving compliance. If during the 30-day progress review, it is determined that the plan needs to be modified, then an addendum to the plan should be made. A copy of the modified plan must be provided to the parent/caretaker relative and school. The truant child meets the school attendance requirement during this time provided the parent/caretaker relative continues to cooperate in meeting plan requirements. A 60-day compliance review must be completed to determine what action, if any, needs to be taken regarding the child's continued eligibility. Note: If an addendum to a plan is implemented during the 30-day progress review, then the 60-day compliance review may be extended.

At Item E.2, we moved the last two paragraphs to the top of page 4c.

Section 201.5, pages 2 – 2a

At Item A., we added clarification regarding documents that can be provided by the Voluntary Resettlement Agency (VOLAG) to verify the relationship of new refugee arrivals.

1. The biographical information sent to the Voluntary Resettlement Agency (VOLAG) by the U.S. Department of State (DOS) stating the relationship of family members. The relationship stated on this form is sufficient to prove relationship.
2. In cases where the DOS biographical relationship section is left blank and does not specify relationship, a notarized statement from the resettlement provider to the local department of social services is sufficient to show relationship. The notarized statement shall contain the names of the children, the names of the adult(s), the relationship, the name of the VOLAG representative, and the name and address of the VOLAG.

Page 2a was added and Item B. was moved to this page.

Section 201.7, page 1b

At Section 3., clarification was added allowing expired immigration documents along with the SAVE verification validating the alien status at recertification.

Verification of immigration status is required at application, recertification, and when adding a new household member. At application or when adding a new household member the unexpired U.S. Citizenship and Immigration Services (USCIS) documents provided by the alien or, if the individual is a victim of human trafficking, using documentation from the federal Office of Refugee Resettlement are acceptable along with the SAVE verification validating the alien status. At recertification, the unexpired or expired document along with the SAVE verification validating the alien status is acceptable.

Section 201.8, page 1a

At Item D., we provided guidance regarding Good Cause for failure to provide an SSN or SSN application.

Multiple Sections, Pages and Examples: Section 201, Appendix X, pages 1, 2, 3, 4, 5, 6 and 7; Section 304, Appendix 2; Section 305.4, pages 39 – 41, 42a and 44; Section 502.2, Item A., pages 2 and 3; Section 503.7, Item H., page 2c; Section 503.8, Item B., pages 3 and 3a; Section 602.5, pages 6a and 6b; Section 801.6.c., page 4; Chapter 800, Appendix 1, pages 1 – 5; and, Chapter 900 Appendix II, pages 1 – 6.

We revised the Standard of Assistance for the noncooperation penalty calculation examples, deemed income examples, and the SOA figures and charts to reflect the 5% increase in the Standards of Assistance established by the Appropriations Act of 2022.

Section 401.8, page 14

The name of the Virginia Statewide Hotline was updated and the website for the VDSS Domestic Violence (DV) Unit was added.

Section 502.5, page 5

At Item C., under *Referral for Victims of Family Abuse*, we updated the hyperlink to the Direct Deposit form, and “she” was replaced with “the client”.

Section 502.6, Page 6

At Item B., we added clarification regarding the transferring agency’s responsibility related to the Federal 60-month clock and the VIEW 24-month clock.

As part of the review, the EW will verify the accuracy of the Federal 60-month clock and the ESW will verify the accuracy of the VIEW 24-month clock and correct the clocks if they are inaccurate.

Section 503.8, page 4a

At Item E., we added clarification regarding the receipt of interest fees received on claim payments due to court orders restitution.

If the court charges interest fees on court-ordered restitution and includes the interest in payments made to the local agency, the agency must retain the funds and place them in Staff and Operations.

Chapter 500, Appendix II, page 2

At item C., the verification of what a client can submit, in lieu of a voided check, was added.

The client must provide a completed and signed Direct Deposit Enrollment Authorization Form (032-03-672) and a voided check. A bank's letter of verification on its letterhead or a recent monthly statement, either documentation with the client's name, account, and routing information, may be used in lieu of a voided check.

The client is to complete Section 1 of the form. Section 2 must be completed by the bank if the client does not have a voided check, canceled check, a bank letter of verification on its letterhead, or a recent bank statement or if the client wants their benefits directly deposited into their savings account.

Chapter 500, Appendix III, page 5

The hyperlink to the Change of Issuance form was updated.

The verification that a client can submit, in lieu of a voided check, was added:

Under Direct Deposit Information, if using a voided check, a bank's letter of verification on its letterhead, or a recent monthly statement (either documentation with the client's name, account number, and routing number), then enter the account "First" name. Enter the account "Last" name. Enter the "Bank" name.



Section 601.1, page 1a

At Item C.6, we added clarification regarding using the Acknowledgment of Paternity form in the establishment of paternity.

A copy of the notarized Acknowledgement of Paternity should be filed in the case record, an original copy given to the parents, and the original sent to the local agency's Regional District DCSE Office. A list of Regional District DCSE Offices may be accessed at [dss.virginia.gov/family/dcseoffices.cgi](https://dss.virginia.gov/family/dcseoffices.cgi).

When an AOP is completed for a child born outside of the state of Virginia, the local agency is to send the original notarized AOP to the child support agency in the State in which the child was born. To confirm the mailing address for the out-of-state child support agency, the agency should access the Intergovernmental Reference Guide (<https://ocsp.acf.hhs.gov/irg/welcome.html>) and select the State → Contact →, and select an agency contact from the States Central Registry or Customer Service list.

Section 901.2, page 2c

Added Item I with details about House Bill 484.

TANF recipients who opted to be exempted from mandatory participation in VIEW after they have verified their full-time enrollment 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. (Reference House Bill 484)

Section 1000.2, page 10

At Item A., details about House Bill 484 were added and subsection #1 was created.

VIEW participation is optional for postsecondary students.

TANF recipients 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 may have the option to be exempted from mandatory participation in VIEW. The choice to not participate in VIEW will make the recipient ineligible to receive supportive services.

Section 1000.4, page 18

We correctly labeled Items “I” and “J”.

Section 1000.6, page 20

At Item E., we added guidance details and a footnote about House Bill 484.

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.

\*House Bill 484 - <https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB484>

Section 1000.14, page 60

At Item A., we updated guidance with an Exception to House Bill 484.

Exception: Optional participation in VIEW for postsecondary students:

Any individual enrolled in full-time postsecondary higher education as outlined in House Bill 484\* will have the option to participate in VIEW. The choice to not participate in VIEW will make the recipient ineligible for supportive services. (Refer to 1000.12 Supportive Services)

Form 032-03-0672-04-eng

The Direct Deposit Enrollment Authorization; language stating the verification of what a client can submit, in lieu of a voided check, was added.

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](mailto:mark.golden@dss.virginia.gov).

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Dr. Danny Avula  
Commissioner

4. Comply with the compulsory school attendance requirement if he is a child or minor parent.\* (201.3)
  5. Cooperate in identifying the parents of a child, establishing paternity, and obtaining support unless he is a child.\*\* (201.10)
- B. The parent or caretaker/relative shall be eligible for TANF unless one of the exceptions specified in 302.7.D. or E. is applicable. Eligibility of the **parent or** caretaker/relative may exist even though:
1. The only eligible child in the home receives SSI. The SSI child must meet all of the eligibility criteria listed in 201.1.A. and B. (school attendance) for the **parent or caretaker/relative** to be determined eligible for TANF.
  2. The only eligible child in the home receives an adoption assistance payment. Even though the child who receives an adoption assistance payment may not be eligible to have his needs included in the TANF payment amount, he is deemed eligible for TANF for purposes of qualifying the **parent or** caretaker-relative for TANF.\*\*\* (Refer to [302.7.C.4.](#))
  3. The only eligible child in the home receives a federal, state, or local foster care maintenance payment. Even though the child who receives a foster care maintenance payment is not eligible to have his needs included in the TANF payment amount, he is deemed eligible for TANF for the purpose of qualifying a non-parent caretaker/**relative**, but not a parent, for TANF. (Refer to 302.7.C.5) (See [201.5.B.](#) regarding ineligibility of the natural parent or other caretaker-relative to receive TANF for this child in his prior home.)

\* Code of Virginia, Section 63.2-606

\*\* Code of Virginia, Section 63.2-602

\*\*\* ACF, Region III, IM 93-6

The TANF case is to be closed as soon as administratively possible upon verifying that the caretaker is no longer totally disabled or is no longer needed to care for a disabled family member living in the household.

When the disabled caretaker is eligible to receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), additional 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 be required annually. In addition, when the medical professional has indicated a specific duration that the caregiver will be needed, the eligibility worker will request verification of the need for the caregiver at the end of the anticipated duration as noted on the Statement of Required Presence of Caregiver form. If the individual subsequently becomes ineligible to receive SSI or SSDI and is no longer disabled, the TANF case is to be closed as soon as administratively possible.

201.2 AGE - The month, day, and year of the child's birth must be established and evidence thereof entered in the eligibility case record, except that, pending the securing of such evidence, assistance must not be denied an other-wise eligible child who is obviously under 12.

The following documents may be used to verify age:

- Birth certificate
- Notification of birth
- Hospital record
- Physician or midwife record
- Baptismal record
- School record
- Birth form VS95 from the State Bureau of Vital Records and Health Statistics
- Virginia Children's ID Card or Virginia Identification Card
- Virginia Driver's License or Virginia Learner's Permit
- Passport or United States Passport Card
- **A valid SOLQ response from SSA**

If the day and month cannot be established, July 1 is assumed to be the birth date.

Continuing Eligibility\* - The child is eligible until he reaches the age of 18. He is eligible for the month in which his 18th birthday falls if he has not attained the specified age on the first day of that month.

An 18-year-old child may be eligible if he 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. Verify with the school that the child is enrolled and the date he is expected to complete the program. The program is considered completed on the last day of final exams or, if exams are not required, the last day of scheduled classes. As long as all other eligibility criteria are met, the child will be eligible for assistance until the month in which completion of the school program occurs, or until the last day of the month in which his 19<sup>th</sup> birthday occurs, whichever comes first. In the case his 19<sup>th</sup> birthday is on the first of the month, assistance will end on the last day of the prior month. The case record must be well documented in this area.

A child 18 years old is not eligible if he is in college, or enrolled and attending a secondary school or vocational/technical school of secondary equivalency and not meeting the enrollment and attendance requirements as determined by the local school board, or not in school at all.

201.3 SCHOOL ATTENDANCE\* - To be eligible for assistance, children in the assistance unit under age 18, including minor parents, must comply with the compulsory school attendance requirement. School attendance must be verified by the client during the 30-day application processing period. (Note: A child who is 18 years old meets the school attendance requirement if he is 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 as stated in Section 201.2 above.) If school attendance is not verified, or the child is not meeting the enrollment and attendance requirements as determined by the local school board, he will not be eligible for assistance.

For applications made during the summer months, verify that the child was in attendance at the end of the school year. If attendance cannot be verified, or if the child has moved to a new school system after the end of the school year, approve the case if otherwise eligible. Set a task and reminder in the VaCMS for the month school is scheduled to begin and verify attendance at that time. Allow the client 10 days from the beginning of the school year to provide verification of enrollment or attendance. If the client does not furnish the school enrollment form within the time frame, the child is considered truant. If school attendance is not verified, the child is considered truant and the EW should follow the guidance at 201.3 C and D.

- A. Definition of Truancy - Truancy is defined as noncompliance with State compulsory school attendance requirements as determined by the local school division.\*\*

Local school boards may set additional rules deemed necessary to carry out the intent of the compulsory attendance laws. Such rules may also be applied by the local school division in identifying children who are truant.

Note: The Virginia Department of Education (DOE) provides the following guidance regarding truancy to local school systems: **“At five unexcused absences, the direct contact with the parent should include informing the parent that the LDSS will be notified of the student’s absences when unexcused absences reach seven days. At seven unexcused absences, the school should notify the LDSS that the student is considered ‘truant’ and include LDSS in scheduling the attendance conference. In notifying the LDSS, the VDOE recommends that the school division include the number of excused absences as well as unexcused absences to promote an understanding of the level of support the student and family may need.”\*\*\*** The determination of truancy is always made by the local school system.

- B. Notification of Truancy - The “Learnfare” provisions of the Virginia Code establish responsibilities for both the local agency and local school system in addressing truancy. When the local school division determines that a child receiving TANF is truant, it will notify the local department of social services. When a child attends a private, denomination, or parochial school, the local agency must arrange with the school to receive notification when the child is truant.

School divisions will identify truant TANF recipients using one of the following methods:

1. The Virginia Department of Social Services provides all local school divisions with a list of all individuals ages five through 17. Per Learnfare requirements, this information is e-mailed to a designated contact person in each school division monthly. The Learnfare Coordinator’s Guide for School Systems can be accessed on Fusion under

\* Code of Virginia, Section 63.2-606

\*\* Code of Virginia, Section 22.1-254 et seq

\*\*\* **Virginia Department of Education Superintendent’s Memo #057-22**

[https://www.doe.virginia.gov/administrators/superintendents\\_memos/2022/057-22.pdf](https://www.doe.virginia.gov/administrators/superintendents_memos/2022/057-22.pdf)

TANF/VIEW Training. The Guide provides detailed information for the school system in identifying truant children who are TANF recipients and in sharing that information with the local agency.

