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PROMISE JOBS POLICY MEMO

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FROM: Ann Wiebers, Administrator, Division of Financial, Health and Work Supports

SUBJECT: PROMISE JOBS MEMO #165

DATE: April 22, 2009

Background:

Final federal regulations implementing the Deficit Reduction Act of 2005 and reauthorizing the Temporary Assistance for Needy Families (TANF) program were effective October 1, 2008. As a result of the updated federal regulations, the Division proposed several administrative rule changes for the PROMISE JOBS program, which were adopted effective March 1, 2009.

PROMISE JOBS Memo #165 implements several policy and procedural changes needed to implement the new administrative rules and to comply with TANF regulations.

Summary:

This policy memo implements the following revised and new policies and procedures. Each topic includes current policy, new policy and procedures, legal references and implementation instructions. Examples are included where further clarification is needed.

- ◆ **Self-Employment:** Allows PROMISE JOBS to consider a self-employed person's income rather than actual hours of self-employment when determining if a self-employed person is making satisfactory progress with the self-employment and if the person needs to participate in other activities.
- ◆ **Exempting SSI Parents from PROMISE JOBS Referral:** Expands the exemption criteria for PROMISE JOBS to include FIP hardship applicants and recipients who receive SSI.
- ◆ **Unplanned Job Opportunities:** Allows PROMISE JOBS to provide child care and transportation payments to cover the costs associated with unplanned job contacts when job search is not included as a current FIA activity.
- ◆ **Job Search Plan and Period:** Requires a Job Search Plan Agreement as written notification of requirements for participants in individual job search and structured job search. Limits the time for individual job search to a period not to exceed five weeks ending in Friday within the same calendar month and the period for structured job search to two weeks ending in Friday within the same calendar month.
- ◆ **Complete Job Search Record:** Adds a definition of "complete" *Job Search Record*.

- ◆ **24-Month Assistance Limit for Training:** Requires child care assistance received while in training and not a PROMISE JOBS participant to count towards the 24-month PROMISE JOBS limit that applies to child care received while in training. Establishes a separate 24-month limit for other training expenses, such as transportation.
- ◆ **Educational Assessments:** Requires a participant to complete an educational evaluation prior to adding training to FIA.
- ◆ **Approvable Training:**
 - Requires approvable providers to verify a participant's time and attendance. Training must be structured in such a way that a participant's actual hours of attendance can be verified.
 - Eliminates maximum time limits for completing education or training.
 - Allows approval of a training plan that exceeds the known length of time the family will remain eligible for FIP in certain situations.
 - Removes the requirement to deny training in a different vocational area if the participant has already had training funded by PROMISE JOBS.
 - Adds on-line and distance learning as an approvable training activity.
 - Expands and clarifies the use of academic probation.
- ◆ **Limited Benefit Plan for Failure to Verify Hours of Employment or Participation:**
 - Removes the requirement to send a written reminder and give a participant another opportunity when the participant has failed to provide verification of hours of employment or hours of participation in other PROMISE JOBS activities.
 - Expands the circumstances under which PROMISE JOBS will stop a limited benefit plan to include limited benefit plans chosen for failure to verify hours of participation in activities other than employment. PROMISE JOBS will stop the limited benefit plan if the client provides the required verification by the 10th day following the effective date of ineligibility.
- ◆ **Reasons for Considering a Limited Benefit Plan in Error:** Requires a limited benefit plan to be considered in error if the client reveals a problem or barrier that contributed to the failure that resulted in the LBP after the limited benefit plan is imposed.
- ◆ **Written Notice to Client:** Adds guidance for using the FIA to notify a participant of the requirement to provide verification.
- ◆ **Time Frames for Providing Verification:** Shortens the time frame for providing verification of actual hours of employment from 10 days to a minimum of 5 working days and the time frame for obtaining a medical examination from 45 days to a minimum of 5 working days. Requires PROMISE JOBS to allow a participant no less than 5 working days after the Friday of the week that participation in job search activities occurred to provide documentation of job search activities.
- ◆ **Provider Refusal to Verify Attendance:** Requires service providers verify the participant's hours of attendance for the service or activity to be an acceptable FIA activity.
- ◆ **Verifying Problems or Barriers to Participation:** Eliminates failure to obtain a medical examination as a failure that will result in a limited benefit plan. Clarifies current policy regarding a participant's failure to verify a problem or barrier to participation.

The revised policies and procedures become effective immediately with the issuance of this memo. Use the instructions in this memo in lieu of any contrary instructions in the PROMISE JOBS Provider Manual. The PROMISE JOBS Provider Manual will be updated as soon as possible.

Changes to the following policies are effective immediately **and** retroactively to March 1, 2009:

- ◆ Unplanned job opportunities
- ◆ Complete job search record
- ◆ Criteria for approvable training providers
- ◆ Elimination of maximum time limits for training
- ◆ Limited Benefit Plan for failure to verify hours of employment or participation
- ◆ Provider refusal to verify attendance
- ◆ Verifying problems or barriers to participation

Please make this information available to PROMISE JOBS staff in each Service Delivery Region as quickly as possible. PROMISE JOBS staff, please direct any questions to your PROMISE JOBS Coordinators at IWD. If others have questions, please contact Shari Seivert by e-mail at sseiver@dhs.state.ia.us or by calling (515) 281-0703 or Janet Shoeman by e-mail at jshoema@dhs.state.ia.us or by calling (515) 281-6082.

Table of Contents

Self-Employment.....	5
Exempting SSI Parents from PROMISE JOBS Referral.....	6
Unplanned Job Opportunities.....	7
o Authorizing Child Care and Transportation for Unplanned Job Opportunities.....	8
Job Search Plan and Period.....	9
Complete Job Search Record.....	10
24-Month Assistance Limit for Training.....	11
Educational Assessments.....	14
o Substituting and Supplementing Assessment Information.....	16
Approvable Training.....	17
o Approvable Training Providers.....	17
o Maximum Time Limits.....	18
o Nonapprovable Training.....	19
o Training in a Different Vocational Area.....	20
o On-line or Distance Learning.....	21
o Academic Probation.....	22
o Self-Initiated Training.....	24
Limited Benefit Plan (LBP) for Failure to Verify Hours of Employment or Participation.....	25
o Failure to Verify Hours of Participation (Employment or Other FIA Activities).....	27
o Verification Shows Unsatisfactory Participation or Attendance.....	31
o Job Search Records Not Complete or Participant Does Not Complete Required Job Search Activity.....	32
Reasons for Considering a Limited Benefit Plan (LBP) in Error.....	33
Written Notice to Client.....	34
Time Frames for Providing Verification.....	35
Provider Refusal to Verify Attendance.....	37
Verifying Problems or Barriers to Participation.....	38

SELF-EMPLOYMENT

Current Policy (*PROMISE JOBS Memo #164*):

PROMISE JOBS staff must use a self-employed participant's actual hours worked in self-employment to determine if the participant is meeting the obligations of the FIA and if other activities are needed.

For federal reporting purposes, DHS must use the self-employed participant's net income (gross income less business expenses) divided by the federal minimum wage to calculate the participant's hours of participation in self-employment.

