

TANF/JOBS Program Re-Engagement Review – March 2012

Background

TANF federal regulations require states have policies in place to address when families receiving TANF cash assistance refuse to engage in work or other alternatives. Oregon’s disqualification policy is codified in Oregon Revised Statute 412.009.

Pursuant to ORS 412.009 (6) the Department of Human Services (DHS) must report to the Family Services Review Commission every six months on the status of and outcomes for families for whom TANF cash assistance has been reduced or terminated.

Overview

Oregon’s disqualification policy requires the re-engagement process is completed prior to imposing a new disqualification and before full-family sanction. The goal of this effort is to identify potential barriers to client success in the program, to ensure necessary steps are taken to address those barriers, and to ensure disqualifications are applied correctly. The goal of the re-engagement process is also to re-connect the client in their case plan activities or to identify suitable activities if the current activities are inappropriate.

The “re-engagement” process is performed to ensure the following:

- Individual case plans were created in partnership with clients;
- Activities on the case plan were appropriate;
- Clients are aware of their rights and responsibilities;
- Screenings and possible evaluations for barriers have been offered/completed and documented; and
- A team review of the family’s situation before potential sanction – which includes a discussion of child safety issues – was conducted.

If the outcome of the re-engagement process results in a disqualification, clients are encouraged to re-engage in order to “lift” the disqualification. A two-week participation period is required to lift the disqualification and upon completion, the family may receive a full TANF grant. There are two levels of disqualification. In the first level, the non-participating adult’s portion of the TANF grant is removed. This level can last up to three months unless the client re-connects or re-engages in their case plan activities. The second level of disqualification is full-family sanction, meaning the family does not receive a TANF grant. This level lasts one month, after which the family loses eligibility for TANF for two consecutive months if the client does not re-engage prior to the end of the full family sanction month. If the client begins the two-week participation period prior to the end of the full-family sanction month, TANF benefits are restored upon completion.

March 2012 Review

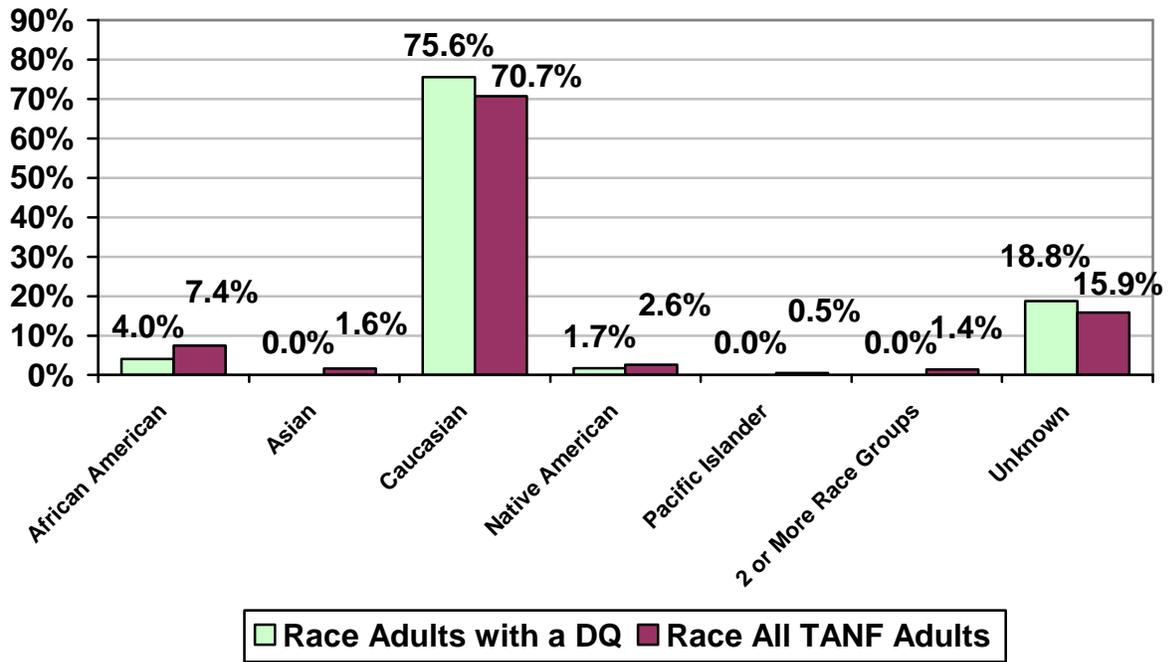
The March 2012 re-engagement review included all TANF cases where at least one adult had an active disqualification. A total of 176 cases were included as part of this review. This represents approximately 0.65 percent of the families receiving TANF who are required to participate in case plan activities. In March 2012 there was an increase of 146 cases compared to October 2011. This increase can be attributed in part to a better understanding of the rule and policy changes, which took place on July and October 1, 2011. Of the total cases reviewed in March 2012, disqualifications were applied correctly 94% of the time.

