

July 5, 2024

GENERAL LETTER NO. 4-J-20

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

SUBJECT: Employees' Manual, Title 4, Chapter J, **PROMISE JOBS**, Title Page, Contents 1 and 2, 1-56, revised; 57-76, new.

Summary

This chapter is revised to

- Update procedure by removing the requirement that IM provide a copy of form 470-0806, Self-Assessment, to PROMISE JOBS referrals.
- Update language due to the Department of Human Rights no longer existing separately from the Department of Health and Human Services.

Effective Date

Upon receipt.

Material Superseded

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

<u>Page</u>	<u>Date</u>
Title Page	August 11, 2023
Contents 1 and 2	August 11, 2023
1-56	August 11, 2023

Additional Information

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

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Overview

The Iowa Department of Health and Human Services (the Department) administers an employment and training program known as “PROMISE JOBS.” The purpose of the PROMISE JOBS program is to:

- Increase educational and employment opportunities for FIP clients, and
- Encourage clients to become self-sufficient.

The legal basis for the PROMISE JOBS program is found in Title IV-A of the Social Security Act, Iowa Code Chapter 239B, and 441 Iowa Administrative Code, Chapters 41 and 93.

The Department assigns responsibility for the provision of PROMISE JOBS services to Iowa Workforce Development (IWD).

Only people applying for or receiving Family Investment Program (FIP) assistance are eligible for PROMISE JOBS services. PROMISE JOBS services are terminated when FIP assistance is terminated for any reason, including when FIP is terminated at the end of the 60-month lifetime limit. See [4-C, *Limit on FIP Assistance*](#) for additional information.

See [4-C, *Hardship Exemption*](#) for PROMISE JOBS requirements for families that have exhausted their 60-month FIP period but are determined eligible for a six-month hardship exemption.

This chapter describes:

- Income maintenance responsibilities for determining eligibility for the program,
- Who is exempt from participation,
- Who must participate, and
- What to do if the client fails to cooperate.

See the [PROMISE JOBS Provider Manual](#), which contains policies and procedures used by IWD and examples of system-issued letters to participants.

PROMISE JOBS Activities and Services

Legal reference: 441 IAC 93.4(4)“b”

Policy: PROMISE JOBS activities may include, but are not limited to the following:

- Orientation and initial assessment

- Additional assessments
- Job readiness skills training
- Job search activities
- Mental health, substance abuse, and other rehabilitative treatments
- High school completion
- High school equivalency
- Adult Basic Education (ABE)
- English as a Second Language (ESL)
- Post-secondary education
- Family Development and Self-Sufficiency (FaDSS) or other family development programs
- Work experience
- Unpaid community service
- Parenting skills training
- Employment
- On-the-job training
- Referral for family planning counseling
- Family violence option

PROMISE JOBS supportive services include:

- **Family Development and Self-Sufficiency (FaDSS) Program:** FaDSS provides family development and other services to FIP families who may need more support to exit the program successfully. The Department has agreements with various local public and private organizations referred to as “FaDSS grantees” to oversee the administration of FaDSS services. These grantees work with families comprehensively as part of a specific plan towards family stability and self-sufficiency.

- **Family Self-Sufficiency Grant (FSSG) Program:** FSSG provides immediate and short-term assistance to PROMISE JOBS participants with barriers when the assistance in removing the barrier will help the participant to:
 - Keep a job, or
 - Accept a job in the two full calendar months following the date of authorization of payment.

The FSSG payment limit per family is \$1,000 per year.

Supportive services under PROMISE JOBS may include payment for:

- Transportation, other than for employment,
- Child care,
- Required clothing and equipment needed for participation in a Work Experience Placement (WEP),
- Enrollment and testing fees for education and training activities,
- Direct education costs such as tuition, books, basic and specific supplies, and required uniforms.

Procedure: Inform FIP applicants and participants of the employment, education, training opportunities, and support services available through PROMISE JOBS. For additional information on PROMISE JOBS activities and services, see the [PROMISE JOBS Provider Manual](#).

Confidentiality

Legal reference: 441 IAC 93.2(2)"c"

Policy: All state and local agencies participating in the PROMISE JOBS program must follow the confidentiality requirements of [1-C, Confidentiality and Records](#).

Procedure: If the PROMISE JOBS or FaDSS worker requests information in order to provide services to the participant, an authorization for release of information is not required. You can give the information.

Informing Applicants and Participants About PROMISE JOBS

Legal reference: 441 IAC 41.24(239B)

Policy: The benefits, rights, and responsibilities under the PROMISE JOBS program are as follows:

- The family investment agreement (FIA) and the advantages of employment under FIP. (See [Family Investment Agreement](#) later in this chapter.)
- The requirement to meet with PROMISE JOBS and to write and sign an FIA before FIP can be approved.
- The employment, education, and training opportunities and support services to which participants are entitled.
- Child Care Assistance.
- Requirements for households that have received FIP for 60 months and are requesting a hardship exemption. (See [4-C, Hardship Exemption](#) for details.)
- Reasons for which people may be exempt from participating in PROMISE JOBS.
- The limited benefit plan (LBP), what actions result in choosing it, and the consequences of choosing it. Inform applicants who are currently in an LBP of the actions they must take with PROMISE JOBS **before** they can get FIP.

See [4-B, Effective Date of Assistance](#) and [4-G, Changes in Household Circumstances: Adding a New Member to an Active Case](#) for more information.

- Their responsibility to report any change that might affect their exempt status within ten days of the change.
- The requirement to cooperate in establishing paternity and enforcing child support obligations. (Federal regulations for PROMISE JOBS specifically state that all FIP applicants and participants must be informed of this requirement.)

Procedure: Inform FIP applicants and participants about the benefits, rights, and responsibilities under the PROMISE JOBS program. Use the information in [Comm. 108, The Family Investment Program](#), and [Comm. 170, Understanding the Limited Benefit Plan](#) to assist in presenting this information.

Referring People to PROMISE JOBS

Legal reference: 441 IAC 41.24(1), 41.24(3), 41.24(4)

Policy: Any person applying for or receiving FIP and any parent in the home of a child applying for or receiving FIP is FIA-responsible and must be referred to PROMISE JOBS to sign a Family Investment Agreement (FIA) as a condition of receiving FIP unless exempt. An FIA-responsible person must carry out the terms of their signed FIA to continue receiving FIP. Failure results in FIP ineligibility under a Limited Benefit Plan (LBP). See [Limited Benefit Plan](#) for more information.

See [Family Investment Agreement](#) for more information regarding the FIA.

Procedure: Determine whether each household member must participate in PROMISE JOBS or meets one of the exemption criteria described under [Who Is Exempt From Referral to PROMISE JOBS](#).

People Who Must Be Referred to PROMISE JOBS as FIA-Responsible (Unless Exempt)

- All applicants **who appear eligible for FIP** and all people included in the FIP grant, including:
 - Any parent,
 - Any needy specified relative,
 - Any child 16 or older who is not in school,
 - Any minor parent, whether or not in school.
- Any excluded parent living with a child included or applying to be included in the FIP grant, such as a Parent excluded for failure to provide a social security number,
- Parent excluded for failure to apply for all benefits,
- Qualified alien parent ineligible due to the five-year bar, or
- Parent receiving a foster care or subsidized adoption payment or a Preparation for Adult Living (PAL) stipend

For an alien applicant, if they appear to have a qualified alien status that makes them FIA-responsible and otherwise appear potentially eligible for FIP, refer them to PROMISE JOBS. See [4-L, Aliens and Migrants](#) for more information.

To refer a person to PROMISE JOBS in the system, enter the JOBS code in ABC that identifies the person's situation (applicant, participant, etc.) so the system will send a system referral matching the entered JOBS code.

[14-B-Appendix, TD03: JOBS](#) for referral coding instructions.

NOTE: Excluded parents must be coded with an excluded or sanctioned individual FIP status in ABC for the system referral to process. See [14-B-Appendix, TD03: FIP/ST](#) for instructions on coding individual FIP status.

Local PROMISE JOBS and IM supervisory staff should communicate to determine any needed local referral procedures beyond the procedures specified in this chapter.

The process of referring individuals to PROMISE JOBS varies depending on specific criteria.

The following sections give more information on:

- [Referring applicants](#)
- [Referring applicants during grace period](#)
- [Referring participants](#)
- [Referring battered aliens](#)
- [Referring hardship exemption applicants](#)
- [Referring people in a limited benefit plan \(LBP\)](#)
- [Referring disabled people](#)
- [Who is exempt from PROMISE JOBS participation](#)
- [Case maintenance for referrals](#)

Also see [Family Investment Agreement](#) for more information on the contents of the agreement.

Referring Applicants

Legal reference: 441 IAC 41.24(1), 41.24(3), 93.4(2)

Policy: Applicants who are not exempt must meet with PROMISE JOBS to write and sign an FIA before FIP approval.

If an applicant fails to write and sign an FIA, FIP is denied for the entire household or the person who failed and any of their children, depending on the relationship of that person to the rest of the FIP household. An applicant's failure to sign an FIA does not result in imposition of an LBP.

Procedure: To refer applicants who are FIA-responsible to PROMISE JOBS:

- Pend the case in ABC no later than the day of the FIP interview.
- Provide an overview of the PROMISE JOBS program by discussing the requirements with the applicant.
- Enter the applicable JOBS referral code in ABC during the FIP interview when the family appears to be eligible for FIP. For codes, see [14-B-Appendix, TD03 JOBS](#).

NOTE: If a person does not have a social security number, ABC will not transmit the referral information to PROMISE JOBS and the household will not be in PJCase. You must still enter the applicable JOBS referral code and make a calendar appointment for the household in PJCase as usual but be aware the household will not be in PJCase.

- Use the PJCase Calendar to schedule an appointment for the applicant to meet with PROMISE JOBS to write and sign an FIA. Schedule the appointment for the earliest time available that the applicant can attend. The appointment date offered must be within ten days after the FIP application interview.
- Complete form [470-3897](#) or [470-3897\(S\)](#), *FIA Appointment* and provide a copy to the applicant.

When scheduling the FIA appointment, if form 470-3897 or 470-3897(S), *FIA Appointment* must be mailed to the applicant, allow five mailing days unless the applicant agrees to an earlier appointment.

PROMISE JOBS will handle any rescheduling after the initial appointment is scheduled.

PROMISE JOBS will report the outcome of the FIA appointment through entry in PJCase, and IM will proceed with FIP eligibility determination.

If the applicant is a FIP parent who did not sign an FIA or complete the FIA appointment and the IM worker has pended the application in ABC, PJCase will generate entries to deny the FIP application. If the IM worker did not pend the application in ABC, the IM worker must make entries in ABC to deny the FIP application. See [14-O, PJCase System](#) for information.

When a participant family requests to add to the FIP eligible group a new person who is not exempt from PROMISE JOBS referral, the new person must sign an FIA before being approved for FIP. Follow the same steps described above to schedule the FIA appointment and to refer the new FIA-responsible person to PROMISE JOBS by entering the applicable “applicant” referral code in ABC except:

- ABC will not allow you to pend the applicant when the case is active, and
- PROMISE JOBS will discuss program requirements with the applicant.

Referring Applicants During Grace Period

Legal reference: 441 IAC 40.23(4), 41.24(1), 93.3(239B)

Policy: When IM denies a FIP application for failure to provide requested information or for failure to attend the FIP application interview, IM will allow the applicant a 14-calendar day grace period to correct the reason for denial. IM will reconsider FIP eligibility without a new application if the applicant corrects the reason for denial and takes all action to establish eligibility within 14 days of the date on the Notice of Decision denying the application. This includes:

- Providing all necessary information to establish eligibility, including verification of any changes, and
- Signing the required FIA if one has not yet been signed.

The grace period does not apply to FIP applications that are denied for reasons other than failure to provide requested information or failure to attend the FIP application interview. The grace period **does not** apply when a FIP application is denied for failure to attend an FIA interview or for failure to complete the required hours of activity needed to end a subsequent limited benefit plan (LBP).

See [4-B, *Grace Period Following Denial of an Application*](#) for more information.

Procedure: When you have denied a FIP application for failure to provide requested information or for failure to attend the application interview, consider the specific situation as follows to determine how to proceed:

Required FIA signed prior to denial (no subsequent LBP):

No referral action is required if an FIA was signed before the application was denied. PROMISE JOBS will reinstate the FIA if the application is reconsidered during the grace period and eligibility is established.

EXAMPLE: FIP applicant Ms. A signs an FIA on November 30. PROMISE JOBS enters that an FIA was signed in PJCase and PJCase sends an e-mail to the IM worker. Ms. A fails to provide requested verification of income.

On December 1, the IM issues a notice denying the application and PJCase notifies PROMISE JOBS of the FIP denial. The denial notice is dated December 2. The grace period ends December 16.

Ms. A provides the verification to IM on December 10 and there have been no other changes in the family's circumstances. On December 11, the IM worker reprocesses the application and approves FIP effective December 10. PJCase sends an e-mail to the PROMISE JOBS worker as listed in PJCase to inform the worker of the FIP approval. On December 11, PROMISE JOBS begins case management of the FIA.

Required FIA not signed – no appointment available within grace period:

Inform the family that they need to file a new application if an FIA appointment is not available within the grace period. No referral action is required.

Required FIA not signed prior to denial– available appointment within grace period and no subsequent LBP:

Schedule the FIA appointment and refer the applicant to PROMISE JOBS as described at [Referring Applicants](#). EXCEPTION: During the application grace period, you are not required to re-pend the application or to enter the JOBS referral code in the ABC system, however both of these actions are recommended.

If you re-pend FIP and enter the applicant JOBS referral code in ABC:

- ABC sends a system referral to the PJCase system.
- PROMISE JOBS will enter that an FIA was signed or not signed in PJCase.
 1. PJCase will send an e-mail to inform you if the FIA-responsible person signed an FIA or did not sign an FIA.

2. PJCCase will deny the FIP application in ABC if the FIA-responsible person fails to appear for the appointment or does not sign an FIA.

If you do not re-pend FIP:

- ABC will not allow you to enter an applicant JOBS referral code for the FIA-responsible person or send a system referral to the PJCCase system. When scheduling the FIA appointment, explain that FIP is not pending in ABC and that a system referral will not be sent in the Comment section of the PJCCase Calendar Appointment Screen.
- PROMISE JOBS will not be able to use PJCCase to inform you if the FIA-responsible person signed an FIA or did not sign an FIA. Instead, the PROMISE JOBS worker will send you an e-mail to report that:
 - The FIA-responsible person signed an FIA and to provide the date the FIA was signed or
 - The person did not sign an FIA.

If the person does not sign an FIA, you will need to make entry in ABC to deny FIP as PJCCase does not deny FIP if FIP is not pending.

EXAMPLE: FIP applicant Ms. B fails to provide requested verification of income. The IM worker issues a notice denying the application on December 1. The date on the denial notice is December 2. The grace period ends December 16. IM did not schedule an FIA appointment or refer Ms. B to PROMISE JOBS as Ms. B did not appear eligible for FIP. PJCCase does not send notification to IWD as Ms. B was not referred to PROMISE JOBS.

Ms. B provides the missing verification on December 5 and appears eligible for FIP. The IM worker schedules an FIA appointment for December 15.