Current Procedure:

PROMISE JOBS requires self-employed participants to verify gross earnings and business expenses received in the last 30 days and actual hours of employment at least once every 6 months.

For federal reporting purposes:

- ◆ DHS uses the net income (gross income less business expenses) entered in ABC by the DHS IM worker.
- ◆ The PJCase system applies the calculation of dividing the net income by the federal minimum wage to determine hours of self-employment.
- ◆ DHS reports the calculated hours for the participant.

New Policy (*Legal reference: 441 IAC 93.7(2)*):

Use the self-employed person's current actual income and calculated hours from PJCase to determine if the participant is meeting the obligations of the FIA and if other activities are needed.

Consider a self-employed participant to be meeting the obligations of the FIA when the participant's calculated hours of participation in self-employment:

- ◆ Equate to an average of 30 hours per week (full-time), or,
- ◆ Equate to less than an average of 30 hours per week (part-time) and the participant is making satisfactory progress and demonstrating incremental increases in income and calculated hours.

New Procedure:

Require a self-employed participant to verify gross earnings and business expenses at least once every 6 months. Do not require a self-employed participant to verify actual hours of self-employment.

When a participant is self-employed full-time as defined, use the full-time employment as the only FIA activity until the FIA end date is reached.

When a participant is self-employed part-time as defined, consider the participant's current actual income and their calculated hours from PJCase to determine if the participant is

making satisfactory progress and demonstrating incremental increases in self-employment income.

Consider that IM uses an average of the past 12 months of income or an average from last year's income tax return to determine FIP eligibility and benefits when a participant does not receive their self-employment income on a regular basis. This is known as "annualizing". As a result, the calculated hours in PJCase may not be a good indicator of the participant's current actual income or their progress in the self-employment.

Require a self-employed person who is working part-time in self-employment to meet family investment agreement obligations by combining the self-employment with other activities to bring participation up to a full-time level, unless the person:

- ◆ Has been self-employed for 12 months or less,
- ◆ Has problems or barriers that prevent participation at a full-time level.

Implementation:

Begin using a self-employed participant's current actual income and calculated hours as you review the participant's progress in self-employment when completing an FIA Progress Review upon release of this memo.

EXEMPTING SSI PARENTS FROM PROMISE JOBS REFERRAL

Current Policy (PJPM, page 18):

If two parents are in the home of a FIP hardship applicant family, and one parent receives SSI, both parents need to sign a Family Investment Agreement (FIA) for the family to qualify for a hardship exemption. If the family is approved for a hardship exemption, both parents need to follow the terms of the FIA for the family to continue to receive FIP for the 6-month period.

Current Procedure:

The IM worker refers both parents to PROMISE JOBS and schedules both parents with an FIA appointment after determining that a hardship exists. If the family is approved for a FIP hardship exemption, both parents remain referred to PROMISE JOBS and FIA-responsible through the 6-month hardship period.

New Policy (Legal reference: 441 IAC 41.24(2)):

The parent receiving SSI is exempt from PROMISE JOBS referral and not FIA-responsible. The non-SSI parent will need to sign an FIA for the family to qualify for a hardship exemption and follow the terms of the FIA for the family to continue receiving FIP.

New Procedure:

IM staff will no longer refer the SSI parent to PROMISE JOBS or schedule the parent with an FIA appointment when the parent is in the home with a non-SSI parent and the family is applying for a hardship exemption.

Implementation:

IM will not refer an SSI parent to PROMISE JOBS when processing a FIP hardship application received on or after issuance of General Letter 4-J-17. IM will code the parent with an exempt JOBS code of "1".

Upon issuance of GL 4-J-17, IM will review all two-parent cases that are receiving FIP due to a 6-month hardship exemption. If one parent is receiving SSI, IM will make entry in ABC to change the parent's JOBS code from "7" (mandatory hardship participant) to "1" (exempt).

UNPLANNED JOB OPPORTUNITIES

Current Policy:

Current policy does not specifically address unplanned job opportunities.

New Policy (Legal reference: 441 IAC 93.6(3)):

Encourage participants who are ready for employment to take advantage of any unplanned opportunity to apply for a job, even if job search or work activities are not written in the FIA as the current activity.

Provide child care and transportation assistance to PROMISE JOBS participants if needed to make an unplanned job contact if the following criteria are met:

- ◆ The participant must have a signed FIA. The unplanned job contact does **not** need to be specified in the FIA.
- ◆ The participant must provide documentation of the unplanned job search contact on form 470-3099, *Job Search Record* prior to issuance of a child care or transportation allowance.
- ◆ The contact must be an in-person contact to complete an application for an open position or to attend an interview.

New Procedure:

When a participant contacts you to request child care or transportation assistance to make an unplanned job search contact, verbally explain the above requirements. Obtain sufficient information from the participant to determine the amount of needed transportation and the number of needed child care units.

When child care is needed, ask the participant about their child care arrangements. Provide information and referrals to help the participant select an approvable child care provider if help is needed.

Follow-up by sending a written explanation of the requirements, along with a blank form 470-3099, *Job Search Record* and return envelope. Approve child care by issuing form 470-3915, *Notice of Decision: Child Care Assistance* with a blank *PROMISE JOBS Child*

Care Attendance and Invoice, form 470-3896, or use DHS' Kindertrack system to approve child care.

- ◆ If the participant has chosen a provider that is not eligible to be paid with State funds, state this in the notice and explain that the participant must choose another provider.
- ◆ If the participant has chosen a provider that is not yet approved to be paid with State funds, state this in the notice and explain that the participant will be responsible for payment of the child care if the provider is not approved.

When approving child care for an unplanned job contact, include the following statement in the notice after the approval message: You are responsible for any units of child care used that are not documented with an appropriate job search record.

If a participant contacts you to request child care or transportation assistance after making an unplanned job contact, you may provide child care and transportation assistance if the contact was made on or after the date the FIA was signed and if the participant meets other requirements. You can only provide child care assistance to an approved provider.

When a participant is requesting PROMISE JOBS assistance for a general job search rather than an unplanned job contact, the participant should be assigned to job club or the individual job search activity, depending on which level of job search service is needed. Schedule an appointment to discuss renegotiation of the FIA.

If a participant contacts you to request child care or transportation assistance to make an unplanned job search contact, and you find that the participant did not make the contact, do not consider this a potential choice of a limited benefit plan unless job search and employment activities are included in the FIA as the current activity.

Review the completed *Job Search Record* of the unplanned job contact upon receipt. Verify the contact or the reported time if questionable.

If a participant is absent from a scheduled activity other than employment due to the need to apply for or interview for an available job, report the missed hours as an excused absence as described in **PROMISE JOBS Memo #162**. Otherwise, report actual hours spent in an unplanned job contact in the same manner you report hours of participation in individual job search as described in **PROMISE JOBS Memo #162** and in the PJPM, **ADMINISTRATION, Federal and State Reporting Requirements, Reporting Participation**.

