

December 1, 2023

GENERAL LETTER NO. 4-A-76

ISSUED BY: Bureau of Financial, Food, and Work Supports
Division of Community Access

SUBJECT: Employees' Manual, Title 4, Chapter A, *Family Investment Program Administration*,
Contents 1, 2, 4, 5, 10, revised.

Summary

This chapter is revised to

- Update the name of Child Support Recovery Unit (CSRU) to Child Support Services (CSS).
- Remove outdated information.

Effective Date

Upon receipt.

Material Superseded

Remove the following pages from Employees' Manual, Title 4, Chapter A, and destroy them:

<u>Page</u>	<u>Date</u>
Contents 1	March 10, 2023
2, 4, 5, 10	March 10, 2023

Additional Information

Refer questions about this general letter to your area income maintenance administrator.

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“Assistance unit” includes any person whose income is considered in determining eligibility or the amount of the grant, whether or not the person’s needs are met by the FIP grant.

“Budgeting process” is the procedure used when computing income to determine initial and ongoing eligibility and the amount of assistance.

“Casino, gambling casino, or gaming establishment” means an establishment with a primary purpose of accommodating the wagering of money. It does not include:

- A grocery store which sells groceries, including staple foods and which also offers, or is located within the same building or complex as casino, gambling, or gaming activities; or
- Any other establishment that offers casino, gambling, or gaming activities incidental to the principal purpose of the business.

An automated teller machine (ATM) or a point-of-sale (POS) terminal located within those areas of an establishment where individuals are banned due to age restrictions associated with gambling, established by state or federal law or by any other regulatory entity having the authority to do so, is considered to be in a casino, gambling casino, or gaming establishment.

“Central Office” means the policy staff of the Department’s Bureau of Financial, Food and Work Supports.

“Change in income” means a permanent change in the number of hours worked, rate of pay, or the beginning or ending of income.

“CSS” means Child Support Services (in the Division of Community Access). CSS is responsible for providing child support services (e.g. establishment, modification, enforcement, etc.) under Title IV-D of the Social Security Act.

“CSC” means the Department’s Collection Services Center (in the Division of Fiscal Management). CSC is responsible for collecting and distributing support payments.

“Department” means the Iowa Department of Health and Human Services.

“Dependent” means a person who can be claimed by another person as a dependent for federal income tax purposes.

“Dependent child” means a child who meets the FIP nonfinancial eligibility requirements, until the child reaches age 18. A child is considered a dependent child at age 18 when the child:

- Is a full-time student in a secondary school or the equivalent level of vocational or technical training, and
- Is reasonably expected to complete the program before reaching age 19.

“Electronic benefit transfer transaction” means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service.

“Medical institution” means a facility organized to provide medical care, including nursing and convalescent care. The facility must comply with state law and be licensed. A medical facility may be public or private. Examples are:

- Hospitals.
- Extended care facilities (skilled nursing).
- Intermediate care facilities.
- Mental health institutions.
- State resource centers.

“Minor parent” means an applicant or participant parent who is less than 18 years of age and has never been married. A person whose marriage is annulled is considered not to have been married.

“Needy specified relative” means a nonparental specified relative, as listed in [4-C, Specified Relatives](#), who meets all the eligibility requirements to be included in the FIP eligible group.

“Operating organization” means an entity selected by the Department for involvement in operating individual development accounts directed to a specific target population.

“Parent” means a legally recognized parent, including an adoptive parent or a biological father if there is no legally recognized father.

“Participant” means a person for whom FIP assistance is paid, including parents living in the home with eligible children or nonparental relatives receiving assistance for eligible children. Unless otherwise specified, a person is not a participant in any month in which:

- Assistance is subject to recoupment because the person was ineligible, or
- The person requested cancellation before the month began **and** returned the warrant issued for that month.

“Payment month” means the calendar month for which assistance is paid. It includes a month that the participant is eligible but for which a FIP payment is not issued due to the limitation on grants below \$10 or due to rounding.

