

TANF/JOBS Program Re-Engagement Review – September 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.

September 2012 Review

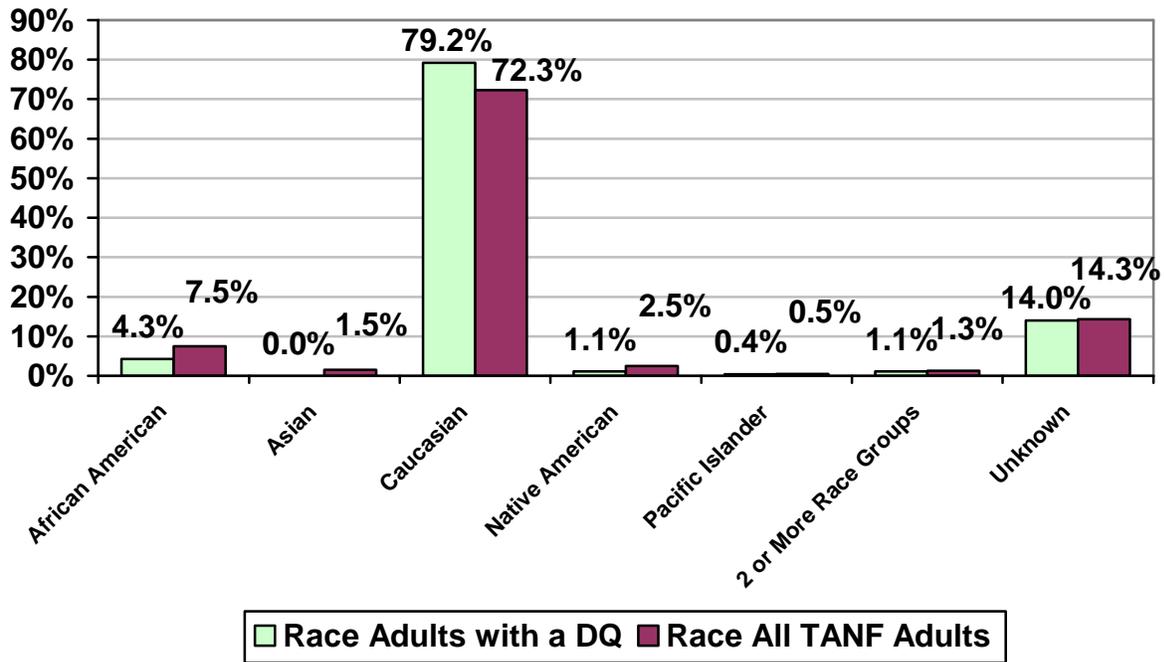
The September 2012 re-engagement review included all TANF cases where at least one adult had an active disqualification. A total of 279 cases were included as part of this review. This represents approximately 0.82 percent of the individuals receiving TANF who are required to participate in case plan activities. In September 2012 there was an increase of 103 cases compared to March 2012. Of the total cases reviewed in September 2012, disqualifications were applied correctly 96% of the time.

September 2012 Review – Race and Ethnicity

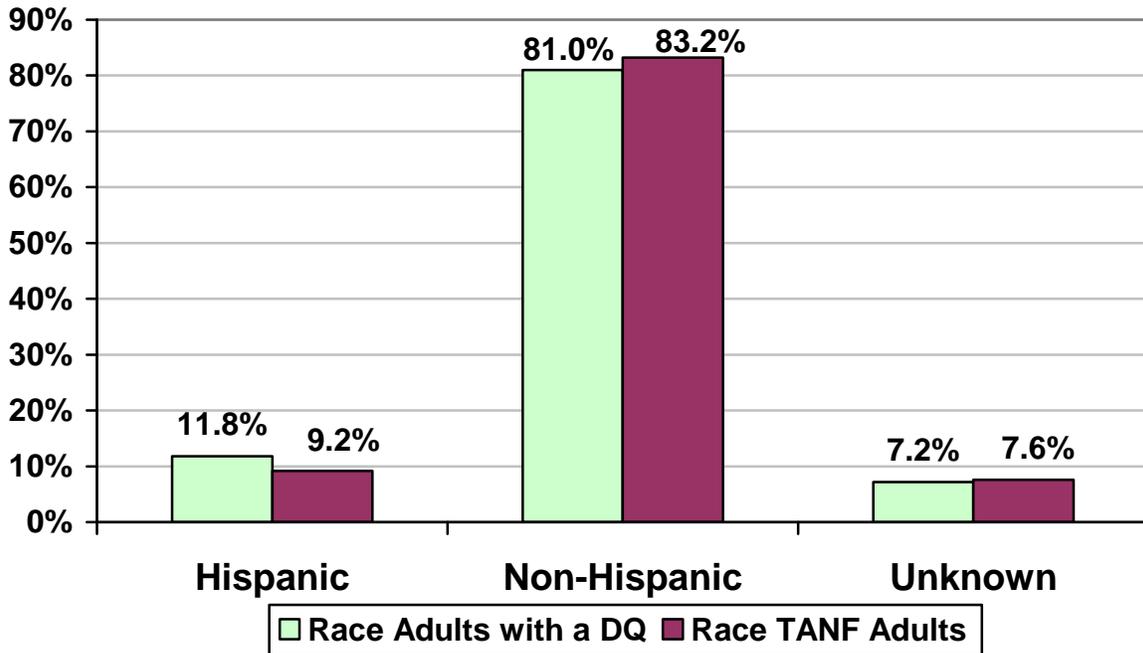
The chart below, displays the race and ethnicity information relative to the 279 clients¹, who experienced a disqualification.