Authorizing Child Care and Transportation for Unplanned Job Opportunities

Review a completed *Job Search Record* documenting an unplanned job contact upon receipt. Approve a transportation allowance based on the information provided by the participant verbally and on the *Job Search Record*.

Authorize a child care payment when you receive a complete *PROMISE JOBS Child Care Attendance and Invoice* or *Child Care Assistance Billing/Attendance* form or *Child Care Assistance Billing/Attendance Provider Record* form in addition to the *Job Search Record* if the child care was provided by an approved provider. Do not authorize payment if the child

care was not provided by an approved provider. Reject the invoice or billing/attendance form within 5 working days as described at **13-G, Rejecting a Claim**. Return a copy of the invoice or billing/invoice form to the provider along with a completed form 470-4472, *Child Care Invoice Cover Letter*. Explain that the participant will be responsible for payment.

Do not authorize payment if you receive a complete invoice or billing/attendance form and the participant fails to provide a completed *Job Search Record* to document the job contact not authorize payment. Reject the invoice or billing/attendance form within 5 working days as described at **13-G, Rejecting a Claim**. Return a copy of the invoice or billing/attendance form to the provider along with a completed form 470-4472, *Child Care Invoice Cover Letter*. Explain that the participant will be responsible for payment.

No further action is required if a participant requests transportation for an unplanned job contact and the participant fails to provide a completed *Job Search Record* to document the contact.

Implementation:

Begin applying new policy upon release of this memo and retroactively for child care and transportation requested for any unplanned job search contact made on or after March 1, 2009.

JOB SEARCH PLAN AND PERIOD

Current Policy (*PJPM, Structured Job Search, page 92 and Individual Job Search, page 95*):

For the structured job search portion of job club, policy requires PROMISE JOBS to notify the participant in writing of the expectations and verification requirements but is not specific regarding the written notice.

For individual job search, PROMISE JOBS uses the FIA and the Job Search Plan Agreement as written notice of job search expectations and verification requirements. The plan must specify a designated period not to exceed four weeks or a calendar month.

New Policy (*Legal reference: 441 IAC 93.6(1)"c" and 93.6(2)"a"*):

A Job Search Plan Agreement is required for individual job search and structured job search. The plan must specify a designated period for job search activities.

New Procedure:

Use the Job Search Plan Agreement to notify a participant in writing of the expectations and verification requirements in job search activities for individual job search and structured job search.

Determine the designated period for job search activities as follows:

- ◆ Up to 5 weeks ending in Friday within the same calendar month for individual job search.

- ◆ Two-weeks ending in Friday within the same calendar month for structured job search.

Do not develop a job search plan that includes two weeks ending in a Friday that occurs in different calendar months. However, the plan may include days that occur in a different calendar month as long as the days end in a Friday that occurs in the same calendar month.

- ◆ **Example 1:** March has 4 Fridays: March 6, 13, 20, and 27.
 - A job search plan for March may include any or all of these weeks.
 - A job search plan for this month of March cannot include 5 weeks as there are not 5 weeks that end in Friday.
- ◆ **Example 2:** May has 5 Fridays: May 1, 8, 15, 22, and 29.
 - A job search plan for this month of May may include 5 weeks as there are 5 weeks that end in Friday.
 - The plan may also include days in April that occur in the week ending in May 1.

This allows the plan to coincide with reporting requirements and to reduce the potential for reporting errors.

Implementation:

Apply new policy upon issuance of this memo.

COMPLETE JOB SEARCH RECORD

Current Policy (*PJPM, Structured Job Search, page 92 and Individual Job Search, page 95*):

Participants must clearly report their job search contacts on the *Job Search Record*, form 470-3099 and complete all sections of the form.

New Policy (*Legal reference: 441 IAC 93.10(2)"c"*):

Participants must clearly report their job search contacts and other job search activities on the *Job Search Record*, form 470-3099. Consider the participant to have met the documentation requirement if the participant has completed the following information on the *Job Search Record*:

- ◆ Sufficient information to identify the employer that was contacted or the activity that was completed,
- ◆ The date the contact was made or the activity was completed,
- ◆ The amount of time spent on the contact or activity, and
- ◆ The participant's signature.

Encourage participants to complete all sections of the form. Provide assistance with completion of the form when necessary.

Do not consider a participant's failure to fully complete a *Job Search Record* as a failure that counts towards the choice of an LBP when information other than that specified above is lacking.

New Procedures:

No new procedures for the use of the *Job Search Record* form. The only difference is in the policy of what constitutes a complete form.

Contact the participant for more information if a *Job Search Record* form is complete as defined in *New Policy* yet information that you need regarding their activities is missing or questionable.

When an area employer has more than one location, the participant must provide the employer's complete address or phone number for the form to be considered complete as defined in *New Policy*.

Implementation:

Apply the new policy upon issuance of this memo and retroactively for *Job Search Records* completed by a client or after March 1, 2009. Stop any LBP that was imposed due to an incomplete *Job Search Record* that was completed by a client on or after March 1, 2009, if the record meets the new definition of complete. Use stop reason "C" as the LBP will be considered in error.

24-MONTH ASSISTANCE LIMIT FOR TRAINING:

Current Policy (PJPM, Time Limit on PROMISE JOBS Funding, pages 141-142):

Participants in approvable postsecondary training are eligible for consideration for PROMISE JOBS expense allowances for no more than 24 months. The 24 months must fall within a period of 48 consecutive months.

The 24-month and 48-month periods both begin with the first month that the participant is **eligible** for consideration for PROMISE JOBS expense allowances. A month counts towards the 24-month limit if the participant was eligible for allowances, even when no allowance is issued because the participant had no expenses.

Months of child care assistance (CCA) provided by DHS while a participant was in training and not a PROMISE JOBS participant, **do not** count towards the PROMISE JOBS 24-month limit.

Current Procedure:

Example 1: Ms. A was in PROMISE JOBS and enrolled in an approved certificate program for 12 weeks from 08-21-06 through 11-10-06. PROMISE JOBS paid tuition for the entire period. Ms. A received no transportation or child care assistance for this period. Ms. A has used 3 fiscal months of her 24-month PROMISE JOBS limit and has 21 fiscal months remaining.

Example 2: Ms. B is a PROMISE JOBS participant who enrolls in the second year of an approved two-year degree program. She received 8 months of CCA through DHS prior to being approved for FIP. Ms. B is still eligible for the full 24-months of PROMISE JOBS educational assistance.

Example 3: Ms. C was in PROMISE JOBS and enrolled in an approved certificate program for 12 weeks from 01-07-08 through 03-28-08. PROMISE JOBS paid no child care, transportation or other educational costs during this time period as Ms. C did not need assistance. Even so, Ms. C used 3 months of her 24-month limit on PROMISE JOBS educational assistance as she was eligible for consideration for the assistance.

New Policy:

Participants are eligible to **receive** payment for no more than 24 fiscal months of child care assistance needed for participation in approvable postsecondary or vocational training. CCA assistance received while not a PROMISE JOBS participant counts towards the 24-month limit.

Participants are eligible to receive payment for no more than 24 fiscal months of transportation and/or other educational assistance needed for participation in approvable postsecondary or vocational training.