March 2012 Review – Race and Ethnicity

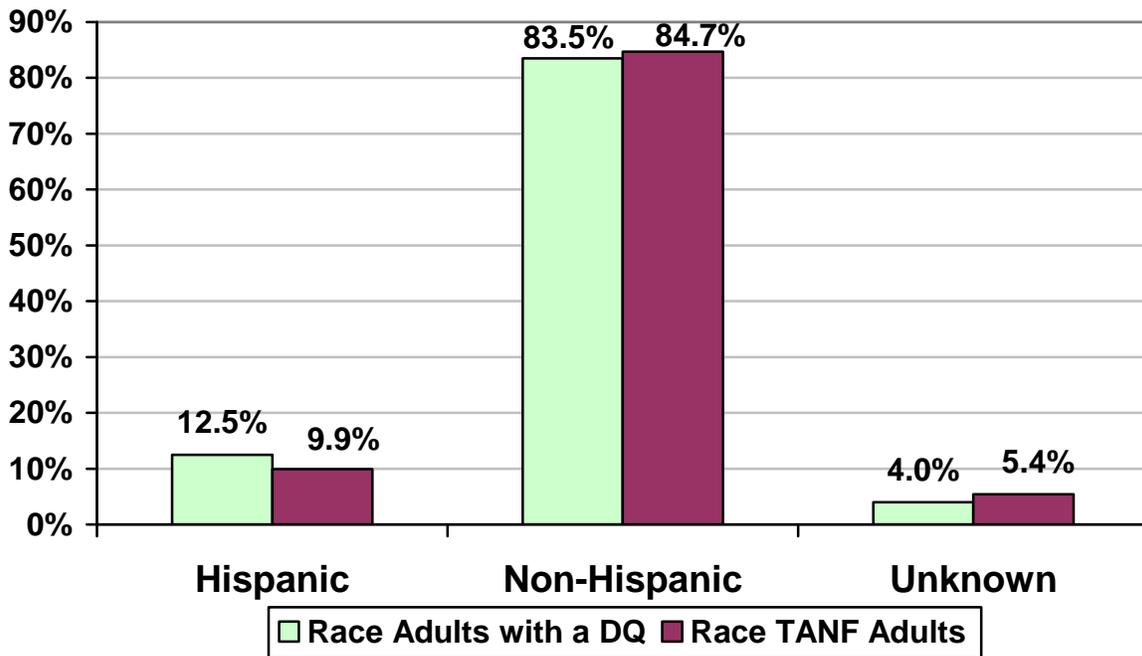
The chart below, displays the race and ethnicity information relative to the 176 clients¹, who experienced a disqualification.

¹ Based on Federal definition, Hispanic or Latino is identified as ethnicity rather than race. Providing race and ethnicity information is optional for DHS clients.