Scenario A: IM re-pends FIP in ABC and one of the following applies:

- Ms. B appears for the FIA appointment and signs an FIA. PROMISE JOBS enters the FIA signed date in PJCCase. PJCCase sends an e-mail to notify IM. On December 17, IM approves FIP as of December 5, the date Ms. B provided the missing verification.
- Ms. B does not appear for the FIA appointment. PROMISE JOBS makes entry that an FIA was not signed in PJCCase. PJCCase denies the FIP application and sends an e-mail to notify IM.

Scenario B: IM does not re-pond FIP in ABC and one of the following applies:

- Ms. B appears for the FIA appointment and signs an FIA. PROMISE JOBS sends IM an e-mail that an FIA was signed. On December 17, IM approves FIP as of December 5, the date she provided the missing verification. PROMISE JOBS enters the FIA signed date in PJCCase.
- Ms. B does not appear for the FIA appointment. PROMISE JOBS sends IM an email to report the failure. The IM worker makes entry to deny the application.

Applicant on an active subsequent LBP:

Determine if it is reasonable for the applicant to cure the reason for denial and complete the actions needed to end the subsequent LBP by the end of the 14-day grace period, including:

- Signing an FIA if one has not yet been signed and
- Completing any remaining hours of PROMISE JOBS activity as stated in the FIA.

If an FIA has not yet been signed:

- Determine if there is an FIA appointment available early enough in the 14-day period that the applicant will still have enough time to complete the required 20 hours of activity.
- Consider that PROMISE JOBS may require fewer than 20 hours of activity if the applicant has problems or barriers that prevent them from participating at that level. Consult with PROMISE JOBS when needed, however, consider that PROMISE JOBS may not have had any contact from the applicant for at least six months.
- Tell the applicant to reapply if it is not reasonable for the applicant to complete all needed action by the end of the 14-day period.
- If you determine it is reasonable for the applicant to complete all needed action within the 14-day period:
 - Schedule the FIA appointment and refer the applicant as described in the prior section for “Required FIA not signed – available appointment within grace period - no subsequent LBP:”.
 - Send PROMISE JOBS an email that explains that the application is being reconsidered and gives PROMISE JOBS the last day of the grace period.

If the applicant signs an FIA and completes the required hours of activity, PROMISE JOBS will make entry to stop the subsequent LBP. IM will determine eligibility if the person cured the reason for FIP denial.

If PROMISE JOBS determines the applicant has abandoned the reconsideration attempt, PROMISE JOBS will report this to IM:

- Through entry in PJCase if IM referred the applicant with a reconsideration JOBS code. PJCase will send IM an email. The email will tell IM if the system denied the application or if IM needs to make ABC entries to deny the application.
- Via email if IM did not refer the applicant with a reconsideration JOBS code, IM will need to make ABC entries to deny the application.

If the FIA was signed prior to the FIP denial and the applicant has not yet completed hours of activity needed to end the subsequent LBP:

Determine if it is reasonable for the applicant to cure the reason for denial and complete the remaining hours of activity within the 14-day period. Consult with PROMISE JOBS when needed:

- Tell the applicant to reapply if it is not reasonable for the applicant to complete all needed action by the end of the 14-day period.
- If you determine it is reasonable for the applicant to complete all needed action within the 14-day period, send PROMISE JOBS an email that explains that the application is being reconsidered and give PROMISE JOBS the last day of the grace period.

If the applicant completes the required hours of activity, PROMISE JOBS will make entry to stop the subsequent LBP. PJCase will send IM an email.

If PROMISE JOBS determines the applicant abandoned the reconsideration attempt, PROMISE JOBS will report this to IM via e-mail.

- If the applicant cured the reason for denial, IM will issue an NOD saying that the application remains denied due to the LBP.
- If the applicant did not cure the reason for denial, IM will take no further action.

Remember: The grace period does not apply when the application was denied for failure to sign an FIA or for failure to complete the required hours of activity needed to end a subsequent LBP.

EXAMPLES:

1. Ms. C chose a subsequent LBP with a six-month period of ineligibility that ended March 31. Ms. C reapplies for FIP on May 1. On May 4, IM refers Ms. C to PROMISE JOBS, schedules an FIA appointment, and requests information that is due May 14.

Ms. C signs an FIA on May 9 agreeing to complete 20 hours of activity in 30 days. PROMISE JOBS begins case management by issuing any supportive payments needed for the 20 hours of activity. On May 15, IM denies the application for failure to provide information with an NOD dated May 16. PROMISE JOBS discontinues case management. The grace period ends May 30.

Ms. C provides the verification on May 24. IM informs Ms. C that she must complete the 20 hours of PROMISE JOBS activity and provide any needed verification to PROMISE JOBS by May 30 for IM to reconsider the application. IM also informs PROMISE JOBS via e-mail that the May 5 application is being reconsidered and that Ms. C needs to complete her 20 hours of PROMISE JOBS by May 30, or the application will be redened. PROMISE JOBS resumes case management.

- If Ms. C completes her 20 hours of activity, IM will approve FIP as of May 24, the date Ms. C provided the verification.
 - If Ms. C does not complete her 20 hours of activity, IM will issue an NOD saying that the application remains denied due to the LBP.
2. Ms. D chose a subsequent LBP with a six-month period of ineligibility that ended May 31. Ms. D reapplies for FIP on June 7. On June 9, IM refers Ms. D to PROMISE JOBS and schedules an FIA appointment for June 14 and requests that Ms. D provide verification of resources by June 19.

Ms. D fails to appear for the FIA appointment on June 14. On July 5, PROMISE JOBS enters in PJCase that Ms. D failed to sign an FIA. PJCase denies the application for failure to sign an FIA with an NOD dated June 15. Ms. D provides the resource verification on June 19. The application grace period does not apply in this situation. Ms. D must file a new application to get FIP assistance.

Referring Participants

Legal reference: 441 IAC 41.24(4), 93.3(239B)

Policy: Participants who lose exempt status and become FIA-responsible while receiving FIP must meet with PROMISE JOBS to write and sign an FIA to continue receiving FIP. Failure results in imposition of an LBP for the entire family or for the person who failed and any of their children, depending on the relationship of the person who failed to the rest of the FIP family.

An exempt person becomes FIA-responsible while on FIP when:

- An SSI recipient loses eligibility for SSI,
- A person aged 16 to 18 who is not a parent drops out of school, or
- A minor becomes a parent.

Procedure: To refer FIP participants who become FIA-responsible to PROMISE JOBS, enter the applicable “participant” JOBS referral code in ABC. See [14-B-Appendix, TD03 JOBS](#) for information.

The system will send the participant form [470-3105, FIA Referral for Mandatory Participants](#). This form explains that the person must:

- Comply with the PROMISE JOBS program to continue receiving FIP and
- Contact PROMISE JOBS within 10 days to schedule an appointment to begin the FIA process.

If the participant contacts PROMISE JOBS within 10 days, PROMISE JOBS will schedule the appointment.

If the participant does not contact PROMISE JOBS within 10 days, PROMISE JOBS will send the participant [Your PROMISE JOBS Reminder, form 470-3103](#) and allow the participant another 10 days to schedule an appointment. PROMISE JOBS will impose an LBP if the participant fails to schedule an appointment or to sign an FIA.

Referring Battered Aliens

Legal reference: 441 IAC 41.23(4)-(5), 41.24(1)-(4), 93.3(239B)

Policy: Battered aliens are subject to the same PROMISE JOBS and FIA requirements as other FIP applicants and participants. See [4-L, Battered Aliens](#) for more information.

Procedure: Make the referral to PROMISE JOBS in the same way as for any other FIP applicant or participant. See [Referring Applicants](#) and [Referring Participants](#).

EXCEPTION: If the person does not yet have a social security number, ABC will not be able to transmit the referral information to PROMISE JOBS. Enter the appropriate JOBS referral code in ABC, but also note in the comments section of the PJCase Calendar Appointment screen that the person is a battered alien who does not yet have a social security number.

Referring Hardship Exemption Applicants

Legal reference: 441 IAC 41.30(3), 93.104(239B)

Policy: Households subject to the 60-month FIP limit can receive FIP beyond that limit only if they request and are determined eligible for a hardship exemption and meet all other FIP requirements.

The hardship determination is a two-step process:

- First, the IM worker is responsible for determining whether the household has a hardship condition that affects its ability to be self-supporting.
- Second, the FIA-responsible “adults” in the household must develop and sign a six-month FIA with PROMISE JOBS unless exempt.

An “adult” is:

- A parent in the home with the child, even if excluded from the FIP grant.
- The parent’s spouse in the home with the parent and child, whether or not the stepparent is included in the grant.
- A needy non-parental specified relative included in the FIP grant with the child.
- A minor parent in the home who is payee for the minor’s own FIP case, even if the parent is excluded from the grant.

The household must meet the requirements of both steps before the hardship exemption request can be approved.

A hardship exemption is limited to six consecutive calendar months. Households may request and be granted more than one hardship exemption period if they otherwise qualify for the exemption and meet FIP eligibility requirements. A new FIA and a new hardship exemption determination are required for each subsequent hardship exemption period.

The household is required to develop and sign a six-month FIA **before** FIP can be approved. Therefore, failure to develop and sign an FIA results in denial of the family's hardship exemption request and the FIP application if applicable rather than imposition of an LBP.

Procedure: If IM determines the household meets hardship criteria, IM will refer the FIA-responsible adults by following the procedures described at [Referring Applicants](#) or [Referring Participants](#). Use the JOBS referral codes that identify hardship applicants and participants and whether the hardship applicant is in an active LBP. In addition, send the following to PROMISE JOBS:

- Form [470-3876, Hardship Exemption Determination](#) with Part A completed by IM.
- A copy of form [470-3826](#) or [470-3826\(S\)](#), *Request for FIP Beyond 60 Months*.
- Evidence to support the hardship determination.
- If the household has an active service case, the completed [470-3884, Hardship Exemption: Service Information](#), along with other pertinent documents.

Households that are applying or approved for a hardship exemption must meet all other FIP requirements.

If the household includes an FIA-responsible minor parent, the minor parent will need to sign a separate FIA as a condition of FIP eligibility for the minor parent and any child of the minor parent. Refer the minor parent as described at [Referring Applicants](#). If a hardship exemption is approved for the adult and the remainder of the family:

- Include the minor parent and any child of the minor parent in the eligible group if the minor parent signs an FIA and is otherwise eligible.
- Deny FIP for the minor parent and any child of the minor parent if the minor parent does not sign an FIA.

If the family is applying for an FIA-responsible child who is not a parent, the child will need to sign a separate FIA as a condition of FIP eligibility. Refer the child as described at [Referring Applicants](#). If a hardship exemption is approved for the adult and the remainder of the family:

- Include the in the eligible group if the child signs an FIA and is otherwise eligible.
- Deny FIP for the child if the child does not sign an FIA.

If any of the FIA-responsible adults or other persons do not appear for the FIA appointment or fail to sign an FIA, PROMISE JOBS will report this through entry in PJCase. If the person is a FIP parent and the IM worker has pended the application in ABC, PJCase will deny the FIP application. Otherwise, the IM worker must make entries in ABC to deny the FIP application.

See [4-C, Hardship Exemption](#) for more information.

Referring People in a Limited Benefit Plan (LBP)

Legal reference: 441 IAC 41.24(1)“d,” 41.24(4)“a”

Policy: A person who chooses a **first** limited benefit plan (LBP) may reconsider and end the LBP by signing another FIA. The person may reconsider and sign another FIA any time from the date of the *Notice of Decision* imposing the LBP. The family must reapply for FIP if the person who chose the LBP cannot sign an FIA prior to the effective date of the LBP.

When a person chooses a **subsequent** LBP, the family members impacted by the LBP are ineligible for FIP for a minimum of six months. Once the *Notice of Decision* to impose a subsequent LBP is issued, the person who chose cannot reconsider it until the six-month period of ineligibility has expired. See [Reconsidering a Limited Benefit Plan](#) for information on the actions the person must take.

Procedure: To reconsider an LBP, the person may contact PROMISE JOBS or the IM worker. The needed action varies with the specific situation.

First LBP: When a person who chose a first LBP contacts you to reconsider before the effective date of the LBP, use the PJCase Calendar to determine whether there is an available FIA appointment before the effective date. If there is an available appointment and the applicant agrees to the appointment time and date:

- Use the PJCase Calendar to schedule the person with an appointment to sign the FIA.
- Complete form [470-3897, FIA Appointment](#). Provide a copy to the person.
- Enter the applicable “JOBS” referral code on ABC. See [14-B-Appendix, TD03 JOBS](#) for codes.
- Inform the household of the need to reapply for assistance if:
 - The FIA is not signed before the effective date or,
 - The person is unable to attend an appointment before the effective date.

- If the person who chose the LBP contacts PROMISE JOBS to reconsider before the effective date, PROMISE JOBS will schedule the FIA appointment if one is available before the effective date.

When there is no FIA appointment available before the effective date, or when a person contacts you after the effective date of a first LBP, inform the household of the need to reapply for assistance. No further action is necessary if the household does not file an application.

If a person reapplies after the effective date of a first LBP, make the referral as described in [Referring Applicants](#).

Subsequent LBP: If a household in a subsequent LBP files an application for FIP within the six-month period of ineligibility, deny the application and do not refer the person to PROMISE JOBS unless:

- The household files the application in month six of the period of ineligibility, and
- There is an available FIA appointment after the end of the six-month period and within the 30-day period for processing the application.

When the six-month ineligibility period of a **subsequent** LBP ends and the person who chose the LBP contacts you or PROMISE JOBS to reconsider the LBP, explain that the household must file an application to receive FIP again. No further action is needed if the household does not file an application. If the household files an application, refer the person who chose to PROMISE JOBS as described at [Referring Applicants](#).

See [Referring Applicants During Grace Period](#) for procedures for a person with an active subsequent LBP who has been denied FIP and is wanting to correct the reason for denial under the 14-day grace period.

See [Reconsidering a Limited Benefit Plan](#) for information on the reconsideration process and [To Whom the Limited Benefit Plan is Applied](#) for policy on which family members are subject to an LBP.

If both parents are in the home and FIA-responsible, both parents must complete the required action to reconsider and end an LBP, even if only one parent chose the LBP.

However, if a parent with an active LBP enters the home of a child or co-parent on FIP, the other parent does not need to sign another FIA if the terms of the parent's existing FIA still apply. The parent on FIP may use participation in existing activities towards the hours required to end a subsequent LBP.

In the above situation, use PJCase to either reactivate the LBP for the child and parent on FIP or to add the FIP child and parent to the LBP. See [Two-Parent Households](#) and [14-O, PJCase System](#) for more information.

Referring People with Disabilities

Legal reference: 441 IAC 41.24(1)

Policy: People who report a disability are subject to the same PROMISE JOBS and FIA requirements as other FIP applicants and participants unless exempt.

Procedure: Make the referral to PROMISE JOBS in the same manner as for any other FIP applicant or participant.

Refer people who report a disability to PROMISE JOBS unless they are exempt due to the receipt of Supplemental Security Income (SSI) benefits for their own disability or blindness. Refer people who are not receiving SSI even when they report that they are not able to participate.

