

# **Operations Memorandum Employment & Training OPS070401**

**(Revised 04/10/07)**

**4/9/07**

**SUBJECT: Revised Sanction Procedures**  
**TO: Executive Directors**  
**FROM: Joanne Glover, Director, Bureau of Operations**

## **Purpose**

The purposes of this memo are to advise CAOs:

1. Of new sanction policy and procedures for pre-24 month first and second level sanctions.
2. Of revised pre and post-24 month Advance Notice Form (PA 162A) attachments to use when proposing to sanction a case.
3. That the three-day participation requirement is no longer in effect.
4. To conduct a partial redetermination of pre-24 month cases with individuals:
  - Who have been noncompliant with RESET and are nearing the end of their durational sanction period.
  - Whose RESET durational sanction period has expired.
5. Of the release, through Intranet links, of the revised Cash Assistance Handbook (CAH) Sections 135.7, Non-Compliance and the Compliance Review Process and 135.9, Sanctions for Failure to Comply.

## **Background**

Federal and state law requires work eligible recipients of cash assistance and Food Stamps to participate in work activities for a required number of hours depending on the type of household. Failure to comply with these hourly work activity requirements may result in a durational sanction from cash assistance and/or Food Stamp benefits. Employment and training opportunities as well as supportive services are available to assist parents/caretakers to participate in work activities when a durational sanction has expired. Unfortunately, some families do not re-engage in work activities to move themselves and their families forward in their pursuit of self-sufficiency even though the minimum durational sanction has expired.

## **Discussion**

Effective April 16, 2007 in order to re-establish TANF eligibility after a period of sanction and to re-engage the sanctioned individual in an appropriate work activity, a partial redetermination will be scheduled to inform the individual that he/she must agree to comply with RESET requirements in order to regain eligibility. Failure to keep this appointment or complete/sign an AMR will result in the ineligibility of the budget group. If an individual completes/signs a new AMR and then fails to

cooperate with the terms of the AMR, the CAO must schedule a compliance review which may result in application of the next level sanction.

The partial redetermination procedures and policy outlined in this memo, which require movement to the next level sanction for pre 24-month individuals who fail to comply with the AMR after the partial review, support re-engagement to work or work activities. OPS-05-12-05, *The Sanction Process*, required individuals to demonstrate compliance with the work requirement by participating for three consecutive scheduled days in order to have their benefits restored following a durational sanction for not complying with the work participation requirement. This memo obsoletes that rule and the attached handbook sections obsolete OPS-05-12-05. The removal of the three-day participation requirement in no way detracts from the re-engagement objective because CAOs are required to refer individuals to a work activity within seven days after the AMR update and subsequent failure to comply results in the sanction process.

**REMEMBER:** While the new policy does not apply to post-24 month cases, individuals who have been sanctioned post-24 months must agree to comply and sign a new AMR before they and their families can regain eligibility.

**NOTE:** This call-in policy does not apply to Food Stamp only households. See Food Stamp Handbook section 535.52, *Non-compliance with ETP*.

#### A. *Policy and Procedural Changes*

FIRST AND SECOND LEVEL PRE-24MONTH SANCTIONS	
<i>Old Procedure</i>	<i>New Procedure</i>
The CAO will mail the PA 1712, End of Sanction Letter, 15 days before the end of the minimum durational sanction period	The CAO will mail the PA 1712, End of Sanction Letter, 15 days before the end of the minimum durational sanction period, to pre-24 month individuals under first and second level sanctions <b>and</b> concurrently mail a Partial Redetermination Appointment Letter (see <a href="#">Attachment 1</a> ) with the appointment scheduled no earlier than seven days after the appointment letter is mailed and before the minimum durational sanction period ends.
In counties with CCI contractors, CCI will be involved in helping to locate individuals who are facing <b>second or third</b> level RESET sanctions.	In counties with CCI contractors, CCI will be involved in helping locate individuals who are facing <b>first, second and third</b> level RESET sanctions.
A sanctioned individual who fails to engage in work activities at the end of the minimum durational sanction period remains at the same level sanction until the individual agrees to comply.	<b>At the end of the pre-24 month minimum durational sanction period, the CAO must conduct a partial redetermination to provide the individual with an opportunity to come into compliance. Failure to keep the partial redetermination appointment or to complete/sign a new AMR that includes referral to</b>

	<p>an activity, results in case closure.</p> <p><b>NOTE:</b> Recalculate for Medical Assistance and continued eligibility for Food Stamps.</p> <p>Willful failure to comply without good cause with the new AMR results in application of the next level sanction.</p>
--	--

## B. *Implementing Changes*

The CAO will:

1. Establish an on-going process to ensure a monthly review of pre-24 month cases where the sanction is nearing expiration or has expired.
2. Begin to review cases and schedule partial redetermination appointments with:
  - o Individuals who are nearing the end of their minimum durational sanction period.
  - o Individuals whose minimum durational sanction period has expired.

