

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_

### **1030 Personnel**

12/06/11

~~DWS and DCO are responsible for the provision of personnel in their areas of responsibilities, which include determining eligibility, authorizing payments, and providing case management services to eligible families.~~

~~DHS County Administrators and DWS Office Administrators will develop procedures within their individual offices, through training and supervision, whereby decision-making occurs at the lowest possible level.~~

### **1040 Volunteers**

7/1/97

~~Volunteers are subject to the rules, regulations, and policies of the office where they are assigned. This includes the policies which govern the disclosure of information concerning DHS and its clients. The volunteer's supervisor in the DHS County Office is responsible for informing the volunteer of the disclosure policy for each program in which the volunteer works.~~

~~Volunteers may perform any duty in the DHS County Office as determined appropriate by the County Administrator. However, a paid DCO employee, as designated by the County Administrator, must review and approve any certification or benefit determination decisions recommended by a non-paid volunteer.~~

### **1060 Coordination with Other Programs**

7/1/97

~~The County Administrators will establish procedures to insure coordination between the TEA and other programs administered by the County Office.~~

### **1070 Maintenance of Electronic Case Records**

12/06/11

The maintenance of the Electronic Case Record is the responsibility of the DHS County Office staff. The electronic record will be maintained in ANSWER. The processing and review of TEA case actions will be conducted via ANSWER.

## **1080 Electronic Case Record Organization**

12/06/11

All forms and supporting documents related to an individual or household will be filed in the individual's or household's electronic case record in ANSWER. Application forms and other forms and documents relating to a budget unit will be filed in the Budget Unit Notebook. Forms and documents relating to a specific individual will be filed in the Client Notebook.

The following electronic case record organization system will be followed for the TEA cash assistance case.

### **BUDGET UNIT NOTEBOOK:**

#### **Application Status**

- Request for Assistance (DCO 215)

#### **Budget Unit Composition**

- Client Declaration Statement
- Diversion Assistance Agreement (DCO 182)
- TEA Document Deletion (Diversion and Reimbursement)
- TEA Warrant Cancellation
- Notice of Appointment (DCO 219)
- Request for Information (DCO 191)
- Collateral Statements
- All Manual Notices
- Change Report Forms (DCO 234)

**CLIENT NOTEBOOK:****Profile**

- Personal Responsibility Agreement (DCO 217)
- Assignment of Rights (DCO 237)
- Birth Certificates
- Social Security Card
- Social Security Enumeration
- Client ID
- Marriage License
- Divorce Decree
- Life Insurance Policies
- Deeds
- Acknowledge of Receipt of PUB 389 (DCO 188)

**Income**

- Earned and Unearned Income

**Resources**

- Household Resources

**Parent**

- Good Cause Claim (DCO 105)
- Good Cause Notice (DCO 90)

**Immunization**

- Immunization Verification

**Sanction (Program Violations)**

- IPV

- Drug Conviction
- Fugitive Felon
- Parole/Probation Violator

MARK-UP

## 10,000 Arkansas Work Pays

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02/02/0910/01/20

Arkansas Act 1705 of 2005 established the Arkansas Work Pays Program. Arkansas Work Pays is an incentive program designed to encourage working Transitional Employment Assistance (TEA) participants to remain employed after closure of the TEA case while increasing their hours of work and/or hourly wage. Families participating in Arkansas Work Pays will receive a monthly cash assistance payment in the amount of two hundred and four dollars (\$204) for up to twenty-four (24) months, provided they meet the Arkansas Work Pays eligibility requirements. The twenty-four (24) months will count toward the federal sixty (60)-month time limit, but not the state's TEA twenty-four (24)-month limit. This work incentive program may be limited to three thousand (3,000) families.

The eligibility worker will explain the Arkansas Work Pays program to the applicant and provide a Work Pays pamphlet during the initial interview for Transitional Employment Assistance (TEA) TEA cash assistance. The Department of Workforce Services (DWS) Workforce Specialist will discuss the Arkansas Work Pays program with the participant during ongoing case management activities. When the Transitional Employment Assistance (TEA) TEA case closes due to employment, the participant will receive additional information about Arkansas Work Pays, including a an Arkansas Work Pays application.

## **FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY**

**DEPARTMENT** \_\_\_\_\_

**DIVISION** \_\_\_\_\_

**PERSON COMPLETING THIS STATEMENT** \_\_\_\_\_

**TELEPHONE NO.** \_\_\_\_\_ **FAX NO.** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

**SHORT TITLE OF THIS RULE** \_\_\_\_\_

1. Does this proposed, amended, or repealed rule have a financial impact?  
Yes \_\_\_\_\_ No \_\_\_\_\_
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  
Yes \_\_\_\_\_ No \_\_\_\_\_
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes \_\_\_\_\_ No \_\_\_\_\_  
If an agency is proposing a more costly rule, please state the following:
  - (a) How the additional benefits of the more costly rule justify its additional cost;
  - (b) The reason for adoption of the more costly rule;
  - (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and
  - (d) Whether the reason is within the scope of the agency's statutory authority, and if so, please explain.
4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:
  - (a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_

Other (Identify)\_\_\_\_\_

Total\_\_\_\_\_

Other (Identify)\_\_\_\_\_

Total\_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

General Revenue\_\_\_\_\_

Federal Funds\_\_\_\_\_

Cash Funds\_\_\_\_\_

Special Revenue\_\_\_\_\_

Other (Identify)\_\_\_\_\_

Total\_\_\_\_\_

**Next Fiscal Year**

General Revenue\_\_\_\_\_

Federal Funds\_\_\_\_\_

Cash Funds\_\_\_\_\_

Special Revenue\_\_\_\_\_

Other (Identify)\_\_\_\_\_

Total\_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

**Current Fiscal Year**

\$\_\_\_\_\_

**Next Fiscal Year**

\$\_\_\_\_\_

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$\_\_\_\_\_

**Next Fiscal Year**

\$\_\_\_\_\_

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?
- Yes\_\_\_\_\_ No\_\_\_\_\_



If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously

with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

## **Statement of Necessity and Rule Summary**

### **Transitional Employment Assistance 1000 & 10,000**

#### **Statement of Necessity**

Outdated and non-valid information is being removed in Transitional Employment Assistance (TEA) Policy Manual sections 1030, 1040, 1060, 1070, 1080, and 10,000.

#### **Rule Summary**

Changes to the **Transitional Employment Assistance** (TEA) policy include:

- Removing outdated TEA policy sections 1030, 1040, 1060, 1070, and 1080.
- Removing the requirement that the eligibility worker provide a TEA applicant with an Arkansas Work Pays pamphlet from section 10,000.