Race Data - 176 Total Clients



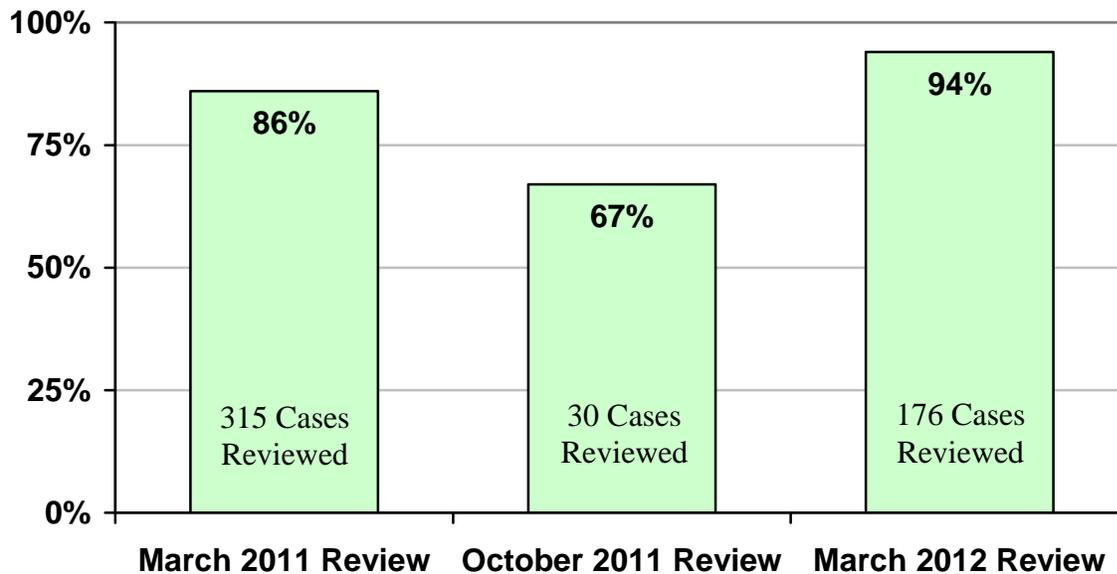
Ethnicity - Hispanic, Non-Hispanic and Unknown



Results - Re-Engagement Process

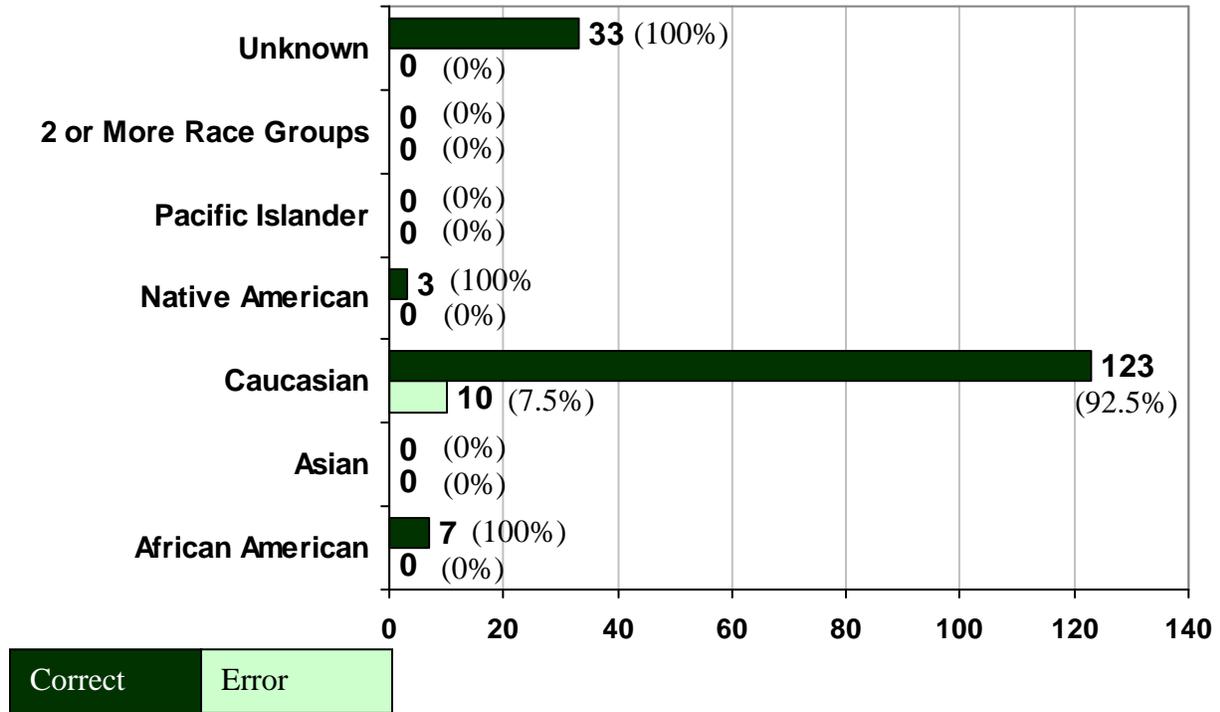
The chart below displays the percentage of March 2012 TANF cases where a disqualification was appropriately applied as compared to the two previous re-engagement reviews. 94 percent (166 out of 176) of the cases reviewed had the disqualification applied correctly. This percentage represents an increase of 27 percentage points over the October 2011 review.

