

TANF/JOBS Program Re-Engagement Review – March 2014

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 2014 Review

The March 2014 re-engagement review was conducted differently than past reviews. In the past, 100 percent of all adults with an active disqualification were reviewed. The last three reviews (September 2012, March 2013, and September 2013) saw 94 percent or better accuracy rate. Due to the level of accuracy it was decided to reduce the total number of cases to be reviewed in the March review. The March 2014 review included the following cases:

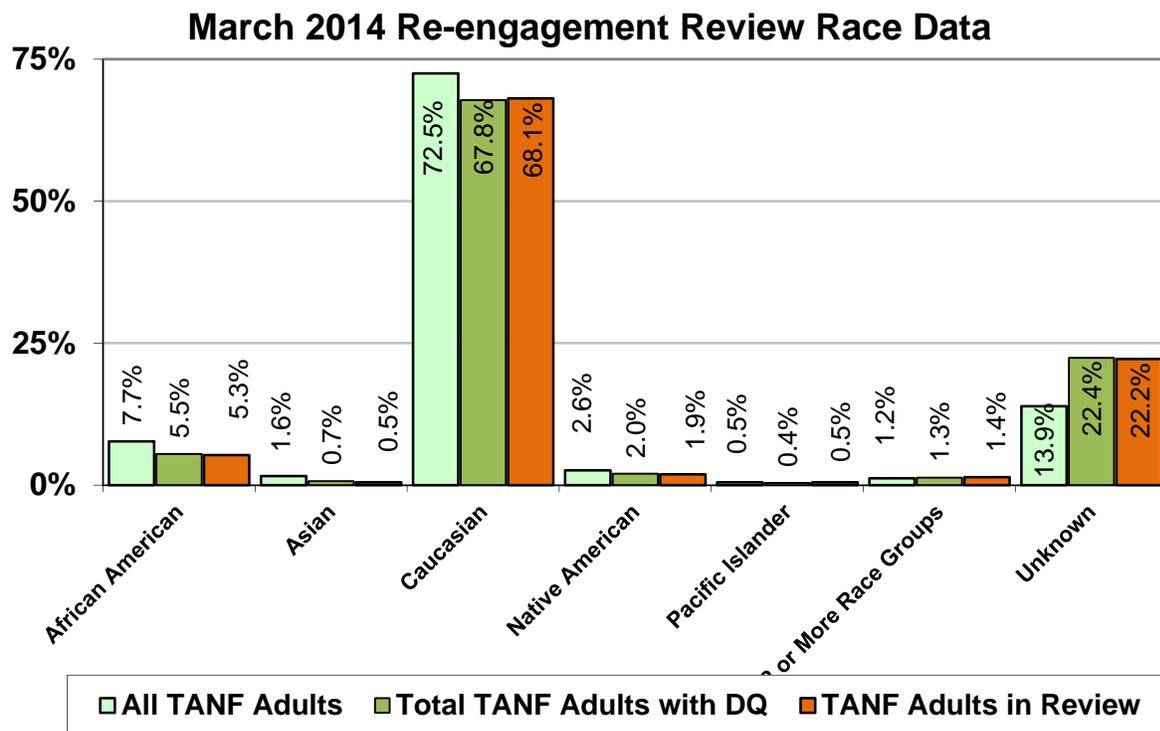
- Approximately 50 percent of a District's adults coded with a DQ1. In past reviews the accuracy rate for this disqualification level was higher than all other levels at 96 percent or better.
- All adults with an active DQ4 coding. This disqualification level had the lowest accuracy rate in past reviews. The accuracy for the September 2013 review was less than 88 percent.
- Approximately 50 percent of a District's adults coded with a DQR. This level of disqualification has also seen higher than average accuracy.
- All adults, not included in the above, with a self-disclosed or documented disability.
- All adults, not included in the above, with domestic violence within the past 12-months.

The review included 456 of 903 actively disqualified adults as of March 1, 2014. The 903 disqualifications in March 2014 represent approximately 3.4 percent of the adults receiving TANF who are required to participate in case plan activities. This represents a 0.5 percent increase over the last review. Of the 456 disqualified adults, 42 had the disqualification removed prior to the review or without error.

