

STATE OF VERMONT
AGENCY OF HUMAN SERVICES

DCF

Department for Children and Families



FROM: Richard Giddings, Deputy Commissioner
Economic Services Division

BULLETIN NO.: 12-14

DATE: June 18, 2012

SUBJECT: Changes to Reach Up Procedures

CHANGES ADOPTED EFFECTIVE 7/1/12

INSTRUCTIONS

- Maintain Manual - See instructions below.**
- Proposed Regulation - Retain bulletin and attachments until you receive Manual Maintenance Bulletin: _____**
- Information or Instructions - Retain until _____**

MANUAL REFERENCE(S):

P – 2344 A1

This bulletin revises and updates the Domestic Violence Deferment procedures. It also removes:

- the need for any verification beyond a participants written statement on a 310WA (see exceptions in #8);
- the ability to use documentation obtained if a participant received a waiver from OCS in pursuing child support; or
- was granted GA/EA due to Domestic Violence; and
- the elimination of the need for a Notary Public to witness the participants statement.

Manual Maintenance

Remove

P-2344 A1-A7 (99-11)
(7 pages)

Insert

P-2344 A1-A7 (12-14)
(7 pages)

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P-2344 A

P-2340 – P-2359 Reach Up Procedures2344 Deferments or Modifications (2344.2)

The following procedures have been updated removing the need for any verification beyond a participants written statement on a 310WA (see exceptions below in #8), the ability to use documentation obtained if a participant received a waiver from OCS in pursuing child support or was granted GA/EA due to Domestic Violence and the elimination of the need for a Notary Public to witness the participants statement.

A. Domestic Violence Deferment or Modification

1. Domestic Violence Notification

If a parent discloses that domestic violence has affected or is presently affecting his or her family, the case manager gives the parent the 201DV (Domestic Violence – You don't have to face it alone) and follows the script at P-2201 K, beginning at #6.

2. Confidentiality

If the parent is accompanied by friends, relatives or companions do not initiate or persist in discussion about domestic violence unless the parent clearly begins and continues the discussion, since the companion may be the abuser or may report back to the abuser.

Inform the parent that any discussion of domestic violence may take place in a private space in the district office where the conversation cannot be overheard. If the parent wishes to continue in a private space, stop the discussion immediately and follow the district office procedures to move the interview to a private space.

3. Parent Discloses: Child Support Waiver

If a parent tells you about being a victim of domestic violence and wants a waiver from the requirement to cooperate in the pursuit of child support, tell the parent to ask the eligibility worker to process the request for a child support waiver (see P- 2260.B). Call the eligibility worker to tell him or her of your action.

4. Parent Discloses: Work Requirement Deferment or Modification

If the parent tells you he or she might have difficulty fulfilling the work requirement because of the effects of domestic violence (see policy for details), explain how the deferment or modification works.

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5. Explanation of Deferments or Modifications

Explain that:

- the deferment is a deferment from the work requirements only, not from Reach Up activities;
- the parent is not required to participate in job search or work while the deferment request is pending;
- the parent's Family Development Plan (FDP) must address the effects of domestic violence through Reach Up activities;
- the deferment or modification lasts for up to six months and may be extended for six-month intervals, with no limit on the number of extensions.

6. Parent Completes the Request for a Deferment or Modification

Give the parent the 310WA (Request for a Deferment from Work Requirements Because of the Effects of Domestic Violence) to complete. Ask the parent if he or she needs help in completing the form. If so, help the parent complete the form, but make sure the request is in the parent's own words.

Tell the parent if he or she wants the statement to include information that is already in other documentation, such as a police report, he or she may attach that documentation and refer to it instead of rewriting the same information in the statement.

7. Case Manager Reviews Parent's Statement

When the parent has completed his/her statement, read it over and see if, in your opinion, it is complete, and consistent with what else you may know about the family from your own experience with them. The object of your review is to help the parent make a clear, complete, and consistent request that can be used as the basis for a deferment or modification by the Reach Up Team Leader. Be tactful and helpful. Avoid creating the impression that you doubt his/her statement unless you have strong grounds from your own experience for doing so.

Talk to the parent about anything you think might raise questions about the situation in the mind of the person who will review the request. If something in the statement seems inconsistent with something else in the statement or with something else you know, discuss it with the parent to see if there is something s/he could add to the statement to clear up the

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inconsistency or some documentation that might clear it up. If there seems to be something missing in the statement, discuss that with the parent, too, to see whether that can be resolved.

8. Case Manager Determines what Documentation is Available if determined it is needed

Explain that supporting documentation is not necessary if the parent's statement on the 310WA is sufficiently detailed, consistent and credible. The decision to grant the deferment or modification would be based on the parent's written statement.

- a. In cases in which the abuser is the mother/father of the child, look in ACCESS while the parent is completing the 310WA to determine if a child support waiver had ever been requested. There may be supporting documentation or relevant information on the 137W regardless of the outcome of the waiver request.

