

## **TANF/JOBS Program Re-Engagement Review – September 2013**

### ***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.

### ***September 2013 Review***

The September 2013 re-engagement review included all TANF cases where at least one adult had an active disqualification. A total of 770 cases were included as part of this review. This represents approximately 2.9 percent of the individuals receiving TANF who are required to participate in case plan activities. This represents a 1 percent increase over the last review. In September 2013 there was an increase of 215 cases reviewed compared to the most recent re-engagement review conducted in March 2013. Of the total cases reviewed in September 2013, disqualifications were applied correctly 94% of the time.

### ***September 2013 Review – Race and Ethnicity***

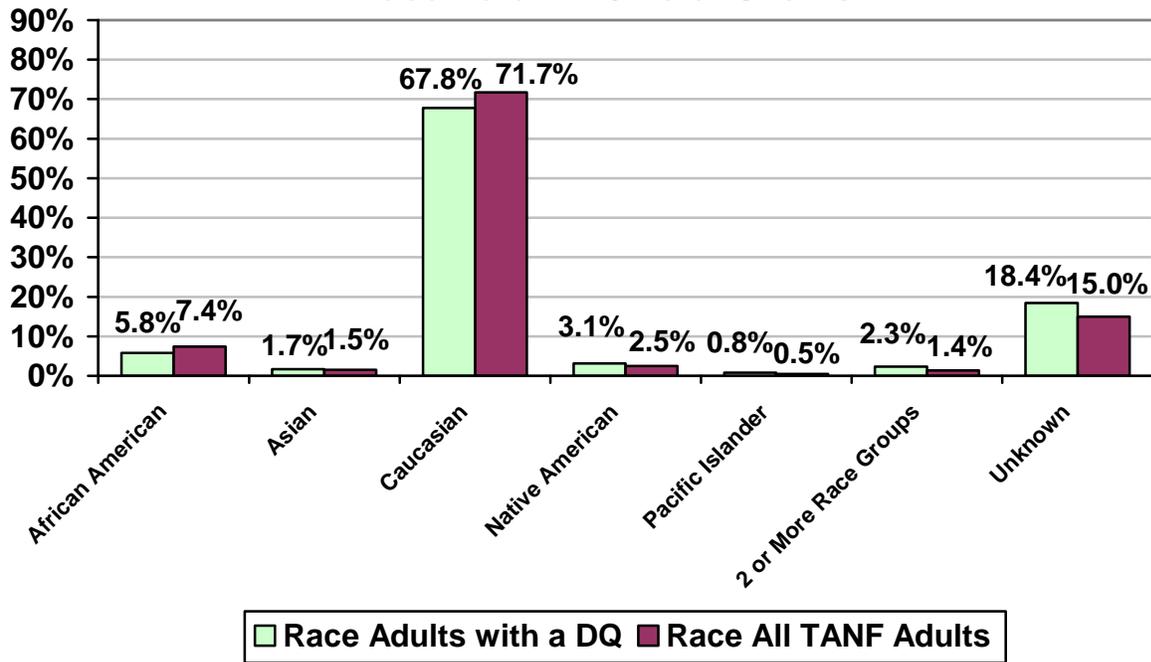
The chart below, displays the race and ethnicity information relative to the 770 clients<sup>1</sup>, who experienced a disqualification.

There was a small difference in percentages among several race groups. Contributing to this difference is the percent of a particular race in areas with larger percentages of TANF adults who are disqualified. The ethnicity chart shows a slight difference in the percentage of Hispanic clients disqualified (10 percent) as compared to the percentage of Hispanic adults receiving TANF (8.7 percent). A contributing factor is the percent of total disqualifications from areas with larger Hispanic populations. These locations account for 60 percent of disqualifications and 65 percent of the total Hispanic adult population on TANF.