The following new definition clarifies "fiscal month": Fiscal months have starting and endings dates that may fall within two adjacent calendar months but shall only count as one month. Begin counting fiscal months starting on the first calendar day that a person needs care and continue up to the same calendar day of the next month. Continue counting fiscal months for the remainder of the training term. Begin a new fiscal month period when a new training term begins and continue the count for the remainder of the term. Any assistance issued within a fiscal month period counts as a month towards the applicable 24-month assistance limit.

New Procedure:

Approve payment for up to 24 fiscal months of child care assistance when needed to participate in approvable postsecondary or vocational training.

To apply the 24-month limit:

- ◆ Count fiscal months of child care payments issued for participation in approvable postsecondary or vocational education under PROMISE JOBS (in the PJCase system with component codes PE, PV, VE and V V).
- ◆ Count fiscal months of CCA payments issued by DHS for child care provided on or after March 1, 2009, for participation in approvable postsecondary or vocational education. Contact the DHS CCA unit to determine prior fiscal months of CCA issued for education.

Determine fiscal months as follows:

- ◆ Short-term training beginning March 1 and ending May 31 equals 3 fiscal months:
 - Month 1 = March 1 thru March 31
 - Month 2 = April 1 thru April 30
 - Month 3 = May 1 thru May 31
- ◆ 1st semester of AA program beginning August 25 and ending December 19 and 2nd semester beginning January 12 and ending May 22 equals 9 fiscal months:
 - Month 1 = August 25 thru September 24
 - Month 2 = September 25 thru October 24
 - Month 3 = October 25 thru November 24
 - Month 4 = November 25 thru December 24
 - Month 5 = January 12 thru February 11
 - Month 6 = February 12 thru March 11
 - Month 7 = March 12 thru April 11
 - Month 8 = April 12 thru May 11
 - Month 9 = May 12 thru June 11

Approve payment for up to 24 fiscal months of transportation and/or other training expenses when needed to participate in approvable postsecondary or vocational training.

Apply a payment toward the time in training that the payment is intended to cover rather than when the payment is issued. A single payment that covers more than one fiscal month applies towards each fiscal month the payment is intended to cover.

Apply the 24-month limit for child care and the 24-month limit for transportation and/or other training expenses separately. Record a participant's use towards each of the two 24-month limits in the case file.

Example 1: Ms. D is participating in a training plan in the same vocational area as a training she completed but at a higher level in her career path. Prior to becoming a PROMISE JOBS participant, Ms. D completed the first training from 8-21-05 through 11-10-05. Ms. D received CCA payments through DHS for these three months.

The CCA child care payments Ms. D used for the prior training do not count towards the total 24-month child care limit for training because the payments were issued for child care provided prior to 03-01-09. Ms D is eligible for 24-months of child care assistance and 24-months of transportation and other educational assistance.

Example 2: Ms. E meets with PROMISE JOBS on 08-15-09 as a FIP applicant and has already enrolled in her 2nd year of training to obtain her AA degree. Ms. E has not received any PROMISE JOBS educational assistance in the past. Ms E received CCA through DHS for her 1st year. Ms. E's request for training is otherwise approvable. If Ms. E is approved for FIP, apply the 24-month child care limit and the 24-month transportation and/or other educational assistance limits for PROMISE JOBS as follows:

- ◆ For the 1st semester /1st year (08-25-08 thru 12-19-08): Do not count CCA issued in these months towards the PROMISE JOBS limit as the payments were for child care provided prior to 03-01-09.

- ◆ For the 2nd semester/1st year (01-12-09 thru 05-22-09): The fiscal months for the PROMISE JOBS child care limit begin 03-01-09. Count 3 months of CCA towards the PROMISE JOBS child care limit (03-01 to 03-31, 04-01 thru 04-30, 05-01 thru 05-31).
- ◆ Ms E has 21 months remaining in the child care limit and is eligible for the full 24-month limit on transportation and other educational assistance.

Example 3: Ms. F is in PROMISE JOBS and wants to enroll in a training plan in August 2009 in the same vocational area as training she completed in 2008 but at a higher level in her career path.

- ◆ Previous training: 08-18-08 thru 10-31-08. Ms. F was eligible for PROMISE JOBS educational assistance during these months but did not use any due to no need.
- ◆ Do not count months in training towards either 24-month PROMISE JOBS assistance limit as Ms. F did not receive any assistance during these months.
- ◆ Ms. F is eligible for 24-months of child care and 24-months of transportation and other educational assistance with her new training plan.

Implementation:

Upon issuance of this memo, begin counting fiscal months of CCA payments issued by DHS for child care provided for approvable postsecondary or vocational training on or after March 1, 2009, towards the 24-month child care limit.

For participants with approvable postsecondary or vocational training in their FIA as of March 1, 2009, and thereafter:

Approve up to 24 fiscal months of child care assistance and up to 24 fiscal months of transportation and/or other training expenses when needed to participate in the training.

Do not count any months that the participant was in training and eligible for consideration for an expense payment but no payment was issued because the participant did not have an expense that month.

EDUCATIONAL ASSESSMENTS

Current Policy (PJPM, Assessment II and III, pages 41-42):

Participants must complete assessment (Assessment II and III) before including postsecondary classroom training in the FIA if not yet enrolled in postsecondary classroom training.

Assessment II services may include literacy and aptitude testing, educational level and basic skills assessment, self-esteem building, interest assessment, exposure to nontraditional jobs, exposure to job retention skills, goal setting, motivational exercises, exposure to job-seeking skills, and exposure to role models.

Assessment III services provide occupational specific assessment or guidance before completing the FIA for postsecondary classroom training. Include Assessment III as an

action step in the FIA for participants requesting postsecondary classroom training as part of the FIA, or participants whose prior participation indicates a need for and a likelihood of success in postsecondary classroom training.

PROMISE JOBS may waive participation in Assessment II and III when the participant is in approvable self-initiated training at the time of PROMISE JOBS orientation. Participants in self-initiated training may choose to complete Assessment II and III to be eligible for payment for training expenses.

Self-initiated participants who have not completed Assessment II and III must successfully complete the first quarter or semester of the training to be eligible for consideration for training expense allowances.

Current Procedure:

Use the occupational evaluation and information obtained during assessment to determine if the participant is capable of success in the training. Before approval, PROMISE JOBS may require participants to take nationally recognized vocational tests, including the general aptitude test battery and provide grade transcripts from previous training.

Cooperate with other PROMISE JOBS staff to arrive at a decision to approve or deny a request for classroom training based on the results of the assessment process. Use the *Notice of Decision: Services* to inform the client that the request for training is denied.

New Policy (Legal reference: 441 IAC 93.5(3) and 93.8(1)"b"):

Require participants who wish to include postsecondary education in their FIA to complete an educational evaluation to determine the likelihood of success.

For participants requesting education resulting in a vocational certificate or certificate of completion, determine the likelihood of success using the following types of tools or information:

- ◆ A review of information from past training situations,
- ◆ Past job performance in comparable positions,
- ◆ Basic skills tests,
- ◆ Career-specific assessments,
- ◆ A specific standardized test, or
- ◆ Other key historical information.