When a person on FIP claims to be unable to engage in substantial activity due to a disability that is expected to last for 12 months or expected to result in death, require the person to apply for and accept Social Security Disability Insurance (SSDI) and SSI benefits. For more information, see [4-C, Benefits From Other Sources](#).

Use your local communication procedures to inform PROMISE JOBS when a referred person:

- Reports a disability, or
- Applies for SSDI and SSI benefits.

PROMISE JOBS staff will help referred people with a disability to develop an FIA that meets their individual needs and abilities. If a person claims a limitation due to a disability, PROMISE JOBS will ask the person to provide medical evidence of the limitation. This allows PROMISE JOBS to consider the limitation and any other problems or barriers resulting from the disability when determining the person's level of participation. See [Sharing Disability Information with PROMISE JOBS](#) for more information.

Who Is Exempt from Referral to PROMISE JOBS

Legal reference: 441 IAC 41.24(2)

Policy: The following people are exempt from PROMISE JOBS referral and participation:

- A Supplemental Security Income (SSI) recipient.
- A non-citizen who is not a qualified alien.
- A child aged 16 to 19, is not a parent, and attends school full-time.
- A child who is under the age of 16 and is not a parent.

Procedure: Document in the case record the basis for referring or exempting each person applying for or receiving FIP and each parent living in the home of a child applying for or receiving FIP. Enter the referral status of each person in the JOBS field in the ABC system.

See [14-B-Appendix, TD03 JOBS](#) for system referral status codes.

The PJCase system sends form 470-2758, *Participation No Longer Required* when a participant's referral status is changed from FIA-responsible to exempt.

The following sections explain the requirements under each exemption.

SSI Exemption

Policy: A person who is receiving SSI benefits due to their own disability or blindness are exempt from PROMISE JOBS referral.

Procedure: Exempt SSI recipients from PROMISE JOBS referral.

Refer all people reporting a disability but not receiving SSI to PROMISE JOBS unless exempt for another reason. This includes people who:

- Have a pending application for SSI or Social Security Disability Insurance (SSDI),
- Have filed an appeal of a denial of SSI or SSDI, and
- Are receiving other disability benefits, such as VA or worker's compensation.

When a person in the eligible group or a parent living in the home of a FIP child claims to be unable to engage in substantial activity due to a disability that is expected to last for 12 months or more or to result in death, require the person to apply for and accept SSI and SSDI. See [4-C, Application For and Acceptance of Social Security and SSI Benefits](#) for more information.

Enter the exempt JOBS system referral code in ABC for people who are exempt due to the receipt of SSI. See [14-B-Appendix, TD03 JOBS](#) for system referral status codes.

Alien Exemption

Legal reference: 441 IAC 41.24(1)“c,” 41.24(2)“f”

Policy: A person who is not a U.S. citizen or a qualified alien is exempt from PROMISE JOBS referral and participation, as the person is not eligible for PROMISE JOBS services.

Procedure: Refer to [4-L, Alien Status](#) for a list of qualified alien statuses and more information on alien statuses and their effect on FIP eligibility and PROMISE JOBS participation.

Enter the exempt JOBS system referral code in ABC for people who are exempt due to their alien status. See [14-B-Appendix, TD03 JOBS](#) for system referral status codes.

School Attendance Exemption

Policy: A child who is aged 16 to 19, is not a parent, **and** is attending elementary or secondary school or the equivalent level of vocational or technical school on a full-time basis is exempt from PROMISE JOBS referral and participation.

EXCEPTION: a child that was referred to PROMISE JOBS as they were not attending school full-time and signed an FIA that remains in effect is not exempt, even after returning to school.

Procedure: To determine exemption based on school attendance, consider the child’s attendance full time even when they are not present during school vacations or because of illness, convalescence, or family emergencies.

A child meets the definition of regular school attendance until they have been officially dropped from the school rolls. Accept the school's statement and definition regarding full-time status. Participating in a correspondence school does not exempt a child from PROMISE JOBS.

Consider a child who is home schooled as enrolled in school and exempt from PROMISE JOBS referral as long as:

- The home-schooling arrangement is certified by the school system. Obtain any needed verification of student or attendance status from the school system that certified the arrangement. A signed release from the parent or caretaker is needed (the same as required when a child is enrolled in a regular school setting, OR
- The parent states that the parent is home schooling the child and the parent considers the instruction to be full-time and the home schooling will lead to a diploma or certificate. A high school equivalency diploma or a certificate that is created by the parent is acceptable.

A child on FIP aged 16 to 19 who is referred to PROMISE JOBS remains obligated to a signed FIA as long as they remain eligible for FIP, regardless of school attendance. Do not exempt a person aged 16 to 19 who has signed an FIA if they return to school.

FIP applicants aged 16 to 19 who are not parents and who have chosen an active LBP must take action to reconsider the LBP to become FIP eligible. See [Referring People in a Limited Benefit Plan](#) and [Stopping a Limited Benefit Plan](#) for more information.

Enter the exempt JOBS system referral code in ABC for people who are determined to be exempt due to school attendance. See [14-B-Appendix, TD03 JOBS](#) for system referral status codes.

Case Maintenance

PROMISE JOBS case maintenance policies include:

- [Reviewing exempt referral status](#)
- [Reviewing FIA-responsible referral status](#)
- [Sharing disability information with PROMISE JOBS](#)
- [Sharing employment information with PROMISE JOBS](#)

Reviewing Exempt Referral Status

Legal reference: 441 IAC 41.24(239B)

Policy: People who lose exempt status and become FIA-responsible while receiving FIP must sign an FIA to continue receiving FIP. Failure results in imposition of an LBP for the entire household or for the person who failed and any of their children, depending on the relationship of the person who failed to the rest of the FIP household.

Procedure: Review the exempt referral status of each member at six-month and annual reviews, and when changes occur. Review a client's referral status when:

- A person aged 16 to 19 who is not a parent is officially dropped from school rolls.
- A participant turns 16 to determine if the child is enrolled in school.
- A child is born to a minor.
- A person's alien status changes.
- A person is no longer eligible for SSI.

Refer a person who becomes FIA-responsible while receiving FIP as described at [Referring Participants](#).

Reexamine the referral status of all persons who reapply for FIP after a case is canceled. Refer FIA-responsible applicants as described at [Referring Applicants](#).

Reviewing-FIA-Responsible Referral Status

Legal reference: 441 IAC 41.24(2), 41.24(5)

Policy: Persons who become exempt from referral to PROMISE JOBS are no longer responsible to the FIA.

If the person who is now exempt had previously chosen an LBP, the LBP no longer applies when:

- It is a first LBP, or
- The six-month period of a subsequent LBP is expired, or

- The person was exempt due to the receipt of SSI, school attendance, or alien status at the time the *Notice of Decision* to impose the LBP was issued, or
- The person was not exempt due to alien status at the time the LBP was chosen but is now exempt.

Procedure: Review the referral status of each member at six-month and annual reviews, and when changes occur. Review a client's referral status when:

- A person is approved for SSI.
- A person aged 16 to 19 returns to school.
- A person's alien status changes.

NOTE: A person aged 16 to 19 who is referred to PROMISE JOBS for not attending school and later returns to school remains FIA-responsible if the person signed an FIA and the agreement remains in effect. See [School Attendance Exemption](#) for more information.

When you determine that an FIA-responsible person has become exempt, enter the exempt JOBS referral status code for the person in the ABC system. See [14-B-Appendix, TD03 JOBS](#) for referral status codes.

Stop a first LBP when the person who chose the LBP is now exempt from PROMISE JOBS referral.

Stop a subsequent LBP if the six-month ineligibility period has expired, and the person who chose the LBP is now exempt from PROMISE JOBS referral.

Stop a subsequent LBP when you learn that the person who chose it was exempt from PROMISE JOBS referral on the date that the *Notice of Decision* was issued to start the LBP.

Stop a subsequent LBP when you learn that the person who chose it is now exempt from PROMISE JOBS referral due to a non-qualified alien status even when the six-month period of ineligibility is still in effect.

See [Stopping a Limited Benefit Plan](#) for more information.

Continue a subsequent LBP through the entire six-month ineligibility period when the person who chose it is now exempt due to school attendance or receipt of SSI, but the person was not exempt at the time the *Notice of Decision* was issued to impose the LBP.

Sharing Disability Information with PROMISE JOBS

Legal reference: 441 IAC 93.2.(2), 239B8.6

Policy: People with a disability are FIA-responsible unless exempt due to the receipt of SSI, school attendance or alien status.

Procedure: Inform PROMISE JOBS when a referred person reports a disability. Provide PROMISE JOBS with any information, including any medical documentation, regarding the claimed disability that is pertinent to the person's ability to participate in PROMISE JOBS activities.

Inform PROMISE JOBS when you are aware that a person in the eligible group or a parent living in the home has applied for SSDI or SSI benefits for disability. Keep PROMISE JOBS informed of any changes in the SSDI or SSI application status that you become aware of, such as an approval or denial.

PROMISE JOBS staff will help referred people with a disability to develop an FIA that meets their individual needs and abilities. PROMISE JOBS will ask the person to provide medical documentation of the limitation unless IM has provided PROMISE JOBS with sufficient medical documentation. The medical documentation allows PROMISE JOBS to consider the limitation, and any other problems or barriers resulting from the disability, when determining the person's level of participation.

PROMISE JOBS will scan and e-mail the *Report of Incapacity*, form 470-0447, to the appropriate Imaging Center when a referred person reports a disability that is expected to last for 12 months or more or that is expected to result in death, and the person claims to be unable to engage in substantial activity due to the disability. In this situation, require the person to apply for SSDI and SSI as a condition of continued eligibility. See [4-C, Benefits from Other Sources](#) for more information on the requirement to apply for and to accept SSD or SSI benefits.

Sharing Employment Information with PROMISE JOBS

Legal reference: 441 IAC 41.24(239B)

Policy: FIP participants must report when income begins and ends within 10 days. IM determines if FIP eligibility continues when IM becomes aware that a participant has started or ended employment.

For PROMISE JOBS, participants may use employment alone or combined with other activities to meet the obligations of the FIA. Employed participants must provide verification of actual hours of employment to PROMISE JOBS when employment begins and ends and at least once every six months. PROMISE JOBS will require verification unless available from another source.

PROMISE JOBS uses the verification to:

- Determine if the participant is meeting the requirements of the FIA and
- Enter the verified actual hours of employment in IWD's IowaWORKS system for federal reporting purposes.

Procedure: When you become aware that a PROMISE JOBS participant has started, ended, or changed employment, inform the PROMISE JOBS worker. You may also send PROMISE JOBS a copy of form [470-2844](#) or [470-2844\(S\)](#), *Employer's Statement of Earnings* or other verification.

When a PROMISE JOBS worker becomes aware that a participant has started, ended, or changed employment, the PROMISE JOBS worker will send form 470-0820, *Notice of Employment*, to the Income Maintenance Customer Service Center (IMCSC). PROMISE JOBS may also send a completed copy of form 470-2844, *Employer's Statement of Earnings* or other verification.

Family Investment Agreement (FIA)

Legal reference: 441 IAC 93.4(239B)

Policy: Any person referred to PROMISE JOBS must sign and carry out the terms of a family investment agreement (FIA) as a condition of receiving FIP.

The FIA is an individualized agreement between the FIA-responsible person and PROMISE JOBS that is developed during the PROMISE JOBS assessment. The agreement outlines the person's plan for the family to become self-supporting. Specifically, the agreement:

- Lists the activities the person will participate in and any verification requirements for the activity and other actions the person will take to move the family towards self-sufficiency,
- Identifies the family's needs that must be met and the problems that must be solved,

- States the supportive services that PROMISE JOBS will provide,
- Specifies timeframes for the family to meet so that the family can attain self-sufficiency.

Families who do not reach self-sufficiency by the end of the agreement, even though they are making a good faith effort to do so, must work with PROMISE JOBS to renegotiate and amend their FIA.

Procedure: The IM worker is responsible for determining if a FIP applicant or participant is FIA-responsible and must be referred to PROMISE JOBS. Refer FIA-responsible applicants and participants to PROMISE JOBS to sign an FIA as described at [Referring People to PROMISE JOBS](#).

After orientation and assessment are completed, PROMISE JOBS will help the FIA-responsible person choose one or more of the following activities to include in the FIA:

- Assessments beyond initial assessment
- Full-time or part-time employment
- Job readiness training
- Job search activities
- High school completion
- High school equivalency classes
- Adult basic education (ABE)
- Training in English as a Second Language (ESL)
- Postsecondary education
- Family development and self-sufficiency (FaDSS) or other family development program
- Work experience placement
- On-the-job training
- Unpaid community service
- Parenting skills training
- Treatment plan for self-disclosed substance abuse or mental health issues or physical health issues
- Family violence option

FIA-responsible persons may also include a referral for family planning and domestic violence counseling as an option in the FIA. PROMISE JOBS will not impose an LBP for a failure to choose or carry out either of these activities. Refer to the [PROMISE JOBS Provider Manual](#), for additional information on domestic violence provisions. See [The FIA and FIP Eligibility](#) and [Limited Benefit Plan](#) for more information on the LBP.

Employment is the focus of PROMISE JOBS and employment that results in self-sufficiency is the eventual goal of the FIA. The individual level of participation in PROMISE JOBS activities, using one or more options, shall be full-time or significant to move toward this level. “Full-time” is defined as an average of at least 30 hours per week. Participation at a level that is less than full-time is appropriate when specific family needs, problems, or barriers prevent this level of involvement.

Minor parents are subject to special requirements, discussed in [Persons Aged 19 or Under](#).

The following sections give more information on the FIA:

- [The FIA and FIP eligibility](#)
- [Six-month hardship exemption FIA](#)
- [Activities for persons aged 19 or under](#)
- [Barriers to participation](#)
- [Excusing a client from PROMISE JOBS activity](#)

The FIA and FIP Eligibility

Legal reference: 441 IAC 41.24(239B)

Policy: FIA-responsible FIP applicants must sign an FIA before FIP can be approved. Failure to sign an FIA results in denial of FIP.

Persons who lose exempt status and become FIA-responsible while receiving FIP must sign an FIA to remain eligible for FIP. Failure to sign an FIA results in FIP ineligibility under an LBP.

Once the FIA is signed, FIA-responsible participants are required to carry out the terms agreed to in the FIA. Failure to follow the terms of the FIA results in FIP ineligibility under the LBP.

FIA-responsible persons who fail to meet an FIA expectation due to a barrier to participation may be excused for the failure. The FIA will be renegotiated to address the barrier. See [Barriers to Participation](#).

When an FIA-responsible person fails to meet an FIA expectation due to a temporary or incidental reason, the PROMISE JOBS worker may excuse the failure for one of the reasons listed under [Excusing Clients From PJ Activities or for Refusing Employment](#). Otherwise, failure to carry out FIA responsibilities results in FIP ineligibility under an LBP.

The responsibility for carrying out the terms of the FIA ends when FIP assistance ends for the household.

PROMISE JOBS will reinstate the existing FIA when FIP eligibility is reestablished if:

- FIP eligibility is reinstated without a new application, including reinstatements done after the effective date of cancellation under the 14-day grace period, or a new application is required but eligibility is reestablished with a break of one month or less, **and**
- The participant has not become exempt from PROMISE JOBS participation.