**Note:** Local agency staff who encounter technical issues related to the Learnfare program can contact [tanflearnfare@dss.virginia.gov](mailto:tanflearnfare@dss.virginia.gov) for assistance.

2. The local department of social services and local school division may develop an alternate method (local option) for identifying TANF children who are truant, provided the method is mutually acceptable.

Note: If the agency receives notification from a source other than the school, such as the applicant/recipient, the agency must verify truancy through the school.

- C. Notifying the Applicant/Recipient of Truancy - The local department of social services must do the following when notified by the school of truancy:

**Using the Truancy Notification Letter Template**, notify the caretaker, in writing, of the truancy of a member of the assistance unit. **The Truancy Notification Letter must be used, and each child in the household identified as truant must be listed in the letter. The Truancy Notification Letter Template is available on FUSION under TANF/VIEW forms page <https://fusion.dss.virginia.gov/bp/BP-Home/TANF-and-VIEW/Forms>.** Exception: When the caretaker is a minor parent whose TANF payments are made to a protective payee, the notice must be sent to the protective payee.

The notice must include the following:

1. that the truant recipient is in jeopardy of losing eligibility for TANF benefits;
2. that the caretaker must contact the local department within five working days of the notice to cooperate in developing a plan to achieve compliance with compulsory school attendance laws; and
3. that failure to contact the local department may result in the truant recipient's ineligibility for TANF due to noncooperation.

Note: The "Advance Notice of Proposed Action" form must not be used to meet this notification requirement.

- D. Development of and Cooperation with the Plan - If the caretaker contacts the agency, the agency is to work with him to establish a plan to resolve the child's truancy and to bring him into compliance with school attendance laws.

Each local agency and local school division shall mutually develop a model plan which the agency must follow in developing individual case plans. The model plan shall allow the school and local agency flexibility in fitting the plan to the truant child's situation. The model plan must include the following:

1. a determination of the reason for non-attendance;
2. a time frame for achieving compliance; **including a 30-day progress review and a 60-day compliance review;**

3. a schedule of actions which the caretaker agrees to complete; and
4. a description of the performance that will constitute compliance.

The worker and caretaker, in consultation with the school, shall mutually develop the individual case plan in accordance with the agency model. At the time the plan is developed, the worker must explain to the caretaker that failure to follow the plan will result in removal of the truant child due to noncooperation. The plan must be in writing, with a copy given to the caretaker and a copy filed in the case record. Once implemented, the agency must verify that the caretaker is cooperating with the plan. The truant individual meets the school attendance requirement during this time provided the caretaker continues to cooperate in meeting plan requirements.

**The worker or designated agency staff must conduct a 30-day progress review and a 60-day compliance review. The purpose of the 30-day progress review is to determine the family's progress toward achieving compliance with school attendance requirements and to assist the family in achieving compliance. If during the 30-day progress review, it is determined that the plan needs to be modified, then an addendum to the plan should be made. A copy of the modified plan must be provided to the parent/caretaker relative and school. The truant child meets the school attendance requirement during this time provided the parent/caretaker relative continues to cooperate in meeting plan requirements. A 60-day compliance review must be completed to determine what action, if any, needs to be taken regarding the child's continued eligibility. Note: If an addendum to a plan is implemented during the 30-day progress review, then the 60-day compliance review may be extended.**

The local agency must determine what agency staff will be responsible for establishing individual case plans and for verifying cooperation with the plans. The local agency must monitor individual case plans to assure consistent application of the above guidelines.

E. Failure to Establish or Cooperate with the Plan -

1. If no response is received to the written notice within five working days as specified in Section 201.3 C, the local department must do the following:
  - a. make reasonable efforts to personally contact the applicant/recipient. This may include a direct telephone contact or a face-to-face contact to explain the requirement to develop a plan to return the child to school and the result of not cooperating with the requirement. The case record must be documented as to the agency's attempts to contact the applicant/recipient; and
  - b. if, after reasonable efforts, the local department is unable to make personal contact, the local department must mail an "Advance Notice of Proposed Action" to the caretaker advising him that the truant child will be ineligible for TANF benefits if the caretaker fails to contact the agency to develop a plan to return the child to school.
2. If the caretaker responds to the written notice specified in Section 201.3 C or to the personal contact, but fails to cooperate in developing or complying with the plan, the agency must take action effective the next month, if administratively possible, to remove the truant recipient from the payment due to noncooperation.



The child's failure or refusal to cooperate with the plan is considered noncooperation by the caretaker, as the caretaker is responsible for the child's actions.

If the truant child is the only eligible child, the case is ineligible for assistance and must be closed. If the caretaker and child subsequently decide to cooperate with the plan, the caretaker must reapply for TANF.

- A. Reinstatements Following Noncooperation in Establishing or Following the Plan - The child's needs are to be reinstated once the agency has verified that the caretaker is again cooperating. If noncooperation occurred in relation to development of the plan, development of the plan must be completed for cooperation to exist. If noncooperation occurred in following the plan once developed, the caretaker must demonstrate her cooperation before the child's needs can be reinstated. The child's needs must be added to the payment effective the month following the month in which cooperation occurs. If the caretaker contacts the agency prior to the actual removal of the child and cooperates in developing the plan, the child's needs will not be removed from the payment.
- B. Truant Applicants - During the application process, if the assistance unit member is truant, the local department must do the following:
1. notify the applicant of the requirements listed in Section [201.3 C](#);
  2. allow the applicant an opportunity to comply with the school attendance requirement during the 30-day processing period by either enrolling the child or by cooperating with the agency in establishing a plan for compliance; and
  3. notify the applicant of the child's eligibility or ineligibility on the "Notice of Action" form when action is taken on the application.
- C. Notification of Court Conviction and Subsequent Reinstatement - If the agency receives notification that a court has found a member of the assistance unit guilty of a violation of compulsory school attendance laws, the eligibility worker must remove the truant recipient from the payment effective the following month, if administratively possible. The child will remain ineligible until the caretaker notifies the local agency, and the agency verifies through the school division, that the child is no longer truant. The child's needs must be added to the payment effective the month following the month in which compliance was achieved.
- D. Children in Job Corps - The Job Corps Program is an alternative education program which meets compulsory school attendance requirements. A child who is in the Job Corps is considered to be in compliance with school attendance requirements without regard to actual attendance records.
- E. Compulsory School Attendance Requirements Applicable to SSI Children - The school attendance requirement applies to an SSI child only when the SSI child is the only eligible child in the assistance unit. In such cases, the eligibility of the case is based upon the child's meeting TANF eligibility requirements, including school attendance. The requirement does not apply to other SSI children in the home. If the SSI child who is the only eligible child does not meet the school attendance requirement, the case is ineligible.

If the caretaker is a relative of the father who is not married to the child's mother, the relationship between the relative and the father must be established once evidence of paternity has been provided.

**In the case of newly arrived refugees, if the above documents to verify relationship are not available, the following verification is acceptable:**

- 1. The biographical information sent to the Voluntary Resettlement Agency (VOLAG) by the U.S. Department of State (DOS) stating the relationship of family members. The relationship stated on this form is sufficient to prove relationship.**
- 2. In cases where the DOS biographical relationship section is left blank and does not specify relationship, a notarized statement from the resettlement provider to the local department of social services is sufficient to show relationship. The notarized statement shall contain the names of the children, the names of the adult(s), the relationship, the name of the VOLAG representative, and the name and address of the VOLAG.**

- B. Living in a Home\* - A home is the family setting maintained, or in the process of being established, by the relative, as evidenced by the presence of the child. A home may exist in situations where the assistance unit lacks a fixed home address or is otherwise considered homeless.

A home exists even though the child or relative is temporarily absent from the customary family setting. A temporary absence based on admission or commitment to a psychiatric hospital or institution, including a psychiatric ward in a general hospital, or to a correctional facility, is limited to 30 consecutive days. Other temporary absences, including absences for other types of hospitalization, employment, education or training, vacations, or visits, are limited to 60 consecutive days. A parent or child who is absent from the home for longer periods cannot be considered to be living in the home.

Exception: A parent who is absent from the home due to active duty in the uniformed services is considered living in the home and is not subject to the 60 consecutive day time limit.

The following individuals do not meet the living in a home requirement and are ineligible for TANF:

1. A parent or other caretaker who has been absent from the home for a period of 60 consecutive days (30 days if the absence is due to admission or commitment to a mental hospital or correctional facility).
2. A child who has been, or is expected by the caretaker to be, absent from the home for a period of 60 consecutive days (30 days if the absence is due to admission or commitment to a mental hospital or correctional facility). The child may be eligible in another assistance unit.

Exception: A newborn may be added to the AU as of his date of birth even if he remains in the hospital. If the newborn is still in the hospital 60 days after his birth, he will be removed from the AU. The child may be added back to the AU when he enters the home.

The caretaker must report to the local agency after it becomes clear to the caretaker that the caretaker or minor child will be absent from the home for 60 consecutive days (30 consecutive days in the case of a mental institution or correctional facility). (Refer to Section [401.2.B.2.a.1](#))

If the caretaker fails to report the change within the required time frame as described above, the caretaker or the child who is absent from the home is ineligible. If the absent child is the only child in the home, the case will also be ineligible. (See [502.4](#) regarding establishment of an emergency payee when the caretaker is absent from the home.)

\* Public Law 104-193

- 1) an alien who is a Cuban-Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980.\*
- d. Exception for Veterans and Persons on Active Duty and Their Relatives – An alien lawfully residing in the state meets the alienage requirement regardless of the date of entry into the U.S., provided he is:
- 1) a qualified alien and is a veteran discharged honorably and not on account of alienage and who has served a minimum of 24 months or the period for which the person was called to active duty. "Veteran" also includes individuals who served in the Philippine Commonwealth Army during World War II or as Philippine Scouts following the war;\*\*
  - 2) a qualified alien and is on active duty (other than active duty for training) in the Armed Forces of the U.S.; or
  - 3) the spouse or unmarried dependent child of an individual (not deceased) described in 1) or 2) above, or the surviving spouse of an individual (deceased) described in or 2) above, provided the surviving spouse has not remarried and was married to the deceased veteran:
    - (a) before the end of a 15-year period following the end of the period of military service in which the injury or disease causing the death of the veteran was incurred or aggravated; or
    - (b) for one year or more; or
    - (c) any period of time if a child was born of the marriage or was born to them before the marriage.\*\*

The spouse or unmarried dependent child is not required to be a qualified alien.
2. Verification of immigration status is required at application, recertification, **and when adding a new household member. At application or when adding a new household member, the unexpired** U.S. Citizenship and Immigration Services (USCIS) documents provided by the alien or, if the individual is a victim of human trafficking, using documentation from the federal Office of Refugee Resettlement **are acceptable along with the SAVE verification validating the alien status. At recertification, the unexpired or expired document along with the SAVE verification validating the alien status is acceptable.** A copy of the document must be filed in the case record and the comment screen documented. If an applicant/recipient's alien status changes or an individual who was an alien becomes a U.S. citizen, his eligibility for assistance must be evaluated under the new status. Exception: When the status of alien changes to legal permanent resident, eligibility for assistance must be evaluated under the original status.

\* Public Law 96-442

\*\* Public Law 105-33

- C. Failure to Comply - In instances where the recipient refuses to furnish an SSN or application for an SSN for anyone for whom assistance is requested or received, assistance is terminated for that individual. To determine if the recipient is refusing to provide the needed information, the recipient must be given the opportunity to cooperate, and must clearly demonstrate that he/she will not obtain the necessary information.
- D. Determining Good Cause - In determining if good cause exists for failure to comply with the requirements to provide an SSN, the local agency must consider information from the assistance unit and SSA. The agency must verify and evaluate the recipient's circumstances to determine if there is good cause for the recipient not correcting either agency or SSA records by the next renewal of eligibility. Good cause for failing to apply for a number includes documentary evidence or collateral information that the assistance unit has made every effort to supply SSA with the necessary information to complete an application for an SSN. Good cause does not include delays due to illness, lack of transportation or temporary absences, because SSA makes provisions for mailing in applications for SSNs. If an assistance unit can show good cause why an application for an SSN has not been completed, the member in question shall be allowed to be included for one month in addition to the month of **application** for TANF. Good cause for failure to apply must be shown monthly thereafter in order for such an assistance unit member to continue to be eligible. **The agency must advise the household that proof of the application for an SSN from SSA will be required prior to renewal, and suggest that the household member ask the SSA for proof of the application for an SSN. Request this information on a verification checklist.**

If the assistance unit is unable to obtain the documents required by SSA in order to apply for an SSN, the eligibility worker shall assist the individual in obtaining these documents.

The case record must be thoroughly documented to indicate the agency's determination of good cause for the recipients not providing the requested information concerning an SSN. Assistance will not be terminated for any individual if good cause is determined to exist for that individual. If good cause is not established, only the assistance for the individual not providing needed information will be terminated.