These are short-term training programs in a specific vocational area such as but not limited to: nurse aid certification, training to receive a commercial driver's license, training in information technology, health care services, and child care services.

For participants requesting education in an associate or baccalaureate degree program, determine the likelihood of success through an educational evaluation. The evaluation may include use of the following types of tools or information:

- ◆ Standardized assessments in reading comprehension, math, and writing skills, such as General Aptitude Test Battery (GATB), Kuder Skills Assessment, or Comprehensive Adult Student Assessment (CASA) system,
- ◆ Occupation-specific skills assessments,
- ◆ Interest inventories,
- ◆ Current or past grades; and
- ◆ Other pertinent historical information.

Persons in self-initiated training must meet the same assessment standards as participants who request training while in PROMISE JOBS before the training plan can be approved and included in the FIA. A person's training is self-initiated when the person has attended one or more days of training before participating in PROMISE JOBS orientation.

New Procedure:

Use the results of the educational evaluation and the participant's current educational level to determine the participant's likelihood of success in training and if the participant can use the training as an FIA activity.

Continue to consult with other PROMISE JOBS staff to help you arrive at a decision to approve or deny a request for classroom training based on the results of the assessment process.

Thoroughly document the basis for your decision in the case record by specifying:

- ◆ Any formal assessments that were given and the results,
- ◆ Any other information that was considered,
- ◆ How you used the evaluation information to either approve or deny the participant's request to include education in the FIA,
- ◆ And the decision to approve or deny.

If the participant's request for training is approved, include the request in the FIA. If the participant's request is denied, issue form 470-0602, *Notice of Decision: Services* as described in the PJPM, **Written Notification to Client**.

Substituting and Supplementing Assessment Information:

You may use comparable assessment information completed with another agency or person within the past two years instead of performing new assessments if the FIA-responsible person's mental status, physical status, and life situation have not changed significantly.

Examples of agencies or persons that may complete comparable assessment information include, but are not limited to, Iowa Workforce Development (IWD), Head Start, public housing authorities, child welfare workers, Iowa Vocational Rehabilitation Services (IVRS), an educational institution or testing service, or family development services.

For participants who have established a case plan with another agency, you may supplement your assessment information with assessment information from the other agency. This will help ensure that the FIA activities do not conflict with the other case plan.

Require the participant to sign Form 470-0429, *Consent to Obtain and Release Information* prior to requesting assessment information from or communicating with another agency.

You may not need a formal, standardized educational assessment if key historical information, such as a review of the participant's job history or past training outcomes, relays a clear picture of the participant's skills, abilities, and likelihood of success. If a participant is currently enrolled in or has been enrolled in comparable training or an academic program in the past two years, you may use the participant's performance, including grades received, instead of a formal, standardized educational assessment.

When using historical information as an indicator of future success, consider changes in the participant's mental status, physical status, life circumstances, and motivation to determine if it is appropriate to use the historical information.

Implementation: Apply the new policy upon release of this memo.

APPROVABLE TRAINING CRITERIA

Current Policy (*PJPM, POSTSECONDARY TRAINING, pages 131-157*)

Continue to apply all policies as described in the PJPM, **POSTSECONDARY TRAINING** except as described in the sections that follow.

Approvable Training Providers

Current Policy (*PJPM, Time and Attendance, pages 222-224*):

Current policy requires participants to select training providers that are approved by PROMISE JOBS. The provider is not required to verify a participant's hours of attendance in the training.

New Policy (*Legal reference: 441 IAC 93.8(2) and 93.10(2)*):

Approvable training providers must offer training that is structured in such a way that a participant's actual hours of attendance can be verified or the provider must be willing to provide verification of time and attendance.

The training provider is responsible for documenting a participant's hours of participation. The participant is responsible for providing the documentation to PROMISE JOBS by the 10th of the month following the month of scheduled participation.

Otherwise, there is no change in the types of training providers that can be approved by PROMISE JOBS.

Procedure:

Expect training providers to verify hours of attendance in classroom activities, lab activities, and in supervised study activities monthly by signing and dating form 470-2617, *Time and Attendance Report*.

A provider may use an alternative form to verify hours of attendance as long as:

- ◆ The verification includes all of the elements of the *Time and Attendance Report* and,
- ◆ The provider attaches a signed and dated *Time and Attendance Report* form.

Exception: When the participant is under age 20 and in high school or GED, the provider is not required to verify the participant's hours of attendance. The participant can verify the hours by completing and submitting the *Time and Attendance Report* monthly. The training provider or representative does not need to sign or date the form. PROMISE JOBS needs to contact the training provider (with proper authorization from the participant) if information provided by the participant is questionable.

Deny a participant's request for a specific training and do not allow the participant to include the training in the FIA when:

- ◆ The participant's actual hours of participation cannot be verified due to the structure of the training, or

- ◆ The provider is not willing to provide verification of time and attendance.

If a training provider refuses to verify a participant's hours of attendance on training that is included in the FIA, follow the procedures at **PROVIDER REFUSAL TO VERIFY ATTENDANCE** later in this memo.

Implementation:

Apply the new policy:

- ◆ For participants with training included in their FIA on March 1, 2009, and
- ◆ For participants who request training on or after March 1, 2009.

Maximum Time Limits

Current Policy (*PJPM, Time Limits Required for Plan Approval, pages 141-142*):

Participants are expected to maintain a full-time academic workload and to complete training within the minimum time specified by the training facility for a given training program. A part-time academic workload is acceptable if within the following maximum participation limits:

- ◆ If not working in subsidized employment,
 - 30 fiscal months for two-year degree programs and other vocational programs or
 - 40 fiscal months for three-year or four-year degree programs.
- ◆ If working in unsubsidized employment,
 - 40 fiscal months for two-year degree programs and other vocational programs.
 - 50 fiscal months for three-year or four-year degree programs.

New Policy (*Legal reference: 441 IAC 93.8(239B)*):

Eliminates the maximum participation time limits.

New Procedure:

Continue to expect participants to maintain a full-time academic workload and to complete training within the minimum time specified by the training facility for a given training program.

Allow a part-time academic workload when the participant is employed while enrolled in training or when problems or barriers do not allow the participant to maintain a full-time workload.

Implementation:

With the issuance of this memo:

- ◆ Discontinue using the maximum time limits when deciding to approve or deny a training plan.
- ◆ Do not cancel a training plan that is included in an FIA as of March 1, 2009, if the participant reaches the obsolete maximum time limits. Reinstate any training plan canceled due to the obsolete maximum time limits on or after March 1, 2009.

Nonapprovable Training

Current Policy (PJPM, *Nonapprovable Training*, pages 142-145):

PROMISE JOBS cannot approve a training plan when the duration of the training plan exceeds the known length of time during which the client will remain eligible for FIP.

There is no policy that allows PROMISE JOBS to deny a training plan when a participant requests training in a field that the participant will not be able to be employed due to known criminal convictions or founded child or dependent adult abuse.