If an application is required and FIP eligibility is reestablished with a break of more than one month, either a new FIA must be signed, or the prior must be resigned.

Procedure: The IM worker is responsible for:

- Determining if each FIP applicant and participant is FIA-responsible or exempt from FIA requirements and
- For referring FIA-responsible persons through coding in the ABC system. See [Referring People to PROMISE JOBS](#) for referral policy and procedures.

When an FIA-responsible applicant signs an FIA, the IM worker will proceed with the FIP eligibility determination. PROMISE JOBS will report the signed FIA through entry in the PJCase system.

If an FIA-responsible applicant does not sign an FIA, PROMISE JOBS will report this through entry in the PJCase system. If the person is a FIP parent and the IM worker has pended the application in ABC, PJCase will deny the FIP application. Otherwise, the IM worker must make entry in ABC to deny the FIP application.

See [4-C, Family Investment Agreement](#) for more information on the FIA requirement for FIP applicants.

PROMISE JOBS is responsible for monitoring a participant's progress in FIA activities and for determining if a participant is not carrying out the terms of the FIA. When a participant fails to carry out the terms of the FIA without a valid reason or a barrier to participation, PROMISE JOBS makes entry in the PJCase system to impose the LBP. Refer to [Limited Benefit Plan](#) later in this chapter for more information.

PROMISE JOBS is responsible for imposing an LBP for participants who become FIA-responsible while receiving FIP and who do not sign an FIA. Refer to [Referring Participants](#) and [Limited Benefit Plan](#) within this chapter for more information.

Six-Month Hardship Exemption Family Investment Agreement (FIA)

Legal reference: 441 IAC 41.30(3)"g"

Policy: Households that are subject to the 60-month FIP limit and who have exhausted that limit may receive FIP beyond 60 months if they request and are granted a hardship exemption and meet all other FIP requirements.

To be granted a hardship exemption:

- The household must provide evidence of a qualifying hardship condition and
- The FIA-responsible adults in the household must meet with PROMISE JOBS to develop and sign a six-month FIA.

The FIA must:

- Address the hardship condition that is creating the household's barrier to self-sufficiency.
- Contain specific steps that can reasonably be expected to enable the household to make incremental progress toward overcoming the barrier.

The FIA-responsible "adults", as defined at [Referring Hardship Exemption Applicants](#), must participate to their maximum potential in activities expected to lead to self-sufficiency. People with disabilities will have their disabilities addressed in the six-month FIA. The FIA activities must not conflict with the household's service case plan when one exists.

Unless they become exempt, the FIA-responsible adults in the household remain responsible after signing the six-month FIA and having their hardship exemption request approved.

Households approved for a hardship exemption must meet all other FIP requirements for the entire exemption period. If a household meets all requirements but will not remain eligible for six months, IM will approve an exemption for a period of less than six months. The FIA-responsible adults in the household need to develop and sign an FIA for the length of the exemption period.

Households with FIA-responsible adults approved for a hardship exemption that have difficulty fulfilling the terms in their six-month FIA must work with PROMISE JOBS to amend the FIA. Households must also amend their FIA when their six-month hardship exemption period is revised, e.g., as a result of a final appeal decision.

Households with FIA-responsible people that have been granted a hardship exemption and who do not follow the terms of their six-month FIA or that fail to amend the FIA when necessary will have chosen an LBP.

Each subsequent hardship exemption requires a new six-month FIA. PROMISE JOBS provides supportive services and monitors the FIA.

Procedure: The hardship exemption eligibility determination is a two-step process:

- Based on supporting evidence, the IM worker determines whether the household has a hardship condition that prevents them from being self-supporting.
- If the IM worker determines the household meets hardship criteria, the IM refers the FIA-responsible adults to PROMISE JOBS as described at [Referring Hardship Exemption Applicants](#) to develop and sign a six-month FIA.

The IM worker will grant a hardship exemption and proceed with the FIP eligibility determination if the household meets both steps. The IM worker will deny the hardship exemption request when they don't meet both steps. See [4-C, Hardship Exemption Requests](#) for more information.

NOTE: In addition to the adults in the home, other FIA-responsible people in the home must sign a six-month FIA and participate in PROMISE JOBS activities to be included in the FIP household if a hardship is granted, e.g., a minor parent or a 16 to 18-year-old who is not in school. If the non-adult fails to sign an FIA, FIP for the non-adult will be denied. Determine eligibility for the other members.

PROMISE JOBS is responsible for monitoring progress in FIA activities and for determining if a participant receiving FIP under a hardship exemption is not carrying out the terms of the FIA. When a participant fails to carry out the terms of the FIA without a valid reason or a barrier to participation, PROMISE JOBS makes entry in the PJCase system to impose an LBP. Refer to [Limited Benefit Plan](#) later in this chapter for more information.

Persons Aged 19 or Under

Legal reference: 441 IAC 41.24(3)

Policy: FIA-responsible people who are ages 16 to 19 and not a parent are strongly encouraged to attend education activities to obtain a high school diploma or its equivalent to meet FIA requirements. If these activities are not included in the FIA, other work and training activities must be selected by the participant.

As part of the FIA, parents under the age of 18 who are not married and who have not completed high school are required to participate in:

- Education activities to obtain a high school diploma or its equivalent unless the local education agency deems the parent incapable of participating in these activities.
- FaDSS or other family development services unless the parent is living with a parent or legal guardian.

In addition, parents aged 19 or younger must participate in parenting skills training, even if they are:

- emancipated by court action or marriage.
- considered a child on the case of the minor parent's parent.

Barriers to Participation

Legal reference: 441 IAC 93.4(5)

Barriers to participation may be identified during assessment or during participation in the FIA. If barriers are identified during assessment, PROMISE JOBS staff will consider these issues in the development of the FIA. If barriers become apparent after participation has begun, the FIA may be renegotiated to address the barriers.

Even if barriers to participation exist, the person remains FIA-responsible.

Examples of barriers are:

- Lack of transportation

- Substance addiction
- Sexual or domestic abuse history
- Overwhelming family stress
- Lack of needed child or adult care. (PROMISE JOBS will not require participation until care has been arranged. Where special needs care is not available, the participant's FIA activity may be the provision of this care.)
- Physical or mental disability.

If a person chooses not to cooperate in removing identified barriers to participation, the person is choosing an LBP, unless the person is refusing to apply for or to accept SSDI or SSI benefits. In this situation, FIP is canceled. See [4-C, Benefits from Other Sources](#) for more information on the requirement to apply for and accept these benefits.

Excusing Participants from PROMISE JOBS Activities or Employment

Legal reference: 441 IAC 93.14(239B)

The table that follows lists reasons why a participant can be excused from PROMISE JOBS activities and reasons for excusing a participant who reduces, refuses, or ends employment, including discharges due to the participant's misconduct.

Regardless of the reason, a participant who has been excused by PROMISE JOBS still remains FIA-responsible.

If Column 1 (labeled "PJ") is checked, the circumstance is an acceptable reason for excusing a participant from PROMISE JOBS activity other than work. If Column 2 (labeled "Work") is checked, the circumstance is an acceptable reason for excusing a participant who refuses, reduces, or ends employment. (Some circumstances are reasons for both excusing a participant from PJ activities **and** excusing a participant for reducing, refusing, or ending employment.)

There may be other circumstances not listed in the table in which forcing a participant to participate would prevent them from becoming self-sufficient. Speak with your supervisor with questions about circumstances not listed.

PJ	Work	Circumstance
✓	✓	The travel required from home to the work assignment, job, or unpaid community service site takes over one hour each way, including time needed to take a child to day care.
	✓	The work offered is at a site subject to a strike or lockout. See 4-C for how to handle a person involved in a strike. If the strike has been enjoined under Section 208 of the Labor-Management Relations Act (commonly known as the Taft-Hartley Act), or if an injunction has been issued under Section 10 of the Railway Labor Act, the client may not refuse employment.
✓	✓	The job violates state or federal health and safety standards.
✓	✓	Workers' compensation is not provided.
✓	✓	The job is contrary to the participant's religious or ethical beliefs.
✓	✓	The participant is required to join, resign, or refrain from joining a legitimate labor organization.
✓	✓	The work requirements are beyond the mental or physical capabilities of the participant, as documented by reliable evidence.
✓	✓	There is discrimination by an employer based on age, race, sex, color, handicap, religion, national origin, or political beliefs.
✓	✓	Work demands or conditions make employment unreasonable, such as working without being paid on schedule.
✓	✓	There are circumstances beyond the control of the participant, such as disruption of regular mail delivery.
	✓	The change or termination is part of the FIA.

PJ	Work	Circumstance
	✓	The job does not pay at least the minimum amount that is customary for the same work in the community.
	✓	The client takes a job that provides better pay, even though the hours of employment may be less than the current job.
	✓	<p>Accepting employment would result in a net loss of cash income to the participant's family. "Net loss of cash income" means the family's gross income, less necessary work-related expenses, is less than the cash assistance the participant was receiving at the time the offer of employment is made.</p> <p>"Gross income" may include earnings, unearned income, cash assistance, etc. It does not include food stamp benefits and in-kind income. Use the family's actual work-related expenses rather than the standard deductions.</p> <p>In the absence of gasoline receipts, use the current mileage rate allowed for state employees when determining the participant's mileage expenses.</p>
	✓	The employment changes substantially from the terms of hire, such as a change in work hours, work shift, job duties, or decrease in pay rate.
✓		The participant needs to stay in the home because of illness of another family member. PROMISE JOBS staff may request medical documentation of the illness.
✓		The participant is ill. If a participant is ill more than three consecutive days or habitually ill, PROMISE JOBS staff may request medical documentation of the illness.
✓		The participant has a family emergency, using the reasonable standards of an employer.
✓		The participant is absent or late due to bad weather, using the reasonable standards of an employer.

PJ	Work	Circumstance
✓		The participant is absent or late because the participant or the participant's spouse has a job interview. The participant must provide notice 24 hours before the interview, if possible. The notice must include the name and address of the prospective employer. If 24-hour advance notice is not possible, the participant must provide the information as soon as possible. It must be provided before the interview.
✓		The participant has a newborn child. Absence is determined using the standards of the Family Leave Act of 1993.

Limited Benefit Plan (LBP)

Legal reference: 441 IAC 41.24(8)

Policy: A limited benefit plan (LBP) results in FIP ineligibility for the entire family.

An FIA-responsible FIP participant is subject to an LBP when:

- The participant chooses not to follow the terms of the FIA, or
- The participant's referral status changes from exempt to FIA-responsible and the participant does not write and sign an FIA.

A FIP applicant's failure to sign an FIA results in denial of FIP and does not result in imposition of an LBP. See [Referring Applicants](#) for more information.

The basic LBP applies when the LBP is chosen by:

- The parent on a one-parent case.
- Either parent on a two-parent case.

The basic **first** LBP results in ineligibility for the entire family, and continues until the person who chose the LBP reconsiders by signing an FIA.

A basic **subsequent** LBP applies when:

- The parent on a one-parent case previously chose an LBP, or
- Either parent on a two-parent case previously chose an LBP.

A basic **subsequent** LBP results in ineligibility for the entire family for a minimum of six months, and

- Continues after six months until the person who chose the LBP reconsiders by:
 - Signing an FIA, and
 - Completing 20 hours of work or other approvable PROMISE JOBS activity within 30 days after signing the FIA.

Any valid LBP counts when determining whether a household is subject to a subsequent LBP.

An LBP is not valid when the LBP was stopped because:

- The LBP was imposed in error, or
- The person who chose it was referred to PROMISE JOBS in error.

An LBP that is stopped because the person who chose it reconsidered and signed an FIA counts as a valid LBP, even if the person reconsiders before the effective date of the LBP and as a result there is no loss of FIP benefits.

Procedure: Use the PJCase system to determine if an LBP exists, the type of LBP, and who is included. In PJCase, a basic LBP is identified as normal. The LBP is modified for other case situations. See [LBP Variations](#) for more information.

The same LBP provisions apply when FIA-responsible “adults” in households approved for a hardship exemption fail to carry out the terms of their hardship exemption FIA or fail to amend their hardship exemption FIA when so required. See [4-C, Hardship Exemption](#) for additional information.

The following sections give more information on:

- [Choices Resulting in a Limited Benefit Plan](#)
- [To whom the limited benefit plan is applied](#)
- [LBP Variations](#)
- [Reconsidering a limited benefit plan](#)
- [Stopping a limited benefit plan](#)

Choices Resulting in a Limited Benefit Plan (LBP)

Legal reference: 441 IAC 41.24(8), 93.13(239B)

Policy: An FIA-responsible FIP participant chooses an LBP when the participant does not carry out FIA responsibilities after signing an FIA.

A FIP participant whose referral status changes from exempt to FIA-responsible also chooses an LBP when the participant:

- Does not schedule or does not keep an FIA appointment.
- Does not sign the FIA during the appointment.

Procedure: When a FIP participant is no longer exempt and is referred to PROMISE JOBS as FIA-responsible, ABC automatically issues *FIA Referral for Mandatory Participants*, form 470-3105, instructing the participant to contact PROMISE JOBS to schedule an appointment within ten days to begin the FIA process. See [Referring Participants](#) for more information.

If the FIP participant does not schedule an appointment or fails to attend or reschedule the appointment, PROMISE JOBS staff send the participant *Your PROMISE JOBS Reminder*, form 470-3103, giving the client an additional ten days to comply.

If the participant appears for the FIA appointment, PROMISE JOBS will continue with the appointment and work with the participant to create and sign the FIA.

A participant who does not participate in this process or who does not sign an FIA chooses an LBP.

NOTE: An LBP does not apply when a FIP applicant fails to sign an FIA. FIP applicants must sign an FIA before FIP approval. Families that have received FIP for 60 months and are requesting a hardship exemption must sign a six-month FIA to be granted the exemption. Failure to develop or sign an FIA in these circumstances results in denial of FIP. See [4-C](#), *Hardship Exemption and Family Investment Agreement* for additional information.

When a participant who has signed an FIA fails to follow the terms of the FIA, the PROMISE JOBS worker will attempt to resolve the participation issue. If there are problems or barriers to participation, PROMISE JOBS will work with the participant to find solutions to the problems before determining the participant has chosen the LBP.

When a PROMISE JOBS worker determines that a participant has chosen an LBP, the PROMISE JOBS worker will send the participant a written reminder to:

- Identify the participation issue,
- Clarify expectations,

- Attempt to identify problems and barriers to participation, and
- Offer supervisory intervention.

PROMISE JOBS may also choose to involve an impartial third party, if necessary, to help resolve participation issues.

The PROMISE JOBS worker will refer the case for an administrative review or local review. If the participant does not resume participation, the participant is considered to have chosen the LBP.

If the review disagrees that the participant has chosen an LBP, the worker will contact the participant to give them another opportunity to participate or otherwise attempt to resolve the participation issue.

If the reviewer agrees that the participant has chosen an LBP, PROMISE JOBS will make entry in PJCase to impose an LBP. The PJCase LBP start entry:

- Cancels FIP for these persons,
- Recalculates Supplemental Nutrition Assistance Program (SNAP),
- Sends a timely *Notice of Decision* to the household,
- Assigns the individual sanction status at ABC system cutoff in the month before the effective date of the LBP, and
- Sends an e-mail to the IM worker.