These 42 cases are not included in the details below. A total of 414 adults are included in the details. Of the 414 cases reviewed in March 2014, disqualifications were applied correctly 89% of the time.

March 2014 Review – Race and Ethnicity

The chart below, displays the race and ethnicity information for all TANF adults, the 414 adults¹ who were included in the review as well as the 903 total adults with a disqualification in March.

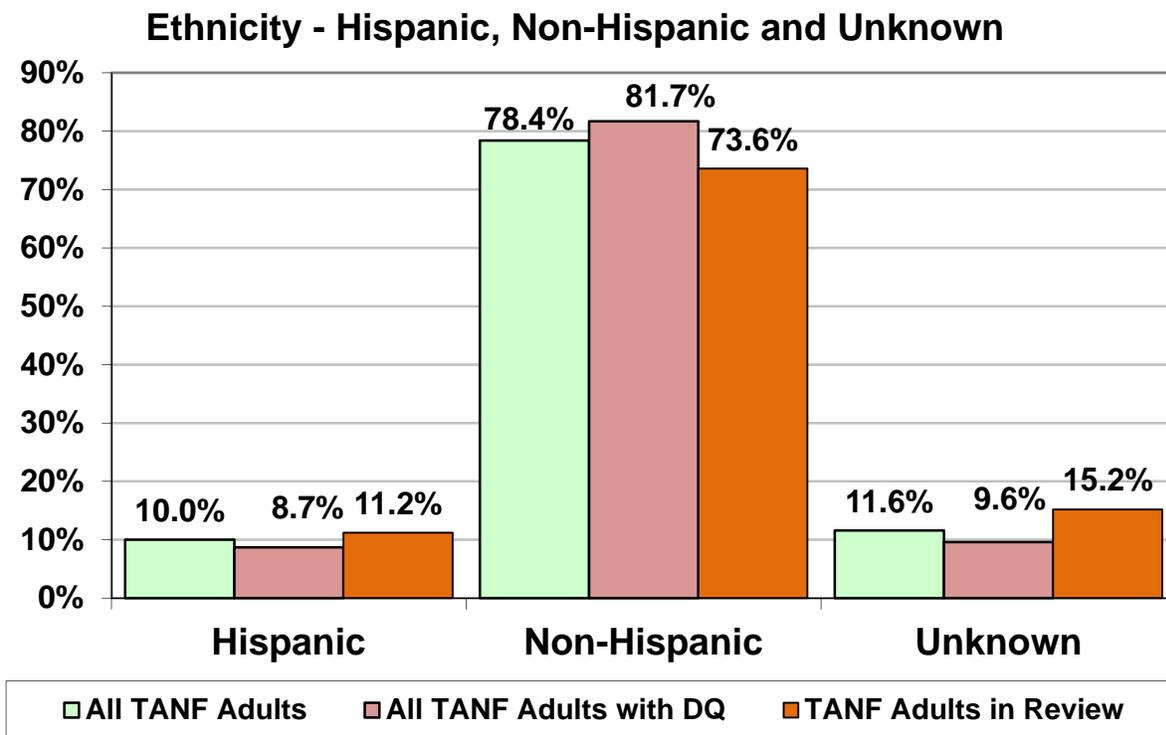


There was a small difference in percentages among several race groups. However there is a larger difference between the three categories in the “Unknown” group. When looking at data for all TANF adults the majority (55 percent) of “Unknown”

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.

group reside in four districts. These districts also have the majority of disqualifications accounting for 60 percent of the state’s total.