New Policy (Legal reference: 441 IAC 93.8(4)):

When a participant requests to use training in the FIA and the participant will not complete the training until after the known length of time the participant will leave FIP, approve the training when all of the following apply:

- ◆ The participant has a reasonable plan for completing the training after eligibility for FIP and PROMISE JOBS ends. A reasonable plan may include, but is not limited to, school loans, grants, and scholarships.
- ◆ Information from assessment and the education evaluation demonstrates that the participant is capable of succeeding in the training plan.
- ◆ The training plan meets all of the other criteria for approval as described in the PJPM, **Postsecondary Training** and within this memo.

Training in a particular field cannot be approved as an FIA activity when the participant requesting the training will not be able to get employment in the field due to known criminal convictions or founded child abuse or dependent adult abuse.

New Procedure:

Apply the policy for training that extends beyond the participant's time on FIP only when it is reasonably certain that a participant will no longer be eligible for FIP by the time the training plan is completed such as:

- ◆ The participant family will reach the 60-month FIP limit or,
- ◆ The participant's only child on FIP turns 18 and will not be in school, or in school but will not graduate before turning 19.

Deny a participant's request for training when the training is in a field that the participant will not be able to be employed due to known criminal convictions or founded child abuse or dependent abuse.

Implementation:

Apply the new policy upon release of this memo for participants who request to include training in their FIA.

Review the file of any participant who is active on your caseload and attending training but the training is not included in the FIA because the training plan will extend beyond the time the family will remain eligible for FIP. If the participant's training is potentially approvable under the new policy, contact the participant by June 1, 2009, to discuss renegotiation of the FIA.

Training in a Different Vocational Area

Current Policy (*PJPM, Training in a Different Vocational Area, page 135*):

PROMISE JOBS denies training in a new vocational area when the client has participated in PROMISE JOBS-funded training for the maximum time limits described above unless:

- ◆ A minimum of five years has lapsed since the training was completed or the maximum period ended, or,
- ◆ Labor market statistics document that employment is not available in the field of the original training, or,
- ◆ The client has been unable to find employment in the field of the original training.

New Policy (*Legal reference: 441 IAC 93.8(3)"h"*):

Consider a participant's current educational level when approving or denying a participant's request to include postsecondary education in the FIA.

Participants with no postsecondary education may be approved for training resulting in a certificate of program completion or an academic degree, such as an associate or baccalaureate degree. Require participants who have not completed a high school education or GED to do so before courses leading to an associate degree or higher are approved unless not required for the specific training program.

A participant who has successfully completed a postsecondary educational program that resulted in less than a baccalaureate degree may be approved for further training when any of the following apply:

- ◆ The training requested is a progression in a specific career that moves a participant from entry-level positions to higher levels of pay, skill, responsibility, or authority.
- ◆ The previous training is in an occupation that is outdated.
- ◆ The previous training is in a field where current labor market information statistics or emerging business trends show little or no employment opportunity.
- ◆ The participant's background makes employment in the area in which the participant is trained impossible.
- ◆ Changes in the participant's physical or mental status make employment in the area in which the participant is currently trained no longer appropriate. The participant must provide supportive evidence from a qualified medical or mental health professional or the state rehabilitation agency.

Consider a participant who has a baccalaureate degree or higher as employable. Do not approve any further training unless changes in the participant's situation make employment in the area in which the participant is currently trained no longer appropriate such as:

- ◆ The participant's physical or mental status has changed. The participant must provide supportive evidence from either a qualified medical or mental health professional or the Iowa Vocational Rehabilitation Services (IVRS) agency.
- ◆ Other significant changes have occurred for the participant, for example, employment in the area of current training requires background checks that the participant cannot pass or a license that the participant no longer possesses.

New Procedure:

In addition to a participant's current educational level, consider the participant's likelihood of success in the training through assessment and an educational evaluation prior to approving a training plan. The training plan must also meet all of the other criteria for approval as described in the PJPM, **Postsecondary Training** and within this memo.

Implementation:

Apply the new policy upon release of this memo for participants who request to include training in their FIA.

Review the file of any participant who is active on your caseload and attending training but the training is not included in the FIA because the training plan was denied under former policy. If the participant's training is potentially approvable under the new policy, contact the participant by June 1, 2009, to discuss renegotiation of the FIA.

On-line or Distance Learning:

Current Policy:

Current policy does not specifically address on-line or distance learning.

New Policy (Legal reference: 93.8(3)"f"):

On-line or distance learning includes training such as, but not limited to, training that is conducted over a video conferencing network or on-line courses.

On-line or distance learning may be approved when the training:

- ◆ Includes interaction between the instructor and the student, such as required chats or message boards, and,
- ◆ Includes mechanisms for evaluation and measurement of student achievement, and,
- ◆ Includes a legitimate written method for verifying the participant's hours of participation, and,
- ◆ Is offered so that any testing or meetings with instructors occurs in Iowa unless the conditions for approvable out-of-state training apply as described in the PJPM, **Types of Approvable Training**. Consider an on-line training program to be an out-of-state

training program when any of the required training or testing occurs outside the state of Iowa.

New Procedure:

When a participant requests to use on-line or distance learning, determine if the training meets the above criteria. Consider the participant's likelihood of success in the training through assessment and an educational evaluation prior to approving the training plan. The training plan must also meet all of the other criteria for approval as described in the PJPM, **Postsecondary Training** and within this memo.

Determine a written method for verifying hours of participation in on-line or distance-learning activities through discussion with the participant and if necessary, the on-line distance-learning provider.

Documentation of hours of participation may include attendance records or log-in and log-out records available on-line or in an electronic format, signed by the provider. If another agency is monitoring the student's actual participation in distance-learning, the agency may provide verification.

Implementation:

Apply the new policy upon release of this memo for participants who request to include training in their FIA.

Academic Probation

Current Policy (*PJPM, Standards for Satisfactory Participation, pages 148-151*):

Participants are required to maintain the minimum cumulative grade point average required by the training facility.

If participant grade reports show grades below a 2.0 or 'C' average, PROMISE JOBS consults with the training facility to determine whether the facility will place the student on academic probation.

If the facility places the student on academic probation, you may place the participant on PROMISE JOBS probation for the next term when the facility verifies the following in writing:

- ◆ The student is demonstrating capability to complete the program through regular class participation, practical application of course content, or successful work in other courses.
- ◆ It is likely that the student can:
 - Raise the grade point to the acceptable level in the next semester through successful completion of the remaining course work and tests.
 - Complete the program satisfactorily within the maximum time limits.

The training plan is terminated if the participant is unable to achieve the cumulative grade point average required by the training facility after the period of probation.

New Policy (Legal reference: 441 IAC 93.8(8)):

PROMISE JOBS may place a participant on academic probation for at least one term, or a comparable time limit appropriate to the educational program at the time the participant requests training as an FIA activity when:

- ◆ The educational evaluation identifies factors with the participant's ability or past circumstances that could make successful completion of the training difficult. In this situation, it may be appropriate to approve the training plan and place the participant on academic probation rather than denying the training plan. For example, if the participant's motivation is high and changes in the participant's life situation indicate a realistic probability of success.
- ◆ The participant was previously unable to maintain the cumulative grade point average required by a training facility in training that is comparable to the training being requested.
- ◆ The participant enrolled but did not complete a previous education activity and did not have mitigating circumstances.

