

Operations Memorandum - Employment and Training OPS080304

March 28, 2008
SUBJECT: Changes to the Diversion Program
TO: Executive Directors
FROM: Joanne Glover, Director, Bureau of Operations

Purpose

The purpose of this memo is to advise CAOs of:

- Changes to eligibility criteria for the Diversion Program;
- Changes to the receipt of TANF within the Diversion period; and
- Policy documents affected by these changes.

Background

Eligibility for the Diversion Program, as outlined in [Operations Memorandum 050605](#) and as revised 9/27/05, required that in order to qualify for Diversion, the individual must currently be employed or have a bona fide expectation of receiving earned or unearned income within 90 days of application. Additionally, the individual could apply for/ receive cash assistance benefits during the Diversion period but would incur an overpayment.

Discussion

Effective with the issuance of this Operations Memorandum, to qualify for the Diversion Program applicants must have an expectation of receiving income and must have a recent work history (within 90 days of application) or job skills training. In areas qualified as waived areas for time limited food stamp benefits, individuals must have work history within the past 180 days of application or job skills training. See [Food Stamp Handbook section 575 Appendix B](#) for a list of geographical waivers.

The CAO will no longer have to verify new expected income in order to make a determination of whether or not the individual qualifies for Diversion. However, individuals who receive a Diversion payment shall be ineligible for TANF funds until the end of their Diversion Period. A new notice text has been created for applications rejected because of receipt of a Diversion payment. See [attachment 1](#).

Example:

Ms. Brown applies for and receives a one-month Diversion payment for the period covering 9/01/xx- 9/30/xx. Ms. Brown will not be eligible for ongoing cash assistance until 10/01/xx.

Individuals MAY receive ongoing TANF benefits but will incur an overpayment for the Diversion period if one of the following unforeseen circumstances applies:

- Receipt of TANF will help prevent the child welfare agency from removing a child from the home or will speed the return of a child to its family (this must be verified); or

- Domestic violence (under the Family Violence Option, see [Cash Assistance Handbook section 108.6](#)).

Other circumstances that in the CAO's determination could qualify as an exception should be forwarded to BETP for review and approval.

A detailed narrative should be included in the record if ongoing TANF is approved in the circumstances above. In addition, the caseworker should include language on the AMR stating:

"If I receive cash assistance during the period covered by a Diversion benefit, I must repay all or a portion of the Diversion benefit to the Department of Public Welfare. To do that, my monthly cash assistance will be reduced by up to 5%."

Examples:

Ms. Q applies for and receives a three-month FSA Diversion payment. Two months after she receives the payment, Ms. Q applies for ongoing TANF for herself and her children. She also reports that the family is in a Domestic violence shelter. Ms. Q may receive ongoing TANF under the Family Violence Option.

Ms. M reports she expects to begin employment after she completes her certificate program. She applies for and receives a three-month Diversion payment. The next month, Ms. M applies for ongoing TANF and reports that CYs has stated they are going to remove her children from her home unless she can show she has a means of supporting them. Ms. M may be eligible for ongoing TANF.

This change in policy affects Operations Memorandum 050605 (Revised 9/27/05). The following have been updated to reflect this change in policy: [OPS Memo 050605 Attachment 1 \(Diversion Program Guidelines and Procedures\)](#), [Policy Clarification EPP502135](#) and [PA 1793](#).

Next Steps

- 1, Review this information with appropriate staff.
2. Implement change in eligibility criteria for the Diversion Program.
3. Changes to eligibility for ongoing cash assistance are effective for Diversion applications approved after April 4, 2008.
4. Direct any questions to the Bureau of Employment and Training Programs at 717-787-1302.