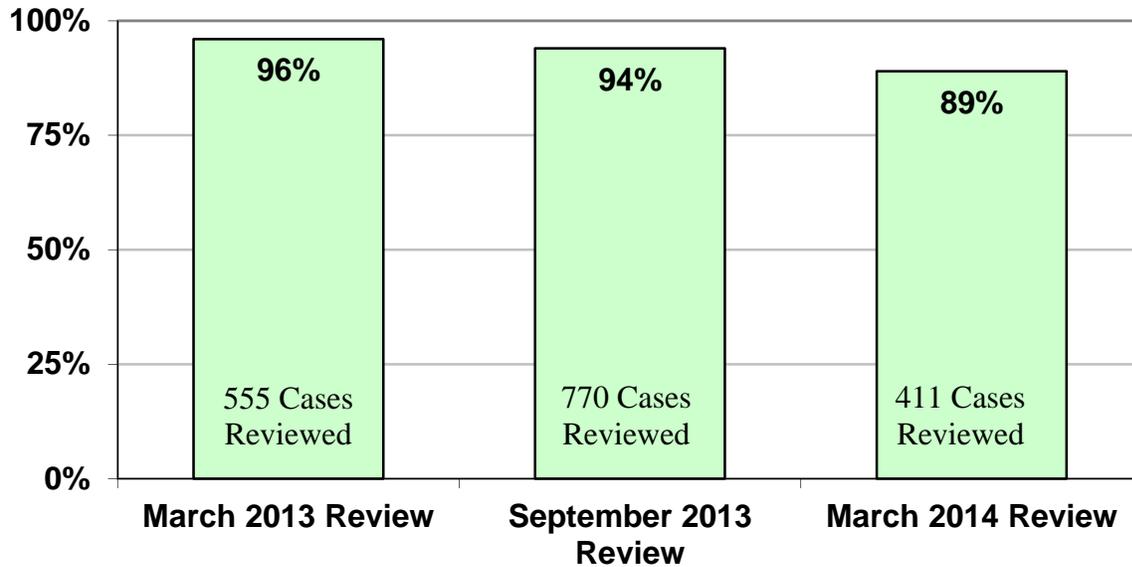
The ethnicity chart shows a difference in the percentage of Hispanic clients disqualified and part of the review (11.2 percent) as compared to the percentage of Hispanic adults receiving TANF (10 percent). A contributing factor is the percent of total disqualifications from areas with larger Hispanic populations. These locations account for 60 percent of disqualifications and 70 percent of the total Hispanic adult population on TANF.



Results - Re-Engagement Process

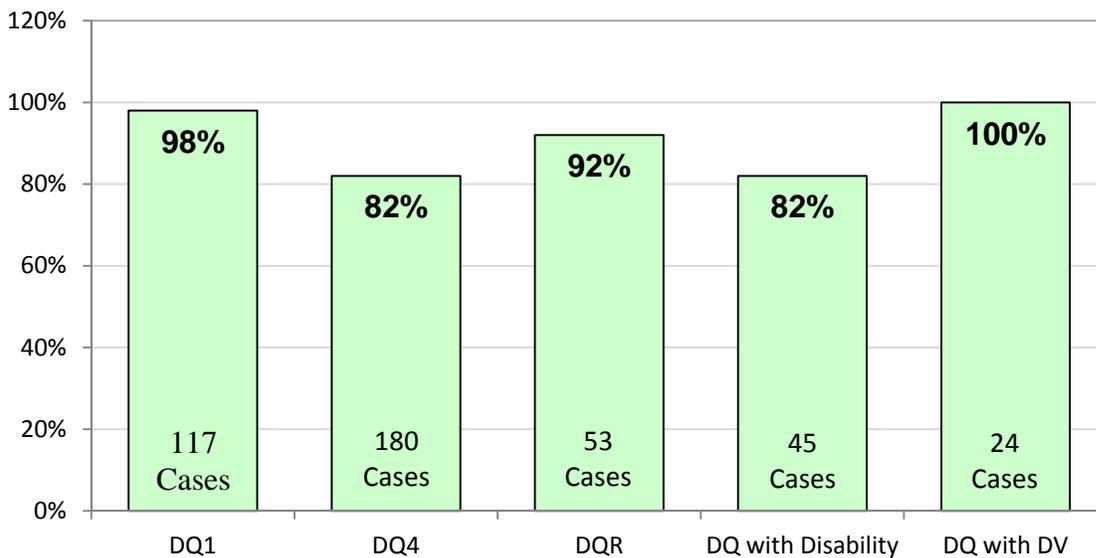
The chart below displays the percentage of March 2014 TANF cases where a disqualification was appropriately applied as compared to the two previous re-engagement reviews. 89 percent (365 out of 414) of the cases reviewed had the disqualification applied correctly. This percentage represents a 5 percent change from the September 2013 reviews.