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 - 279 Total Clients



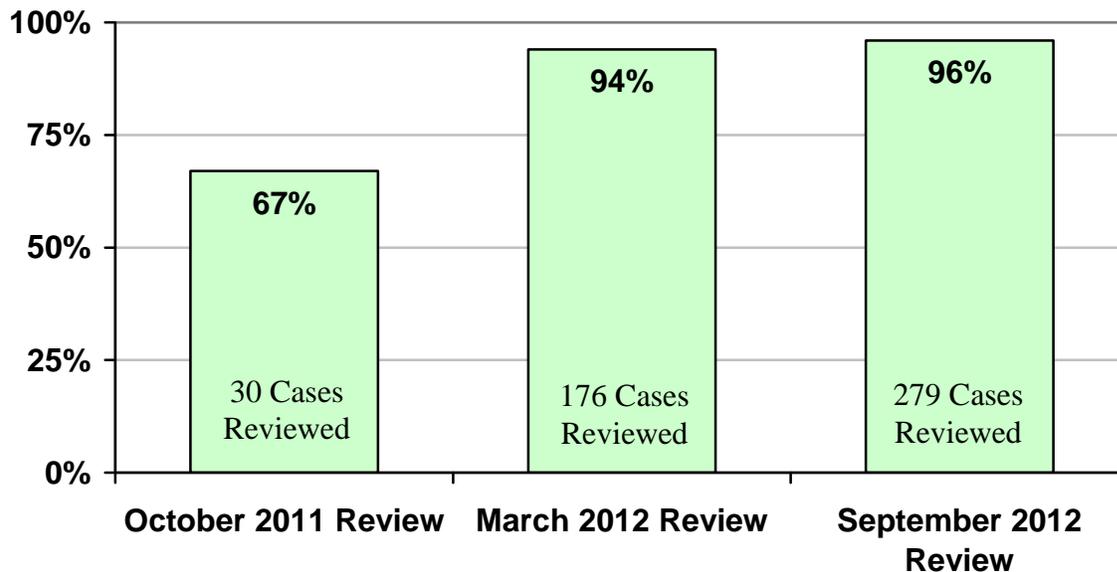
Ethnicity - Hispanic, Non-Hispanic and Unknown