PROMISE JOBS may place a participant on academic probation for at least one term, or a comparable time limit appropriate to the educational program for approved training that is included in the FIA when at the end of a term, or of a comparable period, the participant is receiving less than a 2.0 grade point average (or less than a higher average when required by the specific training facility or curriculum).

PROMISE JOBS must inform the participant in writing of imposition of academic probation and specific expectations.

PROMISE JOBS must cancel the training plan if the participant does not meet the terms of the plan during the academic probation period and the participant does not have mitigating circumstances.

New Procedure:

Inform the participant in writing of placement on academic probation. Include the beginning and ending date of the probation period, specify the expectations to be accomplished by the end of the period and explain that the training plan may be canceled if the participant does not meet the expectations by the end of the probation period.

Reevaluate the participant's progress at the end of the probation period to determine continued eligibility for participation in education. Use the same type of information used to conduct the original educational evaluation. Proceed as follows depending on the results of the evaluation:

- ◆ Remove the participant from academic probation as the participant shows satisfactory performance by receiving at least a 2.0 grade point average or a higher average as required by the specific training facility or curriculum.
- ◆ Continue probation if the participant is receiving less than the required grade point when reevaluation indicates that education remains appropriate when:
 - The participant has mitigating circumstances such as:
 - Temporary barriers such as illness or family emergencies interfered with successful participation and these have either been resolved or the participant is making good progress at resolving them.

- The participant reveals long-term barriers to successful participation and the participant may be able to achieve satisfactory performance with the implementation of accommodations.
 - The counselor or the lead instructor in the educational program verifies that there is an excellent likelihood the student will raise the grade point to the acceptable level in the next term or a comparable time limit appropriate to the educational program.
- ◆ Cancel the participant's training plan when the participant has failed to maintain or improve to the required grade point average and reevaluation indicates no mitigating circumstances as described above.

When canceling a training plan, notify the participant in writing with form 470-0602, *Notice of Decision: Services*. Require the participant to renegotiate the FIA to include either a new, more appropriate training plan or other FIA activities.

Implementation:

Begin applying the new policy upon issuance of this memo.

Self-Initiated Training

Current Policy (*PJPM, Self-Initiated Training, pages 33-34, Participants Waived From Assessment II and Assessment III, page 41, Effective Date of Expenses for Persons Already in School, page 147, Education Expenses, page 208*):

Training is self-initiated when the person has attended one or more days of training before participating in PROMISE JOBS orientation.

Participants may use self-initiated training to meet FIA requirements when the training program meets the criteria for approval as stated in the PJPM at **Types of Approvable Training** and **Nonapprovable Training**.

Participants may use self-initiated training that is not approvable to meet FIA requirements when the training is reasonably expected to result in self-sufficiency. Participants in self-initiated training that is not approvable and not likely to lead to self-sufficiency must use other PROMISE JOBS activities to meet FIA requirements. The participant may choose to continue in the self-initiated training if the participant is able to handle the workload.

Participants enrolled in approvable self-initiated training are eligible for child care and transportation assistance. However, child care and transportation assistance cannot begin until the client has completed assessment or successfully completed the first quarter or semester accordingly to the requirements of the educational institution.

Participants enrolled in approvable self-initiated training are not eligible for assistance to cover tuition, fees, books, or supplies. Participants in self-initiated training that is not approvable are not eligible for any assistance for training.

New Policy (441—IAC 93.5(3) and 93.8(239B)):

The definition of self-initiated training is not changed. However, all policy that was specific to self-initiated training is obsolete.

Participants in self-initiated training must meet all of the following requirements for the participant to use the training as an FIA activity:

- ◆ An educational assessment must demonstrate that the participant is likely to succeed in the training plan as described under the new policies described at **Educational Assessments** within this memo.
- ◆ The training plan must be approvable under all of the new policies described at **APPROVABLE TRAINING CRITERIA** within this memo and the policies that continue to apply in the PJPM, **POSTSECONDARY TRAINING**.

LIMITED BENEFIT PLAN (LBP) FOR FAILURE TO VERIFY HOURS OF EMPLOYMENT OR PARTICIPATION

Current Policy (PROMISE JOBS Memo #162, PJPM):

PROMISE JOBS must notify participants in writing of verification requirements. If a participant fails to provide verification of hours of employment or of hours of participation in other FIA activities, PROMISE JOBS must send a written reminder and give the participant another opportunity to provide the verification. An LBP applies if the participant continues to fail to provide the verification after receiving a written reminder.

An LBP imposed for failure to verify hours of *employment* must be stopped and considered to be in error if the client provides the verification by the 10th day of the month following the effective date. This applies if the LBP is a first or a subsequent.

A participant cannot end an LBP imposed for failure to verify hours of *participation in activities other than employment* by providing the verification. If the LBP is a first, the client can end it by reconsidering and signing an FIA. If the LBP is a subsequent, the client cannot take any action to end or reconsider the LBP until the 6-month period has ended.

Current Procedure:

PROMISE JOBS uses the FIA or a letter to notify a participant in writing of the need to provide verification of hours of employment or participation in other FIA activities other than job search.

For individual job search, PROMISE JOBS uses the FIA and the Job Search Plan Agreement as written notice of job search verification requirements. For the structured job search portion of job club, policy requires PROMISE JOBS to notify the participant in writing of the expectations but does not require PROMISE JOBS to use the Job Search Plan Agreement as written notice.

If a participant fails to provide verification of hours of employment, PROMISE JOBS sends a written reminder as described in **PROMISE JOBS Memo 162**, page 8.

If a participant fails to provide verification of hours of participation in other FIA activities, PROMISE JOBS sends a written reminder as described in the **PJPM, FIA PARTICIPATION ISSUES, Identifying Participation Issues**, page 243 or *Participation Issues Specific to Classroom Training*, page 154.

If a participant continues to fail to verify hours of employment or participation after receiving a written reminder, PROMISE JOBS makes entry in PJCase to start an LBP if a review concurs that the participant has chosen an LBP.

If the LBP is due to failure to verify hours of employment and the client provides the verification by the 10th day of the month following the effective date, PROMISE JOBS makes entry in PJCase to stop the LBP. The LBP is considered voided and will not count towards a subsequent LBP if the client chooses an LBP in the future.

An LBP chosen for failure to verify hours of participation in activities other than employment remains active as previously noted.

New Policy (Legal reference: 441 IAC 41.24(8)“h”):

Continue to notify a participant in writing of verification requirements.

PROMISE JOBS is no longer required to send a written reminder to allow an additional opportunity to participate when a participant fails to provide verification of hours of employment or hours of participation in other FIA activities.

PROMISE JOBS must continue to refer the participant’s file for a review when a participant fails to provide verification of hours of employment or hours of participation in other FIA activities. An LBP applies if a review concurs that the participant has chosen an LBP.

