

Q&A's for July 1 Changes

Twelve (12) Month Eligibility

1. Q: If we have a client come in to apply in March, and they are a school employee who doesn't work in the summer, should we set up the plans initially to show zero hours for June and July as we've done in the past?

A: Yes, we would set up the plans as we would have in the past.

2. Q: When we have given them 3 months and need verification they are now working 28 hours or more to prevent closure, do we need to average 30 days to make sure that they are working 28 hours again, or just get verification they are now scheduled to work 28 hours?

A: If 30 days wages are available to document this, then we should show it in that way.

However, if the change is new enough that there aren't yet 30 days' worth of wages to document the client's meeting the requirement, verification that they are now scheduled to work 28 hours per week would suffice.

3. Q: Could you provide some examples on how a change in HH members would impact the 3 month extension of Child Care.

a. Cohabiting Partner with Income enters home

b. Removing 18 year olds from CC HH

A: a.1) Amanda has an open child care case for her two year old child. She timely reports in early July that she was laid off from her job, and she has been authorized for the three month extension of child care eligibility for the months of August, September, and November at the same benefit level and family share deduction as she received in July. In early August, Amanda reports that her boyfriend has moved into the home, and he is employed full time with income that would bring the household income up to 180% of the FPL. The boyfriend is added to the case, and the three month extension of child care eligibility continues through November, or until Amanda again meets the minimum work requirement, whichever comes first. The benefits and family share deduction remain the same as they were in July. The worker will need to override the family share deduction to keep it the same.

a.2) Same situation as above, but Amanda's boyfriend's income puts the household income above 85% of the SMI. In this situation, the child care case would be closed effective August 31, allowing for timely and adequate notice.

b.1) Child care case is open for Debra and her 8 year old child. There are also two older children, age 15 and 18 (still in high school) included in the household size. On April 1, Debra reports that she lost her job, and she begins receiving unemployment benefits. Income remains below 185% of FPL, and her child care is authorized for the three month extension of benefits (same benefit level and same family share as for April) for May, June and July so that she can look for another job. On May 5th, Debra reports that her 18 year old has graduated from high school. The 18 year old is removed from the case, and with the change in household size, the household income is still below 185% of FPL for the household of 3. The three month extension of eligibility will continue through July at the same benefit level and same family share as she received in April.

b.2) Same situation with Debra, but with the removal of the 18 year old from the case, the household's income now exceeds 185% of FPL for a three person household, but is still below 85% of SMI. The three month extension of eligibility will continue through July at the same benefit level and same family share as she received in April.

b.3) Same situation with Debra, but the household's income now exceeds 85% of SMI for a household of 3. In this situation, the child care case would be closed effective May 31st.

4. Q: What happens when there is an unreported job loss? Client lost job 4 months prior to discovery but did not report. Are they considered to have used the 3 months extension? Are all months overpayments? Are they given an additional 3 months upon discovery of job loss if there are remaining months in the review period?

A: We would treat this as we would any other unreported change that was supposed to have been reported. We would have to go back and determine when the change actually occurred, when it should have been reported, and what action would have been taken if it had been reported timely. The additional 3 months of continuation could already have been used, and overpayments may exist for months beyond the 3 months' extension that they should have gotten, depending on the timing of events.

5. Q: Is there a closure option; or specification on reduced hours when the family only has need for childcare during the summer months? Do we close based on client's request for only summer months' childcare? We are anticipating no request made by the parent to close or terminate the plans once need has stopped. Example: Mom works 8-2:30 and has a school age child. Full time summer child care is needed but in Sept there is no longer a need for childcare. Are plans reduced to 0 hours? Is a 3 month ext. given to provide reasonable need or are the plans closed?

A: If the client requests child care only for the summer months, the case would be closed at the end of the last month care is needed, and the closure would be based on client's request (it was indicated in the initial request for child care that there was no need for months after the summer). The client request must be documented.