The *Notice of Decision* explains the actions the former participant will need to take to end the LBP. For a subsequent LBP, the notice also states the minimum six-month ineligibility period.

Even though PROMISE JOBS has imposed the LBP, continue to act on changes and reports that occur on the case.

See [Reconsidering a Limited Benefit Plan](#) for more information on the actions needed to end an LBP. Refer to [14-O, Results of Starting an LBP](#) for more information on what PJCase does when an LBP is started.

1. Ms. A, her 16-year-old son and her ten-year-old daughter apply for FIP. Ms. A is referred to PROMISE JOBS and signs an FIA. Ms. A meets all FIP eligibility requirements and FIP is approved.

The 16-year-old drops out of high school. The IM worker changes his JOBS referral code in ABC from exempt to FIA-responsible. On January 15, the system sends *FIA Referral for Mandatory Participants* instructing him to contact PROMISE JOBS within ten days to schedule his FIA appointment. He fails to do so.

PROMISE JOBS sends *Your PROMISE JOBS Reminder* giving him a second ten days to respond. He fails to do so. A review agrees that the 16-year-old has chosen an LBP. PROMISE JOBS makes an entry in PJCase to impose the LBP. The system sends a *Notice of Decision* notifying Ms. A that her son has chosen a first individual LBP effective March 1. Ineligibility for the son continues until he reconsiders and signs an FIA.

2. Mr. B and his child receive FIP. Mr. B signed an FIA when he applied for FIP as part of the application process and to reconsider the LBP that he chose in the previous year. The PROMISE JOBS worker determines that Mr. B once again is not following the steps of his FIA and sends a written reminder letter.

After Mr. B does not respond to the reminder letter, PROMISE JOBS determines that Mr. B abandoned his FIA and refers the case for an administrative review. The case review agrees that Mr. B has abandoned his FIA.

On June 7, PROMISE JOBS staff make an entry in PJCase to impose the subsequent LBP. The system cancels FIP and sends a *Notice of Decision* informing Mr. B that he has chosen a subsequent LBP effective July 1, and that his six-month ineligibility period lasts through December 31.

3. Ms. C and her child receive FIP. Ms. C signed an FIA when she applied for FIP saying that she would attend a job readiness workshop as her first activity in July. Ms. C does not attend the job readiness workshop as scheduled. PROMISE JOBS sends a written reminder and schedules Ms. C for another job readiness workshop in August. Ms. C again fails to attend as scheduled and PROMISE JOBS determines that Ms. C is not following the steps of her FIA and refers the case for administrative review.

On August 15, the case review agrees that Ms. C has abandoned her FIA and PROMISE JOBS makes entry in PJCase to impose a first LBP. The system cancels FIP and sends a *Notice of Decision* informing Ms. C that she has chosen an LBP effective September 1. FIP ineligibility will continue until Ms. C reapplies for FIP and reconsiders by signing another FIA.

Once a subsequent LBP is chosen, the six-month ineligibility period remains unchanged, even if the case is canceled for other reasons.

Ms. D chooses a subsequent LBP that makes her family ineligible for FIP effective November 1 through April 30. The worker also cancels FIP effective November 1, as Ms. D's income exceeds FIP limits. In March, Ms. D's income goes down and she reapplies for FIP.

The worker denies the application because the six-month period of ineligibility is in effect through the month of April. Ms. D reapplies on June 2. She reconsiders the LBP by signing an FIA on June 10 and completing 20 hours of approvable PROMISE JOBS activity. The worker approves FIP effective June 10, the date the FIA was signed.

To Whom the Limited Benefit Plan Is Applied

Legal reference: 441 IAC 41.24(8)

Policy: The conditions of the LBP apply to all persons in the FIP household except as indicated in the section [LBP Variations](#).

Children and parents who join the FIP household of a parent who chose an active LBP are subject to the conditions of the LBP.

Children and parents who leave the household of a parent who has chosen an LBP are no longer subject to the conditions of the LBP unless the parent in the new household has chosen an LBP.

If a parent on a parental FIP case subject to an LBP applies for a separate nonparental caretaker case, the LBP does not apply to the children on the nonparental caretaker case.

Procedure: When a child or a parent joins the household of a parent who chose an active LBP, use the PJCase system to:

- Add the child or parent to the other parent's LBP, or,
- Reactivate the LBP for the child or parent if the child or parent is included in the LBP but the LBP is stopped for the parent or child due to having left the home of the parent who chose.

Issue FIP benefits for the new members when eligibility exists in any month before the effective date of the LBP.

Use PJCase to stop the LBP for a child or parent who no longer lives with the parent who chose the LBP.

See [14-O, PJCase System](#) for instructions for using the PJCase system. See [Two-Parent Households](#) for more information on applying an LBP in a household with more than one parent.

1. Ms. A chooses a first LBP. On June 2, the system sends a *Notice of Decision* to explain that FIP will end July 1 for Ms. A and her children. On June 7, Ms. A reports her 12-year-old son has moved into the home. The IM worker uses PJCASE to add him to Ms. A's LBP.

On June 20, the worker determines the son meets all eligibility requirements and adds him to FIP effective June 14. The system issues an adjustive FIP payment for his June needs, cancels him for July 1 due to Ms. A's LBP, and sends one *Notice of Decision* to explain the action.

2. Ms. B chooses a subsequent LBP and is in the six-month period of ineligibility when her nephew moves into the home. She applies for a nonparental caretaker case for his needs only. He meets all eligibility requirements and is approved with Ms. B as payee. Her LBP does not affect her nephew's assistance.

3. Ms. C chooses an LBP for herself and her son. During the period of ineligibility, her son leaves her home and moves in with his grandparents. The grandparents apply for FIP assistance for the child. The IM worker uses PJCase to stop the LBP for the child. The worker determines eligibility and approves FIP for the child.

LBP Variations

Legal reference: 441 IAC 41.24(8)

The LBP is applied differently in certain households that include:

- [Children who are FIA-responsible PROMISE JOBS participants](#)
- [Both a minor parent and an adult parent](#)
- [Stepparents or needy specified relatives](#)
- [A needy specified relative who chooses an LBP effective October 1, 2005, or earlier](#)

- [Two parents](#)
- [Families that are granted a hardship exemption](#)

Children Who Are FIA-Responsible Participants

Legal reference: 441 IAC 41.24(8)“b”

Policy: A child who is receiving FIP and is not exempt must sign and follow the terms of the household’s FIA. The child does not have a separate FIA unless they have children, or their parents are exempt from participation.

An FIA-responsible child participant who fails to sign an FIA or fails to follow its terms while receiving FIP-chooses an LBP. The **individual** LBP makes the child ineligible.

For a **first** LBP, the child is not eligible until the child reconsiders the LBP by signing an FIA.

For a **subsequent** LBP, the child is ineligible for a minimum of six months and thereafter until the child reconsiders the LBP by signing an FIA and completing 20 hours of work or other approvable PROMISE JOBS activity.

Procedure: Exempt the income and resources of the ineligible child in an LBP in determining continued FIP eligibility and benefits for other household members.

If the FIA-responsible child who chooses the LBP is the only child in the home, the parent’s or needy specified relative’s FIP eligibility also ends on the date the child’s LBP goes into effect. This is because there is no longer an eligible child in the household. Cancel the FIP case effective the date the child’s LBP goes into effect.

Deny FIP for a FIA-responsible child who fails to sign an FIA as a FIP applicant. PROMISE JOBS does not impose an LBP in this situation. See [Referring Applicants](#) and [4-C, Family Investment Agreement](#) for more information.

1. Ms. A and her 16-year-old son, who is not in school, receive FIP. Each signed a joint FIA when they applied for FIP. If Ms. A chooses an LBP after signing the FIA, the **normal** LBP applies to the entire household.
2. Ms. A from Example 1 cooperates with the terms of the FIA, but her son chooses the LBP. The **individual** LBP makes the son ineligible. The IM worker cancels FIP for Ms. A effective the first month of the son's LBP, because there is no longer an eligible child in the home.
3. Ms. B receives FIP for her two daughters, a 16-year-old and a 17-year-old. Ms. B is exempt from PROMISE JOBS participation as she receives SSI. The 16-year-old drops out of school and the worker refers her to PROMISE JOBS as a FIA-responsible participant because she is not enrolled in school. The 16-year-old fails to sign an FIA and chooses an **individual** LBP.

The **individual** LBP makes the 16-year-old ineligible. Ms. B will continue to receive FIP for the 17-year-old, as long as they meet all other eligibility requirements.
4. Ms. C applies for FIP for her 16-year-old son who is not in school. The worker refers Ms. C and the son to PROMISE JOBS to sign an FIA as a condition of receiving FIP. Ms. C signs an FIA but her son does not. The worker denies FIP for the entire family as the son is not eligible for failure to sign an FIA and Ms. C does not have an eligible child.

Minor Parents Living With FIP Parent

Legal reference: 441 IAC 41.24(8)“b”

Policy: A minor parent living with their child and receiving FIP sign and follow the terms of an FIA unless exempt for other reasons. When a minor parent and their child are also living with a FIP parent or needy specified relative, each is responsible for a separate FIA. Both the minor parent and the FIP parent or needy specified relative must meet with PROMISE JOBS to write and sign an FIA before FIP approval.

If the adult parent chooses the LBP, the **normal** LBP applies to the entire eligible group. See [Limited Benefit Plan](#) for more information on a **normal** LBP.

If the needy specified relative who is not a parent chooses the LBP, the **individual** LBP applies only to the nonparental relative.

EXCEPTION: The LBP applies to the entire eligible group if it was effective October 1, 2005, or earlier. See [Stepparent or Needy Specified Relative](#) and [Needy Specified Relative Chooses Effective October 1, 2005 or Earlier](#) for more information.

When the minor parent chooses the LBP, the **partial** LBP applies only to the minor parent and any child of the minor parent.

For a **first** LBP, the minor parent and their child are not eligible until the minor parent reconsiders the LBP by signing an FIA.

For a **subsequent** LBP, the minor parent and their child are ineligible for a minimum of six months and thereafter until the minor parent reconsiders the LBP by signing an FIA and completing 20 hours of work or other approvable PROMISE JOBS activity.

Procedure: When FIP is canceled as the adult parent has chosen a **normal** LBP, the minor parent can reapply for FIP independently or as a minor parent living with self-supporting parents and then continue the FIA process. See [Stopping a Limited Benefit Plan](#) for more information.

When FIP is canceled as the minor parent has chosen a **partial** LBP, exempt the income and resources of the ineligible minor parent and any child of the minor parent in an LBP when determining continued FIP eligibility for the adult parent or specified relative and any children receiving FIP with the adult parent or relative.

When a minor parent is the only eligible child in the home and chooses the LBP, the adult parent's or needy specified relative's FIP eligibility ends on the date the LBP goes into effect. This is because the parent or needy specified relative no longer has an eligible child. Cancel the entire FIP case effective the date the minor parent's LBP takes effect.

1. Mrs. A, her 17-year-old daughter Ms. Z, and Ms. Z's child receive FIP. Both Mrs. A and Ms. Z are FIA-responsible and each signed their own FIA when they applied for FIP.

If Mrs. A chooses an LBP, the **normal** LBP makes the entire household ineligible, even though Ms. Z has signed her own FIA. Ms. Z has the option of applying for her own FIP case for herself and her child, as a minor parent living with a self-supporting parent.

2. Mrs. A from Example 1 signs and cooperates in her FIA, but Ms. Z chooses a first LBP effective December 1. The **partial** LBP makes Ms. Z and her child ineligible.

Although the LBP does not apply to Mrs. A, the worker cancels FIP effective December 1, because Mrs. A no longer has an eligible child. The entire case is canceled effective December 1.

3. Mrs. B applies for FIP for her 16-year-old daughter, Ms. C, and Ms. C's child. The worker refers Mrs. B and Ms. C to PROMISE JOBS to sign an FIA as a condition of receiving FIP. Mrs. B signs an FIA, but Ms. C does not. The worker denies FIP for the entire family as Ms. C is not eligible for failure to sign an FIA and Mrs. B does not have an eligible child.

Stepparent or Needy Specified Relative

Legal reference: 441 IAC 41.24(8)“b”

Policy: A person included in the eligible group as one of the following is FIA-responsible:

- An incapacitated stepparent.
- A needy specified relative who is not a parent.

If one of these persons chooses an LBP, the **individual** LBP applies only to the FIA-responsible person. The others in the FIP eligible group continue to receive FIP if other eligibility factors are met.

For a **first** LBP, the person is not eligible until the person reconsiders the LBP by signing an FIA.

For a **subsequent** LBP, the person is not eligible for a minimum of six months, and thereafter until the person signs an FIA and completes 20 hours of work or other approvable PROMISE JOBS activity.

Procedure: Exempt the income and resources of the nonparental specified relative in an **individual** LBP when determining continued FIP eligibility for any children still living with the relative. See [4-D, *Whose Resources to Count*](#) and [4-E, *Whose Income Is Not Counted*](#) for more information.

Count the income of an ineligible stepparent as described at [4-E, *Stepparent Income*](#). Do not count the resources of an ineligible stepparent as described at [4-D, *Whose Resources to Count*](#).

EXCEPTION: An LBP chosen by a needy specified relative who is not a parent and was effective October 1, 2005 or earlier, applies to the entire eligible group. See the [Needy Specified Relative Chooses Effective October 1, 2005 or Earlier](#) for procedures on this situation.

1. The FIP household consists of Ms. B, and her two grandchildren. Ms. B is included in the grant as a needy specified relative who has assumed the role of parent as the children's parents are not in the home.

Ms. B is an FIA-responsible PROMISE JOBS participant and signed an FIA when she applied for FIP. Ms. B has chosen an LBP before. She fails to follow the terms of her FIA and chooses a subsequent individual LBP effective November 1, 2005.

Ms. B's needs are removed from the grant effective November 1. Ms. B is ineligible for FIP for a minimum 6-month period. When the 6-month period ends, Ms. B remains ineligible until she reconsiders by signing an FIA and completing 20 hours of PROMISE JOBS activity. The grandchildren remain eligible as long as other eligibility requirements are met.

2. The FIP household consists of Ms. A, her children, and her mother, Mrs. Z. Ms. A is disabled to such an extent as to be unable to act as payee for her own case. Her mother has been included in the grant as a needy specified relative acting as payee when the parent is unable to do so.

Mrs. Z is FIA-responsible and signed an FIA when she applied for FIP. She fails to follow the terms of her FIA and chooses a first **individual** LBP effective June 1.

Mrs. Z's needs are removed from the grant effective June 1, and she remains ineligible until she reconsiders and signs an FIA. The rest of the household remains eligible, as long as all other eligibility requirements are met.

Needy Specified Relative Chooses Effective October 1, 2005 or Earlier

Legal reference: 441 IAC 41.24(8)"b"

Policy: This section applies to a needy specified relative who is not a parent and who chose an active LBP effective October 1, 2005, or earlier. See [Stepparent or Needy Specified Relative](#) for the effect of an LBP that is effective on or after November 1, 2005.

A **normal** LBP applies to the entire eligible group when it:

- Is chosen by a needy specified relative who is not a parent and
- Is effective October 1, 2005 or earlier.