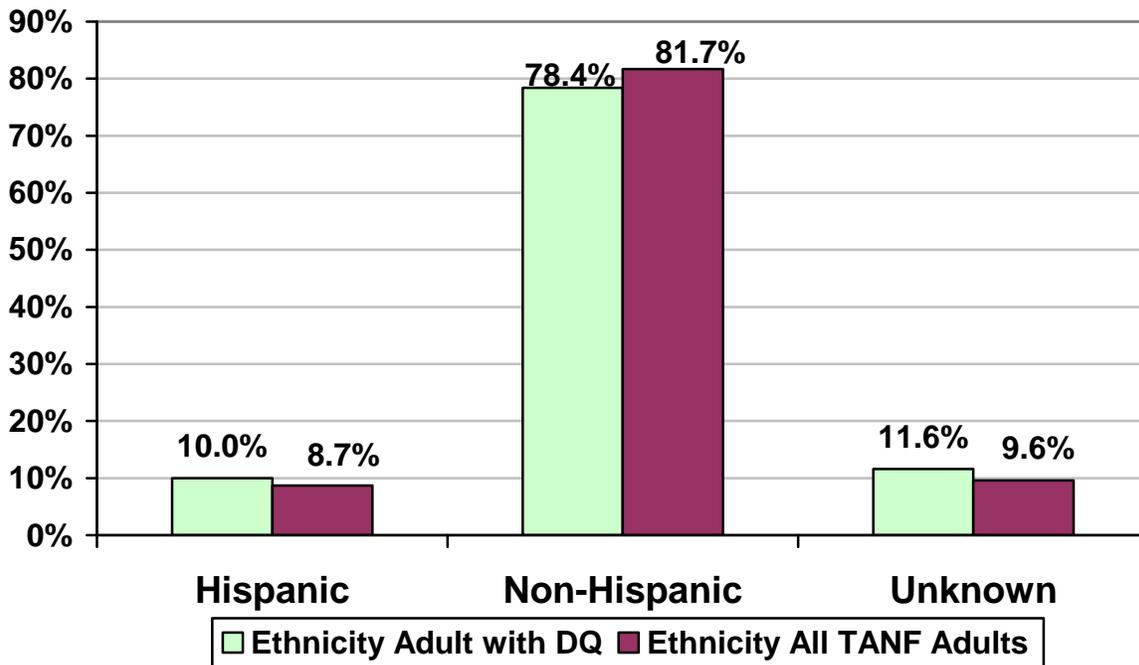
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<sup>1</sup> Based on Federal definition, Hispanic or Latino is identified as ethnicity rather than race. Providing race and ethnicity information is optional for DHS clients.

### September 2013 Re-engagement Review Race Data - 770 Total Clients



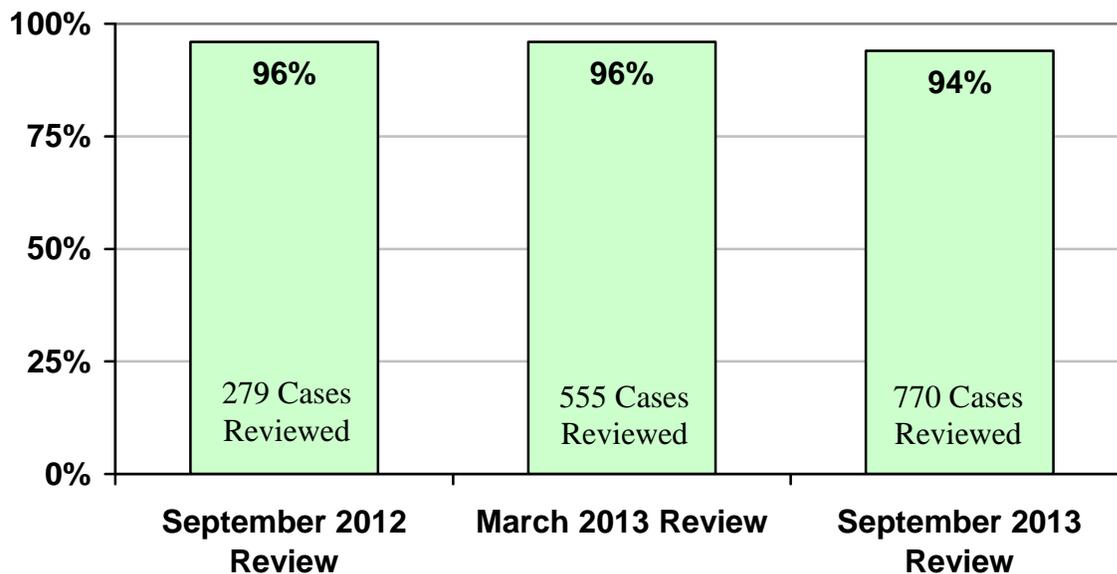
### Ethnicity - Hispanic, Non-Hispanic and Unknown



