

ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 12/12/97 Code Number 016,20,97--031

Name of Agency Division of County Operations

Department of Human Services

Contact Person Roy Kindle, Assistant Director, OPPD Phone 682-8251

Statutory Authority for Promulgating Rules Arkansas Act 1058 of 1997, the Arkansas Personal Responsibility and Public Assistance Reform Act

	Date
Intended Effective Date	Legal Notice Published <u>11/1/97</u>
<input type="checkbox"/> Emergency	Final Date for Public Comment <u>11/30/97</u>
<input checked="" type="checkbox"/> 10 Days After Filing	Filed With Legislative Council <u>10/30/97</u>
<input type="checkbox"/> Other	Reviewed by Legislative Council <u>12/4/97</u>
	Adopted by State Agency <u>12/13/97</u>

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

Roy Hart II
Signature

682-8375
Phone Number

Division Director
Title

12/22/97
Date

FILED
AR. REGISTER DIV.
97 DEC -2 PM 12:48
SHARON PRIEST
SECRETARY OF STATE
STATE OF ARKANSAS

MANUAL TRANSMITTAL

Arkansas Department of Human Services Division of County Operations

☐ Policy ☐ Form ☒ Policy Directive

Issuance Number: PD TEA 97-3

Transitional Employment Assistance Manual

Issuance Date: 12-1-97

From: Roy Hart
Director

Expiration Date: Until Superseded

Subj: AFDC IPV Disqualifications

Because of several problems associated with excluding from the TEA unit a parent who has been found guilty of an AFDC Intentional Program Violation (IPV), the decision has been made to lift those disqualifications. These problems include counting the case for purposes of the time limit, applying TEA work requirements, and being able to work easily from a systems standpoint with an adult who is under a six or twelve month disqualification since he or she is not on the WISE system. For those adults under a permanent disqualification, we have been advised that the time limit does not apply to them at all. Since this does not appear to be in keeping with the intent of the disqualification and does not appear to be equitable treatment of families, it has been decided that the best way to solve these problems is to lift the disqualifications. The adult will then be in open status on both the WISE and ACES systems so that work activities can be required and the time limit counted. The purpose of this directive is to outline the policy and procedures for handling current cases under a disqualification and those for which disqualification hearings are pending and decisions are made in the future.

Active TEA Cases with a Disqualified Member

The Office of Program Planning & Development will identify any active TEA cash assistance case which includes an adult who is in closed status due to an AFDC IPV disqualification. Any County Office which has such a case will be sent a notice advising of the case.

Upon receipt of the notice, the County Office will contact the casehead and request the disqualified individual to come into the office for an interview and Employability Assessment. During the interview, it will be explained that the disqualification sanction is being lifted, but that the disqualification will continue to count for purposes of any future TEA IPV disqualifications. The TEA IPV disqualification sanctions should also be emphasized to the client.

If the disqualified adult completes the assessment to the County Office's satisfaction and all other program requirements are met, the adult will be added to the TEA payment and will be treated as any other adult included in the unit. (Note: If the disqualified adult refuses or fails to complete the assessment, then appropriate action to close the case will be initiated.)

AFDC IPV Disqualification Decisions Received in the Future

The Appeals and Hearings Section will continue to conduct AFDC IPV Hearings and will continue to make and issue disqualification decisions. Upon receipt of an AFDC IPV disqualification decision, the County Office will file the decision in the case record but will not take action to drop the adult from the TEA payment. However, the County Office will notify the casehead of the disqualification decision via Form DCO-1. (Do not send Form DCO-120.) The notice will simply advise the casehead of the decision, that no payment sanction is being imposed, but that the disqualification will count for purposes of any future disqualifications against the TEA program.

Please note that these procedures apply only to disqualifications resulting from an Intentional Program Violation against the AFDC program. Any disqualifications resulting from an IPV against the TEA program will be handled in accordance with TEA policy - sections TEA 8102 and 8130.

Inquiries to: Linda Greer, TEA Policy Unit, 682-8257
Lorie Williams, TEA Policy Unit, 682-8256
Ron Johnson, TEA Policy Unit, 682-8182
Renee Green, TEA Policy Unit, 682-8266

220 • SATURDAY, NOVEMBER 1, 1997 • ♦

NOTICE
OF

Rulemaking

Pursuant to Arkansas Act 1058 of
1997, the Arkansas Personal Respon-
sibility and Public Assistance Reform

Act, the Director, Division of County
Operations issues a proposed TEA
Policy Directive 97-3, AFDC IPV Dis-
qualifications, to lift the monetary pen-
alty against a Transitional Employment
Assistance (TEA) cash assistance
case which was the result of an Inten-
tional Program Violation (IPV) against
the former AFDC program and to add
such person to the TEA case. This will
allow the agency to then apply the TEA
work requirements and time limits to the
disqualified individual. The disqualifi-
cation finding, however, will continue to
count for purposes of applying the more
stringent Administrative Disqualifica-
tion penalties if the same individual
commits an IPV against the TEA pro-
gram.

Copies of the proposed change
may be obtained by writing the Division
of County Operations, P.O. Box 1437,
Slot 1220, Little Rock, AR 72203, At-
tention: Office of Program Planning &
Development. All comments must be
submitted in writing to the address indi-
cated above no later than 30 days from
the date of this notice.

If you need this material in a differ-
ent format, such as large print, contact
our Americans with Disabilities Act Co-
ordinator at 682-8920 (voice) or 682-
8933 (TDD).

The Arkansas Department of Hu-
man Services is in compliance with Ti-
tles VI and VII of the Civil Rights Act and
Operates, manages, and delivers ser-
vices without regard to age, religion,
disability, political affiliation, veteran
status, sex, race, color or national ori-
gin.

/s/ Ray Hart II
Director

6260978

DEPARTMENT of Human Services

DIVISION of County Operations

PERSON COMPLETING THIS STATEMENT Roy Kindle, Assistant Director
Office of Program Planning & Development

TELEPHONE: 682-8251

FAX NO. 682-1597

FINANCIAL IMPACT STATEMENT

To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE - Proposed Policy Directive TEA 97-3 - AFDC IPV
Disqualifications

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes _____ No X

We do not anticipate any monetary impact as we expect less than 60 cases statewide to have grant increases due to lifting existing disqualifications.

2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation.

1997-1998 Fiscal Year

1998-1999 Fiscal Year

General Revenue
Federal Funds
Cash Funds
Special Revenue
Other
Total

General Revenue
Federal Funds
Cash Funds
Special Revenue
Other
Total

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation?

1997-98 Fiscal Year

1998-99 Fiscal Year

None

None

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

None

FILED
AR. REGISTER DIV.
97 DEC -2 PM 12:48
SHARON PRIEST
SECRETARY OF STATE
STATE OF ARKANSAS
BY _____