If the needy specified relative who is not a parent has chosen a **first** LBP effective October 1, 2005 or earlier, FIP remains canceled until the relative either:

- Reconsiders the LBP by signing an FIA, or
- Reapplies for the needs of the children only.

If the needy specified relative who is not a parent has chosen a **subsequent** LBP effective October 1, 2005 or earlier, FIP remains canceled for a minimum of six months and until the needy specified relative either:

- Reconsiders the LBP by signing an FIA and completing 20 hours of PROMISE JOBS activity, or
- Reapplies for the needs of the children only.

Procedure: See [Reconsidering a Limited Benefit Plan](#) for procedures to use if the relative reapplies as a needy specified relative.

Use the following procedures if the needy specified relative reapplies for the children only:

- The IM worker temporarily stops the LBP by entering reason “W” in PJCcase and determines FIP eligibility for the children. See [Stopping a Limited Benefit Plan](#) for more information. If the LBP is not temporarily stopped while the relative receives FIP for the children, the FET system will incorrectly count the months of FIP toward the relative’s 60-month limit.
- If the needy specified relative later reapplies to be included in the eligible group, the relative must take the needed action to reconsider the LBP. The IM worker reactivates the LBP in PJCcase, takes the steps to schedule an FIA appointment, and refers the relative to PROMISE JOBS.
- If the relative reconsiders the LBP PROMISE JOBS stops the LBP by entering reason “R” in PJCcase.
- If the relative fails to complete the reconsideration process, the IM worker denies the application to include the relative in the FIP household and temporarily stops the LBP again by entering reason “W” in PJCcase.

Exempt the income and resources of the specified relative in a **normal** LBP when determining continued FIP eligibility for any children still living with the relative. See [4-D, Whose Resources to Count](#) and [4-E, Whose Income Is Not Counted](#) for more information.

Two-Parent Households

Legal reference: 441 IAC 41.24(8)“b”

Policy: All parents must sign and follow the terms of the FIA when in the home of a child receiving FIP unless exempt. When one parent is exempt, only the FIA-responsible parent must sign and follow the FIA.

Every FIA-responsible parent must meet with PROMISE JOBS to write and sign the FIA before FIP approval. Every FIA-responsible parent must follow the terms of the FIA or choose an LBP.

When the household consists of two parents and at least one common child on FIP, if either parent chooses an LBP, a **normal** LBP applies and the entire household is ineligible for FIP in this situation.

If only one parent chooses, the **normal** LBP applies even when the other parent is meeting the terms of the FIA or is exempt. The other parent cannot end the LBP by participating.

For a **first normal** LBP, ineligibility continues until both parents reconsider and sign an FIA. If one parent is exempt, only the FIA-responsible parent must sign an FIA to end the LBP.

A **subsequent normal** LBP applies when one parent chooses an LBP and either that parent OR the other parent in the home chose a valid LBP before that is no longer in effect.

For a **subsequent** LBP ineligibility continues for a minimum of six months and thereafter until both parents reconsider the LBP. To reconsider, each parent must sign an FIA and complete 20 hours of work or other approvable PROMISE JOBS activity. If one parent is exempt, only the FIA-responsible parent must complete the reconsideration actions to end the LBP.

A **partial** LBP applies in the following situations:

- The household consists of two parents, but the only common child is not eligible for FIP, and one parent chooses an LBP.
- The household consists of a married couple who each have children but have no common children in the eligible group, and one parent chooses an LBP.

A **partial** LBP applies only to the parent who chose and that parent's children. Only the parent who chose needs to complete reconsideration actions to end a **partial** LBP.

Procedure: If the parents in an LBP separate and only one parent was responsible for the LBP, it continues for the parent who chose it and any children in the home of that parent. Make entry in the PJCase system to stop the LBP for the parent and children who no longer live with the parent who chose the LBP.

When both parents chose an LBP and separate, each parent's LBP continues for the parent and any children in the home of that parent. Make entry in PJCase to stop each parent's LBP record for the parent and children who no longer live with the parent who chose.

See [Stopping a Limited Benefit Plan](#) for instructions on PJCase entries for both of the above situations.

A subsequent LBP remains a subsequent when the parent that chose the current LBP has not chosen before and the parent that chose the prior LBP is no longer in the home. However, the subsequent LBP only applies to the parent that chose it and any children living with that parent.

When a parent enters the home of a child or co-parent on FIP, and the returning parent had previously chosen an active LBP, the child and co-parent of the child become ineligible for FIP effective the first of the next month. Use PJCase to either:

- Add the co-parent and child on FIP to the LBP of the returning parent when the co-parent and child were not previously on the LBP, or
- Reactivate the returning parent's LBP for the co-parent and child on FIP if the child or co-parent were previously active on the LBP but the LBP was stopped for the co-parent or child due to leaving the household of the parent who chose.

Your PJCcase entries will cancel FIP for those impacted by the LBP. See [14-O, Adding a Person to an LBP and Reactivating an LBP](#) for more instructions on making these entries in PJCcase.

Both parents must complete the required action to reconsider and end an LBP if both parents are in the home and FIA-responsible, even if only one parent chose the LBP. However, the other parent does not need to sign another FIA if the terms of the parent's existing FIA still apply. The parent on FIP may use participation in existing activities towards the hours required to end a subsequent LBP.

See [Reconsidering a Limited Benefit Plan](#) for more information.

1. Mr. and Mrs. A apply for FIP for their two common children on March 15. The worker refers both Mr. and Mrs. A to PROMISE JOBS as FIA-responsible applicants. Both must sign a joint FIA.

Mrs. A signs the FIA, but Mr. A does not sign. The FIP application is denied for the entire household.

If both Mr. and Mrs. A sign the FIA, but one of them later fails to carry out the terms of the FIA, an LBP is imposed. The normal LBP makes the entire family ineligible for FIP.
2. Same as Example 1, except that Mrs. A is exempt from PROMISE JOBS participation. Mr. A, the only FIA-responsible participant, signed an FIA as a FIP applicant. Mr. A fails to follow the terms of his FIA and chooses a first LBP beginning June 1. The normal LBP makes the entire family ineligible for FIP effective June 1. Ineligibility continues until Mr. A reconsiders by signing an FIA.
3. Same as Example 1, except that Mrs. A had chosen an LBP the previous year that ended before this application. Therefore, Mr. A's LBP is the second LBP chosen by a parent in this household.

The normal subsequent LBP makes the entire family ineligible for FIP effective June 1. The family remains ineligible for the months of June through November. After the six-month period ends, ineligibility continues until Mr. and Mrs. A each reconsider by signing an FIA and completing 20 hours of work or other approvable PROMISE JOBS activity.

4. Mr. F and Ms. G receive FIP for three children: his child, her child, and a common child. They have a joint family FIA. Mr. F abandons his FIA steps and chooses a first LBP effective December 1.

Although Ms. G is meeting the steps of her FIA, the normal LBP makes the entire family ineligible for FIP, including Ms. G's child, effective December 1. Ineligibility continues until Mr. F and Ms. G each reconsider by signing an FIA.

5. Mr. and Mrs. E receive FIP for his child and her child. They have a common child who receives SSI and therefore is not in the FIP eligible group. Mr. E is meeting the steps of their FIA. Mrs. E abandons her steps and chooses a first LBP beginning November 1.

The partial LBP makes Mrs. E and her child ineligible effective November 1. Ineligibility continues until Mrs. E reconsiders and signs another FIA. Mr. E and his child remain eligible, as long as all other eligibility requirements are met.

6. Mrs. B, her child, her husband Mr. B, and his child apply for FIP on one application. (There are no common children.) Both parents are FIA-responsible applicants and must sign a joint FIA.

Mrs. B signs the FIA, but Mr. B refuses to sign. Deny the application for Mr. B and his child. If both parents sign the FIA, but Mr. B later chooses an LBP by abandoning his FIA steps, the partial LBP applies to Mr. B and his child.

7. Mr. and Mrs. C and their two children are ineligible for FIP, as Mr. C chose a first normal LBP effective August 1. On September 20, Mr. C and one child leave the home and Mrs. C applies for FIP.

The worker makes entry in the PJCase system to stop Mr. C's LBP for Mrs. C and the child who lives with her. Ineligibility continues for Mr. C and the child who lives with him until he reconsiders by signing an FIA. The worker refers Mrs. C to PROMISE JOBS as an FIA-responsible applicant and schedules an FIA appointment for Mrs. C.

8. Mr and Mrs. D receive FIP for their three common children and signed a joint FIA when they applied. Mr. D chooses a normal first LBP effective June 1. Mrs. D was following her FIA terms. The entire family is ineligible for FIP until both Mr. and Mrs. D reconsider the LBP by signing another FIA.

In August, Mrs. D reapplies for FIP for the children as Mr. D left the home. The IM worker makes entry in PJCase to stop Mr. D's LBP for Mrs. D and the children, refers Mrs. D to PROMISE JOBS, and schedules an FIA appointment. Mrs. D signs an FIA and FIP is approved.

In September, Mr. D returns to the home. The IM worker uses PJCase to reactivate Mr. D's LBP for Mrs. D and the children. As a result, FIP for Mrs. D and her children is canceled for FIP beginning October 1. If Mr. and Mrs. D want to reconsider the LBP, the IM worker refers Mr. D to PROMISE JOBS and schedules an FIA appointment for him. Mrs. D will not need to sign another FIA unless contacted by PROMISE JOBS because her existing terms no longer apply to her situation.

9. Mr. and Mrs. H receive FIP for their two common children, A and B, and signed a joint FIA when they applied. Both parents chose a first normal LBP effective October 1.

In January, Mrs. H reapplies for FIP for child B as Mr. H and child A left the home. Mrs. H wants to reconsider her LBP. The IM worker uses PJCase to stop Mr. H's LBP for Mrs. H and child B and to stop Mrs. H's LBP for Mr. H and child A. The worker refers Mrs. H to PROMISE JOBS as an FIA-responsible applicant and schedules an FIA appointment for Mrs. H.

10. Mr. and Mrs. G receive FIP for their two common children. Mr. G chose a first LBP 3 years ago and Mrs. G has never chosen an LBP. Mrs. G now chooses an LBP effective March 1. Even though Mr. G is following his FIA, Mrs. G's LBP will be a subsequent LBP since Mr. G is in the home and has chosen an LBP before. The family is ineligible for FIP until September 1.

On April 10, Mr. G leaves the home. Mrs. G's LBP remains a subsequent even though the parent that chose the prior LBP has left the home.

Households Granted a Hardship Exemption

Legal reference: 441 IAC 41.24(4)“b”, 41.24(8), 41.30(3)“g”

Policy: FIA-responsible members of households that have received FIP for 60 months and are requesting a hardship exemption must develop and sign a six-month FIA as a condition for being granted the exemption. Failure to develop or sign the six-month FIA results in denial of their hardship exemption request rather than an LBP.

FIA-responsible members of a household that has been granted a hardship exemption that do not follow the terms of the six-month FIA or that fail to amend the FIA when so required will have chosen an LBP.

Procedure: When an FIA-responsible member chooses a first LBP during the hardship exemption period and takes appropriate reconsideration action before the effective date of the FIP cancellation, FIP must be reinstated for the remainder of the exemption period.

Family A's six-month hardship exemption period is from July through December. Mr. A fails to follow the terms of the FIA, and a first LBP results. A *Notice of Decision* is sent canceling FIP effective August 1 because of the LBP.

If Mr. A signs another FIA before August 1, his FIP case is reinstated and may continue for the remainder of the six-month hardship exemption period.

If Mr. A does not reconsider the LBP before August 1, FIP remains canceled. A new application is required for the family to regain FIP eligibility, and as long as FIP eligibility depends on a hardship exemption, the family must submit a new form 470-3826, *Request for FIP Beyond 60 Months*.

Households with an FIA-responsible member that choose a subsequent LBP during the hardship exemption period are ineligible for FIP for a minimum of six months. They are not allowed to reconsider before the end of the six-month period of ineligibility. Therefore, FIP must be canceled for the remainder of the hardship exemption period.

FIP eligibility cannot be regained until the LBP period of ineligibility has ended, and the household meets all other requirements. A new application is required. In addition, households whose FIP eligibility depends on receiving a hardship exemption must submit a new form 470-3826, *Request for FIP Beyond 60 Months* and a new hardship determination is required before FIP approval.

Family B's six-month hardship exemption period is from July through December. Mrs. B fails to follow the terms of the FIA, and an LBP results. This is Mrs. B's second LBP, and a *Notice of Decision* is sent canceling FIP effective August 1.

The household cannot regain FIP eligibility until the six-month ineligibility period is over and the household meets all other requirements. A new application is required, and if the household's FIP eligibility continues to depend on receiving a hardship exemption, they must also submit a new form 470-3826, *Request for FIP Beyond 60 Months*. A new hardship exemption determination is required before FIP approval.

See [Referring Hardship Exemption Applicants](#) and [4-C, Hardship Exemption](#) for more information.

Reconsidering a Limited Benefit Plan (LBP)

Legal reference: 441 IAC 41.24(8)

Policy: A person who chooses a first LBP may reconsider by signing an FIA. The person may begin the reconsideration process any time from the date of the *Notice of Decision* imposing the LBP.

A person who chooses a subsequent LBP cannot reconsider their decision from the date of the *Notice of Decision* imposing a subsequent LBP is issued until the six-month period of ineligibility has expired.

When the six-month ineligibility period ends, the person may reconsider by signing an FIA and completing 20 hours of work or other approvable PROMISE JOBS activity (other than work experience or unpaid community service). Due to the Fair Labor Standards Act, PROMISE JOBS cannot ask persons to participate in work experience or unpaid community service activities unless the person is on FIP.

The hours of work or other activity must be completed within 30 days from the date the FIA is signed. The activity and time frame are specified in the FIA.

When a person has problems or barriers to participation, PROMISE JOBS may reduce or eliminate the number of required hours or extend the period for completion beyond the 30 days. PROMISE JOBS is responsible for tracking the required hours and that the hours are completed within the 30-day time frame.

If there are two parents in the home, both parents must complete the required action to reconsider and end an LBP if both parents are FIA-responsible, even if only one parent chose the LBP. However, if a parent of a child on FIP enters the home and the parent has an active LBP, the parent currently on FIP does not need to sign another FIA if the terms of their existing FIA still apply. The parent on FIP may use participation in existing activities towards the hours required to end a subsequent LBP.

Procedure: To reconsider an LBP, the person may contact either IM or the PROMISE JOBS worker. The person is able to reconsider the LBP when:

- The person chose a first LBP, or
- The person chose a subsequent LBP, *and* the six-month ineligibility period has ended.

First LBP:

When a person contacts the IM worker before the effective date of a first LBP to reconsider the LBP, use the PJCase Calendar to determine if there is an available FIA appointment before the effective date. If there is an appointment, refer the person with the applicable JOBS code and schedule an FIA appointment for the person as described at [Referring People in a Limited Benefit Plan](#).

If there is not enough time for the person to sign an FIA before the effective date of the first LBP, inform the household of the need to reapply for assistance. No further action is needed if the household does not file an application.

When a person contacts the IM worker after the effective date of a first LBP, explain that the household must file an application to receive FIP again. If the household files an application, refer the person who chose the LBP to PROMISE JOBS and schedule an FIA appointment as described at [Referring People in a Limited Benefit Plan](#).