Percent of cases with Correct Process

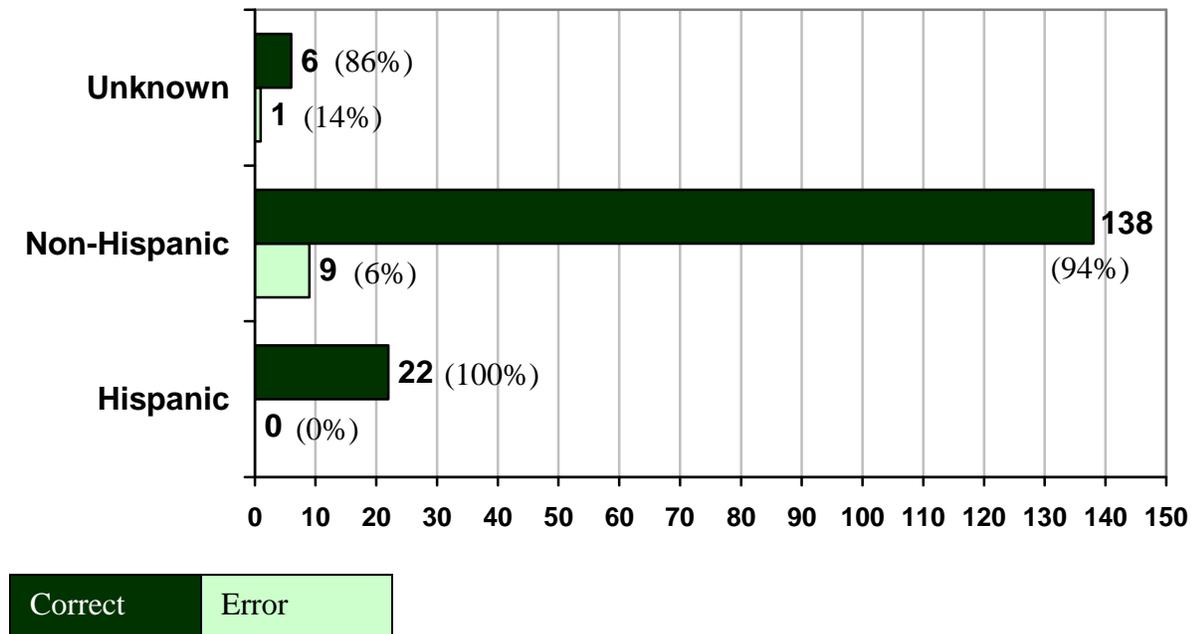


The charts below display the number of disqualifications applied correctly or in error by race and ethnicity. The charts also include the percent of disqualifications applied correctly and in error by race and ethnicity. The percent in each category represents a percentage of the total disqualifications by race or ethnicity correctly applied versus those applied in error.

Disqualifications by Race - Correct or Error



Disqualifications by Ethnicity - Correct or Error



Cases with Disqualifications applied in Error

The cases with disqualifications applied with error had the disqualification removed. In some situations multiple disqualifications were removed. The table below displays the reasons, which resulted in disqualification removals during the October 2011 and March 2012 reviews.