6. Q: Page 3 of the Implementation Memo

#6 Rose receives CC for her 2 year old and informs us that she is to go on maternity leave. This example states that we leave the plan open for three months with no changes made to the family share.

Do we add the newborn to her KSCares CC case the month after month reported for the birth of the child? This will change the Family Share for the Food Assistance Case.

A: This policy change does not change the date a reported change in circumstances will affect other programs. For Food Assistance, if the birth were reported in July, the child would be added to the Food Assistance case effective August. In this example, the child care benefit amount and the family share deduction would remain the same. The worker will need to override the family share deduction to keep it the same.

7. Q: #6 Continued

She informs us that she is going back to work on September 1 on her initial call July 1st, when would we be able to allow hours of childcare for the newborn?

A: If she has informed the agency of the exact date she will return to work (in this case, September 1) and we have the information needed to add the child, we can begin allowing child care hours effective September 1.

8. Q: What do we do if a client regains eligibility during the 3-month extension, but the approved hours are less than those approved for the extension or the family share is higher? For example, a client loses her job and we approve a 3-month extension based on her previously approved child care plan of 194 hours per month and a family share of \$46 per month. Then, within those 3 months, she notifies us that she has found another job but it is only part-time at 30 hours per week. We determine that the new child care need is for 158 hours per month with a family share of \$18. So, do we continue the extension for the full 3 months then switch to the new need, or do we immediately change the plans for the remaining review period to 158 hours?

A: Since this change has the parent once again meeting our 28 hour minimum work requirement, the change to the child care plans would be made the first possible month, allowing for timely and adequate notice.

Q: Also, if the decision is based on what's best for the client, what do we do if the advantage isn't clear? For example, maybe the child care hours are increasing slightly, but the family share is increasing significantly?

A: Once it is known that the client is again meeting child care eligibility requirements, the 3 month extension is ended (allowing for adequate notice if the benefits will increase, or timely and adequate notice if benefits will decrease) and eligibility for the remainder of the 12 month eligibility period would be determined based on the new circumstances.

9. Q: Regarding question #7 in the implementation memo, the client goes on maternity leave and gets the 3-month extension, but during those three months she applies for TANF. I'm just wondering why we would change the child care subtype and remove the family share if she wouldn't otherwise be eligible for child care (due to no personal need)? In the other examples, we don't touch the family share. For example, question #13 shows the opposite scenario. In that example, the client's eligibility for TANF ended due to excess income, but a family share wasn't assigned during the 3-month extension. Why would we remove the family share just because someone has been approved for TANF, if they only receiving child care due to the extension?

A: The subtype would be changed due to her receipt of TANF. In this example, the family share is changed to zero due to her receipt of TANF. The receipt of TANF drives the change in subtype and the change in family share to zero. Once TANF has ended, the subtype must be changed, but if the three month extension is for the three months immediately after TANF has ended, the child care plan hours and family share are based on the last month before the extension, therefore zero family share.