Percent of cases with Correct Process

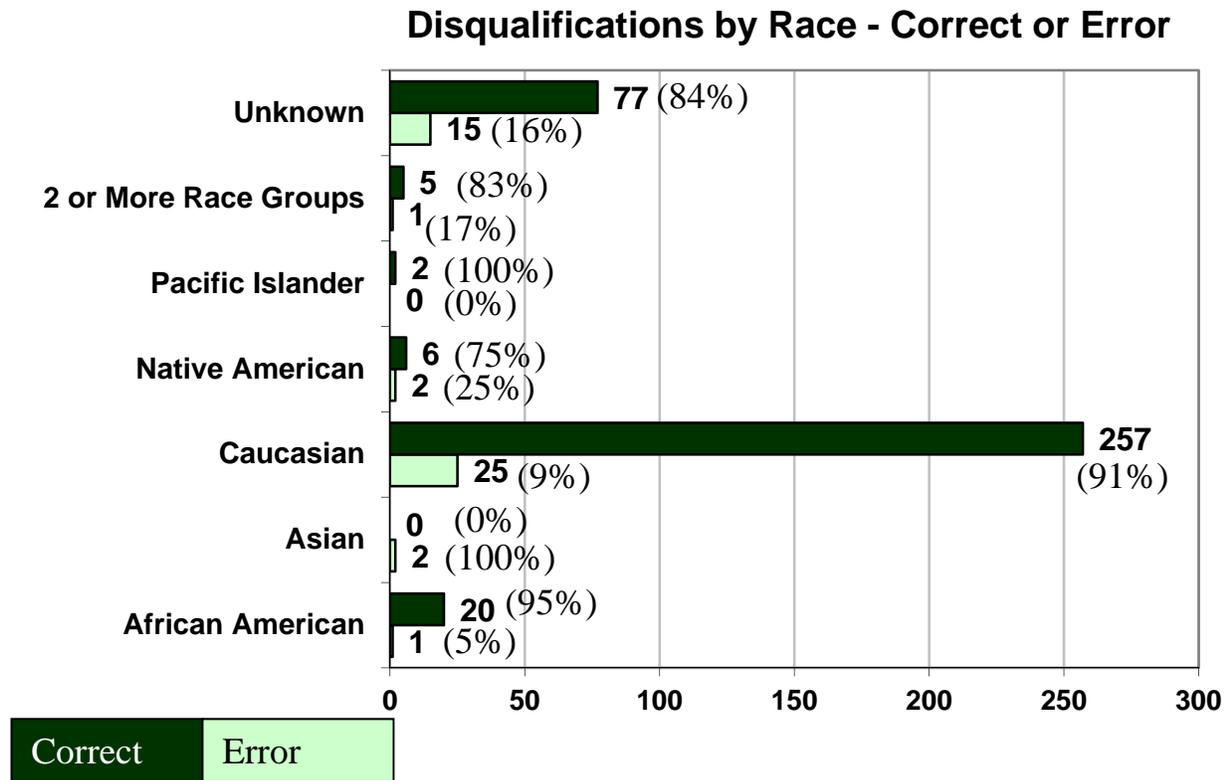


This decrease is not unexpected. The focus of this review was on the DQ4 disqualification level, which had seen the lowest accuracy rate in past reviews. All DQ4 cases (180 or 43 percent) were reviewed. The accuracy rate by disqualification level was equal to:

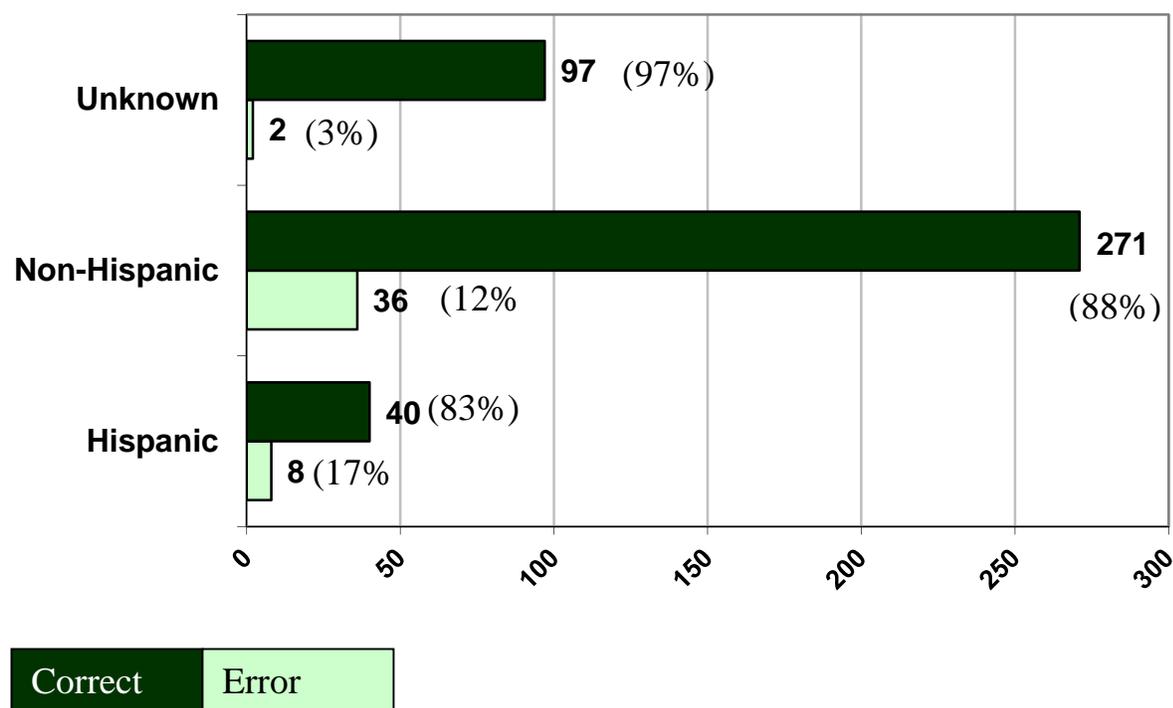
Accuracy Rate by type of Disqualification



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 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 ²	September 2013		March 2014	
	49 cases	Percent	46 cases	Percent
Accommodations (No record of a needed accommodation being offered)	8	16%	9	20%

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.

Reason for Removal ²	September 2013		March 2014	
	49 cases	Percent	46 cases	Percent
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)	20	41%	9	20%
Client re-engaged (client re-engaged and was cooperating with plan)	0	0%	1	2%
Disabilities (No record of disability issues being considered)	9	18%	13	28%
Domestic Violence (No record of domestic violence being considered)	3	6%	2	4%
DQ4³ Requirements (No record of DQ4 requirement being met)	7	14%	15	33%
Employment (client became employed)	6	12%	0	0%
New DQ Instance: Local Team Staffing (No record of review team staffing)	14	29%	2	4%
Continuing DQ: Local Team Staffing (No record of review team staffing on continuing non-cooperation)	21	43%	22	48%
Required notices (No record of required notices being sent)	0	0%	0	0%
Rights and Responsibilities form (DHS 7819 not located)	0	0%	0	0%
Rules (OARs governing the Re-engagement process were not followed)	5	10%	1	2%

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	September 2013		March 2014	
	49 cases	Percent	46 cases	Percent
Screening (No record of required screenings being offered or re-offered)	2	4%	0	0%

Improvements

- **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 41 percent (20 of 49 cases) in September 2013 to 20 percent (9 of 46 cases) of the cases in March 2014. What contributed to this decrease was the documentation of the child safety reviews in narratives, which were separate from the re-engagement staffing narration.

- **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 represented 6 percent of occurrences. The March 2014 review saw a slight decrease in occurrences from 6 percent to 4 percent (2 of 46 cases).

- **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 March 2014 review was 0 percent (0 of 46 cases) compared to 12 percent (6 of 49 cases) in the September 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 decreased from 22 percent (11 of 49 cases) in September 2013 to 4 percent (2 of 46 cases) in the March 2014 review.