NONCOOPERATION PENALTY  
CALCULATION

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Example 1:

A family of three, the mother and two children, apply for TANF. The mother fails to cooperate, without good cause, and is ineligible to be included on the payment. The family resides in a Group III locality and has no countable income. The children are eligible for benefits and the payment is calculated as follows:

Step (1) Calculate reduction by removing caretaker's needs:

<b>\$587.00</b>	SOA for 3 persons
<u><b>- 489.00</b></u>	SOA for 2 persons
<b>\$98.00</b>	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$587 = \$146.75$$

Step (3) Calculate additional penalty amount:

<b>\$146.75</b>	25% reduction
<u><b>- 98.00</b></u>	SOA reduction
<b>\$48.75</b>	Additional penalty amount

Step (4) Net payment calculation:

<b>\$489.00</b>	SOA for 2 persons/ <b>Payment</b> amount
<u><b>- 48.75</b></u>	Additional penalty
<b>\$440.25</b>	Net payment
<b>\$440.00</b>	Actual payment Amount

Example 2:

A family residing in a Group II locality has been receiving benefits in the amount of **\$385** for two persons (the mother and one child). The mother is determined not to be cooperating, without good cause, and must be removed from the payment. The calculation of the new payment amount is as follows:

Step (1) Calculate reduction by removing caretaker's needs:

<b>\$385.00</b>	SOA for 2 persons
<u><b>- 262.00</b></u>	SOA for 1 person
<b>\$123.00</b>	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$385 = \$96.25$$

NONCOOPERATION PENALTY  
CALCULATION

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Example 2: Continued

Step (3) Calculate additional penalty amount:

<b>\$96.25</b>	25% reduction
<b><u>-262.00</u></b>	SOA reduction
<b>\$0.00</b>	Additional penalty amount

Step (4) - Net payment calculation:

<b>\$262.00</b>	SOA for 1 person/Payment amount
<b><u>- 0.00</u></b>	Additional penalty
<b>\$262.00</b>	Net payment

Example 3:

A family residing in a Group III locality is composed of the mother and her four children. The mother receives \$120 monthly in countable unearned income. TANF benefits are currently **\$691** (**\$811** SOA - \$120 income). The mother is determined not to be cooperating, without good cause, and must be removed from the payment.

Step (1) Calculate reduction by removing caretaker's needs:

<b>\$691.00</b>	( <b>\$811.00</b> SOA for 5 persons - \$120.00 Countable income)
<b><u>- 561.00</u></b>	( <b>\$681.00</b> SOA for 4 persons - \$120.00 Countable income)
<b>\$130.00</b>	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$691 = \$172.75$$

Step (3) Calculate additional penalty amount:

<b>\$172.75</b>	25% reduction
<b><u>- 130.00</u></b>	SOA reduction
<b>\$42.75</b>	Additional penalty amount

Step (4) Net payment calculation:

<b>\$681.00</b>	SOA for 4 persons
<b><u>- 120.00</u></b>	Countable income
<b>\$561.00</b>	Payment amount
<b>\$561.00</b>	Payment amount
<b><u>- 42.75</u></b>	Additional penalty
<b>\$518.25</b>	Net payment
<b>\$518.00</b>	Actual payment amount

NONCOOPERATION PENALTY  
CALCULATION

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Example 4:

A family residing in a Group III locality is composed of the mother, father, and their three children. A child by a previous relationship of the mother enters the home. The mother does not cooperate, without good cause, in providing information about the child's father. The child's needs are added to the payment; however, the mother's needs must be removed. Calculation of the revised benefits is as follows:

Step (1) Calculate reduction by removing caretaker's needs:

<b>\$861.00</b>	Maximum payment - SOA for 6 persons exceeds maximum
<b><u>-811.00</u></b>	SOA for 5 persons
<b>\$50.00</b>	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$861 = \$215.25$$

Step (3) Calculate additional penalty amount:

<b>\$215.25</b>	25% reduction
<b><u>- 50.00</u></b>	SOA reduction
<b>\$165.25</b>	Additional penalty amount

Step (4) Net payment calculation:

<b>\$811.00</b>	SOA for 5 persons/Payment amount
<b><u>-165.25</u></b>	Additional penalty
<b>\$645.75</b>	Net payment
 <b>\$645.00</b>	 Actual payment amount

Example 5:

A family consists of the mother and two children. Assistance is being provided only for the children because the mother has failed to apply for or furnish a Social Security number for herself. The Eligibility Worker is notified of the mother's failure to cooperate with DCSE, without good cause. The family resides in a Group III locality and has no countable income. Calculate the revised payment amount as follows:

Step (1) Calculate reduction by removing caretaker's needs:

This step is not applicable since the mother's needs have already been removed from the payment for failure to comply in meeting the SSN requirement.

<b>\$489.00</b>	SOA for 2 persons
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NONCOOPERATION PENALTY  
CALCULATION

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APPENDIX X, Page 4

Example 5: Continued

Step (2) Calculate 25% reduction:

$$.25 \times \$489 = \$122.25$$

Step (3) Net payment calculation:

<b>\$489.00</b>	SOA for 2 persons/Payment amount
<b>- 122.25</b>	Penalty
<b>\$366.75</b>	Net payment
<b>\$366.00</b>	Actual payment amount

If the caretaker provides her SSN while she is still subject to a penalty due to noncooperation with DCSE, the **payment** amount must be recalculated as follows:

Step (1) Calculate reduction by removing caretaker's needs:

<b>\$587.00</b>	SOA for 3 persons
<b>-489.00</b>	SOA for 2 persons
<b>\$98.00</b>	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$587 = \$146.75$$

Step (3) Calculate additional penalty amount:

<b>\$146.75</b>	25% reduction
<b>- 98.00</b>	Amount of SOA reduction
<b>\$48.75</b>	Additional penalty amount

Step (4) Net payment calculation:

<b>\$489.00</b>	SOA for 2 persons/Payment amount
<b>- 48.75</b>	Additional penalty
<b>\$440.25</b>	Net payment
<b>\$440.00</b>	Actual payment amount

NONCOOPERATION PENALTY  
CALCULATION

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Example 6:

A mother residing in a Group II locality receives TANF for one child. The mother's needs are not included in the payment since she receives SSI. There is no countable income. The Eligibility Worker is notified of the mother's failure to cooperate with DCSE, without good cause. Calculate the revised payment amount as follows:

Step (1) Calculate reduction by removing caretaker's needs:

This step is not applicable since the mother is categorically ineligible to receive benefits for herself while receiving SSI.

**\$262.00** SOA for 1 person

Step (2) Calculate 25% reduction:

$.25 \times \$262 = \$65.50$

Step (3) Net payment calculation:

<b>\$262.00</b>	SOA for 1 person/Payment amount
<u>- 65.50</u>	Penalty
<b>\$196.50</b>	Net payment
 <b>\$196.00</b>	 Actual payment amount

Example 7:

A mother residing in a Group II locality receives TANF for herself and seven children. There is no countable income. The Eligibility Worker is notified of the mother's failure to cooperate with DCSE, without good cause. Calculate the revised payment amount as follows:

Step (1) Calculate reduction by removing caretaker's needs:

**\$723.00** Maximum payment - SOA for 8 persons (**\$951**) exceeds maximum  
**\$723.00** Maximum payment - SOA for 7 persons (**\$851**) exceeds maximum

Because the SOAs are above the maximum payment amount of **\$723**, there is no reduction when the caretaker is removed.

Step (2) Calculate 25% reduction:

$.25 \times \$723 = \$180.75$

NONCOOPERATION PENALTY  
CALCULATION

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Example 7: Continued

Step (3) Calculate additional penalty amount:

<b>\$180.75</b>	25% reduction
<u>- 0.00</u>	SOA reduction
<b>\$180.75</b>	Additional penalty amount

Step (4) Net payment calculation:

<b>\$723.00</b>	SOA for 7 persons ( <b>\$810</b> ) exceeds maximum. Use maximum.
<u>-180.75</u>	Additional penalty
<b>\$542.25</b>	Net payment
 <b>\$542.00</b>	 Actual payment amount

Example 8:

A family of four - a mother, her son, her daughter who is a minor caretaker, and the daughter's baby - apply for TANF. The family resides in a Group II locality and has no countable income. The mother cooperates with DCSE, but her daughter, the minor caretaker, refuses, without good cause, to cooperate in securing support for her child. (Note: The minor caretaker does not claim that the father of the baby is unknown, and so cannot sign the ATL.) She is ineligible to be included on the payment. (See 201.10.C regarding cooperation requirements for a minor caretaker). The mother, son, and the daughter's baby are eligible for benefits and the payment is calculated as follows:

Step (1) Calculate reduction by removing the minor parent's needs:

<b>\$577.00</b>	SOA for 4 persons
<u>-482.00</u>	SOA for 3 persons
<b>\$95.00</b>	Amount of SOA reduction

Step (2) Calculate 25% reduction:

$$.25 \times \$577 = \$144.25$$

Step (3) Calculate additional penalty amount:

<b>\$144.25</b>	25% reduction
<u>-95.00</u>	SOA reduction
<b>\$49.25</b>	Additional penalty amount

Step (4) Net payment calculation:

<b>\$482.00</b>	SOA for 3 persons/Payment amount
<u>-49.25</u>	Additional penalty
<b>\$432.75</b>	Net payment
 <b>\$432.00</b>	 Actual payment amount

NONCOOPERATION PENALTY  
CALCULATION

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Example 9:

A non-parent caretaker in a Group II locality receives TANF for one child. The non-parent caretaker is not in the AU. There is no countable income. The Eligibility Worker is notified of the caretaker's failure, without good cause, to cooperate with DCSE. Calculate the revised payment amount as follows:

Step (1)	<b>\$262.00</b>	SOA for 1 person
Step (2)	Calculate 25% reduction:	
	$.25 \times \$262 = \$65.50$	
Step (3)	Net payment calculation:	
	<b>\$262.00</b>	SOA for 1 person/Payment amount
	<u>- 65.50</u>	Penalty
	<b>\$196.50</b>	Net payment
	<b>\$196.00</b>	Actual payment amount

Example 10:

A non-parent caretaker in a Group II locality receives TANF for one child. The non-parent caretaker is not in the AU. The child receives \$50 monthly in countable unearned income. The Eligibility Worker is notified of the caretaker's failure, without good cause, to cooperate with DCSE. Calculate the revised **payment** amount as follows:

Step (1)	<b>\$262.00</b>	SOA for 1 person
Step (2)	Calculate payment amount:	
	<b>\$262.00</b>	SOA for 1 person
	<u>- 50.00</u>	Countable unearned income
	<b>\$212.00</b>	Payment amount
Step (3)	Calculate 25% reduction:	
	$.25 \times \$212.00 = \$53.00$	
Step (4)	Net payment calculation:	
	<b>\$212.00</b>	Payment amount
	<u>- 53.00</u>	Penalty
	<b>\$159.00</b>	Net payment
	<b>\$159.00</b>	Actual payment

304.5 RELATIVE MAINTENANCE SUPPORT PAYMENT – The 2020 General Assembly appropriated funds to create the Relative Maintenance Support Payment.\* TANF assistance units that include one or more eligible children, meeting all 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 Relative Maintenance Support Payment is a monthly payment that is included in 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 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, a separate TANF case should be established. All children not belonging to the payee shall be placed in a separate 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 Benefits 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 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, 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, as long as 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 Benefits 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.

## ASSISTANCE STANDARDS

## GROUP II

Size of Assistance Unit	Standards of Assistance
1	<b>\$262</b>
2	<b>385</b>
3	<b>482</b>
4	<b>577</b>
5	<b>681</b>
6	<b>761</b>
7	<b>851</b>
8	<b>951</b>
9	<b>1035</b>
10	<b>1127</b>
Each person above 10	<b>\$95</b>
 MAXIMUM REIMBURSABLE PAYMENT	 <b>\$723</b>

ASSISTANCE STANDARDS

GROUP III

Size of Assistance Unit	Standards of Assistance
1	<b>\$366</b>
2	<b>489</b>
3	<b>587</b>
4	<b>681</b>
5	<b>811</b>
6	<b>887</b>
7	<b>979</b>
8	<b>1079</b>
9	<b>1164</b>
10	<b>1254</b>
Each person above 10	<b>\$95</b>
<b>MAXIMUM REIMBURSABLE PAYMENT</b>	<b>\$861</b>

stepparent has. Countable income is to be deducted from the standard of assistance for the assistance unit.

- b. Stepparent Deeming Procedure Used When the Parent in the Home Refuses/Fails to Cooperate With DCSE - When it is determined that the parent of the TANF child(ren) has failed or refused to cooperate with DCSE, the stepparent's income must be deemed available to the assistance unit, calculating the deemed amount in accordance with 305.4.F.1.a.1) – 4). The deemed income, in addition to the income of the parent and child(ren) must be counted to determine the assistance unit's eligibility and payment amount.

Failure of the customer to verify the income of the stepparent will result in ineligibility of the case.

- c. Stepparent Deeming When the Parent Is Not in the Home With the Stepparent - The income of the stepparent will not be deemed when the natural/adoptive parent of the TANF children is not living in the home due to separation, divorce, death or incarceration. However, when the stepparent and the natural/adoptive parent are living apart due to military duty, employment, or other reason, and they both consider themselves to be living as husband and wife, they will not be considered separated and the income of the stepparent will be deemed.

If the stepparent is included in a TANF assistance unit, policies and procedures applicable to assistance unit members apply instead of the deeming procedures.