10. Q: EM childcare app January 2016. Plans written for 2 school age children with 65 hours Jan-May, 215 hours June – Aug and 65 hours for Sept – December. Clients calls and reports on August 10th that her job ended and she is now looking for a new job. Do we change the hours for September-November to 215 from the original 65 with this new policy?
- A: According to the new policy, benefits would be continued for three months based on the August benefits, in this case as 215 hours per month.
- Q: If they report in very late August would we then need to do an exception payment for Sept?
- A: Yes.
11. Q: Is there a notice being developed to send to households that are eligible for the 3 month CC extension due to a loss of employment, decrease in hours below the 28 per week or cessation of an approved training/education plan? If not, what notice would we use? The C502 or C101? If not, I think it would be extremely helpful so that consistent information is being sent to households eligible for the extension. I'm wondering if verbiage could also be included that if a change in circumstances is not reported before the end of the 3rd month, the CC plans will be terminated and the case closed effective xx-xx-xxxx. Is it possible that when the change is reported, the worker could go ahead and terminate the CC plan(s) at the end of the 3 month extension in case alerts get missed?
- A: Notice C410 has been developed and is now available for this purpose. Yes, it is acceptable to go ahead and terminate the cc plans at the end of the extension to avoid missing the alert, but if the client reestablishes eligibility by the end of that three month period, the plans will have to be reopened for the remainder of the existing eligibility period. DCF staff will need to remember to also send notices to the provider if the termination is prior to the end of the original eligibility period.
12. Q: In Example 3, under section II.A of the Implementation Memo, Lisa is working as a Para and will not be working during the summer. When the CC Plans WS was created in August at application approval, the summer months' hours calculation would look the same as the school months calculation, since the child is only 3 and not in school. What if this child was school aged? Since Lisa is not working during the summer, would we continue with the amount of hours that were authorized in May for June and July or with the summer hours figured on the worksheet?
- A: The hours for June and July would be continued at the rate authorized for May.
- A: Would that case close if the July review was rec'd late in August (for CC, there is no proration when there is a 30 day break), if benefits were not used for June and July (no use for 2 months)?
- A: If a review were received in late August, August eligibility would be based on August need. If there was a need for hours in August, eligibility would again be approved.
13. Q: Pi and school aged child. Pi loses their job in August. Would the hours for September continue at the summer month hours or change to the school month hours for the first month (September) of the three month extension if plans are already in place?

A: The hours for the extension period would be based on the hours authorized in the month the change occurs, so in this situation, the hours authorized would be the same as they were in August.

14. Q: A client is newly approved for TAF in 07/2016 with a review month of 06/2017. The Career Navigator meets with client in 08/2016, but a child care provider is not selected until 09/2016. Client is job searching and needs 25 hours per week of child care. Should we approve JO-CC plans through the TAF review month of 06/2017, or for a full 12 months in the future (from 9/1/16 through 8/31/17)?

A: Child care must be opened with a 12 month review period. So if child care were not opened until September, the review period would extend through the next August. This will result in the child care and TANF eligibility periods not being in sync.

15. Q: Client gets a job that is from 9 am to 3 pm. She has 2 children – one preschool and one in grade 3. We approve the preschool child for a year. But the child that is in school – no day care is needed once school starts, since the child is in school the entire time mom is at work. So are we supposed to approve that child for a year, and tell mom she has to report the change to close the child care when school starts? Or do we only give child care until school starts, since we already know about the change?

A: If the mother only needs child care for the school age child when school is not in session, she would likely need child care for that child for days like teacher in service days, parent/teacher conference days, winter break, spring break, etc. The child care worksheet calculates hours for the school months adding approximately 2.4 days of child care hours using only the parent's work schedule (not the child's school schedule) for this purpose. These hours for the school aged child should be approved for those school months, unless the client requests that child care for that child be ended. The client request must be documented if that happens.

16. Q: Why are we giving an additional 3 months of child care to a family when the adult quits a job or quits their educational plan, etc? Isn't this rewarding these negative types of behavior?

A: The new federal law, CCDBG Act of 2014, requires states who wish to terminate child care assistance prior to the 12 month review period to provide for a period of termination. States have the option – but does not require them – to terminate assistance prior to reviews at 12 months if a parent loses employment or if he or she stops attending a job training or education program. If state choose to take this option, states are required to continue child care assistance for a minimum of 3 months to allow parents to engage in job search, resume work, or to attend an education or training program as soon as possible. Kansas has chosen to take this state option. The CCDBG Act of 2014 seeks to balance the goals of promoting children's healthy development, safety and school readiness while also supporting parents who are working or in training or education. By providing for child care services for children for three months while their parents are looking for work or regaining cooperation with employment services, children benefit through the continuation of care with a consistent child care provider.

Keep in mind, if the adult indicates that they do not intend to look for work or to resume their educational plan, etc, this is one of the exceptions listed in KEESM 7640 in which we would not provide the extension of child care assistance.