Reason for Removal ²	October 2011		March 2012	
	10 cases	Percent	10 cases	Percent
Accommodations (No record of a needed accommodation being offered)	0	0%	2	20%
Assessment/Evaluation (No record of required assessment/evaluation being offered)	0	0%	0	0%
Child Safety review (no record of child safety review with Child Welfare)	5	50%	1	10%
Client re-engaged (client re-engaged and was cooperating with plan)	0	0%	0	0%
Disabilities (No record of disability issues being considered)	0	0%	3	30%
Domestic Violence (No record of domestic violence being considered)	0	0%	0	0%
DQ4³ Requirements (No record of DQ4 requirement being met)	5	50%	1	10%
New DQ Instance: Local Team Staffing (No record of review team staffing)	0	0%	4	40%

² The percentages represent the percent of cases with a disqualification removed in which this particular reason for the removal was discovered. A single case may have had multiple reasons for removal and any single reason would have resulted in the disqualification being removed.

³ DQ4 constitutes full-family sanction. The additional requirements before full-family sanction are that the department attempt a home visit and discuss with the client alternative resources should the TANF grant end.

Reason for Removal ²	October 2011		March 2012	
	10 cases	Percent	10 cases	Percent
Continuing DQ: Local Team Staffing (No record of review team staffing on continuing non-cooperation)	5	50%	1	10%
Required notices (No record of required notices being sent)	0	0%	1	10%
Rights and Responsibilities form (DHS 7819 not located)	0	0%	0	0%
Rules (OARs governing the Re-engagement process were not followed)	10	100%	1	10%
Screening (No record of required screenings being offered or re-offered)	0	0%	0	0%

Improvements

- **Assessments:** When a screening, or other indicator, identifies a need for additional assessment or evaluation, DHS must offer the assessment or evaluation to the client.

The March 2012 review continued improvements made from previous reviews. There were no cases where an assessment was needed and not provided.

- **Child Safety:** Child safety reviews are required prior to each level of disqualification. The review consists of contact with Child Welfare to determine if there is a risk to the child or children in the event a disqualification is applied.

The percentage of occurrences decreased from 50 percent in October 2011 to 10 percent (1 of 10) of the cases in March 2012.

- **Continuing DQ: Local Staffing on continuing non-cooperation:** After a disqualification has been determined appropriate and applied, if there are no changes and the client continues not to cooperate, the disqualification will

automatically advance to the next level. Prior to the disqualification progressing to the second level or DQ4, there must be a local staffing to determine if the disqualification is still appropriate.

The percentage of occurrences in this category decreased from the most recent review. In the March 2012 review there was 1 of 10 cases representing 10 percent of occurrences. The percentage of occurrences decreased from 50 percent (5 of 10 cases) during the October 2011 review.

- **Domestic Violence:** Domestic violence (DV) often impacts an individual's ability to participate. DHS must consider the possibility that known or suspected DV is negatively impacting the ability of an individual to participate. This consideration must be documented in the re-engagement process.

The March 2012 review did not include any cases with a disqualification removed due to not considering domestic violence as a reason for good cause.

Difficulties

While there have been significant improvements, some areas saw increases or no change in the percentage of occurrences, which caused a disqualification to be removed.

- **Accommodations:** DHS must provide reasonable accommodations in order for an individual to participate in program requirements. In order to apply a disqualification staff must determine whether or not accommodations are needed. If there are needed accommodations, staff must determine if they were provided and if provided whether they were appropriate.

The percentage of occurrences in this category changed from 0 percent (0 of 10 cases) in October 2011 to 20 percent (2 of 10 cases) in the March 2012 review. Both of these cases also had disabilities where there is no evidence the disabilities were considered prior to the disqualification.

- **Disabilities:** Understanding the barriers a client faces is essential to providing appropriate services. DHS must consider if an aspect of a client's

disability had an impact on the ability of the client to participate in the program.

The percentage of occurrences in this category, which had decreased to 0 percent of occurrences in October 2011, has seen an increase. The March 2012 review found 3 of 10 cases or 30 percent of occurrences had a disability and no evidence the issue was considered prior to a disqualification. 2 of the 3 cases where disabilities were not considered also represented the 2 cases where accommodations were not considered prior to applying the disqualification.