## Results - Re-Engagement Process

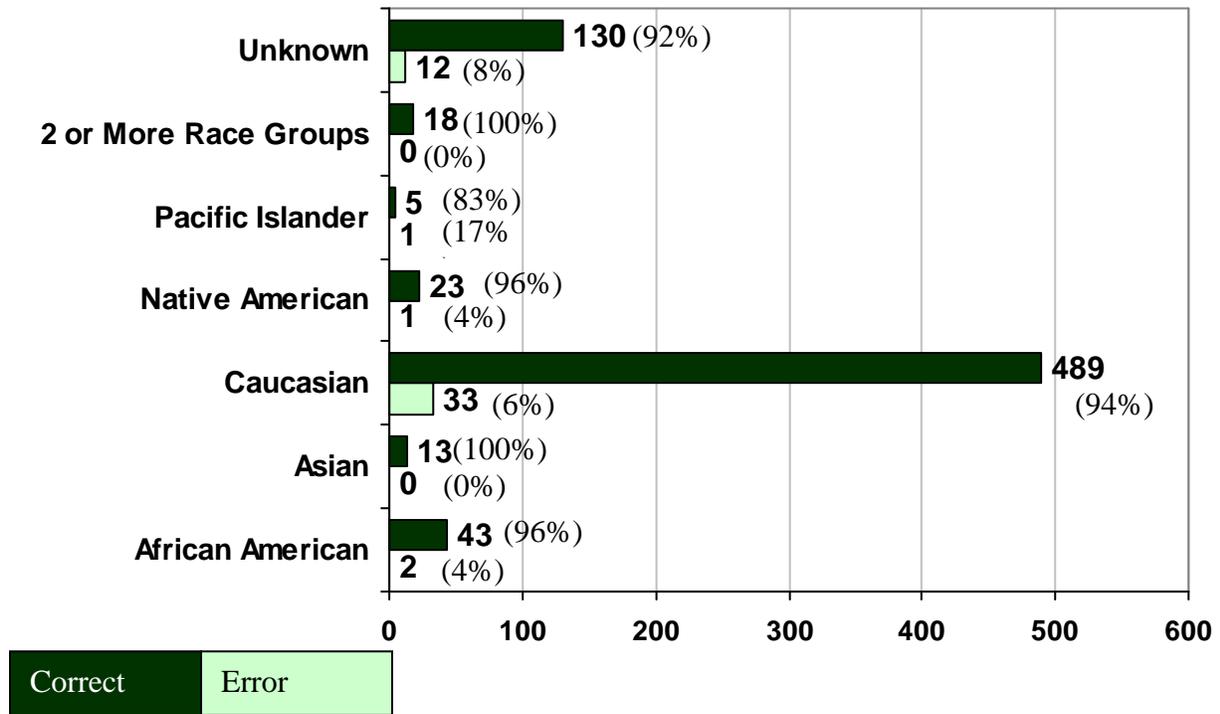
The chart below displays the percentage of September 2013 TANF cases where a disqualification was appropriately applied as compared to the two previous re-engagement reviews. 94 percent (721 out of 770) of the cases reviewed had the disqualification applied correctly. This percentage represents a 2 percent change from the September 2012 and March 2013 reviews.

