
POLICY TRANSMITTAL NO. 06-30	DATE: MAY 30, 2006
FAMILY SUPPORT SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF PLANNING, POLICY & RESEARCH

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:65-5-1.

EXPLANATION: OAC 340:65-5-1 Instructions to Staff are revised to clarify that when benefits are terminated due to an appeal decision, the worker uses reason code 69 to prevent issuing a computer-generated notice.

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WF # 06-E (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

REMOVE

340:65-5-1

INSERT

340:65-5-1, pages 1-7, revised 6-1-06

PART 1. GENERAL PROVISIONS

340:65-5-1. Case changes 1 & 2

All changes, except applications and certifications, must be processed by the deadline to be effective the first day of the month following the deadline. 3 A computer-generated notice is sent to advise the recipient of any increase or decrease in benefits. Advance notice of adverse action may be required.

(1) **Advance notice required - when fraud is not probable.** If the reason for the suspension, termination, or reduction is other than one of the items listed under paragraph (3) and there is no indication of probable fraudulent acts on the part of the client, a computer-generated notice is sent to the client.

(A) If advance notice is required, action must be taken by the date shown on Schedule I, of DHS Appendix B2, Deadlines for Case Actions, to be effective on the first day of the following month.

(B) The recipient has ten days following the issuance of the advance notice to present information to show that the action is incorrect.

(C) If the recipient requests a fair hearing during the ten-day period, he or she can request continuation or reinstatement of benefits at the same level during the period of the fair hearing. The social services specialist is responsible for explaining to the client that if benefits are continued and the appeal is not decided in the client's favor, he or she will be expected to repay the benefits. If the appeal is denied by the Appeals Committee, the benefits are continued through the end of the month in which the final decision on the fair hearing is reached. The county office is responsible for taking the action needed to carry out the decision of the Appeals Committee. The Appeals Committee sends a letter of decision to the client. 4

(2) **Advance notice required if fraud is probable.** When the suspension, termination, or reduction in benefits is necessary because of probable fraudulent acts on the part of the recipient and the actual facts have been verified, the same policies and procedures as in subparagraph (1) of this Section apply except the advance notice period is five days instead of ten days.

(3) **Advance notice not required.** Advance notice of action is not required if the suspension, termination, or reduction in benefit resulted from:

- (A) death of a recipient or Temporary Assistance for Needy Families (TANF) payee when there is not a relative available to serve as a new payee;
- (B) transfer from one category of assistance to another without a resulting decrease or interruption in assistance payments;
- (C) benefit reduction because the spouse included in the TANF benefit is being removed and certified for a State Supplemental Payment for the Aged, Blind or Disabled without a resulting decrease in assistance to the family or interruption in assistance;
- (D) approval of care in a skilled nursing facility or intermediate care facility;
- (E) certification of assistance in another state with no interruption in the assistance payment;
- (F) an automatic increase in benefits brought about by federal legislation, such as to all beneficiaries of Social Security, Railroad Retirement, or Veteran's benefits;
- (G) admission of the recipient to a public institution where his or her needs are fully supplied;
- (H) receipt by the Agency of a clear written statement signed by the recipient that he or she no longer wishes assistance or that gives information which requires termination or reduction of assistance and the recipient has indicated in writing that he or she understands this will cause a reduction or termination of his or her assistance payment;
- (I) the recipient's whereabouts are unknown and the Agency's mail directed to him or her has been returned by the post office indicating no known forwarding address. The recipient's benefit must be made available to him or her if his or her whereabouts become known during the payment period covered by the returned benefit; or
- (J) a TANF child being removed from the home as a result of a judicial determination or is voluntarily placed in foster care by the legal guardian for a period in excess of 30 days.

INSTRUCTIONS TO STAFF

1. (a) **Worker responsibilities.** The worker is responsible for **promptly** updating the Family Assistance/Client Services (FACS) system if there is a change in the client's circumstances, such as change of address, change in benefit level, change in number of people, change in name, or any other change that affects the status of the case. **"Prompt" means within ten calendar days of the date the change was reported.**

(1) The worker updates FACS and records in FACS Case Notes a brief explanation of the action taken and reason for taking the action.

(2) The worker discusses with the client each change in circumstance affecting the client.

(3) When there is a reported change or a question regarding information, the worker promptly completes a re-evaluation of the situation after securing the necessary facts.

(4) When the client reports a change that results in a change in the benefit level, the worker promptly makes the change in accordance with applicable policy and procedures.

(b) Changes.

(1) Change prior to certification.

(A) Additional person. If, following the filing of the original application but prior to certification, assistance is requested for an additional person, the person is added to the application form, with documentation and eligibility verifications updated on all appropriate forms and FACS. The date the person moves into the assistance unit must be documented to ensure the correct benefit amount is authorized for the assistance unit. See OAC 340:65-3-5.

(B) Person removed. If, prior to certification, a person is removed from the group for which an application was originally made, the person's name is crossed off the original application form with a notation to show removal date and the reason for removal. The appropriate changes are entered on FACS.

(2) Change after certification.