Subsequent LBP:

If a household in a subsequent LBP files an application for FIP within the six-month period of ineligibility, deny the application, unless:

- The household files the application in the last month of the ineligibility period, **and**
- There is an available FIA appointment after the six-month period and within the 30-day period for processing the application.

When the six-month ineligibility period of a subsequent LBP ends, and the person who chose the LBP contacts the IM worker to reconsider the LBP, explain that the household must file an application to receive FIP again. No further action is needed if the household does not file an application.

If the household files an application, refer the person who chose the subsequent LBP to PROMISE JOBS and schedule an FIA appointment as described at [Referring People in a Limited Benefit Plan](#).

Consider a filed FIP application a contact to reconsider the LBP, even when the person who chose the LBP makes no other contact.

Refer both parents to PROMISE JOBS and schedule both parents with an FIA appointment when there are two FIA-responsible parents in the home applying for FIP and in an LBP that can be reconsidered, even if only one parent chose the LBP. For a subsequent LBP, both parents will also need to complete 20 hours of PROMISE JOBS activity to end the LBP.

When a parent who has chosen an LBP that is still in effect and can be reconsidered enters the home of a child or co-parent on FIP, refer the applicant parent to PROMISE JOBS and schedule an FIA appointment as described at [Referring People in a Limited Benefit Plan](#). The parent currently on FIP may use participation in existing activities towards the hours required to end the subsequent LBP chosen by the other parent if they are FIA-responsible. PROMISE JOBS will contact the parent on FIP if the terms of their existing FIA must be updated.

When a parent has chosen an LBP and enters the home of a child or parent on FIP, use PJCcase to either reactivate the LBP for the FIP child and parent or to add the FIP child and parent to the LBP. See [Two-Parent Households](#) for more information.

See [Referring People in a Limited Benefit Plan](#) for more information regarding referring a person to PROMISE JOBS and scheduling the FIA appointment.

After you have referred a person for reconsideration of an LBP and scheduled the FIA appointment, PROMISE JOBS will make entry in PJCcase to record one of the following results:

- **Stop First Limited Benefit Plan:** PROMISE JOBS will stop a first LBP if the person signs an FIA. PJCcase will send you an e-mail to inform you of this action.
- **Stop Subsequent Limited Benefit Plan:** PROMISE JOBS will stop a subsequent LBP if the person signs an FIA **and** completes the required hours of work or other approved activity as stated in the FIA. PJCcase will send you an e-mail to inform you of this action.
- **Abandon Reconsideration.** PROMISE JOBS will make entry that the person abandoned the reconsideration referral if the person does not sign an FIA or complete the required hours of work or other activity needed to end a subsequent LBP.

When the LBP is stopped, determine eligibility and issue a *Notice of Decision* to the household. See [14-O, Result of Stopping an LBP](#) for more information on what occurs in ABC and PJCcase when an LBP is stopped.

When PROMISE JOBS determines the person abandoned the reconsideration and makes entry in PJCcase, PJCcase denies the application when the person is a FIP parent and the worker has pended the application in ABC. See [14-O, Pre-FIP Entries – Applicant Chose LBP](#) for more information.

Determining Eligibility

Consider an application pending so long as PROMISE JOBS considers the person to be continuing in the reconsideration process, even if the time necessary to complete the process extends beyond the normal 30-day application processing period. **Exception:** When the application is being reconsidered under the grace period, the applicant must complete all actions necessary to end the LBP within the 14-day grace period.

Proceed with the eligibility determination once you have been notified that an LBP is stopped.

Determine the effective date of eligibility following a **first** LBP as follows when the household is otherwise eligible:

- If the FIA is signed before the effective date of the LBP, reinstate FIP.
- If the FIA is signed on or after the effective date of the LBP, and FIP was canceled for the entire household, approve FIP effective the date the FIA is signed or seven days from the application date, whichever date is later.
- When adding a person who is excluded due to an LBP to an active FIP case, the effective date is seven days from the date the FIA is signed.

Determine the effective date of eligibility following a subsequent LBP when the household is otherwise eligible with the latest of the following dates:

- The date the FIA is signed,
- Seven days from the application date, or
- The first day after the six-month period of ineligibility expires.

When adding a person who is excluded due to a **subsequent** LBP to an active FIP case, the effective date is seven days from the date the FIA is signed or the first day after the six-month period of ineligibility expires, whichever date is later.

Deny an application if PROMISE JOBS determines that an applicant has abandoned the reconsideration attempt and the LBP remains in effect. If the household reapplies, the person who chose the LBP must begin the reconsideration process again.

When PROMISE JOBS determines that a person has abandoned the reconsideration attempt before the effective date of a **first** LBP, issue an adequate *Notice of Decision* to notify the family that assistance will remain canceled. The person who chose the LBP must make another contact to reconsider and file an application to receive FIP assistance.

When a person makes contact to reconsider before the effective date of a **first** LBP and the person does not sign an FIA before the effective date of the LBP, issue an adequate *Notice of Decision* to notify the household that assistance will remain canceled. Inform the household that they must now file an application to receive FIP assistance.

See [14-B-Appendix, Notices: FIP Limited Benefit Plan](#) for applicable notice reasons.

1. Ms. A and one child are receiving FIP. Ms. A does not follow through on the steps of her FIA. PROMISE JOBS imposes a normal first LBP. On February 2, the system sends a *Notice of Decision* to notify Ms. A that she has chosen a **first** LBP effective March 1.

On February 10 (before the effective date of the LBP), she contacts PROMISE JOBS to reconsider. She signs the FIA on February 20. PROMISE JOBS makes an entry to stop the LBP. The IM worker reinstates FIP effective March 1.
2. Same as Example 1, except Ms. A contacts IM to reconsider on March 5 when she files an application. Ms. A. signs the FIA on March 15. PROMISE JOBS stops the LBP. The IM worker approves FIP effective March 15, the date the FIA is signed.
3. Same as Example 1, except Ms. A does not contact IM to reconsider until May 15. She reapplies for FIP on May 19 and signs the FIA on May 24. The PROMISE JOBS worker stops the LBP. The IM worker approves FIP effective May 26, seven days from the application date.
4. Ms. B receives FIP for two children, ages 16 and 17. The IM worker refers the 17-year-old to PROMISE JOBS, as the child is not in school. The child chooses an individual **first** LBP after signing an FIA. The system removes the child's needs from the FIP grant and sends a *Notice of Decision* notifying Ms. B that FIP is decreased effective January 1 because the child chose an LBP.

On February 12, the 17-year-old contacts PROMISE JOBS to reconsider. The child signs an FIA on February 15. The PROMISE JOBS worker stops the LBP. The IM worker approves the application to add the child to the eligible group effective February 22, seven days from the date the FIA is signed.

5. Mr. B and his children are ineligible for FIP for the months of March through August, as Mr. B chose a normal **subsequent** LBP. Mr. B reapplies for FIP on May 11. The worker denies the application due to the LBP.

Mr. B applies again on October 17. The IM worker refers Mr. B to PROMISE JOBS to begin the FIA process. Mr. B. signs the FIA on October 27 and agrees to complete 20 hours of job search to get FIP again.

On November 2, Mr. B completes his job search and PROMISE JOBS uses PJCase to stop his LBP and send an e-mail to IM. The IM worker approves FIP effective October 27, the date the FIA was signed.

6. Same as Example 5, except Mr. B signs his FIA on October 20. The IM worker approves FIP effective October 24, which is seven days from the application date.
7. FIP for Ms. L and her children is cancelled effective September 1st for failure to return a RRED form. On August 25, Ms. L chooses a normal **subsequent** LBP. PROMISE JOBS makes entry to start the LBP resulting in a *Notice of Decision* dated August 26, imposing the LBP effective October 1. On September 9, Ms. L reapplies for FIP. The IM worker denies the application due to the subsequent LBP as once the notice is issued, Ms. L cannot take action to end the subsequent LBP until the six-month period has ended.

Stopping a Limited Benefit Plan (LBP)

Legal reference: 441 IAC 41.24(239B)

Policy: An LBP must be stopped when:

- The person who chose the LBP takes action to reconsider the LBP as described at [Reconsidering a Limited Benefit Plan](#).
- The LBP was imposed in error.
- The person who chose the LBP was exempt and referred to PROMISE JOBS in error.
- A child leaves the home of the person who chose the LBP or turns 18 and is no longer part of that person's FIP household.
- The person who chose the LBP leaves the home.

- An appeal of imposition of an LBP is filed:
 - Before the effective date of the initial *Notice of Decision* establishing the beginning date of the LBP, or
 - Within 10 days from the date the appellant receives the notice establishing the beginning date of the LBP. The date on which 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.

An LBP is considered temporarily stopped pending issuance of a final appeal decision. The LBP will be considered imposed in error if the final decision reverses the decision to impose the LBP.

An LBP imposed in error is not considered a valid LBP when determining if a person previously chose an LBP.

Procedure: Stopping an LBP is the responsibility of either the IM worker or the PROMISE JOBS worker, depending upon the situation.

The PROMISE JOBS worker is responsible for stopping the LBP when:

- The person who chose reconsiders and signs an FIA and completes any required hours
- of participation, or
- PROMISE JOBS discovers they have imposed the LBP in error, or
- The person who chose the LBP verifies they were not living in the state, or requested cancellation of FIP, prior to the date that PROMISE JOBS determined the person chose not to fulfill the terms of the FIA, or
- IM determines that the entire amount of FIP assistance issued for the person who chose the LBP is subject to recoupment for the month when the person chose not to fulfill the terms of the FIA, or
- The person who chose the LBP reveals a problem or barrier after the LBP is imposed and it is reasonable that the problem or barrier contributed to the person's failure to fulfill the terms of the FIA.

See [Reconsidering a Limited Benefit Plan](#) for information on actions required of the IM worker and the effective date of FIP eligibility when PROMISE JOBS stops an LBP because the person who chose reconsiders the LBP.

When PROMISE JOBS stops an LBP for reasons other than due to reconsideration, determine FIP eligibility as follows:

Situation:	IM Worker Action:
<p>LBP in error:</p> <ul style="list-style-type: none"> ▪ PROMISE JOBS determines prior to LBP effective date. ▪ PROMISE JOBS determines on or after LBP effective date. 	<ul style="list-style-type: none"> ▪ Reinstate FIP as described at 4-B, Reinstatement if family is otherwise eligible. ▪ Determine eligibility for corrective benefits as of the effective date of the LBP.
<p>Person who chose reveals problem or barrier:</p> <ul style="list-style-type: none"> ▪ Prior to LBP effective date. ▪ On or after LBP effective date. 	<ul style="list-style-type: none"> ▪ Reinstate FIP as described at 4-B, Reinstatement if family is otherwise eligible. ▪ Determine eligibility for corrective benefits as of the effective date of the LBP or the date the family is otherwise eligible, whichever is later.

The IM worker is responsible for stopping the LBP in the following situations, and for taking the corresponding action.

Situation:	IM worker action:
<p>An appeal is filed:</p> <ul style="list-style-type: none"> ▪ Before the effective date on the <i>Notice of Decision</i> establishing the beginning date of the LBP, or ▪ Within 10 days from the date the participant receives the notice establishing the beginning date of the LBP. The date on which 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. 	<p>Stop the LBP and issue a <i>Notice of Decision</i> by entering an “A” in PJCase. Reinstate FIP in ABC. See Appealing a Limited Benefit Plan.</p> <p>If the final appeal decision affirms the LBP , use PJCase to reactivate the LBP with a new effective date.</p> <p>If the final decision reverses the LBP, use PJCase to change the LBP stop reason from “A” to “C.”</p>

Situation:	IM worker action:
<p>A child in an LBP chosen by a parent leaves the household, or a child leaves the household of a needy specified relative who chose an LBP effective October 1, 2005 or earlier.</p> <p>Variations</p> <ul style="list-style-type: none"> ▪ A minor parent and child leave the adult parent’s or needy specified relative’s home and become eligible on another case. ▪ A minor parent turns 18 (or completes high school if between the ages of 18 and 19) and applies for a separate case. ▪ A minor parent and child are canceled effective month one of the adult’s LBP, and the minor parent applies for a separate FIP case as a minor parent living in the home of a self-supporting parent. 	<ul style="list-style-type: none"> ▪ Stop the LBP for that child by entering a “B” in PJCase. (The LBP remains in place for the parent or needy specified relative who chose it and any members of the eligible group who remain with that parent or needy specified relative.) See To Whom the Limited Benefit Plan Is Applied. ▪ Stop the LBP for the minor parent and the minor parent’s child by entering a “B” in PJCase. See Minor Parents Living With FIP Parent. ▪ Stop the LBP for the minor parent and the minor parent’s child by entering a “B” in PJCase. (The minor parent is no longer considered a child, so the adult parent’s or needy specified relative’s LBP no longer applies.) See Minor Parents Living With FIP Parent. ▪ Stop the LBP for the minor parent and the minor parent’s or relative’s child by entering a “B” in PJCase. See Minor Parents Living With FIP Parent.

Situation:	IM worker action:
<ul style="list-style-type: none"> ▪ Exempt due to the receipt of SSI or school attendance at the time the <i>Notice of Decision</i> was issued imposing the LBP but the person had not reported or verified the receipt of SSI or change in school attendance. 	<ul style="list-style-type: none"> ▪ When the error is discovered on or after the LBP effective date, determine eligibility for corrective benefits as of the effective date of the LBP or the date the household is otherwise eligible, whichever is later. <p>Stop the LBP and issue a <i>Notice of Decision</i> by entering reason “C” in PJCase.</p> <ul style="list-style-type: none"> ▪ Reinstate FIP as described at 4-B, Reinstatement if the household is otherwise eligible and the error is discovered before the LBP effective date. ▪ If the error is discovered on or after the LBP effective date, require a new application. Determine eligibility as of 7 days from the application date or the date the household is otherwise eligible, whichever is later. Do not issue corrective benefits.

Situation:	IM worker action:
<p>In a two-parent household, the parent who chose the LBP leaves the household, and the other parent did not choose the LBP.</p>	<p>Stop the LBP for the remaining parent and any children living with the parent and issue a <i>Notice of Decision</i> by entering reason “D” in PJCase. See Two-Parent Households.</p> <p>The LBP continues for the parent who chose it and any children living with that parent. If the parent who chose the LBP rejoins the household and the LBP is still in effect, use PJCase to reactivate the LBP for the FIP household.</p> <ul style="list-style-type: none">▪ Reinstatement FIP as described at 4-B, Reinstatement if the household is otherwise eligible when the parent who chose the LBP leaves before the LBP effective date.▪ Require a new application when the parent who chose the LBP leaves on or after the LBP effective date. Determine eligibility as of 7 days from the application date or the date the family is otherwise eligible, whichever is later.