**Percent of cases with Correct Process**

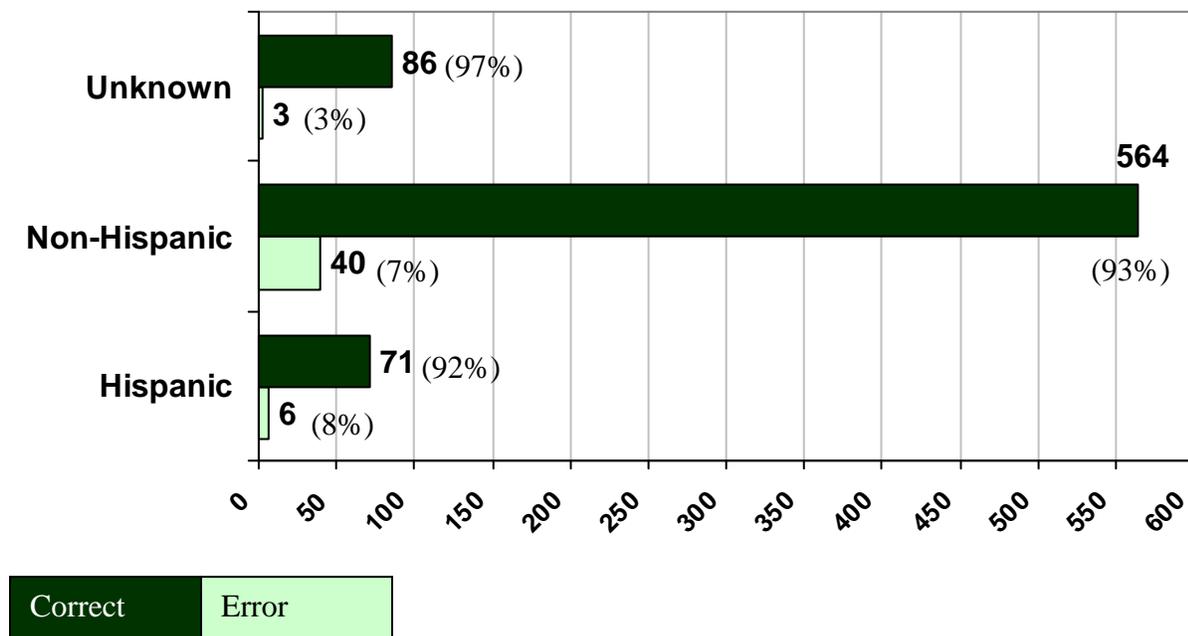


The charts below display the number of disqualifications applied correctly or in error by race and ethnicity. The charts also include the percent of disqualifications applied correctly and in error by race and ethnicity. The percent in each category represents a percentage of the total disqualifications by the specific 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 in 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 March 2013 and September 2013 reviews.

| Reason for Removal <sup>2</sup>  | March 2013 |         | September 2013 |         |
|--|------------|---------|----------------|---------|
|  | 25 cases   | Percent | 49 cases       | Percent |
| <b>Accommodations</b> (No record of a needed accommodation being offered)                | 6          | 24%     | 8              | 16%     |
| <b>Assessment/Evaluation</b> (No record of required assessment/evaluation being offered) | 0          | 0%      | 0              | 0%      |
| <b>Child Safety review</b> (no record of child safety review with Child Welfare)         | 0          | 0%      | 20             | 41%     |
| <b>Client re-engaged</b> (client re-engaged and was cooperating with plan)               | 5          | 20%     | 0              | 0%      |
| <b>Disabilities</b> (No record of disability issues being considered)                    | 6          | 24%     | 9              | 18%     |
| <b>Domestic Violence</b> (No record of domestic violence being considered)               | 0          | 0%      | 3              | 6%      |
| <b>DQ4<sup>3</sup> Requirements</b> (No record of DQ4 requirement being met)             | 3          | 12%     | 7              | 14%     |
| <b>Employment</b> (client became employed)   | 0          | 0%      | 6              | 12%     |

<sup>2</sup> 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.

<sup>3</sup> 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 <sup>2</sup>   | March 2013 |         | September 2013 |         |
|---|------------|---------|----------------|---------|
|   | 25 cases   | Percent | 49 cases       | Percent |
| <b>New DQ Instance: Local Team Staffing</b> (No record of review team staffing)                             | 1          | 4%      | 14             | 29%     |
| <b>Continuing DQ: Local Team Staffing</b> (No record of review team staffing on continuing non-cooperation) | 6          | 24%     | 21             | 43%     |
| <b>Required notices</b> (No record of required notices being sent)  | 0          | 0%      | 0              | 0%      |
| <b>Rights and Responsibilities form</b> (DHS 7819 not located)  | 0          | 0%      | 0              | 0%      |
| <b>Rules</b> (OARs governing the Re-engagement process were not followed)                                   | 3          | 12%     | 5              | 10%     |
| <b>Screening</b> (No record of required screenings being offered or re-offered)                             | 0          | 0%      | 2              | 4%      |

### ***Improvements***

- **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 24 percent (6 of 25 cases) in March 2013 to 16 percent (8 of 49 cases) in the September 2013 review.

- **Client Re-engaged in Program:** When a disqualification is applied, a client has an opportunity to remove the disqualification by cooperating with program requirements. In order to end a disqualification a client must cooperate for two-consecutive weeks in the activity or activities of a new or revised case plan.

The percentage of occurrences in this category during the past review was 20 percent (5 of 25 cases) in March 2013 to 0 percent (0 of 49 cases) in the September 2013 review.

- **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 increased to 24 percent (6 of 25 cases) in the March 2013 review, has seen a slight decrease. The September 2013 review found 18 percent (9 of 49 cases) had a disability and no evidence the issue was considered prior to a disqualification.

Even though there was a decrease it is still concerning that 18 percent of cases with an error were due to not considering disability. More work will need to be done to provide staff with the knowledge and skills to appropriately assess disabilities in relationship to participating in the JOBS program.

- **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 2013 review 12 percent (3 of 25 cases) of the cases had issues with rule or policy violations. In the September 2013 review there were 5 of 49 cases, representing 10 percent of occurrences, discovered.