“Payment standard” means the total need of the eligible group. It is determined by adding the total needs of a group (based on Schedule of Basic Needs) to any allowable special needs.

“PROMISE JOBS” stands for “PROMoting Independence and Self-sufficiency through Employment, Job Opportunities, and Basic Skills.” PROMISE JOBS is the Department’s FIP work and training program, as described in [4-J, PROMISE JOBS](#).

“Prospective budgeting” means determining eligibility and the amount of assistance for a calendar month based on an estimate of the income and the circumstances that will exist in that month.

“Prudent person concept” refers to the capability of the income maintenance worker to review and analyze information given by the participant and the ability to decide quickly and accurately whether the information is sufficient for making an eligibility determination, or further checking should

be done. The “prudent person” must be vigilant, cautious, perceptive, and guided by generally sound judgment.

“Recovery” is the process by which an overpayment is collected from the participant. Department staff are responsible for reviewing each overpayment and determining the circumstances and amount of the overpayment. The Department of Inspections, Appeals, and Licensing (DIAL) is responsible for collection actions.

“Retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclad state for entertainment” means an establishment that includes live entertainment at locations such as, but not limited to, strip clubs and gentlemen’s clubs. It also includes stores and theaters that exclusively or primarily sell or feature adult-oriented videos and movies such as, but not limited to, adult book stores and adult movie theaters.

A retail establishment meets this definition when the Department has confirmed the primary nature of the business through the description on the business’s website, phone contact with the establishment, a site visit, or other means such as common local knowledge.

“Retrospective budgeting” means the computation of the amount of assistance for a payment month based on the actual income and circumstances that existed in the budget month.

“Review/Recertification Eligibility Document” or **“RRED”** is the form a participant uses to provide information for the redetermination reviews.

“Schedule of basic needs” means the payment standard for the assistance unit, based on a percentage of the schedule of living costs.

“Schedule of living costs” combines items of need (such as food, clothing, shelter, utilities, and personal care) into one consolidated standard that represents 100% of need.

“Standard of need” means the total needs of the eligible group according to the schedule of living costs plus any allowable special needs.

“Stepparent” means a person who is not the parent of the dependent child, but is the legal spouse of the dependent child’s parent by ceremonial or common-law marriage.

“Timely notice” means that the participant is mailed a *Notice of Decision* on the participant’s case at least ten calendar days before the effective date of adverse action except in cases of probable fraud.

“Timely notice period” extends from the day after notice is issued to the effective date of the action.

“Two-parent household” is a FIP household that contains two active FIP parents of a common child who are both referred to PROMISE JOBS and one of these parents is the head of household or case name.

- The participant gives information that requires termination or reduction of assistance, and the participant has indicated in writing that the participant understands the consequences of supplying the information. (A written statement is not needed when the participant gives the information in time to provide timely notice.)
- You do not know the location of the participant and the participant's mail has been returned with the post office indicating no known forwarding address.
- The participant has been accepted for assistance in a new jurisdiction.
- A child on the FIP case is removed by the court or voluntarily placed in foster care.

Appeals

Legal reference: 441 IAC 7.5(17A), 7.6(17A), 7.8(17A), 7.9(17A), 7.11(17A), 7.17(17A)

Policy: The applicant or participant has a right to appeal any decision and to request an appeal hearing. No one may limit or interfere with this right.

Appeals for FIP and PROMISE JOBS may be made in writing, by telephone, or in person.

Assistance is continued if the appeal is filed before the effective date of the intended action or within 10 days from the date the notice is received. The date the notice is received is considered to be five days after the date on the notice. If the client is eligible for a special need allowance, the allowance is paid while the appeal decision is pending.

Assistance is not continued if:

- The client directs you in writing to go ahead with the intended action.
- The client appeals cancellation due to failure to return a complete RRED.
- An appeal is filed after the effective date of the intended action.
- The appeal is filed more than ten days from the date the notice is received. The date the notice is received is considered to be five days after the date on the notice. Unless the appellant shows that the appellant did not receive the notice within the five day period.