Note: A lump sum payment received by an eligible child's stepparent is considered available to the assistance unit as described at 305.4C.

Example 1:

Ms. P. is applying for TANF for herself and her 3 children. Ms. P. receives unearned income in the amount of \$50 per month, and each of the 3 children receives unearned income in the amount of \$50 per month, as well. Ms. P.'s husband (not the children's father) is employed and earns \$2,162 per month. Mr. P. has no other dependents.

1. To determine Ms. P.'s eligibility to be included in the AU:

Mr. P.'s income	\$2,162.00
Less \$90 deeming disregard	- 90.00
	\$2,072.00
Less standard of assistance for 1 (Group II)	- 262.00
Amount deemed available to Ms. P.	<b>\$1,810.00</b>
Standard of assistance for a 4-person AU	<b>\$ 577.00</b>

Since the portion of Mr. P.'s income which is deemed available to Ms. P. exceeds the standard of assistance for 4 persons, she is not eligible to be included in the AU.



2. To determine the 3 children's eligibility, and, if eligible, the payment amount:

Stepparent's (Mr. P.'s) income	<b>\$2,194.00</b>
150% of poverty guidelines for 2 (monthly)	<u><b>-2,178.00</b></u>
Amount exceeding 150% of poverty guideline	<b>\$16.00</b>
 Standard of assistance for a 3-person AU	 <b>\$ 482.00</b>
 Less total countable income ( <b>\$16.00</b> -amount of Mr. P.'s income which exceeds 150% of poverty guidelines, plus \$50.-Ms. P.'s unearned income, plus \$150 the children's unearned income for a total of <b>\$216</b> in countable income.	 <u><b>- 216.00</b></u>
Payment amount	<b>\$243.00</b>

Example 2:

Ms. J., who has been receiving TANF on behalf of herself and her 2 children reports that she remarried over the weekend. Ms. J. receives unearned income in the amount of \$100 per month. Her husband, Mr. J. is employed, with earnings in the amount of \$800 per month. Mr. J. has 3 children who live with his former wife, for whom he pays support in the amount of \$400 per month.

1. To determine Ms. J.'s eligibility to be included in the AU:

Mr. J.'s income	\$ 800.00
Less \$90 deeming disregard	<u>- 90.00</u>
	710.00
 Less standard of assistance for I (Group II)	 <u><b>- 262.00</b></u>
	<b>\$ 448.00</b>
Less support paid by Mr. J. to non-household dependents	<u><b>- 400.00</b></u>
Income deemed available to Ms. J.	<b>\$ 48.00</b>
 Standard of assistance for a 3-person AU	 <b>\$482.00</b>

Since the portion of Mr. J.'s income which is deemed available to Ms. J. is less than the standard of assistance for 3 persons, she is eligible to be included in the AU. Proceed to payment calculation, since Ms. J. is eligible.

2. To determine the payment amount:

Standard of assistance for a 3-person AU	<b>\$ 482.00</b>
Less countable income (Ms. J.'s unearned income)	<u><b>- 100.00</b></u>
Payment amount	<b>\$ 382.00</b>

Verify by statement from the senior parent, stepparent, or ineligible alien parent.

4. Payments for alimony and child support including wage assignments to individuals not claimed on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return and not living in the household.

Verify by statement from the senior parent or the ineligible alien parent.

The amount remaining after the above deductions will be compared to the Standard of Assistance in determining the eligibility of the AU and the payment amount, if any.

Example 1: The parent of a minor caretaker applies for assistance for the minor caretaker's child. The senior parent explains that she is employed, is able to support her daughter, but does not feel that she should have to support her daughter's child. Because the child of a minor caretaker is not eligible for assistance unless the minor caretaker is also included in the AU, the senior parent must make application for both her daughter and the grandchild. TANF eligibility is determined as follows:

Gross Income of Senior Parent	\$ 1,760
Less \$90 Deeming Disregard	<u>- 90</u>
	\$ 1,670
Less Standard of Assistance for 1 person, Group III	<u>-366</u>
Group III Amount deemed available to AU	<b>\$1,304</b>
Standard of Assistance for 2, Group III	<b>\$489</b>

**\$1,322 > \$489 (SOA for 2) – AU is ineligible**

- a. Home Energy Assistance - Payments made directly to a household for home heating or cooling provided by suppliers of home energy, such as electric and gas companies and fuel oil dealers, must be counted as income.\* When payments are received jointly by a household composed of TANF and non-TANF individuals, including SSI recipients, the TANF assistance unit's pro-rata share, based on the total number of persons in the household, must be considered as income to the TANF unit.

The pro-rata share of non-TANF and SSI individuals is not to be counted.\*\* Note: Payments made through the Virginia Energy Assistance Program administered by local departments of social services are not considered home energy assistance and are disregarded per Section 305.4.A.16.

- b. Public Assistance Benefits Received From Another State - It is possible for individuals who move from another state to Virginia to receive assistance from both states in the same month. However, the assistance paid by the state of prior residence must be considered in determining eligibility and benefit amount in Virginia. The amount of assistance received by the assistance unit from the former state is to be treated as unearned income in the month received.

Example 1: An applicant applies in Virginia on August 30 and receives a payment from Pennsylvania for \$100 in September which covers the period of the last week of August and the first week of September. If the assistance unit is eligible for assistance in September and the SOA is **\$489**, the \$100 of unearned income is subtracted from **\$489**, for a payment of **\$389**.

Example 2: A Group II locality receives an application on September 2 requesting assistance for a parent and two children. The family received a TANF payment from another state on September 1 for \$100 covering the period September 1-15, and the case is terminated in the former state effective September 15. The agency determines eligibility on September 10 (date of authorization). The first payment is calculated as follows:

$$\begin{array}{rcl}
 \$489 - \$100 & = & \$389 \quad - \text{monthly deficit} \\
 \$389/30 & = & \$12.96 \quad - \text{daily rate} \\
 \$12.96 \times 21 \text{ days} & = & \$272.16 \quad - \text{prorated deficit} \\
 & & \$272 \text{ payment (rounded down)}
 \end{array}$$

- c. Royalties are considered unearned income.
- d. Interest earned on cash assets in excess of \$10 a month, such as a bank account or certificate of deposit, is considered unearned income in the month received (available) unless anticipated to be received less often i.e., quarterly, annually, etc., in which case it may be prorated over the period earned if requested by the applicant/recipient. Guidance in Section 305.1.B.2 is applicable in determining if the income is "reasonably certain" to be received and, if so, the methods available to use to calculate the anticipated amount. Exception: Interest accrued on exempted Virginia Individual Development Accounts (VIDA) or Assets for Independence Act (AFIA) funds is not countable income.

\* 45 CFR 233.20(a)(3)(xiv)

\*\* 45 CFR 233.53(c)(2)

Maximum Income Chart

<u>Size of Assistance Unit</u>	<u>Group II</u>	<u>Group III</u>
1	<b>\$524</b>	<b>\$730</b>
2	<b>767</b>	<b>974</b>
3	<b>966</b>	<b>1,175</b>
4	<b>1,152</b>	<b>1,361</b>
5	<b>1,361</b>	<b>1,622</b>
6	<b>1,522</b>	<b>1,773</b>
7	<b>1,703</b>	<b>1,960</b>
8	<b>1,901</b>	<b>2,158</b>
9	<b>2,068</b>	<b>2,326</b>
10	<b>2,253</b>	<b>2,509</b>
Each person above 10	<b>\$189</b>	<b>\$189</b>

3. Help with filing appeals or grievances if needed as the result of a disability;
- dd. The fact that the individuals with disabilities should request reasonable accommodations if they feel they need them.
- ee. Inform the client that he may receive the TANF benefits in the form of debit card, direct deposit, or check.
- ff. Explain to the client that changes and renewals may be made through CommonHelp.
- gg. The EW must explain that certain contacts, when appropriate, require written consent (i.e., doctors, banks, etc.).
- hh. Explain to the client that it is illegal to use the TANF debit card to buy alcohol, lottery tickets, tobacco products, or sexually explicit visual materials; or, to use the TANF debit card in a state Alcoholic Beverage Control (ABC) store, in an establishment in which para-mutual wagering or charitable gaming is conducted, or in an establishment in which tattooing or body piercing is performed for hire, or in any establishment that provides adult-oriented entertainment in which performers or other individuals connected with the business appear nude or partially nude.

#### 401.2 IMPACT ON MEDICAL ASSISTANCE

See the Medical Assistance Eligibility Manual to determine Medical Assistance eligibility for TANF applicants/recipients.

#### 401.3 TRANSITIONAL CHILD CARE BENEFITS

When a case is closed to TANF, the EW should refer to the Child Care Subsidy Program Guidance Manual, Section 2.3, to determine the assistance unit's eligibility for transitional child care.

#### 401.4 REFERRAL FOR VICTIMS OF FAMILY ABUSE

When the EW learns about a situation where an applicant/recipient of TANF may be a victim of family abuse, the individual should be referred **to a local domestic violence agency for crisis and supportive services**. If local resources are not available, then the **Virginia Statewide Hotline number**, 1-800-838-8238, should be given. For more information, reference [https://www.dss.virginia.gov/family/domestic\\_violence/index.cgi](https://www.dss.virginia.gov/family/domestic_violence/index.cgi).

Family abuse is defined in the Code of Virginia, Section 16.1-228 as "any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ [18.2-61](#) et seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury."

502.2 PERIOD COVERED BY PAYMENT

- A. The payment covers the entire calendar month of eligibility (Section 401.1.I.), except when eligibility is determined in the same month in which an application for financial assistance is received or when an individual is added to an existing case. No payment may be issued prior to the date of application. The effective date of payment is the date that initial eligibility for assistance or a change in amount of assistance begins.

No payment shall be made on an approved application for periods prior to the date of application. If the beginning date of assistance is not the first of the month, the payment for that month must be prorated. This is accomplished by dividing the amount payable by 30 days, regardless of the total number of days in such month. This amount is then multiplied by the actual days in the month including and following the date of authorization. Additionally, when an individual is added to an existing case, the individual's portion of the payment must be prorated for the first month of eligibility with the beginning date of payment established in accordance with Section 401.2.B.2.c.

Example 1: A Group II locality receives a signed application from Ms. Doe on August 18. She requested assistance for herself and two children and reports no income. The agency determined she is eligible to receive an assistance payment on August 24. The beginning date of assistance for Ms. Doe is August 18. Her first month's payment is calculated as follows:

1. 14 days = number of days for which Ms. Doe is eligible to receive assistance in August.
2. **\$482.00** = payment amount for full month's payment.

The method of computation is as follows:

$$\mathbf{\$482.00} \div 30 = \mathbf{\$16.06} \times 14 = \mathbf{\$224.93}$$

**\$224.00** payment (rounded down)

Example 2: A Group II locality receives an application on August 5 requesting assistance for a mother and two children. The family receives Social Security of \$88.50 each month. The agency determines eligibility on August 10. The beginning date of assistance for Ms. Doe is August 5. The first payment will be computed as follows:

$$\mathbf{\$482.00} - \$88.50 = \mathbf{\$393.50} \text{ full month deficit}$$

$$\mathbf{\$393.50} \div 30 = \mathbf{\$13.11} \text{ daily rate}$$

$$\mathbf{\$13.11} \times 27 \text{ days} = \mathbf{\$354.15} \text{ prorated deficit}$$

**\$354.00** payment (rounded down)

Example 3: On September 5, a timely report is received that on that date a sibling of the child(ren) in the assistance unit moved back into the home. The child being added has unearned income of \$30 per month. Eligibility for the child is established on September 13. However, the payment is prorated for the period beginning September 5 (26 days), the date the required unit member entered the home.

Current payment	<b>\$482</b>
Full payment after adding child	<b>\$577 - \$30 = \$547</b>
Child's portion to be prorated	<b>\$547 - \$482 = \$65</b>
	<b>\$65 ÷ 30 = \$2.16</b>
	<b>\$2.16 x 26 days = \$56.33</b>
Supplement for September	<b>\$56.00</b> payment (rounded down)

If the individual's presence in the home is not reported timely, payment for the first month of eligibility will be prorated from the date the change was reported or became known to the agency. Or, if the unit failed or refused to cooperate in establishing eligibility without good cause, payment will be prorated from the date the last categorical verification is received or eligibility condition is met. (Refer to Section [401.2.B.2.c.](#))

- B. TANF-UP - Follow guidance in 502.2 A. except when a second parent enters the home in an existing TANF case. Guidance in [401.2 B.2.c](#) addresses handling the addition of a second parent.
- C. Emergency Assistance - Payment covers specified needs related to the emergency as specified in Section [203.2](#). Payment is also limited to coverage of needs arising or anticipated during the 30-day period following initial authorization of Emergency Assistance.