Situation:	IM worker action:
<p>The LBP must be stopped but no other stop reason applies, such as:</p> <ul style="list-style-type: none"> ▪ The person who chose the LBP became exempt due to the receipt of SSI or school attendance after the <i>Notice of Decision</i> imposing it was issued and remains exempt. <p>NOTE: An FIA-responsible child remains FIA-responsible regardless of school attendance as long as the child remains eligible for FIP. If the child loses FIP eligibility and must reapply, the child is:</p> <ul style="list-style-type: none"> • Exempt if in school full-time or • FIA-responsible if not in school full-time. See School Attendance Exemption for more information. <ul style="list-style-type: none"> ▪ A needy specified relative who chose an LBP effective October 1, 2005 or earlier applies for the needs of the children only. See Needy Specified Relative Chooses Effective October 1, 2005, or Earlier 	<p>For a first LBP or a subsequent LBP that is beyond the six-month period of ineligibility, stop the LBP by entering reason “W” in PJCase.</p> <p>Require a new application. Determine eligibility as of 7 days from the application date or the date the family is otherwise eligible, whichever is later.</p> <p>Continue a subsequent LBP when the six-month ineligibility period is in effect.</p> <p>For a first LBP or a subsequent LBP that is beyond the six-month period of ineligibility, stop the LBP by entering reason “W” in PJCase. Determine eligibility for the children only.</p> <p>Consider the LBP as temporarily stopped. Reactivate it if the relative is needy and reapplies for the specified relative’s own needs.</p> <p>Do not stop the LBP for the children with reasons “B,” “D,” or “I” unless they no longer live with the relative as ETS will not properly count the relative’s use of the 60-month limit.</p> <p>Continue a subsequent LBP when the six-month period is in effect.</p>

Situation:	IM worker action:
<ul style="list-style-type: none"> ▪ A person is incorrectly included in the LBP. ▪ Household appeals FIP cancellation after being added to the LBP of a person who entered the home after the LBP is in effect for that person. 	<p>Stop the LBP for the person by entering reason “1” in PJCase. The LBP remains active for the person who chose it and other members of the eligible group who live with the person and who are subject to the LBP. Redetermine eligibility. Issue corrective benefits if the person is otherwise eligible.</p> <p>Stop the LBP for only the recently canceled persons by entering an “1” in PJCase. The LBP remains active for the person who chose it. Reinstate FIP pending the appeal if otherwise eligible.</p>

PROMISE JOBS Appeals

Legal reference: 441 IAC 7.5, 93.15(239B)

Policy: Each PROMISE JOBS participant has the right to appeal and request a hearing on a decision made by PROMISE JOBS regarding PROMISE JOBS services.

PROMISE JOBS decisions that participants may appeal include but are not limited to:

- The content and activities of the FIA when the disagreement cannot be worked out through the informal resolution process.
- Denial, reduction, or cancellation of:
 - Transportation, child care or other PROMISE JOBS assistance, or,
 - Any PROMISE JOBS service, including denial of inclusion of a training plan or other activity in the FIA.
- Inadequate PROMISE JOBS services.
- Any alleged violation of a PROMISE JOBS policy that is imposed as a condition of participation.
- Imposition of an LBP.
- The existence and amount of a PROMISE JOBS overpayment.

Participants also have the right to appeal any act of discrimination on the basis of race, creed, color, sex, national origin, religion, age, physical or mental disability, or political belief.

An appeal of a PROMISE JOBS decision may be filed in person, by telephone or in writing. A PROMISE JOBS participant may file an appeal by contacting either the IM or PROMISE JOBS worker, the Department's Administrative Rules and Appeals, or file electronically through the Department's website.

No IM or PROMISE JOBS staff will limit or interfere with the right to appeal.

Procedure: When a participant files an appeal of a PROMISE JOBS decision at the local office, follow the same procedures that you use for FIP appeals and forward the appeal request form and a copy of the *Notice of Decision* to the Department's Administrative Rules and Appeals within 24 hours. Notify the PROMISE JOBS worker of the pending appeal request by sending the worker a copy of the appeal request form or by other means.

Upon receipt of an appeal request, the Department's Administrative Rules and Appeals decides if an appeal hearing will be granted.

When the appeal issue involves PROMISE JOBS only, the PROMISE JOBS worker is responsible for preparing the appeal summary and attending the hearing, for example: an appeal of the contents of the FIA.

For an appeal of an LBP, the IM worker and PROMISE JOBS worker must each prepare an appeal summary. IM workers do not need to attend LBP hearings except in rare situations when PROMISE JOBS asks for IM's attendance as it will help the particular case. Refer to the [Limited Benefit Plan Appeals](#) section for specific policy and procedures that apply when a participant files an appeal of an LBP.

For an appeal of a denial of a FIP hardship exemption due to failure to sign an FIA, the IM worker will take the lead. IM will determine if the PROMISE JOBS worker needs to be a part of the hearing and if so, IM contacts the PROMISE JOBS worker. If contacted, the PROMISE JOBS worker is responsible for completing a summary and attending the hearing. The IM worker is responsible for completing a separate appeal summary on the actions the IM worker took regarding the hardship exemption denial. See [4-C, Hardship Appeals](#) for more information.

See [1-E, Appeals and Hearings](#) for a complete explanation of the Department's appeal process, including worker and appellant responsibilities, time limits, and appeal decisions. Appeal rights and guidelines relating to FIP can be found in [4-A, Administration](#).

Refer to [PROMISE JOBS Provider Manual](#) for more information specific to PROMISE JOBS staff responsibilities and the informal resolution process for FIA content disagreements.

Continuing Assistance Pending PROMISE JOBS Appeal

Legal reference: 441 IAC 7.9(17A)

Policy: FIP and PROMISE JOBS assistance may continue pending an appeal at the request of the appellant when the appeal is filed:

- Before the effective date of the intended action on the *Notice of Decision*, or
- Within 10 days from the date the participant receives the notice. The date on which the notice is received is considered to be five days after the date on the notice, unless the participant shows that the participant did not receive the notice within the five-day period.

Procedure: The IM worker is responsible for continuing FIP assistance pending an appeal of an LBP. The PROMISE JOBS worker is responsible for continuing PROMISE JOBS assistance pending an appeal of an LBP.

The PROMISE JOBS worker is also responsible for continuing PROMISE JOBS assistance pending an appeal of a FIP or PROMISE JOBS negative action other than an LBP. The appellant must continue to receive FIP to receive PROMISE JOBS assistance pending an appeal of a PROMISE JOBS action. The appellant must also participate in the FIA activity for which assistance is desired and meet other PROMISE JOBS program requirements to continue receiving PROMISE JOBS assistance pending the appeal. This includes cooperating in the FIA renegotiation process when needed and providing verification of hours of participation.

Excess FIP and PROMISE JOBS assistance paid pending a timely appeal of a FIP negative action is subject to recoupment when the final appeal decision affirms the action except when an LBP will be reactivated with a new effective date. PROMISE JOBS assistance paid pending a timely appeal of a PROMISE JOBS negative action is subject to recoupment when the participant is not eligible for the assistance.

See [4-A, Administration](#) and [1-E, Continuation of Assistance Pending Final Appeal Decision](#) for more information.

Limited Benefit Plan (LBP) Appeals

Legal reference: 441 IAC 7.5(8), 93.15(4)

Policy: A person has the right to an appeal hearing on the establishment of an LBP at the time of the issuance of the initial *Notice of Decision* to implement the LBP. A hearing will be granted on the establishment of a particular LBP only once.

If another appeal is filed for a different issue after the LBP appeal, a hearing may be granted only if the reason for the appeal is an alleged worker error, such as the grant computation or determining who is not eligible for FIP due to the LBP.

Procedure: Upon receipt of an appeal request involving an LBP, forward the appeal request form and a copy of the *Notice of Decision* to the Department's Administrative Rules and Appeals within 24 hours. Notify the PROMISE JOBS worker of the pending appeal request by sending the worker a copy of the appeal request form or by other means. The Department's Administrative Rules and Appeals decides if an appeal hearing will be granted.

For an appeal of an LBP, the IM worker and PROMISE JOBS worker must each prepare an appeal summary. IM workers do not need to attend LBP hearings except in rare situations when PROMISE JOBS asks for IM's attendance as it will help the particular case. Use the LBP appeal template for IM workers.

Continuing Assistance Pending Appeal of an Limited Benefit Plan (LBP)

Legal reference: 441 IAC 7.9(17A), 93.15(4)

Policy: FIP and PROMISE JOBS assistance may continue at the request of the appellant if an appeal of an LBP is filed:

- Before the effective date of the intended action on the initial *Notice of Decision* establishing the beginning date of the LBP, or
- Within 10 days from the date the participant receives the notice establishing the beginning date of the LBP. The date on which 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.

When the 10th day falls on a weekend or holiday, the appeal must be filed by the next business day.

Procedure: The IM worker is responsible for continuing FIP assistance if an appeal of an LBP 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.

Assume the appellant wants FIP assistance to continue pending the appeal unless the appellant has stated in writing that they do not want FIP assistance to continue.

If FIP assistance is to continue pending the appeal, stop the LBP in PJCase and reinstate FIP. The system issues a *Notice of Decision* telling the appellant the LBP has been delayed because of the appeal. See [Stopping a Limited Benefit Plan](#) and [14-O, Stopping an LBP](#) for PJCase system instructions.

When FIP assistance is continued pending an appeal of an LBP, PROMISE JOBS assistance may also continue pending the appeal. The PROMISE JOBS worker is responsible for continuing PROMISE JOBS assistance pending an appeal of an LBP. PROMISE JOBS will not impose another LBP for failure to participate or meet program requirements while the appeal is pending.

FIP and PROMISE JOBS assistance paid pending a timely appeal of a FIP or PROMISE JOBS negative action is not subject to recoupment when the final appeal decision affirms the action and the LBP will be reactivated with a new effective date.

FIP and PROMISE JOBS assistance paid pending a timely appeal of a FIP or PROMISE JOBS negative action is subject to recoupment if the final appeal decision affirms an LBP that will be reactivated with the original effective date. See [When the Final Appeal Decision Affirms the LBP](#) for more information.

Do not stop the LBP or continue assistance pending the outcome of the appeal if:

- The appellant stated in writing that they do not want assistance to continue.
- The appellant is appealing a notice that denied assistance.
- The appeal is filed after the effective date of the initial *Notice of Decision* establishing the beginning date of the LBP or more than 10 days from the date the notice is received. The date on which 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.

1. On September 19, PROMISE JOBS makes entry to impose a subsequent LBP and cancel FIP for Ms. A and her family effective October 1. The Notice of Decision is dated September 20 and is considered received on September 25. Ms. A files an appeal on October 3 and requests that her benefits continue pending the appeal. The IM worker makes entry in PJCase to stop the LBP while the appeal is pending (stop reason A) and reinstates FIP pending the appeal if the family is otherwise eligible. FIP benefits may continue as the appeal was filed within 10 days of receipt of the Notice of Decision.
2. On October 3, PROMISE JOBS makes entry to impose a subsequent LBP and cancel FIP for Ms. B and her family effective November 1. The Notice of Decision is dated October 4 and is considered received on October 9. Ms. A files an appeal on November 1 and requests that her benefits continue pending the appeal, which is not before the effective date of the LBP. However, October 31 fell on a Sunday. The IM worker makes entry in PJCase to stop the LBP while the appeal is pending (stop reason A) and reinstates FIP pending the appeal if the family is otherwise eligible.

When the Final Appeal Decision Affirms the Limited Benefit Plan (LBP)

Legal reference: 441 IAC 7.9(7) and 7.9(9)

Policy: An LBP with a **new** effective date applies when:

- the final decision affirms the LBP,
- FIP assistance continued pending the appeal decision, and
- The appeal was filed before the effective date on the initial *Notice of Decision* establishing the beginning date of the LBP or within 10 days from the date the participant receives the notice establishing the beginning date of the LBP. The date on which the notice is received is considered to be five days after the date on the notice, unless the appellant shows they did not receive the notice within that five-day period.

FIP and PROMISE JOBS assistance issued pending the appeal is not subject to recoupment when a new LBP effective date applies.

An LBP with the **original** effective date applies when:

- the final decision affirms the LBP,
- FIP assistance continued pending the appeal decision, and

- The appeal is a timely appeal of a recent notice but not a timely appeal of the initial notice issued to start the LBP, and
- The LBP was stopped.

The above situation may occur when another *Notice of Decision* regarding the LBP is issued after the initial notice to impose the LBP.

Procedure: Use the PJCase system to reactivate an LBP when the final decision affirms the LBP, and the LBP was stopped pending the appeal.

Determine if a **new** effective date or the **original** effective date applies based on the policy above. In most situations, the LBP will need to be reactivated with a **new** LBP effective date. When you reactivate an LBP in PJCase, PJCase allows you to reactivate with a system-determined **new** LBP effective date (based on timely notice) OR gives you the option to enter the **original** LBP effective date. See the examples below and in [14-O, Income Maintenance Functions](#) for more information.

When an LBP is reactivated with a **new** effective date, FIP and PROMISE JOBS assistance issued for the months that the appeal was pending are NOT subject to recoupment based on the LBP.

When an LBP is reactivated with the **original** effective date, FIP and PROMISE JOBS assistance issued for the months that the appeal was pending are subject to recoupment.

When IM reactivates an LBP in PJCase, the system recalculates FIP benefits and sends a notice to the household.

1. On August 20, PROMISE JOBS issues a Notice of Decision to start an LBP and cancel FIP for Ms. A and her family effective September 1. Ms. A files an appeal on August 31 and the IM worker makes entry in PJCase to stop the LBP pending the appeal. On October 5, the final appeal decision affirms the LBP. The IM worker makes entry in PJCase to reactivate the LBP with a new effective date of November 1. FIP and PROMISE JOBS assistance received pending the appeal is not subject to recoupment.

2. On October 1st, PROMISE JOBS issues a Notice of Decision to start an LBP and cancel FIP for Ms. B and her family effective November 1st. On October 23rd, the IM worker makes entry in ABC to increase the amount of FIP for October by reducing the amount of income. ABC issues a Notice of Decision dated October 24th to inform Ms. B that her FIP for October is changed and FIP remains canceled effective November 1st due to the LBP. On November 5th, Ms. B files an appeal and the IM worker makes entry in PJCcase to stop the LBP pending the appeal. On December 5th, the final appeal decision affirms the LBP. The IM worker makes entry in PJCcase to reactivate the LBP with the original effective date of November 1st. The original effective date applies because the appeal was not filed before the effective date of the initial LBP notice issued on October 1st, or within 10 days of receipt of this notice. FIP and PROMISE JOBS assistance issued pending the appeal is subject to recoupment.

When the Final Appeal Decision Reverses the Limited Benefit Plan (LBP)

Legal reference: 441 IAC 7.16(17A), 41.24(8)“g”

Policy: If the final appeal decision reverses the decision to impose the LBP, the LBP is considered imposed in error. The LBP does not count as a valid LBP if the person later chooses another LBP.

Procedure: Use the PJCcase system to take one of the following actions. These actions keep the system from considering the LBP as a “valid” LBP if another LBP is imposed at a later date.

- Change the LBP stop reason from A to C if the LBP was stopped and assistance continued pending the outcome of the appeal.
- Stop the LBP with reason C if the LBP was not stopped and assistance did not continue pending the outcome of the appeal.

If the final appeal decision reverses the decision to impose the LBP and assistance was not issued while the appeal was pending, determine eligibility for corrective benefits. See [Stopping a Limited Benefit Plan](#) and [14-O, Stopping an LBP](#) for more information.