

Xochitl Esparza, TANF Program Manager

**Authorized Signature**

**Number:** SS-AR-09-002

**Issue Date:** 04/17/2009

**Topic:** Cash Payments

**Due Date:** 04/17/2009

**Subject:** Local Office Instructions for Implementing the New Income Limit for Non-Needy Caretaker Relative for Existing TANF clients

**Applies to (check all that apply):**

- |   |  |
|---|--|
| <input type="checkbox"/> All DHS employees                        | <input type="checkbox"/> County Mental Health Directors                      |
| <input type="checkbox"/> Area Agencies on Aging                   | <input type="checkbox"/> Health Services                                     |
| <input checked="" type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities                |
| <input type="checkbox"/> County DD Program Managers               | <input checked="" type="checkbox"/> Other (please specify): Self Sufficiency |

**Action Required:**

When existing NNCR TANF recipients return pended items to see if they qualify under the new income limit, the case worker will take the appropriate action by May 19 based on the information received.

If the client is over-income, use a Notice of Decision and Action Taken (DHS 456), or Notice Writer (GSC1F01) to send a Timely Continuing Benefit Decision Notice citing OAR's 461-110-0330, 461-110-0530, 461-140-0010, 461-140-0040, and 461-155-0030.

If a current NNCR recipient continues to be eligible for TANF under the new income limit, a "Compute" action effective 06/01/09 must be completed adding the filing group members and income to CMS.

Central Office will send a list of affected cases to the respective branch office for review. Starting May 12, 2009, if the client has not responded to the April 20 notice, use a Notice of Decision and Action Taken (DHS 456), or Notice Writer (GSC1F01) to send a Timely Continuing Benefit Decision Notice based on the client's failure to respond, citing OAR **461-115-0610**.

If the client responds after May 11, the local office may determine eligibility based on the information received. However, the May 31 closure may proceed, depending on the duration of local office review and whether additional verification is needed.

**Applicants (DOR 04/16/09 through 04/30/09) and Recipients (with redetermination due 05/09)** - eligibility for NNCR applicants with a date-of-request between 04/15/09 and 04/30/09 (budget month), is determined based on current policy (no income limit for the NNCR filing group). A case worker will need to determine eligibility under current policy, open TANF benefits, and send a pending notice to the client requesting household composition and income verification to determine on-going eligibility. If the pending items are returned, the case worker will take the appropriate action based on the information received. If the pending items are not returned, the case worker will send a Timely Continuing Benefit Decision notice to end TANF cash assistance.

**Applicants (DOR 05/01/09 or later) and Recipients (with redetermination due 06/09)** - eligibility for NNCR applicants with a DOR of 05/01/09 (budget month) or later is based on new policy. Case workers need to determine eligibility based on two income tests: "Non-Needy Countable Income Limit Standard (185% of FPL)," and "TANF No-Adult Standard."

### **Determining TANF Eligibility for NNCR households**

The following steps are needed to determine TANF cash assistance eligibility for NNCR households:

1. Determine who is in the *household group* - the # in HH is still needed on CMS to determine TANF benefit amount.
2. Determine who is in the *filing group* - this now includes the NNCR, their spouse, and their dependent children in addition to the relative children (and any others that may be required under OAR 461-110-0330).
3. Determine who is in the *financial group* - this now includes the NNCR, their spouse, and their dependent children in addition to the relative children (excluding SSI recipients).
4. Determine the *countable income* of the *financial group* - the type and treatment of *countable income* has not changed.
5. Compare the total *countable income* to the new "Non-needy Countable Income Limit Standard" for the number in the *filing group*. If the *countable income* is equal to or exceeds the "Non-needy Countable Income Limit Standard," (185% of FPL) the benefit group is ineligible.
6. If the *countable income* is less than 185% of FPL, compare the total *countable income* of the *need group* (relative children) to the "TANF No-adult Standard." If the countable income of the *need group* is equal to or exceeds the "TANF No-adult Standard," the benefit group is ineligible.

**Note - When income verification is received, case workers need to determine whether other benefit programs are affected. Per OAR 461-115-0610,**

**“Verification provided for one program is used for all programs in which the client participates.”**

**CMS / Computer Action Required**

The following computer actions and coding are needed on CMS:

1. Enter the number in the household (# Hse field).
2. Add all filing group members - individuals not in the *need* group are “NO” in-grant code; *need* group members are “CH” (or other applicable code).
3. Add NPH case descriptor to Payee.
4. Code the total countable income for the *filing group*, excluding the income of the dependent relative children, under the Payee - use NNI need/resource code (Non-needy Income).
5. Code the *countable income* and income type to each respective individual in the *benefit* group (dependent relative children).

***NNCR TANF Recipients***

1. Receive pended items and re-determine financial eligibility
  - Eligible - compute action, effective 06/01/09, add filing group members and income (NNI) to CMS
  - Not Eligible (OVI) - Central Office will end NNCR TANF benefits effective 05/31/09 for any CMS case with no “compute” action
2. Re-determine eligibility for other programs based on income verification received (verified upon receipt)

**Reason for Action:** See [SS-PT-09-011](#)

**Field/Stakeholder review:**       Yes       No

**If yes, reviewed by:**

*If you have any questions about this action request, contact:*

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