4. TANF Child Support Supplement Payment (304.4) – TANF Child Support Supplement payments are issued in the month following the month support is collected and are issued as a payment separate from the TANF payment and the disregard payment.
- B. Mailing of Checks – All checks, including the initial money payment, are mailed via the United States Postal Service unless the recipient has a justifiable reason for requesting to appear in person at the office to pick up the check. Such reasons should be stated by the recipient in writing and his signed and dated written request should be filed in the case record. A receipt should be secured for any checks delivered personally in the office. Proper identification should be requested if there is any doubt as to the identity of the recipient.
  - C. Direct Deposit – The process by which TANF payments are electronically posted to a client’s bank account. The client must be provided the Direct Deposit Enrollment Authorization form (032-03-672) if **the client** requests direct deposit. The form is available at [https://fusion.dss.virginia.gov/Portals/%5Bbp%5D/Files/Direct%20Deposit%20Enrollment%20Auth\\_032-03-0672-03-eng.pdf](https://fusion.dss.virginia.gov/Portals/%5Bbp%5D/Files/Direct%20Deposit%20Enrollment%20Auth_032-03-0672-03-eng.pdf). Direct deposit procedures are found See Section 500, [Appendix II](#), Direct Deposit Procedures.
  - D. Debit Card – The process by which TANF payments are electronically posted to a state-issued debit card. Debit card procedures are found, at Section 500, [Appendix III](#).
  - E. Emergency Payments – Emergency payments shall be issued by local boards in emergency situations or in the event of delay or error in a state issuance of checks for payments of assistance.\* The Virginia Department of Social Services is to reimburse the local board for such payments. In emergency situations which result from lost or stolen checks, the Virginia Department of Social Services shall assume liability for losses incurred by local agencies due to fraudulent acts by recipients provided the local agency referred the case to the Commonwealth Attorney who has made the decision to prosecute the case or not.
    1. In the event of lost or stolen checks, a replacement check will not be issued when the payee fails to report the lost/stolen check within 45 days of issuance. A replacement check cannot be issued prior to the fourth mail delivery day and completion of the stop payment process. The Virginia Department of Social Services and the local agency must ensure that no undue delays occur in issuing replacement checks. A replacement check must be issued upon receipt of notification that the stop payment process has been completed. This includes receipt of the notarized affidavits by the Virginia Department of Social Services Fiscal Processing Unit (FPU). For a stolen check, the payee must file a police report and provide a copy of the police report or the police report number to the EW at the time of the completion of the three required affidavits. See Chapter 500, [Appendix I](#) for detailed check handling procedures. The Affidavit on Check Endorsement (032-06-118) is available at <http://localagency.dss.state.va.us/divisions/bp/tanf/forms.cgi>.



## B. Transferring Agency Responsibility

The transferring agency must complete a desk review to assure the correctness of the next payment as the transferring locality is responsible for the accuracy of this payment. The desk review entails reflecting all changes known or reported prior to the recipient's move which affect eligibility or payment and any changes occurring as a result of the recipient's move. **As part of the review, the EW will verify the accuracy of the Federal 60-month clock and the ESW will verify the accuracy of the VIEW 24-month clock and correct the clocks if they are inaccurate.** The desk review also entails making sure that any other follow-up or special reviews have been completed. If the case is overdue for review, the transferring locality does not have to complete a renewal prior to transferring the case.

Local social services agencies may not transfer TANF cases in the following instances:

- The case has a suspension status due to temporary ineligibility for any reason (one month).
- The TANF application is pending. The original agency must process the application. The agency must secure sufficient information to process the application unless the applicant elects to withdraw the application.

Cases that have been sanctioned for non-compliance with a VIEW requirement must be transferred, including cases that have been reopened so that payments can be issued during an appeal of the sanction.

The transferring agency must send the recipient a Notice of Transfer (032-03-0658) providing notice that their case has been transferred and listing the name, address, and telephone number for the receiving agency. If any changes during the desk review result in ineligibility or a decrease in the payment, procedures with respect to the Advance Notice of Proposed Action (032-03-018) are applicable.

The transferring locality will specify on the Case Record Transfer Form that the month following the month in which they send the form and case record to the new locality is the last month for which they will make payment. If the TANF case was receiving SNAP benefits, the transferring locality must note the impact of the transfer on the SNAP case on the Case Record Transfer form. If the case is open to services, the transferring locality will immediately notify the service worker of the client's move and new address, and upon completion of the Case Record Transfer Form, will forward a copy to the service worker. Verification of changes which could not be made for the next payment, due to the advance notice requirements, will be included in the case record and will also be specifically noted on the Case Record Transfer Form under additional remarks. The receiving locality will take the necessary action to make the change(s) and send the Advance Notice of Proposed Action immediately.

Example: In June the worker discovers that an eligible child left the home on August 5 of the previous year. The child should have been reported no later than September 10. Overpayments must be calculated beginning with the October payment. The overpayment amount is the difference between the payment received each month and the correct payment for the actual number of eligible members living in the household.

- G. Overpayments Resulting from Incorrect Composition of the Assistance Unit – When it is discovered that an individual required to be in the assistance unit is living in the home, it must be determined if an overpayment occurred. This determination is to be made as follows:
1. Redetermine eligibility for each month beginning with the month following the month the individual entered the home or was required to be in the assistance unit, including the individual's needs, and actual income. Any resulting overpayments must be recouped/recovered.
  2. If during the period in which the individual was required to be in the unit he had no income or his needs exceeded his income, an under- payment has occurred only for the months in which all categorical requirements were met and the conditions of eligibility are retroactively deemed to be met per Section 401.2.B.2.c. (See Section 503.9).
- H. Determining the amount of the overpayment when support has been paid for a child in the TANF assistance unit.
1. The agency must determine the amount of support paid for children in the AU using the report, TANF Cases Current Collected Support Report.
  2. Current monthly support paid to DCSE not redirected to the recipient must be subtracted from the total TANF payment issued for the month:  
  
Example: A **\$385** TANF payment was made for the month of April.  
The amount subject to recoupment is **\$385** (Group II, AU = 2), minus total current support collected by DCSE in April (the month the overpayment occurred), which was \$150; therefore, the April overpayment is **\$235**.
- I. Determining Overpayments Resulting from Redirected Support Paid to the Client
1. An overpayment must be determined when a TANF recipient who was receiving support at the time of TANF application fails to redirect following TANF case approval.
  2. An overpayment will not exist when DCSE returns to the client support which the recipient has redirected to DCSE.
  3. An overpayment amount will be determined for new support not redirected to DCSE only when the support amount will cause the total income for the AU to exceed 130% of the Federal Poverty Level.

**503.8 NOTIFICATION, RECOUPMENT AND RECOVERY OF OVERPAYMENTS** - The local department must promptly recoup or recover any overpayments including overpayments resulting from assistance paid pending hearing decisions. Repayment by either a former or current recipient of the overpayment can occur through recoupment or recovery or both. The agency should discuss voluntary repayment with the client prior to initiating a recoupment.

- A. Notification to the assistance unit must be given before recoupment or recovery of an overpayment begins. After calculating the total amount of the overpayment, the local department of social services must send the Request for Repayment of TANF Payments and/or Payments for VIEW Services' form. The form is available in the Forms Drawer on the **Fusion** page. The first page of the form displays the period over which the overpayment occurred and the total amount of the overpayment. The second page allows the individual to select the method of repayment.

A copy of the form must be sent to the TANF recipient or payee or previous TANF recipient or payee and a signed copy filed in the case record. The signed form must remain in the case record until the overpayment has been satisfied. **Note:** If the recipient or payee fails to sign the form, the unsigned copy must be retained in the case record.

When the signed form is not returned, if 30 days have passed since the initial demand letter was sent on an active TANF case or on a case receiving a VIEW Transitional Payment (VTP), recoupment should begin the following month. When the TANF case closes prior to the month in which recoupment was scheduled to begin and the recipient or payee later reapplies for TANF assistance, she will be advised that recoupment will begin in the first month that the case is eligible for assistance.

- B. Recoupment consists of withholding all or part of the assistance payment. An overpayment made to a current recipient or payee must be recouped by reducing the amount of any future assistance payable to any assistance unit of which the individual is a member or payee. **Recoupments and withholdings must not be applied to Emergency Assistance payments and Diversionary Assistance payments.**

1. When the recipient or payee has no cash reserve or countable income (payment equals the Standard of Assistance for the AU), 10% of the assistance payment may be recouped until the overpayment has been repaid. Under the Repayment Agreement Section on the Claim Information Screen, enter the amount that equals 10% in the "Amount Agreed To Pay" field or the percentage amount in the percentage field.

Example: TANF Payment of **\$577**; Recoup 10% (**\$57.70**); amount of recoupment = (**\$57.70**); New payment amount is **\$519.30**.

2. In situations where a recipient (but not a payee) has earned income, unearned income, or any combination thereof, in addition to the assistance payment, part or all of the assistance payment may be recouped as long as the assistance unit retains at least 90 percent of the standard of assistance when the total gross income and the amount of the current payment are considered.

To calculate the client's ability to repay the overpayment, the worker will follow steps a - d below:

- a. Determine the amount of the overpayment.

\*45 CFR 233.20(a)(13)(i)

\*§63.2 - 512

- b. Combine all gross income including any income that would be disregarded for TANF purposes (such as SSI) and the current payment to determine the amount of income available to the AU.
- c. Determine 90% of the standard of assistance for a family of equal size in the same locality. This represents the amount of money the client must have available.
- d. Subtract the amount in step c from the amount in step b. The difference represents the amount the client is able to repay on the overpayment.

Note: When the additional income or the TANF payment amount is either increased or reduced, the recoupment amount is to be recalculated.

Example 1:

Step a: Determine the amount of the overpayment.

Step b: Available income **\$729.00**

(\$344 gross wages + **\$385** payment amount)

Step c: Minimum amount AU retains (**\$385 X 90%**) - **\$346.50**

Step d: Maximum amount that can be paid = **\$382.50**

The EW will recoup the entire payment amount of **\$385**.

If the amount that can be paid is equal to or greater than the Standard of Assistance (payment amount), the amount to be recouped will be equal to the payment.

Example 2:

Step a: Determine the amount of the overpayment.

Step b: Available income **\$532.00**

(\$50.00 gross wages + **\$482** payment amount)

Step c: Minimum AU retains (**\$482 X 90%**) - **\$433.80**

Step d: Maximum amount that can be paid = **\$ 98.20**

The EW will recoup **\$95.90** from the payment.

If the amount that can be paid is less than the Standard of Assistance (payment amount), the amount to be recouped will be equal to the amount that can be paid.

The monthly assistance payment will be reduced according to B (1) and (2) above until such time as the overpayment has been repaid. If, however, income and/or cash reserves have been counted in establishing the client's ability to repay, recovery of the overpayment may also be accomplished through voluntary repayment. This option is to be offered to the client prior to initiating a recoupment.

If recoupment reduces the payment to zero, the case will be retained as TANF eligible with no money payment.

- C. Recovery consists of making arrangements with a former or current recipient or payee for voluntary repayment of all or a portion of the overpayment even though the client may no longer be eligible for assistance. If a former recipient or payee fails to make the voluntary repayment, the agency must initiate action under Section 63.2-512, Code of Virginia, to collect the amount as a debt.

- E. Prompt Correction of Overpayments - An overpayment must be recouped or recovered as soon as administratively feasible. One of the following actions must have occurred by the end of the calendar quarter following the quarter in which the overpayment was first identified.
1. Repayment must have already been accomplished.
  2. Action to locate and/or recover from a former recipient must have been initiated.
  3. Repayment from current recipient occurring either through recoupment or voluntary repayment.

If instances occur where none of the three actions have been taken by the time stated above, the overpayment must still be recouped or recovered.

If prosecution for an IPV occurs, then the amount of court ordered restitution will be the amount of the overpayment to be recovered from that case.

**If the court charges interest fees on court-ordered restitution and includes the interest in payments made to the local agency, the agency must retain the funds.**

- F. Determining Intentional Program Violations (IPV) - A client error may or may not be an IPV, which exists when there is evidence clearly establishing that the recipient willfully withheld information or gave false information affecting his eligibility or the amount of assistance. (See Section 102 for further procedures.)
- G. Reporting Overpayments - In instances where the assistance payment is reduced or suspended to recoup an overpayment previously repaid to the Department of Social Services, or cash amounts are received as recovery of money previously repaid to the Department of Social Services from local funds, an adjustment must be reported on LASER in order that the locality can recover local funds paid to the State. The amount of the deduction made from the current payment, the amount of the suspended payment, or the cash amount received as recovery should be shown as an addition to expenditures in LASER.
- H. Retention of Overpayment Records - All overpayment records must be maintained for three years after the claim is paid, administratively closed, or written off. (See 100.4 for information about the Library of Virginia schedule for retention of specific types of information). All documentation pertinent to the overpayment should be attached to the screen print of the overpayment and maintained in the case file. The file should contain the following screen prints: the "Liable Person" screen, which will include the individuals liable for the claim and the "Benefits Adjustment" screen showing the calculation.