- **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 September 2013 review 10 percent (5 of 49 cases) of the cases had issues with rule or policy violations. In the March 2014 review there was 1 of 46 cases, representing 2 percent of occurrences, discovered.

- **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 decreased from 2 percent of occurrences to 0 percent or (0 of 46 cases).

Difficulties

While there have been improvements, some areas saw increases 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 16 percent (8 of 49 cases) in March 2013 to 20 percent (9 of 46 cases) in the March 2014 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 0 percent (0 of 49 cases) in September 2013 to a slightly higher 2 percent (1 of 46 cases) in the March 2014 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 decreased from March to September of 2013, saw an increase in March 2014. The September 2013 review found 28 percent (13 of 46 cases) had a disability and no evidence the issue was considered prior to a disqualification.

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. In March, disability and accommodation training had begun to be provided again to DHS TANF staff and partners. There has been five

sessions in the past three months. Training will continue to be provided on a regular basis. However the training was after the re-engagement review and would not have had an impact on this review. It is expected to have a positive impact on the September review.

- **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 again from the most recent review. In the September 2013 review there was 21 of 49 cases representing 43 percent of occurrences. The percentage of occurrences increased to 48 percent (22 of 46 cases) during the September 2013 review.

One district accounted for 10 of the 22 cases where no evidence was found supporting the staffing requirement prior to the DQ4 being applied. This was due to a misunderstanding of program rule and policy. Training and support has been provided to this district. However this was after the March review.

- **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 March 2014 review was 33 percent (15 of 46 cases) compared to 14 percent (7 of 49 cases) in the September 2013 review.

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 March 2014 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 49 cases or 0 percent of occurrences in September 2013. There continued to be no occurrences in this category during the March 2014 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 March 2014 review, approximately 53 of 414 (13 percent) cases reviewed had been closed due to disqualification. Of the 53 cases, 49 were closed correctly. This represents 93 percent of cases in this category and a slight decrease in percentage (1 percent) from the previous review. The last review, September 2013, saw 105 of 770 or 13 percent of all cases reviewed were closed due to disqualification. Of these cases, 49 of 53 (93 percent) were closed correctly.

The majority of clients (36 of 49) who moved to DQR status have not had contact with the TANF program after the DQR was applied. A number of clients (7 of 49) reapplied for TANF after the two month ineligibility period.

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 770 in September 2013 and is now at 903 as of March 2014. The accuracy rate had been at or above 94 percent for the past three reviews. The current review saw this rate decrease to 89 percent.

Reasons for reduction in accuracy rate include:

- Misunderstanding of re-engagement process requirements.

This impacted 10 of the 46 cases where the disqualification was applied incorrectly. Had the training and guidance been provided prior to the review the outcome would have been 91 percent accuracy rather than 89 percent.

- Reviewing disqualification levels with history of lower than average accuracy rates.

The DQ4 level cases accounted for 43 percent (180 of 414) of the total cases reviewed. Historically DQ4 cases had seen the lowest accuracy rate of any disqualification level. In comparison DQ1 level cases saw an accuracy rate of 98 percent but accounted for a lower percentage of total cases.

The need for training and guidance continues. In the past year, nearly 160 new TANF case managers hired. Specialized training is in the process of being provided to new case managers as well as veteran staff and JOBS partners. However the training began after the re-engagement review and will not have an impact on outcomes until September 2014. There are two training sessions and they cover the following:

- Disabilities and accommodations and their relationship to participation and re-engagement in the JOBS program.
- Engagement and Re-engagement: Rules, policy, documenting the process and proper coding of disqualified cases.

As of May 31, 2014, approximately 170 TANF staff and JOBS partners have participated in the above mentioned trainings.

As with past reviews, a question and answer document is created after the review is completed. The document will focus on a number of topics discovered during the current review. Some of these include:

- Considering disability and accommodation needs
- Considering the disability issues of other family members
- Considering past months on non-cooperation when barriers to participation are discovered.
- Documenting the re-engagement process prior to a DQ4.