

**DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 3-2014
Work First Program**

TO: County Directors of Social Services

ATTENTION: Work First Program Administrators, Managers, and Supervisors

DATE: July 29 , 2014

SUBJECT: Mutual Responsibility Agreement Sanctions for Work First Child Only Cases

EFFECTIVE DATE: August 1, 2014

I. GENERAL INFORMATION

The sanction process for non compliance with the Mutual Responsibility Agreement-Core Requirements (MRA-A) is changing for Work First Child Only Cases. The MRA-A requires all participants to cooperate with Child Support Enforcement, obtain immunizations, have regular Health Checks and ensure that school-aged children and minor parents, who receive cash assistance, live at home and attend school according to school attendance policy.

The MRA-A, [DSS-6963A](#), will serve as the timely notice for all applicants and participants, including Child Only cases who fail to comply with the requirements. The adequate notice serves as the notice for the hearings process. Refer to [Work First Manual Section 264](#).

Work First staff must ensure that all Work First applicants and participants are informed and understand that in order to receive a cash assistance payment all aspects of their Mutual Responsibility Agreement-Core Requirements must be met, unless there is good cause.

II. IMPLEMENTATION PROCEDURES

Parents or caretakers who, without good cause, do not comply with their MRA-A will make the entire family ineligible for a cash assistance payment for one month or until compliance. When a case assistance payment is missed, the case terminates.

The MRA-A was revised to include the following statement, "I acknowledge if I do not meet the requirements listed on the MRA Core Requirements, my Work First payment will stop without further notice. This agreement serves as my notice of termination." This statement will serve as the family's timely notice. Applicants and/or Participants are required to initial all items listed on the MRA-A.

Work First staff will need to explain the information on the revised MRA-A to both applicant and recipient households. The MRA-A must be signed by the family and maintained in the case record. Provide the family with a copy of the signed form.

A. Determination of Good Cause

If the family does not comply with the MRA-A requirements, the caseworker must determine if good cause exists for the non-compliance. The caseworker must review the case and the

MRA-A as well as discuss with the family their reasons for failure to meet the requirements. The family is responsible for providing documentation to the case worker if they believe there is good cause for their non-compliance.

Good cause is defined as:

1. A significant family crisis or change including, but not limited to, the death of a spouse, parent, or child;
2. Illness or disability of the caretaker or child, including participation in substance abuse treatment or attendance at a medical appointment;
3. Civil leave, including jury duty, or a required court appearance;
4. The loss or interruption of transportation or child care for parent and/or a minor parent in school, training, or other work activity;
5. An indication that existing or new disabilities are a factor in non compliance; or
6. Any other reason determined by the county director or the director's designee.

If there is an indication that existing or new disabilities are a factor in the non-compliance, the case worker must conduct a thorough assessment. The worker must ensure reasonable accommodations are available to all individuals with disabilities who need assistance to meet their requirements.

Counties must use prudent judgment to ensure that good cause is applied reasonably and equitably to all families.

B. Applying the MRA-A Sanction

For non-compliance with the MRA-A, a sanction is applied to the Work First/Cash Assistance payment even though the caretaker is not included in the payment. A sanction should be applied only after attempts have been made to help the family meet the requirements of their MRA-A. These efforts must be documented in the case record. Action to initiate a sanction must be taken within 10 days of the noncompliance.

1. Generate/key an automated adequate notice (DSS-8110). The DSS-8110 must state the reason for the sanction.
2. Enter a begin date for the sanction in the appropriate automated case management system and terminate the case.
3. If appropriate, evaluate the family members for Medical Assistance.
4. The family will need to re-apply for Work First/Cash Assistance to resume benefits.

C. Ending an MRA-A Sanction

If the family reapplies for Work First/Cash Assistance, the caseworker must determine if the family has complied with the MRA-A and missed at least one cash assistance payment.

If the family reapplies for Work First/Cash Assistance in the month of termination, eligibility for benefits can be effective no earlier than the first day of the month following the month of the missed payment. Case workers must conduct an interview with the family. Discuss with the parent/caretaker their reasons for non compliance and address any barriers. Explain to the parent/caretaker they are still required to comply with their MRA-A requirements before they can receive a Work First/Cash Assistance payment.

1. The parent or caretaker must meet with the worker and provide necessary verification of compliance. What constitutes compliance depends on the specific reason for the sanction, and is decided on a case by case basis.
2. If the family has not missed the minimum of one (1) payment, then the sanction has not been applied. The sanction must be applied and at least one (1) payment missed. If at least one (1) payment has not been missed, then delay the payment effective date.
3. Make the payment effective the month following the month of the missed payment.

If the family reapplies within two (2) consecutive months of termination the case worker and parent/caretaker can initial and date the previous MRA-A. If the family's situation is unchanged the completion of new Substance Abuse, Domestic Violence and Learning Needs Screening Tools (if applicable) may be waived. These previously completed assessments must be documented within the case record.

D. MRA-A Sanction and Food and Nutrition Services Benefits

The household's Food and Nutrition allotment is not increased when the Work First/Cash Assistance payment is reduced due to a sanction. If appropriate, notify Food and Nutrition Services staff via the Income Maintenance Transmittal Form, [DSS-8194](#), that a Work First/Cash Assistance sanction is being imposed or ended.


III. EFFECTIVE DATE

This policy is effective August 1, 2014. Apply this policy at the next review, application, or change in situation.

Until the manual has been updated, this Administrative Letter serves as policy. The revised Mutual Responsibility Agreement- Core Requirements ([DSS-6963A](#)) is available in the [Forms Library/DSS Online Publications](#).

Please email any questions regarding this policy to WorkFirst.Support@dhhs.nc.gov .

Sincerely,



David Locklear, Acting Chief
Economic and Family Services