\* 45 CFR 233.20(a)(13)(ii)

A. How to Process a Direct Deposit Request

Responsible <u>Party</u>	<u>Action</u>
Client	<ul style="list-style-type: none"> <li>• The client must provide a completed and signed Direct Deposit Enrollment Authorization Form (032-03-672) and a voided check. <b>A bank’s letter of verification on its letterhead or a recent monthly statement, either documentation with the client’s name, account, and routing information, may be used in lieu of a voided check.</b></li> <li>• The client is to complete Section 1 of the form. Section 2 must be completed by the bank if the client does not have a voided check, <b>canceled check, a bank statement or if the client wants their benefits directly deposited into their savings account.</b></li> </ul>
EW	<p>The case must be in ongoing mode. The case name must be on the bank account. The bank account can be a checking or savings account.</p> <ul style="list-style-type: none"> <li>• From Left Navigation in VaCMS, the Eligibility Worker selects: Data Collection → Eligibility → <b>TANF Method of Issuance.</b></li> <li>• Enter the case number → Click Search → Enter the appropriate dates.</li> <li>• The account name is pre-filled with the name of the TANF Benefit Recipient selected on the SNAP/TANF Case Level - Details screen. The bank account must be in the TANF Benefit Recipient name. In the Issuance Method drop-down, select Direct Deposit.</li> <li>• Under Direct Deposit Information, if using a voided check, enter the account’s “First” name → Enter the account’s “Last” name → Enter the bank name.</li> <li>• For Account Type select checking or savings from the drop-down. Enter the account number which is the second set of numbers located at the bottom of the check. Enter the account number a second time.</li> <li>• Enter the bank routing number, which is the first set of numbers at the bottom left of the check. The routing number and account number is separated by a colon. Click Submit. The message “Request has been Successfully Submitted” will display.</li> <li>• If you are entering information from the Direct Deposit Enrollment form completed by the bank, enter the routing number and account number that is on the form. Click Submit. The message “Request has been Successfully Submitted” will display.</li> </ul>

G. How to Change the Payment Issuance Method from Debit Card to Direct DepositResponsible  
PartyAction

EW

## Client Request

- Upon receiving a request in writing or a completed Request for Change of Issuance Method form (032-03-0996) available at <https://fusion.dss.virginia.gov/Portals/%5Bbbp%5D/Files/Request%20for%20Change%20of%20Issuance%20Method.pdf>—the EW will select from the Left Navigation, Eligibility → TANF Method of Issuance → Enter the case number → Search.
- The TANF Method of Issuance screen displays, the “Pay To” field will be prefilled with the name of the TANF Benefit Recipient selected on the SNAP/TANF Case Level - Details screen. At the Method of Issuance field click on the drop-down and select “Direct Deposit”. Click Submit.
- The bank account must be in the case name. Beside Issuance Method in the drop-down select the Direct Deposit.
- Under Direct Deposit Information, if using a voided check, **a bank’s letter of verification on its letterhead or a recent monthly statement (either documentation with the client’s name, account number and routing number)**, then enter the account “First” name. Enter the account “Last” name. Enter the “Bank” name.
- For Account Type select Checking or Savings from the drop down. Enter the account number which is the second set of numbers located at the bottom of the check. Enter the account number a second time.
- Enter the routing number, which is the first set of numbers at the bottom of the check on the left hand side. The routing number and account number are separated by a colon. Click Submit. On the upper left corner of the message “Request has been Successfully Submitted” will display.
- If you are entering information from the Direct Deposit Enrollment form completed by the bank, enter the routing number and account number that is on the form from Section 2 of the form (032-03-0672). Click on Submit.
- On the upper left corner of the message “Request has been Successfully Submitted” will display.

2. explaining the benefits of providing information to DCSE such as possible entitlement to receive up to a \$100 disregard per month when support has been collected, monetary support for the child if the applicant/recipient loses TANF benefits, and future benefits or pensions for the children;
3. securing information regarding absent parent(s), and the amount of support, if any, which is received by or on behalf of the applicant/recipient from such persons;
4. reporting information about absent parent(s) to DCSE;
5. explaining the applicant/recipient's rights and responsibilities regarding the automatic assignment of rights to support (201.9), the requirement regarding cooperation in obtaining support, and good cause for refusing to cooperate (201.10);
6. in pending applications where it appears from the applicant's statement that a putative father is living in the home, the local agency may pursue the establishment of paternity. An Acknowledgement of Paternity (AOP), [form VS22](#), obtained from the local health department, should be used for this purpose. The form must be completed, signed by the putative father and the mother, and notarized. A copy of the notarized Acknowledgement of Paternity should be filed in the case record, **an original copy given to the parents**, and the original sent to the **local agency's Regional District DCSE Office**. **A list of Regional District DCSE Offices may be accessed at [dss.virginia.gov/family/dcseoffices.cgi](https://dss.virginia.gov/family/dcseoffices.cgi).**

**When an AOP is completed for a child born outside of the state of Virginia, the local agency is to send the original notarized AOP to the child support agency in the State in which the child was born. To confirm the mailing address for the out-of-state child support agency, the local department of social services should access the Intergovernmental Reference Guide (<https://ocsp.acf.hhs.gov/irg/welcome.html>) and select the State→ Contact→, and select an agency contact from the States Central Registry or Customer Service list.**

Once a child becomes a recipient, the agency is not to pursue the putative father for the purpose of establishing paternity. However, the agency will accept an acknowledgment of paternity which is initiated by the putative father at any time. Paternity will be established by a notarized Acknowledgement of Paternity form that has been signed by both parents. There will be no instance in which the local agency initiates court action for the purpose of establishing paternity when the putative father is not in the home. Additionally, the local agency will not accept a notarized statement denying paternity under any circumstances.

7. determining good cause for not cooperating with DCSE;
8. determining noncooperation with the local department of social services;
9. determining exceptions to providing identifying information on the noncustodial parent in Section [201.10 A.1.c.](#)).



Example 1: TANF case is suspended effective July 1 because the agency is unable to locate the client. The client contacted the agency on July 12 and reported a new address. The assistance unit has zero countable income.

Eligibility worker is reinstating the TANF payment on July 14<sup>th</sup>

APECS shows a total of \$189 has been sent to the client in July.

TANF Payment amount	<b>\$482</b>	Mailed support	\$189.00
		Disregard amount	<u>-100.00</u>
			\$ 89.00

TANF Payment amount **\$482** - \$89 = **\$393** TANF supplement for July

Another payment of \$102 is made to DCSE on July 23<sup>rd</sup> and deposited to the client's EPPICard account on July 27<sup>th</sup>. The support payment posted to the client's account will not be considered an overpayment.

Example 2: TANF case is suspended effective July 1, because the client failed to provide required verifications for a change reported on June 5<sup>th</sup>. The client provided the verifications to the agency on July 20. The assistance unit has zero countable income.

Eligibility worker is reinstating the TANF payment on July 21<sup>st</sup>.

APECS shows a total of \$250 has been sent to the client in July.

TANF Payment amount	<b>\$681</b>	Mailed support	
		Disregard	

TANF Payment amount **\$681** - \$150 = **\$531** TANF supplement for July

Another payment of \$50.00 is made to DCSE on July 25<sup>th</sup> and deposited to the client's EPPICard account on July 29<sup>th</sup>. The support payment posted to the client's account will not be considered an overpayment.

Example 3: The “TANF-Cases Current Collect Support” report in August shows a TANF case with a “Suspended” TANF Program Status because of a first VIEW sanction. The worker suspended the case on July 30<sup>th</sup> effective September 1<sup>st</sup>. The net support for July is \$586 with a monthly TANF payment of **\$482**. One asterisk displays in the column “DCSE Net Support Amount”.

No action is taken on the case for September.

A regular TANF payment will be issued for August. VaCMS will send a 'trigger' to DCSE at the end of August. DCSE will change this case to Non-TANF for the beginning of September.

All current support paid to DCSE from the non-custodial parent(s) in the month of September will be sent to the TANF recipient.

On August 16<sup>th</sup>, the client met VIEW program requirements. Since the client must serve a one-month sanction, she is not entitled to September benefits. The worker must wait until after the August cutoff date to reinstate the TANF benefit effective October 1<sup>st</sup>.

The worker does the following:

1. Runs eligibility and certifies and authorizes the October payment with an 'Approved' Eligibility Result.
2. A supplemental payment is not issued for the month of September. (The VIEW fixed sanction period of one month must be served.)

DIVERSIONARY ASSISTANCE EXAMPLES

Example 1:

Ms. Elliott applied for diversionary assistance on June 1st for herself and two children. She had been working full time but was laid off on May 24<sup>th</sup>. She will receive her final paycheck on June 4<sup>th</sup> in the amount of \$403. She also has a part-time job working 15 hours a week at \$8 an hour.

Ms. Elliott is requesting assistance in paying off a \$1200 medical bill. She is no longer able to make payments on it since she lost her full-time job and has been threatened with court action. Her situation meets the diversionary assistance requirement of a crisis or emergency situation which can be solved by short-term aid.

Because the final check Ms. Elliott will receive is from a terminated source, that income will not be considered in determining her eligibility for diversionary assistance and will not be entered on the employment details screen. (Note: If the amount of the final paycheck is entered, it will be counted in determining eligibility even though it is from a terminated source.) Ms. Elliott has monthly income from her part-time job of \$516 (\$8 per hour x 15 hours per week x 4.3 = \$516). That income is ongoing and will be counted in determining diversionary assistance eligibility.

Ms. Elliott's monthly income of \$516 is less than the **\$966** maximum family income for a family of 3 in a Group II locality and the maximum income case passes the maximum income screen. The Standard of Assistance for her family size is **\$482**, but the case is eligible for only **\$179** per month based on Ms. Elliott's income. The maximum diversionary assistance amount available to the family is \$1500. Ms. Elliott agreed that this amount would help her situation. She needed a minimum of \$600 to forestall court action. She decided to proceed with an application for diversionary assistance.

Earned Income	\$ 516.00	(on going)
Standard Deduction for 3	<u>-167.00</u>	
Sub Total	349.00	
20% Reduction	<u>\$ 69.80</u>	
Total Grant Reduction	\$ 279.20	
TANF Payment Amount	\$ <b>179.00</b>	(Group II, SOA for 3 = <b>482.00</b> ; <b>482.00</b> - \$279.20 = <b>\$179.80</b> )
Diversionsary Assistance Period	x <u>4</u>	months
Total Diversionsary Assistance Amount	\$ <b>716.00</b>	
Maximum Diversionsary Assistance Amount	\$1500.00	
Applicant Need	\$1200.00	(medical bill)
Diversionsary Assistance Payment Amount	\$1200.00	

Example 2:

Ms. Ortiz applies for diversionary assistance on November 2<sup>nd</sup> for herself and her two nieces. She works at a large retail nursery supplying herbs and produce to restaurants and grocery stores in the eastern states. The nursery closes from November 1<sup>st</sup> to February 28<sup>th</sup> each year.

Ms. Ortiz works between 25 and 40 hours a week and earns \$8 per hour. She worked 30 hours the last week in October and will receive her final paycheck on November 9<sup>th</sup>. That paycheck for gross income of \$240, will be the only income, earned or unearned, that she and the children will receive for November. Ms. Ortiz states that she is optimistic that she will find a job in the next week or so, but does not have enough money to pay her November car payment of \$550, her rent of \$1050 and her utility bill, including arrears, of \$350.

Ms. Ortiz's situation meets the diversionary assistance requirement of a crisis situation which can be solved by short-term aid, and she meets TANF income and other eligibility criteria.

While Ms. Ortiz has \$240 in earned income for November, the income is not counted in determining the amount of assistance since it is from a terminated source. The income is not entered on the employment details screen. Her needs total **\$1,950** which exceeds the maximum diversionary assistance payment of **\$1,928**. The diversionary assistance granted is the maximum payment of **\$1,928**. Ms. Ortiz's sister agrees to give her **\$22** to combine with the maximum diversionary amount so that the crisis situation can be resolved.

The household has no countable income.

TANF Payment Amount	<b>\$ 482.00</b>	(Group II, SOA for 3 = <b>\$482</b> )
Diversionsary Assistance Period	$\times \underline{\quad 4}$	months
Total Diversionsary Assistance Amount	<b>\$ 1,928.00</b>	
 Applicant Need	 <b>\$1,950.00</b>	 (\$550.00 car payment + \$1050.00 rent + \$350.00 utility bill)
 Diversionsary Assistance Payment Amount	 <b>\$1,928.00</b>	

Example 3:

Mr. and Mrs. Carter apply for diversionary assistance on July 25<sup>th</sup> for themselves and their three young children. Mr. Carter's employer, a small manufacturer supplying the automobile industry, closed abruptly on March 20<sup>th</sup>. The employees were given no notice and no severance pay. Mr. Carter received his last paycheck, which included his wages through the day the plant closed, in the mail the next week. Since then, the family has survived with the help of family and friends, and a hardship withdrawal of \$12,000 from his small 401k. The balance in the 401k is now \$2,000 and Mr. Carter is hesitant to use it since the family will then be destitute. The family is requesting help with August rent and utilities.

Since Mr. Carter's employment income from March is from a terminated source and since the loss of income occurred within the six months preceding the application date, it is not considered in determining eligibility for diversionary assistance and is not entered on the employment details screen. The family has no other income and the case passes the maximum income screen.

The Carter family's need for rental and utility assistance meets the diversionary assistance requirement of a crisis or emergency situation which can be solved by short-term aid. However, the family did not have copies of the children's birth certificates at the time of application so the agency was unable to immediately establish relationship and approve the diversionary assistance application.

Mr. Carter returned to the agency on August 11<sup>th</sup> with the children's birth certificates and the agency was able to establish relationship. Mr. Carter told the agency at that time that his wife had begun caring for a neighbor's child after school and would be making \$50 a week through the end of the school year. She was paid \$50 for one week of work on August 9<sup>th</sup>.