Graduated Phase Out of Assistance

1. Q: For all child care reviews processed on or after July 1, 2016, if the household's countable income exceeds 185% of the Federal Poverty Level (FPL), but is less than 85% of the State Median Income (SMI), child care will be approved for a 3 month transition period and closed at the end of that period. A twelfth level has been added to the Monthly Family Income and Family Share Deduction Schedule (KEESM appendix item F-1) with the 85% SMI income limits. Family shares for these families will be the same as those with incomes within the range for Level 11. If the previous family share was less, the worker will need to enter the maximum allowable income for Level 11, and change the family share to the increased amount.

Cases approved for the three month transition period will only be closed prior to the end of that period when one or more of the circumstances listed in A. above are met.

Examples:

2. Same situation as example #1 except Jody received the promotion in the sixth month of her 12 month certification. Jody's eligibility will continue for the 12 months of her original eligibility period, and income will need to be entered on INEL as the maximum allowable income for level 11 and the family share deduction adjusted to the higher amount. When her review is completed at the end of that 12 month period, if income remains over 185% of FPL but less than 85% SMI, she will be approved for the three month phase out period using the maximum income and family share deduction for level 11. The worker logs all actions and the reason for the income amount entered. (The system would have determined the case to be over income if the actual amount had been entered.)

From the first paragraph, it looks like we would look at income over 185% but under the SMI only at reviews. But example number 2 shows we would make the change to INEL on her case in the middle of the review period, but not start the transition period until the next review period. I'm confused – if the client is required to report changes in income, and the income causes her to be ineligible, wouldn't the transition period start the month after the month of report? If we don't act on changes reported at the time they are reported, then why do clients even have to report?

A: It appears that the three month graduated phase out period is being confused with the rules under the 12 month eligibility periods, where Kansas has elected to implement the three month state option for closure when a parent experiences a job loss or cessation of participation in their education or training program. If you look at the rules under the 12 month eligibility periods, an increase in earnings that does not exceed 85% of SMI is not one of the circumstances in which we could close the case prior to the end of the 12 month eligibility period. So we have to wait until review to take action to end eligibility, and at that time, if

income is greater than 185% of FPL but less than 85% of SMI, they are allowed the 3 month graduated phase out period.

2. Q: On the CC 3 month extension (from implementation memo) under B, page 5 Example 2 about Jody. It says that she will get childcare until the end of her eligibility period, at which point her income is still between the 185% FPL and the 85% SMI, she gets another 3 months as the extension. Since we are supposed to only set up 12 month recertification periods, does that mean we write her plan for another 12 months and just close it after 3? Or just put the review date as 12 months out and write the plan for only 3 months?

A: With the graduated phase out policy, the original eligibility period is being extended for the 3 months of the transition period. On the system this will appear as though we are authorizing a 3 month eligibility period.

3. Q: If at review, the customer's income is above 185% of Federal Poverty, but below 85% of State Median Income (SMI), and we give customer a 3 month extension, do we also set the review date to 12 months out on KSCARES, even though the case may close at the end of 3 months?

A: See the answer to question 2 above.

4. Q: Does the three month phase out for being over income only apply to cases recertified after 7/1/16? Would ongoing cases processed before 7/1/16 continue to get eligibility until the end of the review period and then potentially get the 3 month phase out or only cases processed after 7/1/16?

A: The three month graduated phase out policy is effective with cases with reviews processed on or after 7-1-16. If at the next review after 7-1-16, income is between 185% FPL and 85% SMI, those cases would get the three month phase out period.

5. Q: For ongoing child care cases involving the graduated phase out, would these cases be closed if the family share exceeds the child care subsidy allotted?

A: Yes, these cases would be closed if the family share exceeds the cost of care. See KEESM section 7640 for the list of circumstances in which the case would close. In this case, item #14 would apply.