To find a child support waiver, look up the STAT/D/ABSP.xx in ACCESS for each noncustodial parent. The COOP field will have a code 2 (requested waiver, pending) or 3 (waiver granted) if there is a waiver. It will have a 5 (waiver denied, cooperating) or 6 (waiver denied, not cooperating) if the parent applied unsuccessfully for a waiver.

- b. Check the classification file for documentation supporting the waiver request, or indications that such documentation was submitted and is on file at state office.
- c. Check CATN to see if participant was granted catastrophic GA/EA due to domestic violence. If participant was granted GA/EA due to domestic violence obtain documentation that was used to determine eligibility.
- d. Ask the parent what documentation there is to support this request. For examples of documentation, show the parent the acceptable items of documentation in policy (2363.1) or the lists on the 201WC (Authorization to Release Information – Waiver of Confidentiality).
- e. When you have determined there is documentation, ask if the parent is willing to submit it with the request.

If the parent's unwillingness is because of something other than the safety of a family member, discuss it with the parent. Explore the possibility of the parent's obtaining other documentation, such as a statement from a staff worker he or she has been working with at a domestic violence program.

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However, do not insist or pressure the parent in any way to include documentation if he or she is unwilling to, regardless of the reason.

If the parent wants to submit documentation, decide with the parent on a date by which he or she should get the documentation to you, so the request will not be pending indefinitely, and note the date in the case notes. If you do not have the documentation by the date, follow up with the parent to determine what is holding it up.

- f. Offer to help the parent to obtain the supporting documentation to be included with the request. If the parent wants help, provide it. Make sure that your helping will not jeopardize the family's safety. Use the 201WC for the parent's permission to waive confidentiality so you can obtain the documentation for the parent. Explain that this waiver allows the parent to waive confidentiality for a specific purpose, for a specific period of time, for a specific person or people, or a specific document, or in any other way the parent wishes to limit the waiver.

9. Case Manager Processes Request for Deferment or Modification

Complete the 310DV. Be sure to include:

- whether there has been a request for a child support waiver and, if so, what the status of the request is;
- whether you think there are any unresolved inconsistencies or missing elements in his/her statement and, if so, the gist and outcome of your discussion of them with the parent;
- whether you have direct personal knowledge of facts that would support the request or call it into question and, if so, what that knowledge is;
- whether there is existing documentation that has not been submitted with the request and, if so, the reasons for not submitting it;
- whether, in the case an affidavit submitted without any documentation, you think it meets the requirements of policy as the basis for granting a deferment or modification without documentation.
- whether there is existing documentation that has not been submitted with the request and, if so, the reasons for not submitting it;

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Fill out the top of the 620DV (Notice of Decision – Deferment or Modification from Work Requirements) with the name and social security number of both the head of household and the parent as well as your own name.

Discuss with the parent whether it would be safe to mail the 620DV to him or her if the deferment or modification is granted. If so, make a note in the file. Tell the parent that if the deferment or modification is denied, you will schedule an appointment for him or her to come in to discuss it, to see if there might be other ways to address the dilemma or revise the request so it would be granted.

Tell the parent the decision on the request for a deferment or modification will take about two weeks from the time you submit the completed 310WA. During that time the parent is not required to participate in job search or work but must participate in the Reach Up activities in the FDP.

Within two days, give the entire package to the Reach Up Team Leader. The package must include:

- the 310WA,
- any available documentation or reference to any documentation on file at state office (if it was determined to be needed),
- the 310DV, and
- the 620DV with the top portion completed.

Enter the appropriate participation code (01) on the WORK/SUM or STAT/MEMB panel in ACCESS to indicate that the parent is awaiting a deferment or modification decision.

10. Reach Up Team Leader Processes Deferment or Modification

Review the 310WA, the 620DV, and the case manager's comments on the 310DV. Be sure the case manager has addressed the relevant points listed in P-2344 A#9. Approve or deny the deferment request on the 310DV and return to the case manager.

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11. Case Manager Informs Parent of Decision

When you receive the 620 DV, if the deferment or modification was denied, contact the parent and schedule a generic appointment for the parent to come in. Do not mention domestic violence in the appointment notice. If the deferment or modification was granted, either mail the parent the 620 DV, if the parent had consented to that earlier, or contact the parent and schedule an appointment to come in, if the parent did not want you to mail the 620 DV.

Do not mail the 620 DV to the parent unless the parent gave you specific instructions to do so.

At the appointment, give the parent the 620 DV and discuss the decision. If the request was denied, explore possible revisions of the request or alternative ways of addressing the situation and explain the parent's appeal rights.

12. Case Manager and Parent Create or Revise FDP

If the deferment or modification is granted, revise the FDP with the parent if necessary, reflecting Reach Up activities that address the effects of domestic violence and help the parent to move towards self-sufficiency in other ways.

File the 620 DV in the parent's classification file. Change the participant's code to 54 in ACCESS and enter the review date.