Since the agency had not yet approved the diversionary assistance application; and since Mrs. Carter has received income which will be ongoing, the agency must re-determine the family's eligibility for assistance.

Mrs. Carter's monthly income of \$215 is less than the **\$1,622** maximum family income for a family of 5 in a Group III locality and the case passes the maximum income screen. The standard of assistance for a family of 5 in a Group III locality is **\$811**. After the earned income disregards are applied to Mrs. Carter's income, the grant amount is reduced to **\$806**. The maximum diversionary assistance payment is determined by multiplying the grant amount by 4, the number of assistance payments the family could receive in a 4-month period. The actual diversionary payment is the maximum amount, or the eligible needs of the applicant, whichever is less.

Earned Income	\$ 215.00	(ongoing income)
Standard Deduction for 5	<u>- 209.00</u>	
Subtotal	\$ 6.00	
20% Reduction	<u>- 1.20</u>	
Total Grant Reduction	\$ 4.80	
TANF Payment Amount	<b>\$ 806.00</b>	(Group III, SOA for 5 - <b>\$811</b> ; <b>\$811-\$4.80 = \$806.20</b> )
Diversionsary Assistance Period	<u>x</u> 4months	
Total Diversionsary Assistance Amount	<b>\$3,224.00</b>	
Applicant Need	\$1,225.00	(\$875.00 rent + \$350 utilities)
Diversionsary Assistance Payment Amount	\$1,225.00	

Example 4:

Mr. Lawrence, a former VIEW participant with 22 months on the 24-month clock, applied for diversionary assistance on March 28<sup>th</sup> for himself and one child. He had not been working steadily for some time but found what he believes to be secure employment one week before he applied for assistance. He makes \$12 an hour and will receive his first paycheck in two weeks. He has been living with friends, but has been asked to leave now that he has income. He has located an apartment but needs help in paying the rent and security deposit of \$575 each. His situation meets the diversionary assistance requirement of a crisis or emergency situation which can be solved by short-term aid.

Because Mr. Lawrence's income has not yet started, the income will not be considered in determining his eligibility for diversionary assistance. The delay in the receipt of income will meet the diversionary assistance guidance requirement. His anticipated income will not be entered on the employment details screen.

The Standard of Assistance for a family of two in a Group III locality is **\$489**. The maximum diversionary assistance payment is **\$1,956**. (**Note:** The number of months used to calculate the maximum diversionary assistance amount is always 4 without regard to the number of months on the VIEW clock or 60-month clock at application).

TANF Payment Amount	<b>\$ 489.00</b>	(Group III, SOA for 2) months
Diversionary Assistance Period	<u>4</u>	
Diversionary Assistance Amount	<b>\$1,956.00</b>	
Applicant Need	\$1,150.00	(\$575.00 rent + \$575.00 security deposit)
Diversionary Assistance Payment Amount	\$1,150.00	

Example 5:

Ms. Clark applied for diversionary assistance on August 15<sup>th</sup>, after her boyfriend, Mr. Lawrence, moved out earlier in the month. They had lived together for four years and he is the father of her two children. He had been the sole support of the family. Ms. Clark has an associate's degree in Business but has not worked since her youngest child was born two years ago.

Mr. Lawrence did not pay the \$827 mortgage on their home which was due August 1, or the telephone and electric bills which total \$125, or make the \$235 car payment on Ms. Clark's car. Ms. Clark began looking for employment as soon as she realized that Mr. Lawrence had left permanently and has found full time employment at \$11.20 an hour beginning August 20<sup>th</sup>. Her first paycheck for one week's pay will be received on September 3<sup>rd</sup>.

Because Ms. Clark has found employment and will be able to support her family in the future, the loss of income (from Mr. Lawrence) can be considered a temporary loss as required by diversionary assistance guidance. She meets the other criteria for diversionary assistance.

TANF Payment Amount	<b>\$ 587.00</b>	(Group III, SOA for 3) months
Diversionary Assistance Period	<u>4</u>	
Diversionary Assistance Amount	<b>\$ 2,348.00</b>	
Applicant Need	\$ 1,187.00	(\$125.00 utilities + \$235.00 car payment + \$827.00 mortgage)
Diversionary Assistance Payment Amount	\$1,187.00	

Example 6:

Mrs. Noel applied for diversionary assistance on December 3<sup>rd</sup> for herself and four children. She has been employed by the same company for three years, working 30 hours per week, but has just received notification that all employees would be cut back to 18 hours per week at least until February. The employer hopes to return all employees to their regular hours and pay at that time. Mrs. Noel makes \$8 an hour and received her last full pay check on November 28<sup>th</sup> in the amount of \$240.

Ms. Noel is concerned that she will be unable to make her mortgage payments for December and January, and possibly February, and still keep up with her other bills. Ms. Noel has been purchasing her Habitat for Humanity Home for three years. Her mortgage payment of \$650 per month is due on the 15<sup>th</sup>.

Mrs. Noel's income for December will be \$619.20 (\$8 per hour x 18 hours per week x 4.3 = \$619.20) which is less than the **\$1,361** maximum family income for a family of 5 in a Group II agency. The case passes the maximum income screening.

Her situation meets the diversionary assistance requirement of a crisis or emergency situation which can be solved by short-term aid, and she meets TANF income and other eligibility criteria.

The standard of assistance for a family of 5 in a Group II locality is **\$681** but the case is eligible for only **\$295** per month based on Mrs. Noel's income. The total diversionary assistance amount available to the family is **\$1,500**. Mrs. Noel decided to rely on her family for help with her mortgage for December and January. **She** does not want to jeopardize her TANF eligibility in case her employer has to lay off employees in the future.

Earned Income	\$619.20	(ongoing income)
Standard Deduction for 5	<u>-205.00</u>	
Sub Total	\$414.20	
20% Reduction	<u>- 82.84</u>	
Total Grant Reduction	\$385.36	
TANF Payment Amount	<b>\$ 295.00</b>	(Group II, SOA for 5 = <b>\$681</b> ; <b>\$681-\$385.36 = \$295.64</b> )
Diversionsary Assistance Period	<u>x 4</u>	months
Total Diversionsary Assistance Amount	<b>\$1,180.00</b>	
Maximum Diversionsary Assistance Amount	\$1,500.00	
Applicant Need	\$1,950.00	(mortgage - \$650 per month x 3 months)
Diversionsary Assistance Payment Amount	None, based on client's decision.	

- H. A parent or caretaker/relative of a child under 12 months of age who personally provides the care for a child. Note: This exemption can apply to an individual that is caring for a child under 12 months of age, regardless of the relationship as long as the child resides in the home of the caretaker.

Effective July 1, 2011, Virginia implemented the federal 12-month lifetime limit exemption for caring for a child under 12 months in the AU, or caring for a child under 12 months in the household, but not in the AU. Beginning with that date, an individual is eligible for no more than 12 months of the “caring for a child under 12 months” exemption in a lifetime.

Example 1: In 2016, Ms. Able used eight months of the “caring for a child under 12 months” lifetime limit exemption, with her first child. On January 5, 2018, at reapplication, Ms. Able notifies the agency that she is now caring for her newborn who is a SSI recipient. Based on receipt of SSI, the newborn is not included in the assistance unit. However, Ms. Able is eligible for the remaining four months of the “caring for a child under 12 months” lifetime limit exemption.

Example 2: Ms. Lange receives TANF for herself and her two children. On January 5, 2019, Ms. Lange notifies the agency her neighbor’s six months-old child has moved into her home while the neighbor is incarcerated. Because there is no relationship, Ms. Lange is not eligible to receive TANF for the child. However, because she is caring for a child in the household under 12 months, she is eligible for the “caring for a child under 12 months” lifetime exemption.

In a double caretaker TANF assistance unit in which one parent is incapacitated, the eligibility worker must refer the other caretaker for participation unless he can provide a written doctor’s statement indicating that the incapacitated caretaker is unable to care for the child under twelve months.

Note: This exemption status will be used for a parent who has reached the 12-month lifetime limit for the use of the “caring for a child under 12 months” exemption.

- I. **TANF recipients who opted to be exempted from mandatory participation in VIEW after they have verified their full-time enrollment 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. (Reference House Bill 484)**

In the VIEW Program, a parent whose needs are removed from the payment must participate unless otherwise exempt. Reasons why the parent’s needs have been removed from the payment include, but are not limited to: noncooperation with DCSE; disqualification for IPV violation; failure to provide a Social Security number; and failure to establish citizenship, eligible alien status, or legal presence. In addition, a parent whose needs are not included in the payment due to the stepparent deeming requirements, 305.4.F., or due to the sponsored alien deeming requirements, 305.4.D., must participate in VIEW, unless otherwise exempt.

A parent who does not meet TANF categorical requirements (parent is an SSI recipient or parent is an ineligible alien) is not required or eligible to participate in VIEW. For aliens who are in the country illegally, the EW must complete the Alien Details screen. For other individuals who are ineligible because they have not been in the country for five years from date of entry, including individuals who are lawful permanent residents, the EW must complete the Alien Details screen. Because these individuals are not part of the TANF AU, they will not be referred to VIEW.

Unless otherwise exempt, a parent who is a court convicted offender serving a sentence while still living in the home should be referred to VIEW if he is allowed by the court to leave home to work or attend education/training activities



VIEW PAYMENT CALCULATION

Example 1: Earnings

Assistance unit of 2 in a Group II locality. Mom earns \$456 gross income each month.

Step (1) Screening at Federal Poverty Level

\$ 456.00	Gross Monthly Earnings <
\$1,452.00	Monthly Federal Poverty Level for 2

Step (2) Unearned Income

<b>\$ 385.00</b>	Standard of Assistance for 2
<u>- 0.00</u>	Unearned Income
<b>\$ 385.00</b>	TANF Deficit

Step (3) Earned Income Disregards

\$ 456.00	Gross Monthly Earnings
<u>- 167.00</u>	Standard Deduction for 2
\$ 289.00	x 20% =57.80
<u>- 57.80</u>	
\$ 231.20	Net Earned Income

Step (4) Add Net Earned Income and TANF Deficit

\$ 231.20	Net Earned Income
<u>+385.00</u>	TANF Deficit
<b>\$ 616.20</b>	< Monthly Federal Poverty Level for 2
\$ 385.00	= VIEW Payment (TANF Payment)

## Example 2: Earned and Unearned Income

Assistance unit of 2 in a Group II locality. Mom earns \$305 gross monthly and the assistance unit also receives \$120 unearned income monthly.

Step (1)	Screening at Federal Poverty Level		
		\$ 305.00	Gross Monthly Earnings <
		\$1,452.00	Monthly Federal Poverty Level for 2
Step(2)	Unearned Income		
		\$ <b>385.00</b>	Standard of Assistance for 2
		<u>-120.00</u>	Unearned Income
		\$ <b>265.00</b>	TANF Deficit
Step (3)	Earned Income Disregards		
		\$ 305.00	Gross Monthly Earnings
		<u>-167.00</u>	Standard Deduction for 2
		\$ 138.00	x 20% = 27.60
		<u>-27.60</u>	
		\$ 110.40	Net Earned Income
Step (4)	Add Net Earned Income and TANF Deficit		
		\$ 110.40	Net Earned Income
		<u>+ 265.00</u>	TANF Deficit
		\$ <b>375.40</b>	< Monthly Federal Poverty Level 2
		\$ <b>265.00</b>	= VIEW Payment (TANF Payment)

## Example 3: Earnings Result in Ineligibility

Assistance unit of 4 in a Group III locality. Mom earns \$2,392 monthly gross income.

Step (1)	Screening at Federal Poverty Level		
		\$2,392.00	Gross Monthly Earnings
		\$2,209.00	Monthly Federal Poverty Level for 4

The assistance unit is ineligible.

## Example 4: Maximum Reimbursable

Assistance unit of 6 in a Group II locality. Mom earns \$457 gross monthly income.

## Step (1) Screening at Federal Poverty Level

\$ 457.00	Gross Monthly Earnings <
\$2,965.00	Monthly Federal Poverty Level for 6

## Step (2) Unearned Income

<b>\$ 761.00</b>	Standard of Assistance for 6
<u>- 0.00</u>	Unearned Income
<b>\$ 761.00</b>	TANF Deficit
 <b>\$723.00</b>	Maximum Reimbursable Amount

## Step (3) Earned Income Disregards

\$ 457.00	Gross Monthly Earnings
<u>- 243.00</u>	Standard Deduction for 6
\$ 214.00	x 20% = 42.80
<u>- 42.80</u>	Net Earned Income
\$ 171.20	

## Step (4) Add Net Earned Income and TANF Deficit

\$ 171.20	Net Earned Income <
<u>+ 723.00</u>	Maximum Reimbursable TANF Deficit
<b>\$ 894.20</b>	< Monthly Federal Poverty Level for 6
 <b>\$ 723.00</b>	= VIEW Payment (TANF Payment)

## Example 5: Earned Income Case with Immunization Penalty

Assistance unit of 2 in a Group III locality. Mom earns \$966 gross monthly income. One member of the assistance unit receives \$60 SSA monthly. There is a \$50 immunization penalty.