- **New DQ Instance: Local Team Staffing prior to disqualification:** Prior to a disqualification being applied, which would result in a reduction to the grant, a local staffing must take place to determine if any barriers were preventing the individual from meeting the program requirements. The local staffing team includes DHS staff, partners, and professionals such as mental health specialist, nurse, Family Support & Connections, etc.

The percentage of occurrences in this category increased from zero percent in October 2011 to 40 percent (4 of 10 cases) in the March 2012 review.

- **Required Notices:** DHS must send all required notice prior to applying a disqualification. They include such notices as the re-engagement appointment, grant reduction, and full family sanction notice.

The percentage of occurrences in this category increased from zero cases to 1 of 10 cases or 10 percent of occurrences.

- **Rules:** There are specific OARs governing the re-engagement process. The further explanations of the rules are provided in the Family Services Manual. Districts must follow these rules when conducting re-engagement, specifically when the outcome leads to a disqualification. There were several rule, policy and procedural changes, which took place on July 1, 2011 and October 1, 2011. These changes directly impacted the re-engagement and disqualification process. During the March 2012 review 10 percent (1 of 10 cases) of the cases had issues with rule or policy violations. In the October 2011 review there were 0 of 10 cases discovered.

Changes in Re-Engagement and Disqualification

On October 1, 2011 changes were made to the re-engagement and disqualification rules and policy. The modifications were made according to legislation included in House Bill 2049 which passed during the 2011 Legislative Session. The objective of the legislative change was to bring about more balance between client and agency requirements.

The requirements of the re-engagement process remain the same: a local team staffing, a child safety review and offering any screenings or assessments, and a determination that the client was willfully noncompliant. The re-engagement staffing is still required before full-family sanction. There were two main changes to the disqualification policy:

- (1) During the first level of disqualification (where the non-participating adult's portion of the grant is removed), once a disqualification is applied and the client has not re-engaged, the disqualification will automatically progress to the next month. In these instances, the client will receive notification each month as the disqualification progresses encouraging them to contact their case worker. Prior to this change, the re-engagement process was required before advancing to the next month at this level of disqualification.
- (2) At the second level (DQ4) or full-family sanction, the client has until the end of the month to begin the two week participation period. If they do not begin the participation period, the TANF case closes at the end of the month and the family remains ineligible for TANF for two consecutive months. Prior to this change, a family could remain at this level (full family sanction) through the remainder of the TANF certification period. If at re-certification the client elected to receive TANF program benefits and was eligible, TANF would continue under a full family sanction provided the client still did not re-engage.

During the March 2012 review, approximately 10 of 176 (5.7 percent) cases reviewed had been closed due to disqualification. Of these cases, 8 of 10 (80 percent) were closed correctly. The two cases with errors had the disqualification reversed because (1) no local team staffing took place prior to full family sanction; and (2) the client's disability was not considered prior to the disqualification being applied.

Conclusion

The number of cases with an active disqualification has increased over the October 2011 review. The number of disqualified clients increased from 30 to 176. As described above, this increase was attributed to staff having a better understanding of the rule and policy changes, which occurred in July and October 2011.

A combination of training and policy transmittals were used to assist staff in becoming better informed of the changes and incorporate them into their local process they will be able to attempt to engage more clients in the JOBS program. Over the next six months, it is expected the number of individuals entering the re-engagement process will continue to increase.

Over the past four years more families have turned to the TANF program as a result of the economic recession. While the TANF caseload has seen significant increases the case management staffing levels have not risen along with the need. In addition, the significant reductions in the JOBS program funding have resulted in fewer contracted activities available as well as fewer supports in the form of child care and transportation to help families participate. As a result there are fewer families engaged in case plan activities. Intensive Case Consultants (ICCs) and Disability Analysts continue to be key participants in the local re-engagement process. Despite the challenges in funding for JOBS program services and case management availability, local districts have ensured as many disqualifications as possible are applied correctly.