Results - Re-Engagement Process

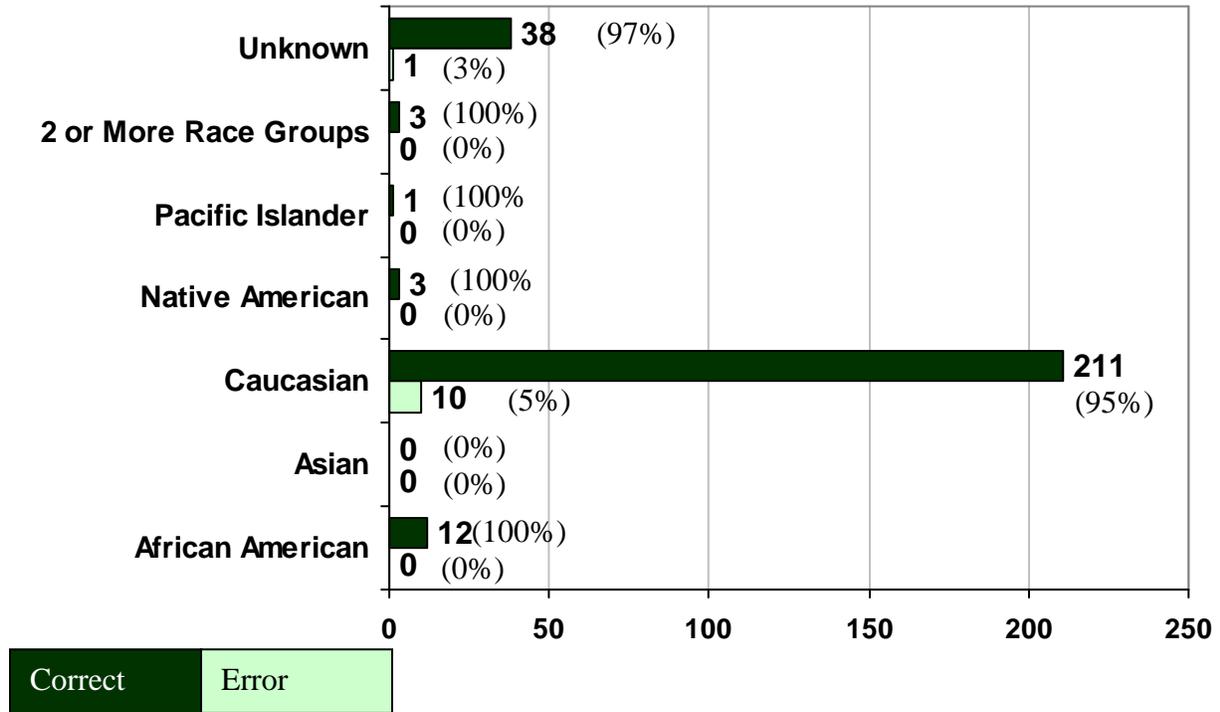
The chart below displays the percentage of September 2012 TANF cases where a disqualification was appropriately applied as compared to the two previous re-engagement reviews. 96 percent (268 out of 279) of the cases reviewed had the disqualification applied correctly. This percentage represents an increase of 2 percentage points over the March 2012 review and 29 percentage points over the October 2011 review.