6. Q: A TANF client starts a new job and becomes eligible for 5 months of WIP. They are making \$10,000 per month and are well over the income limit. Do they remain eligible for 3 months of EM-CC assistance after TANF (WIP) closes, even though they are over the income limit (with no family share for two months post TANF closure)? Could this eligibility for EM-CC continue even longer if the client's next review date is more than 3 months after TANF closure?

A: If the child care household's monthly income exceeds 85% of SMI, this household would not be eligible to get the three months of graduated phase out, nor would they be eligible for the two months post TANF closure with no family share. See KEESM 7640 for circumstances in which the case would be closed prior to the end of the eligibility period. Item #13 would apply in that case. At \$10,000 per month, the household would have to be very large to not be over 85% of SMI.

Child Care for FA E&T Participants

1. Q: The CC for the FA E&T Participants:

We understand that those staff are to be the ones that process the apps. How will they get those apps? Do all CC apps run through the red team first? And if so, how will that team know that they are E&T apps? Will the apps be marked in some way? Will E&T staff be trained in non-E&T participation eligibility since other mandatory adults in the household have to meet other eligibility if not in E&T?

A: Those staff will accept and process the applications the majority of the time. In most cases they will be doing them during an appointment. If the app is to be turned in to the office at a later date, they will clearly mark it as an GOALS/E&T app on the upper right hand corner of the front page. Those apps can be sent to the GOALS/E&T staff to process.

Those on the GOALS/E&T staff that are not already familiar with CC are being trained. Until trained, the GO TEAM Leaders or their designated staff person will be reviewing all apps to make sure they are processed properly. The entire team was required to listen in on the implementation call.

2. Q: We are not in one of the designated counties for E & T program. If client wants to volunteer, I understand we are to give them CC without minimum 28 hours from the policy conference. Do we contact Ruth to tell her we have a voluntary FA E & T? The policy memo says the E & T staff will process the CC app, but does this include counties where we do not have mandatory E & T participation? I hope this makes sense. Also, will the E & T program be expanded statewide?

A: We can only provide GOALS services to the 36 designated counties. E&T has 29 counties. Since your county is not a participating county in either program none of your FA clients would be eligible for the programs. Eventually we hope to expand state wide when the 3 year study ends.

Q: Does this mean we don't allow the CC for FA recipients that are working less than the 28 hours?

A: If the person is not participating in FA E&T, the 28 hour work requirement would not be waived for them.

Maximum Allowable Resource Limits:

1. Q: Are child care cases that are JO due to TANF eligibility (Grandparents as Caregivers TANF) subject to the \$10,000 resource limit?

A: No. JO child care cases are not subject to the \$10,000 resource limit.

Child Care Providers:

1. Q: Regarding the notice that former providers who are not now licensed with us: Is there a way we can have access to the notice that providers who will be “no longer going to be doing business” with us will receive? Workers thought this may benefit them if we have any angry providers contacting us.

A: The notice of termination to providers refers them to Section 9 which states that the agency can terminate giving 30 days’ notice without a reason. EES staff should not deal with providers. Please refer all angry providers to the Provider Enrollment Staff.

2. Q: Regarding KEESM 10022.1 and 10022.2. Moving forward will households still be allowed to with In-Home and Out-of-Home Providers? There was some confusion on our end that led some workers to believe that Out-of-Home providers may become obsolete.

A: Yes, households are still allowed to have an In-Home or Out of Home provider but in both cases the provider must be related to the child as a grandparent, great-grandparent, sibling, aunt or uncle. Great aunts/uncles and cousins do not qualify.

Verification of Identity:

1. Q: It was mentioned that TANF children who are 18 years old and in high school do not need to supply identity verification. Since this policy mirrors the policy for Child Care (CC), would an 18 year old in high school on the CC case have to provide identity verification, especially when they are not responsible for the care of the younger children in the home?

A: The same would hold true for the 18 year old in high school on the child care case.