### ***Step 1: Reviewing Cases***

#### **Reviewing Cases with a Durational Sanction for those who are Nearing the End of Their Sanction**

To ensure continued eligibility and to inform the individual that he/she must contact the CAO and agree to comply with RESET requirements in order to regain eligibility, the CAO will:

3. Obtain a list of the pre-24 month cases that are nearing the end of their sanction period using the tanfweb site: <http://tanfweb/Sanctions.htm>.
4. Mail the PA 1712, End of Sanction Letter, to inform the individual that he/she must contact the CAO and agree to comply with RESET requirements.
5. At the same time the PA 1712 is sent, mail a Partial Redetermination Appointment Letter with the appointment scheduled no earlier than seven days after the appointment letter is mailed and before the minimum durational sanction period ends.
6. Conduct the partial redetermination interview, update the AMR, and change the eligibility status code.
7. Issue a PA 162A to close the case when the individual fails to attend the partial redetermination appointment or refuses to complete/sign a new AMR. Failure to comply with the new AMR results in a compliance review to determine if the individual was willfully noncompliant without good cause. If willful noncompliance without good cause is determined, the CAO will begin the sanction approval process for the next level sanction.

**NOTE:** If the individual reapplies for cash assistance and fails/refuses to complete/sign the AMR, the family is ineligible for cash assistance.

### Reviewing Cases with a Durational Sanction for those whose Sanction Period has Expired

Currently, there are individuals whose durational sanction period expired who failed to respond to the previously mailed PA1712. The CAO will:

8. Obtain a list of the pre-24 month cases whose durational sanction period expired using the tanfweb site: <http://tanfweb/Sanctions.htm>.
9. Mail a Partial Redetermination Appointment Letter with the interview scheduled no earlier than seven days after the Partial Redetermination Appointment Letter is mailed.

**NOTE:** Do not send the PA 1712 again if the record shows that it was previously sent for this sanction.

### Step 2: Conducting the Partial Redetermination Interview

The purpose of the partial redetermination is to review the individual's continued eligibility for TANF. It is also an opportunity to review the individual's ability to participate in employment and training programs. During the sanction period, circumstances may have changed that affect eligibility, as well as on-going ability to participate.

See [Attachment 1](#), Partial Redetermination Appointment Letter. See [Attachment 2](#) for a Sanction Desk Guide which explains the CAO action to be taken in response to specific circumstances. Also see [Attachment 3](#) for examples of the new procedures. [Attachment 4](#) includes the revised Advanced Notice form (PA 162A) attachments. [Attachment 5](#) contains recommended text and citations for the PA 162A to close the case when an individual does not sign or complete an AMR and [Attachment 6](#) contains recommended text and citations for the PA 162A to close the case when an individual does not attend the partial redetermination appointment.

### Step 3: Restoring Benefits

If the individual agrees to comply	Then benefits are restored
<b>Before</b> the minimum durational sanction period has expired	Effective the day following the end of the minimum durational sanction period.
<b>After</b> the minimum durational sanction period has expired	Effective the date the individual agreed to comply by signing the AMR.

The CAO may authorize special allowances for supportive services to enable participation in RESET. See CAH section [135.6 Special Allowances for Supportive Services](#)

**NOTE:** Be sure to narrate all actions and keep sanction information in the case record. Do not purge sanction materials.

### **Step 3a: Interim procedure that enables a child care payment to begin on the employment and training activity appointment date**

After the individual agrees to comply:

- Contact the employment and training provider to determine an appointment date.
- Change the eligibility status from DS to ES and end date the current sanction.
- Submit the referral in CIS and include the appointment date. The referral is transferred to AIMS.
- Contact the CIS hotline and request a change to the sanction end date that coincides with the appointment date.
- Send the request for child care payments to CCIS.

**NOTE:** You will be notified by the posting of a Daily Status on the Intranet when the system changes are completed which will eliminate the need for this interim procedure.

#### ***C. Revised Handbook Sections***

Sections [135.7](#) and [135.9](#) of the CAH, provided as links in this memo are revised to reflect new policy pertaining to non-compliance, the compliance review and the sanction process.

#### **Next Steps**

1. Share and review this information with your staff and direct any questions to the Bureau of Employment and Training Programs at 717-787-1302.
2. Obtain a list of pre-24 month cases nearing the end of their sanction period or with expired sanctions for review from the tanfweb site:  
<http://tanfweb/Sanctions.htm>.
3. Begin case reviews and partial redetermination appointments of cases nearing the end of the minimum durational sanction period and with expired RESET durational sanction periods. Finish these reviews within 90 days of the effective date of this memo.
4. Direct any questions regarding lists of cases to your area manager.
5. Establish an on-going process to ensure a monthly review of pre-24 month cases where the sanction is nearing expiration or has expired.
6. Retain this memo for instructions on completion of steps 2 and 3 above for 90 days of the effective date of this memo. The policies and procedures contained in this memo regarding the ongoing process are incorporated in the attached CAH sections attached to this memo.

#### **Attachments:**

<a href="#">Attachment 1</a>	Partial Redetermination Appointment Letter
<a href="#">Attachment 2</a>	Sanction Desk Guide
<a href="#">Attachment 3</a>	Examples - New Procedures
<a href="#">Attachment 4</a>	First Sanction Pre-24 Months
	Second Sanction Pre-24 Months

Third Sanction Pre-24 Months  
First Sanction Post-24 Months  
Second Sanction Post-24 Months  
Third Sanction Post-24 Months  
Recommended Text & Citations for Advanced Notice (162-A)  
AMR  
Recommended Text & Citations for Advanced Notice (162-A)  
Close

[Attachment 5](#)

[Attachment 6](#)