Percent of cases with Correct Process

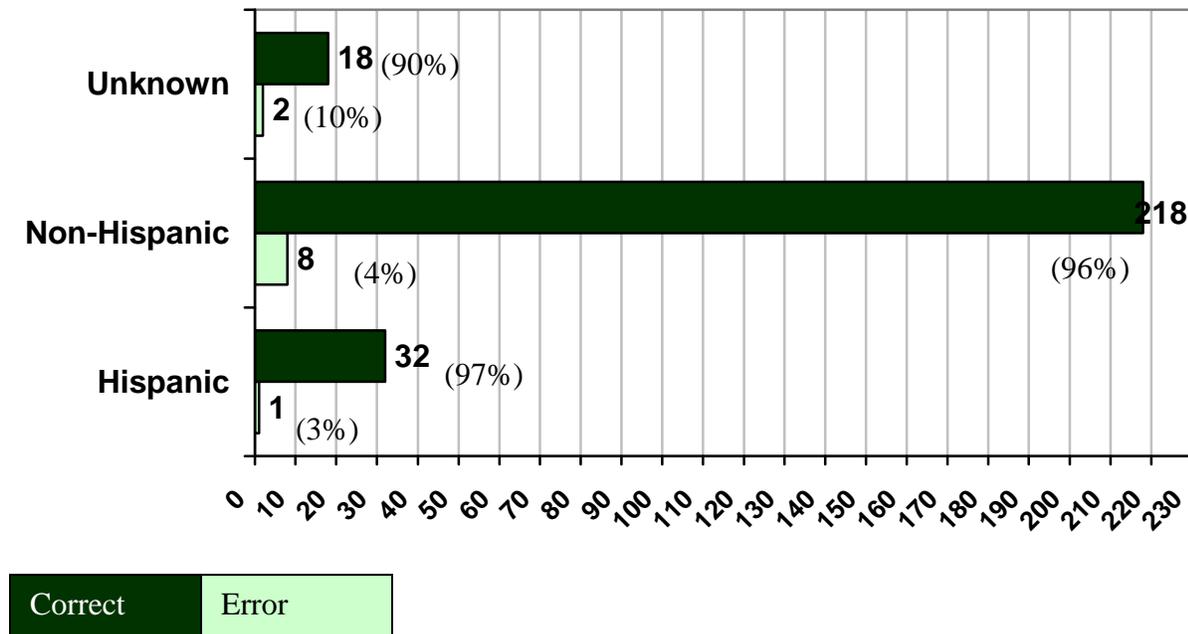


The charts below display the number of disqualifications applied correctly or in error by race and ethnicity. The charts also include the percent of disqualifications applied correctly and in error by race and ethnicity. The percent in each category represents a percentage of the total disqualifications by 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 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 March and September 2012 reviews.

Reason for Removal ²	March 2012		September 2012	
	10 cases	Percent	11 cases	Percent
Accommodations (No record of a needed accommodation being offered)	2	20%	0	0%
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)	1	10%	2	15%
Client re-engaged (client re-engaged and was cooperating with plan)	0	0%	1	8%
Disabilities (No record of disability issues being considered)	3	30%	0	0%
Domestic Violence (No record of domestic violence being considered)	0	0%	0	0%
DQ4³ Requirements (No record of DQ4 requirement being met)	1	10%	4	31%
New DQ Instance: Local Team Staffing (No record of review team staffing)	4	40%	2	15%

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	March 2012		September 2012	
	10 cases	Percent	11 cases	Percent
Continuing DQ: Local Team Staffing (No record of review team staffing on continuing non-cooperation)	1	10%	0	0%
Required notices (No record of required notices being sent)	1	10%	0	0%
Rights and Responsibilities form (DHS 7819 not located)	0	0%	0	0%
Rules (OARs governing the Re-engagement process were not followed)	1	10%	4	31%
Screening (No record of required screenings being offered or re-offered)	0	0%	0	0%

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 20 percent (2 of 10 cases) in March 2012 to 0 percent (0 of 11 cases) in the September 2012 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 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 to 0 percent (0 of 11 cases) during the September 2012 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 30 percent (3 of 10 cases) in March 2012, has seen a decrease. The September 2012 review found 0 percent (0 of 11 cases) had a disability and no evidence the issue was considered prior to a 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 decreased from 40 percent (4 of 10 cases) in March 2012 to 15 percent (2 of 11 cases) in the September 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 was 1 of 10 cases or 10 percent of occurrences in March 2012. There were no occurrences during the September 2012 review.

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 10 percent (1 of 10 cases) in September 2012 to 15 percent (2 of 11 cases) of the cases in March 2012.

- **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 10 cases) in March 2012 to 8 percent (1 of 11 cases) in the September 2012 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 September review was 31 percent (4 of 11 cases) compared to 10 percent (1 of 10 cases) in the March 2012 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 March 2012 review 10 percent (1 of 10 cases) of the cases had issues with rule or policy violations. In the September 2012 review there were 4 of 11 cases, representing 31 percent of occurrences, discovered.

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

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

- **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.

- **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 remained unchanged at zero percent of occurrences.

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. The September review saw the total number of cases in this category increased from 10 to 26. The 26 cases accounted for 9.3 percent (5.7 percent in March 2012) of the total cases (279) reviewed. Of these cases, 25 of 26 (96 percent) were closed correctly. The one case with an error had the disqualification reversed because no local team staffing took place prior to full family sanction.

Conclusion

The number of cases with an active disqualification has continued to increase over the past two reviews. The number of disqualified clients increased from 176 to 279. The percentage of cases with a disqualification applied correctly has increased as well from 94 percent to 96 percent. This is the second consecutive review with an accuracy rate of 90 percent or better.

There were some coding issues discovered during the review, which were not elevated to an error. None of the cases negatively impact the client or their family. One example involved coding cases moving to a full family sanction or after full family sanction to TANF ineligibility. Each case where there were coding concerns received an “FYI” with instructions regarding the appropriate coding requirement. A coding and notice reference sheet was created and has been distributed to staff. This document has been incorporated into training.

Training continues to be delivered to local areas. Several districts have requested and received training with additional districts on schedule to receive training during December. These districts have not been utilizing the re-engagement process at levels equal to their neighboring districts. Over the next six months, it is expected the number of individuals entering the re-engagement process will continue to increase.