

DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 3-2014  
**FNS Assessments/Treatments for Class H or I Drug Felons**  
**April 8, 2014**

**(Food and Nutrition Services)**

**TO:** County Directors of Social Services

**ATTENTION:** Food and Nutrition Services Managers and Supervisors

**DATE:** April 8, 2014

**SUBJECT:** FNS Assessments/Treatments for Class H or I Drug Felons

**EFFECTIVE:** Upon Receipt

**I. GENERAL INFORMATION**

The purpose of this letter is to provide clarification of policy procedures regarding handling assessments/treatments for Class H or I Drug Felons.

All individuals identified as having a Class H or I Controlled Substance Felony, which have not been previously cured, are referred to the QPSA for a substance abuse assessment, and who meet criteria in II. A below, shall be referred for assessment.

If determined by QPSA that the individual is not required to comply with any substance abuse treatment requirements, or has already successfully completed a treatment program the disqualification is considered cured and the individual is then eligible to participate in the FNS program if all other eligibility factors are met.

If determined by QPSA that the individual needs to participate in substance abuse treatment and funds are available, participation becomes a condition for receiving FNS benefits. The individual cannot be determined eligible to receive FNS benefits until notice of compliance is received from QPSA and all other eligibility factors are met.

**II. POLICY PROCEDURES**

**A. Identify if the individual/s has Class H or I Controlled Substance Felony**

Address the following questions:

1. Has anyone been convicted of a controlled substance felony offense that was committed on or after August 23, 1996?
2. Was the conviction for a Class H or Class I controlled substance felony charge?
3. Was the conviction in N.C?
4. Has it been at least six months since individual/s release from custody?

**B. Referring individual/s to the QPSA**

Refer the individual for assessment by completing the DSS-8129 Consent for Release of Confidential Information and schedule the assessment appointment according to county policy. The QPSA will inform the caseworker of non-completion or completion of assessment and/or if treatment is necessary. If treatment is indicated the individual must engage in treatment as a condition for receiving benefits.

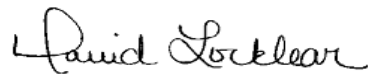
**C. Disqualifying individual/s for noncompliance**

QPSA provides notification when the individual fails to follow through with the required assessment and/or treatment, if indicated. The individual is disqualified when notification that an individual has failed to follow through with the required assessment and/or treatment, if indicated.

**NOTE:** There is a co-payment for outpatient behavioral health services for individual who receive Medicaid benefits. On November 1, 2010, DMA implemented a new copayment requirement. A copayment of \$3.00 will be charged for clinic and outpatient services including visits for outpatient behavioral health services. Providers may bill the patient for the applicable copayment amount, but may not refuse services for inability to pay copayment.

If you have any questions, please contact your Food and Nutrition Services & Energy Programs Regional Support Team directly via email.

Sincerely,



David Locklear, Acting Chief  
Economic and Family Services Section

DL/vd