## Step (1) Screening at Federal Poverty Level

\$ 966.00	Gross Monthly Earnings <
\$1,452.00	Monthly Federal Poverty Level for 2

## Step (2) Unearned Income

\$ <b>489.00</b>	Standard of Assistance for 2
<u>- 60.00</u>	Unearned Income
\$ <b>429.00</b>	TANF Deficit

## Step (3) Earned Income Disregards

\$ 966.00	Gross Monthly Earnings
<u>- 167.00</u>	Standard Deduction for 2
\$ 799.00	x 20% = 159.80
<u>- 159.80</u>	
\$ 639.20	Net Earned Income

## Step (4) Add Net Earned Income and TANF Deficit

\$ 639.20	Net Earned Income
<u>+ 429.00</u>	TANF Deficit
\$1,068.20	< Monthly Federal Poverty Level for 2
<b>\$ 429.00</b>	= VIEW Payment (TANF Payment)

## Step (5) Apply Immunization Penalty

\$ <b>429.00</b>	VIEW Payment
<u>- 50.00</u>	Immunization Penalty
\$ <b>379.00</b>	Net VIEW Deficit
<b>\$ 379.00</b>	= VIEW Payment (TANF Payment)

## Example 6: TANF-UP Household

Assistance unit of 4 in a Group II locality. Dad earns \$1,505 gross income.

## Step (1) Screening at 150% of the Federal Poverty Level

\$1,505.00	Gross Monthly Earnings
\$3,313.00	< 150% of the Monthly Federal Poverty Level for 4

## Step (2) Unearned Income

\$ 577.00	Standard of Assistance for 4
- 0.00	Unearned Income
\$ 577.00	TANF Deficit

## Step (3) Earned Income Disregards

\$1,505.00	Gross Monthly Earnings
- 181.00	Standard Deduction for 4
\$1,324.00	X 20% = \$264.80
- 264.80	
\$1,059.20	Net Earned Income

## Step (4) Add Net Earned Income and TANF Deficit

\$1,059.20	
+ 577.00	TANF Deficit
\$1,636.20	< 150% of the Monthly Federal Poverty Level for 4
\$ 577.00	= VIEW Payment (TANF Payment)

## Example 7: Earned Income Case with DCSE Non-cooperation

Assistance unit of 3, mom and two children, in a Group II locality. Mom earns \$1,100 gross income. She is not cooperating with DCSE. Her needs have been removed from the TANF payment and the assistance unit size has been reduced to 2.

Step (1) Screening at 100% of the Federal Poverty Level for an AU of 2

\$1,100.00	Gross Monthly Earnings
<b>\$1,452.00</b>	< 100% of the Monthly Federal Poverty Level for 2

Step (2) Unearned Income

\$ 385.00	Standard of Assistance for 2
- 0.00	Unearned Income
<b>\$ 385.00</b>	TANF Deficit

Step (3) Earned Income Disregards

\$1,100.00	Gross Monthly Earnings
- 167.00	Standard Deduction for 2
\$ 933.00	X 20% = \$186.60
- 186.60	
<b>\$746.40</b>	Net Earned Income

Step (4) Add Net Earned Income and TANF Deficit

\$ 746.40	Net Earned Income
+ <b>385.00</b>	TANF Deficit
<b>\$1,131.40</b>	< 100% of the Monthly Federal Poverty Level for 2
\$ 385.00	= VIEW Payment (TANF Payment)

## 1000.2 PARTICIPATION REQUIREMENTS

### A. VIEW Program Requirements

The participation requirements that govern the VIEW program are:

- 35 hours per week per VIEW participant, or 30 hours if the participant is employed full time, including employment in an On the Job Training (OJT) position.

Note: Refugee families receiving TANF or TANF-UP payments are subject to VIEW participation requirements. (Refugee families who are not eligible for TANF or TANF-UP, but who receive Refugee Cash Assistance (RCA), are not eligible to participate in VIEW.)

The participation requirements are designed to meet the needs of participants, assist participants in achieving self-sufficiency and to meet the federal work participation rate. In some respects, the VIEW requirements are different from the federal requirements regarding work participation rate calculations.

#### 1. **VIEW participation is optional for postsecondary students**

**TANF recipients 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 may have the option to be exempted from mandatory participation in VIEW (see House Bill 484). The choice to not participate in VIEW will make the recipient ineligible to receive supportive services.**

### B. Federal Work Participation Rate Requirements

A participation rate is a ratio. The federal work participation rate represents who is participating in work activities out of all those expected to participate. To count toward the numerator of the monthly participation rate, a TANF recipient must be in an allowable activity for at least a minimum average number of hours per week:

- 20 hours per week for single parents with children under 6,
- 35 hours per week for two-parent families (55 hours if child care is provided),
- 30 hours per week for all other families.

Each State must meet two separate work participation rates:

- the two-parent rate--based on how well it succeeds in helping adults in TANF-UP families participate in work activities, and
- the overall rate--based on how well it succeeds in placing adults in both TANF and TANF-UP families in work activities. Each State must achieve an overall participation rate of 50% and a two-parent rate of 90%.

If the state fails to meet either minimum work participation rate for a fiscal year, it is subject to a severe financial penalty. The state loses 5% of the TANF block grant (\$7.9 million) for failing to meet the rate. In addition, the state must increase state spending to make up the loss of federal funds and such spending does not count toward the state's spending requirement. Additionally, the state's spending requirement increases by \$8.5 million. Local funding for VIEW will be impacted if the state is penalized.

### C. Computation of the Overall Federal Work Participation Rate

The overall participation rate for a fiscal year is the average of the state's overall participation rates for

The ESW will offer the client screening for domestic violence, learning disabilities, mental health problems, physical disabilities, and alcohol and substance abuse if a disability determination has not been made and if it seems likely that a disability may be affecting the client's progress in the program. All VIEW participants must be offered the screenings within 90 days of signing the APR. If the screening indicates that the client may have a disability, the ESW will refer the client to a qualified professional for an in-depth disability evaluation.

The client's Activity and Service Plan will be revised and updated to reflect all needed services and any accommodations relating to disabilities or other barriers to participation.

- I.** Unless the client is employed full time sixty days prior to the end of her two-year limit on assistance, the ESW will reassess the client and assign her to Individual Job Search, Group Job Search, or Job Club and to either FEP, CWEP, PSP, or OJT. If the participant is currently working at least 30 hours 60 days prior to the two-year time limit, she is not required to participate in additional component activities.

If a VIEW participant is employed full time 60 days prior to the end of her 24-month period then loses her job, her hours decrease to less than 30 hours per week, or her wages decrease to less than minimum wage, she will be assigned to Individual Job Search, Group Job Search, or Job Club, and also to either FEP, CWEP, PSP, or OJT for the remainder of her VIEW enrollment.

This assignment will be made even if the client has already participated in the maximum of 6 weeks of countable Job Search for the fiscal year.

- J.** A participant can apply for a hardship exception during the 60-day period prior to the end of the two-year time period. Clients who are granted a hardship exception will have the period of TANF eligibility extended.



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 (032-03-0654) 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 reappplies, 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.**

Limitations on Post-Secondary Education Directly Related to Employment meeting the definition of Job Skills Training:

- (1) Post-secondary activities directly related to employment (certification, associate, or baccalaureate programs) will be limited to a period of twenty-four months. Participants will not be assigned to an educational activity which cannot be reasonably completed within a twenty-four month period of VIEW participation.

The assignment to post-secondary cannot exceed the number of months remaining in the 24-month period for a former VIEW participant returning to the program.

- (2) The post-secondary education must be related to the jobs which are available in the community or are projected to become available in the community.
- (3) Participants referred to post-secondary activities must have a high school diploma or GED prior to beginning the curriculum.
- (4) Participants with a Certificate or Associate degree will not be assigned to additional post-secondary education except in situations in which the Certificate or Associate degree is more than five years old and the agency determines that additional education or training is needed to enhance the client's employability.
- (5) Participants with a Baccalaureate degree will not be assigned to additional post-secondary education. These participants are considered to have the education and ability needed to obtain employment.
- (6) Reimbursement for tuition, books, and fees will be made for only the twenty-four month period unless the participant has been granted a hardship exception of up to one year to enable the participant to complete employment-related education. The participant must apply for all available sources of funding including Pell grants, scholarships, work-study, or other sources.

**Exception:**

**Optional participation in VIEW for postsecondary students. Any individual enrolled in full-time postsecondary higher education as outlined in House Bill 484\* will have the option to participate in VIEW. The choice to not participate in VIEW will make the recipient ineligible for supportive services. (Refer to 1000.12 Supportive Services)**

**B. Education Below the Post-Secondary Level**

Education below post-secondary is an allowable program activity for participants who have not received a high school diploma or GED certificate and whose employability would be enhanced by additional education. It includes ABE, GED, and ESL programs as well as secondary school and may be offered in non-traditional as well as traditional settings. Each assignment to this type of activity should be for a period of time that will coincide with the length of the program whenever possible but should not exceed six months.

1. Educational Activities
  - a. Participants assigned to this component will be those identified as needing certain educational activities to become ready for further education, training or job entry. Participation in education programs below the Post-Secondary level will be limited to one year.

**DIRECT DEPOSIT ENROLLMENT AUTHORIZATION**

Direct Deposit, also known as electronic funds transfer, allows the Department of Social Services (DSS) to electronically deposit your TANF payments directly into your checking or savings account.

**Why should I sign up for Direct Deposit?**

- You will get your money faster because mailing is eliminated.
- You do not need to make extra trips to the bank or wait in long lines.
- Your check cannot be lost or stolen.

**How does Direct Deposit work?**

Each month when your TANF check is ready to be mailed to you, DSS will electronically deposit funds directly into your checking or savings account.

**Who can sign up for Direct Deposit?**

Each TANF case that has a checking or savings account may be signed up for Direct Deposit.

**Bank Fees**

While Direct Deposit is free, some banks charge fees for accounts. Make sure you understand the guidelines and fees that will apply to your account.

**How do I sign up for Direct Deposit?**

Fill out Section 1. Bring this completed form and a voided or cancelled check or a bank letter of verification on its letterhead or a recent bank statement, either documentation with your name, account number and bank routing information to your interview with your eligibility worker. Section 2 must be completed by the bank if you do not have the voided check, bank letter, recent bank statement or if you want your benefits direct deposited to your savings account.

**When will my Direct Deposit start?**

DSS will notify you when your request is set up. Your Direct Deposit will start within 30 days after the bank tells DSS that your account is valid.

**How do I stop Direct Deposit?**

You must notify your local DSS in writing or you may request the Direct Deposit Cancel Request form at your DSS agency. If you notify the agency in writing, include your name, address, date, and social security number. Allow 30 days from the day the agency receives the request for your Direct Deposit to stop.

**How many Direct Deposit accounts can I open?**

A TANF case can only have one Direct Deposit account at a time. All payments will go into the one account until Direct Deposit is stopped.

**The case name on the TANF case has to be on the checking or savings account.**

**SECTION 1 (TO BE COMPLETED BY PAYEE/CASE NAME)**

NAME OF PAYEE (last, first, middle initial)		TYPE OF ACCOUNT: <input type="checkbox"/> CHECKING <input type="checkbox"/> SAVINGS	
ADDRESS (street, route, P.O. Box)		ACCOUNT NUMBER:	
CITY STATE ZIP CODE		SOCIAL SECURITY NUMBER: --- ---	
HOME PHONE #		WORK PHONE #	
I hereby authorize the _____ Department of Social Services to make deposits to this bank account. DSS may make deposits to this account until I cancel this authorization.			
Must attach one of the following: <input type="checkbox"/> I have attached a voided or cancelled check with my name and bank account number preprinted by the bank.			
SIGNATURE		DATE	

**SECTION 2 (TO BE COMPLETED BY THE BANK IF A CANCELLED, VOIDED CHECK, BANK LETTER, OR RECENT BANK STATEMENT IS NOT ATTACHED OR IF ARRANGING DIRECT DEPOSIT TO A SAVINGS ACCOUNT)**

NAME AND ADDRESS OF FINANCIAL INSTITUTION	ROUTING NUMBER	
	ACCOUNT NUMBER	
Name(s) on the Account		
PRINT OR TYPE REPRESENTATIVE'S NAME	SIGNATURE OF REPRESENTATIVE	TELEPHONE NUMBER DATE

## ENROLLMENT AUTHORIZATION AGREEMENT INSTRUCTIONS

FORM NUMBER - 032-03-0672-04-eng

PURPOSE OF THE FORM - The form authorizes electronic deposit of funds into the client's bank account. The form explains TANF Direct Deposit. Section 1 of the form records the client's name, address, city, type of bank account, bank account number, bank routing number, social security number, home telephone number, work phone number and the client's signature.

Section 2 of the form records information for the name and address of the bank, routing number of the bank, names on the account, bank representative name and signature and the date. A bank representative must complete Section 2 of the form if the client does not have a voided check, bank letter of verification on its letterhead or a recent bank statement, either documentation with the client's name, account number and bank routing information, or wants benefits direct deposited in to a savings account.

USE OF FORM – The information is used to process a Direct Deposit request. The form must be signed by the client before Direct Deposit can be processed. A voided check or deposit slip must be attached to the completed form.

NUMBER OF COPIES – Original and 1 copy.

DISPOSITION OF COPIES - Original will be put into client's record and a copy is given to the client.