(A) Temporary Assistance for Needy Families (TANF) additional person. When an additional person who becomes part of the TANF assistance unit after certification requests assistance, Form 08MP001E, Comprehensive Application and Review, is completed.

(i) If the additional person is required to be a member of the assistance unit, in accordance with OAC 340:10-3-56, eligibility for the assistance unit must be determined beginning the date he or she became a member of the assistance unit. See OAC 340:65-3-5.

(ii) If the additional person is not required to be a member of the assistance unit, only the eligibility of the additional person must be established. If the additional person is eligible, he or she is included as a part of the assistance unit. If the case continues eligible after adding the additional person, update the appropriate changes on FACS.

(iii) The additional person who is being added to an existing case is considered an applicant and, if eligibility is established, the initial month's supplemental benefits are prorated.

(B) Needs removed. If a person is removed from an assistance unit after certification, the individual's needs are removed the next effective date. If the reason for removal is death, the removal date is the date of death.

(C) Change in name, same person. If a change in name or spelling of name is indicated for a person in any category, the correct name is updated on FACS. An entry is made in Case Notes showing the reason for the change of name.

(D) Change in TANF payee. If, after certification, a different person becomes the payee who is not currently in the TANF assistance unit, refer to (2)(A) of this Instruction.

(E) An increase in benefits is authorized as soon as the necessary facts are secured.

2. (a) Case transfers. Except for children in the Department of Human Services (OKDHS) or tribal custody whose cases remain in the county of jurisdiction, a

client may apply for and/or receive services in the human services center of his or her choice.

(1) A client may request a transfer of his or her case record(s) by contacting the human services center that has the client's case or the human services center to which the client is requesting transfer.

(2) If the request for transfer is due to an address change or planned address change, the client must provide his or her new address before a transfer is initiated. **EXCEPTION:** Clients who are participating in the Address Confidentiality Program are not required to provide a residence address.

(b) Human services center plan. The county director is responsible for developing a plan to ensure human services center staff:

(1) use the appropriate FO transfer folders in Microsoft Outlook for sending messages concerning case transfers;

(2) check the appropriate FO transfer folder for messages a minimum of twice daily every day the office is open, once each:

(A) morning; and

(B) afternoon;

(3) accept the client's request and initiate the transfer of all active cases, pending applications, and closed cases involving Family Support Services Division (FSSD) programs by posting a message in the appropriate FO transfer folder or by phoning a human services center office to expedite a transfer and posting a message in the appropriate FO transfer folder.

(A) When posting a message, show the case name, case number, and the name and number of the initiating human services center as the subject. If expedited or emergency services are involved, the message is marked with a high level of importance.

(B) The text of the message must explain that the client is requesting the transfer and, when applicable, include the date of the phone request, the client's phone number, new address, and new supervisor and district numbers;

(4) give priority to phone requests from human services center offices requesting to expedite a case transfer;

(5) notify the initiating human services center when a case transfer cannot be completed within two business days of receiving a transfer request;

(6) complete the procedures in (A) through (D) of this Instruction when transferring case(s) to another human services center. Human services center staff:

(A) update FACS with any changes needed, such as a change of address, or new supervisor and district numbers;

(B) ensure the case record is in order with material filed in the proper section or deleted as appropriate;

(C) prepare a brief summary of what action, if any, is currently needed on the case record; and

(D) mail the case record(s) and post a message in the appropriate FO transfer folder giving the mailing date and any information relevant to the transfer. If the sending office is also the office that initiates the request, the procedures for requesting and sending are combined. The sending or requesting office must not transfer the case(s) until the receiving office has posted an acceptance of the transfer in the appropriate FO transfer folder;

(7) complete the procedures in (A) through (B) of this Instruction when transferring cases(s) in from another human services center.

(A) If the receiving office is not the initiating office, the receiving office acknowledges acceptance of the case(s) and provides the supervisor number and district number within two business days of receiving a request by posting a message in the appropriate FO transfer folder.

(B) The receiving office acknowledges receipt of the case(s) by posting a message in the appropriate FO transfer folder; and

(8) delete messages in the human services center's own FO transfer folder upon completion of a transfer; and re-enter the effective date of the negative action when transferring a case that is in denied, closed, or

suspended status. When a case being transferred is a case that has been deleted from the ALFX file, the case number assignment transaction PS1-B is used.

(c) Cancellation of case number. When more than one number has been assigned to a client:

(1) if no benefits or notices have been issued, the worker denies the application using reason code other, combines the cases, and sends an electronic message requesting cancellation to the Systems Design, Development and Support Unit, Family Support Services Division (FSSD), State Office; or

(2) if benefits or notices have been issued, the worker closes the case and combines the two records under the correct case number.

3. OKDHS Appendix B-2, Deadlines for Case Actions, is the deadline schedule for case changes. To view the appendix online, select Forms, Multiple Programs folder, OKDHS AP-B-2 on the OKDHS InfoNet home page.
4. If the appeal results in benefit termination, the worker terminates the benefit using reason code 69 to prevent issuing a computer-generated notice. The worker is responsible for issuing a notice manually to the client explaining the action taken.