### ***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.

- **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 increased from 0 percent (0 of 25 cases) in March 2013 to 41 percent (20 of 49 cases) of the cases in September 2013. What contributed to this increase is the number of cases where the local staffing prior to a disqualification was not documented. Many times this documentation includes the child safety review. There were 35 total cases where the re-engagement staffing was not documented. All of the 20 cases related to child safety reviews were included within the 35 cases where the re-engagement was not documented.

- **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 increased significantly from the most recent review. In the March 2013 review there was 6 of 25 cases representing 24 percent of occurrences. The percentage of occurrences increased to 43 percent (21 of 49 cases) during the September 2013 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 September 2013 review included 3 case with a disqualification removed due to not considering domestic violence as a reason for good cause. This represents 6 percent, which was an increase over the last review where there were no occurrences.

There were a number of cases where the DV was discovered and the disqualification was ended. However DHS failed to consider whether or not

the DV could have prevented the client from participating in the previous months. In these situations a notice was sent to DHS requesting they review the past months to determine if DV was a factor in the client inability to participate.

- **DQ4 Requirements:** Prior to applying a DQ4, which is a full family sanction meaning there will be no cash grant, DHS must attempt a home visit and have a discussion of alternate resource for the family.

The percentage of occurrences in this category during the September 2013 review was 14 percent (7 of 49 cases) compared to 12 percent (3 of 25 cases) in the March 2013 review.

- **Employment:** One of the goals of the TANF program is to help clients become employed. When a client becomes employed the disqualification would end so the family can benefit from Transitional Benefit Alternative through the SNAP program.

The percentage of occurrences in this category during the September 2013 review was 12 percent (6 of 49 cases) compared to 0 percent (0 of 25 cases) in the March 2013 review.

- **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 4 percent (1 of 25 cases) in March 2013 to 22 percent (11 of 49 cases) in the September 2013 review.

- **Screening:** Before imposing a disqualification, DHS must ensure all screenings for barriers have been offered. These include alcohol and drug, learning needs, mental health, physical health, domestic violence and family stability (as per policy).

The percentage of cases where offering screening opportunities was a reason for removing a disqualification increased from 0 percent of occurrences to 4 percent or (2 of 49 cases).

### ***Unchanged from Last Review***

- **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 September 2013 review continued improvements made from previous reviews. There were no cases where an assessment was needed and not provided.

- **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 was 0 of 25 cases or 0 percent of occurrences in March 2013. There continued to be no occurrences in this category during the September 2013 review.

- **Rights and Responsibilities:** The DHS 7819 is the client's rights and responsibilities form. This form explains to the individual about their rights and responsibilities relating to the TANF/JOBS program.

The percentage of cases where there was no evidence of a current (within the past 12 months prior to the re-engagement) DHS 7819 remained at zero percent.

### ***TANF Closure due to Disqualification***

There are two levels of disqualification. The first level is three months long. The second level is one month. If the individual does not begin cooperation by the end of second level month TANF will close and the family would not be eligible for TANF for two-consecutive months.

During the September 2013 review, approximately 105 of 770 (13.6 percent) cases reviewed had been closed due to disqualification. Of the 105 cases, 99 were closed correctly. This represents 94 percent of cases in this category and a slight decrease in percentage (4 percent) from the previous review. The last review, March 2013, saw 64 of 555 or 12 percent of all cases reviewed were closed due to disqualification. Of these cases, 63 of 64 (98 percent) were closed correctly.

## ***Conclusion***

The number of cases with an active disqualification continued to increase over the past three reviews. The number of disqualified individuals increased from 279 in September 2012 to 555 in March 2013 and is now at 770 as of September 2013. Over the past 12 months there has been an increase of 175 percent. There was a slight decrease in accuracy however it continues to be above 90 percent for the third straight review.

The need for training and guidance continues, especially with new case managers being hired. As always, training will focus on areas of concern discovered during this and past reviews. Training will cover the following:

- Disabilities and accommodations and their relationship to participation and re-engagement.
- Re-engagement process – Rules and Policy
- Documenting the Re-engagement Process
- Proper coding of disqualified cases

After each review a question and answer document is created. The document will focus on a number of topics discovered during the current review. Some of these include:

- When to attempt a home visit
- How to properly code cases when TANF closes due to a disqualification
- What happens to a disqualification when an individual becomes employed
- Considering disability and accommodation needs
- Considering past months on non-cooperation when barriers to participation are discovered.
- Documenting the re-engagement process.