The new policy applies only to failure to provide verification of hours (hours of employment or hours of participation in other FIA activities). It is important to make a distinction between failure to *provide verification of hours of participation* in an FIA activity and *failure to participate* in an FIA activity. These are separate issues.

- ◆ A written reminder is still required when a participant fails to participate in an FIA activity and for all other participation issues as described in the **PJPM, FIA PARTICIPATION ISSUES, Identifying Participation Issues**, and,
- ◆ A review must concur that the participant has chosen an LBP for the failure to participate.

An LBP imposed for failure to verify hours of employment or hours of participation in other FIA activities must be stopped if the client provides the verification by the 10th day of the month following the LBP effective date unless participation is an issue and the client has been previously notified of the issue. If the 10th day falls on a weekend or holiday, the client must provide the verification by the next working day.

If the verification is provided by the due date and participation is not an issue, the LBP must be stopped regardless of if the LBP is a first or subsequent. The LBP is considered voided and will not count towards a subsequent LBP if the client chooses an LBP in the future.

When an LBP is imposed for failure to verify hours of participation and the participant is in an ongoing activity other than job search and required to provide verification by the 10th day of each month, the LBP continues until:

- ◆ The participant provides the verification that was previously due and,
- ◆ Any additional verification that is due at the time the client provides the late verification that resulted in the LBP.

When an LBP is imposed for failure to provide documentation of job search activities, the LBP must be stopped if the client provides all the verification that is due according to the current Job Search Plan Agreement by the 10th day of the month following the effective date of the LBP unless participation is an issue and the participant has previously been notified.

New Procedure – Failure to Verify Hours of Participation (Employment or Other FIA Activities):

Use the FIA or a letter to notify a participant in writing of the need to provide verification of hours of participation (employment or FIA activities other than job search). Use the FIA and the Job Search Plan Agreement to notify a participant in writing of the need to provide documentation of hours of participation in job search activities for individual job search and structured job search. See **Written Notice to Clients** later in this memo for details on when to use the FIA or a letter or both.

If a participant fails to verify hours of participation by the due date stated in the written notice and has not contacted you to ask for additional time or assistance:

- ◆ Do not send a written reminder to give the participant more time to provide the verification.
- ◆ Refer the participant's case for a review.
- ◆ If the review concurs that the participant has chosen an LBP, make entry in PJCase to start an LBP.
- ◆ On the same day you start the LBP, send a letter to the client. Include the following at a minimum:
 - Explain that the LBP will be stopped if the client provides the late verification within 10 days of the LBP effective date.
 - If the lacking verification is for an activity that requires the client to verify hours of participation monthly, explain that the client must also provide any additional verification that is due at the time the late verification is provided. Specify the verification that will be needed to stop the LBP (i.e. *March Time and Attendance*).
 - If the lacking verification is for a job search activity, explain that the client must also provide all other *Job Search Records* that are due at the time the late *Job Search Record* is provided.

- Provide information regarding the LBP and explain that a separate NOD will be issued.
- Explain that FIP may be reinstated if the client provides the verification before the LBP effective date.
- Explain that the client must reapply if the client provides the verification on or after the LBP effective date but within 10 days of the effective date.
- Explain that the LBP will remain in effect if verification is not provided by the due date.
- Ask about problems or barriers that are keeping the client from providing the verification or from participating.
- Offer for client to speak with a supervisor regarding questions or problems.
- PROMISE JOBS worker name and phone number.

Suggested text follows for failure to provide proof:

Begin the letter with the suggested text for the applicable situation:

◆ **Failure to verify work hours:**

You did not provided your agreed upon proof of your work hours. You agreed to provide proof by _____. By not providing proof of these hours, you have chosen the Limited Benefit Plan (LBP).

◆ **Failure to provide verification of time and attendance:**

<p>You did not provide proof of your hours of attendance in _____ for the month of _____. You agreed to provide a completed Time and Attendance form by ___<10th day after the end of the month>__.</p>	
○	<p><i>Add these 2 paragraphs when required to provide verification monthly:</i></p>
	<p>Since you are required to send proof of your hours of attendance each month, you must also provide all other Time and Attendance forms that are due at the time you provide the late Time and Attendance form.</p> <p>In addition to the late Time and Attendance form, you will have a completed <i>Time and Attendance</i> form due on ___<date>___ and ___<2nd date if applicable>__.</p>

○	Add the following paragraph if you have sent the client a written reminder for failure to attend this activity in one of the 3 calendar months prior to the LBP effective date:
	If you did not return your Time and Attendance form because you have not been attending the activity, your LBP will not be stopped unless problems are keeping you from participating in job search activities.

◆ **Failure to provide Job Search Record:**

<p>You did not provide the Job Search Record to report your time spent in job search activities for the week beginning _____ and ending _____ by <u><date></u>_____.</p> <p>You agreed to provide the Job Search Record in your Job Search Plan Agreement. By not providing a completed Job Search Record by the due date, you have chosen the Limited Benefit Plan (LBP).</p> <p>Since you are required to send proof of your job search activities each week, you must provide the late Job Search Record and all Job Search Records that are due at the time you provide the late Job Search Record.</p> <p>Reminder: You agreed to participate in Job Search activities for _____ hours each week beginning ____-____-____ and ending ____-____-____.</p> <p>See your Job Search Plan Agreement for the dates that you agreed to complete and return a Job Search Record form. Contact me if you have questions.</p>	
○	Add the following paragraph if you have NOT sent the client a written reminder for failure to complete the required number of hours of job search activities:
OR	If you did not return your Job Search Record because you did not complete the required number of hours of job search activity, contact me right away.
○	Add the following paragraph if you have previously sent the client a written reminder for failure to complete the required number of hours of job search activities with this episode of job search:
	If you did not return your Job Search Record form because you did not complete the required number of hours of job search activity, your LBP will not be stopped unless problems are keeping you from participating in job search activities.

End the letter with the following text for all situations:

If you do not provide the requested proof by <10th day after LBP effective date, i.e. May 10, 2009>, your LBP will remain in effect and be considered valid. You will only be able to stop the LBP as stated in the *Notice of Decision* that will be sent to you separately.

Your LBP will begin <LBP effective date>. This means your FIP benefits will be < canceled or reduced >. DHS will send you a separate *Notice of Decision* that will tell you more about your LBP and how it will affect your FIP benefits.

If you provide the requested proof by <10th day after LBP effective date, i.e. May 10, 2009>, your LBP will be stopped and will not count as a valid LBP if you choose an LBP again.

- ◆ You may not have to reapply for FIP if you provide the requested proof **before** the LBP effective date. DHS will reinstate your FIP benefits if you are otherwise eligible.
- ◆ You will have to reapply to get FIP benefits again if you do not provide the requested proof by the LBP effective date. You may also need to sign a new Family Investment Agreement (FIA).

Contact me right away at <your phone #> if you have problems that are keeping you from providing the proof or from participating in your activity. You may also contact me if you have any questions.

You may also talk with a supervisor about any problems or questions.

I hope that you decide to provide the requested proof. Thank you,

◆ <Your Signature>

If the client provides all required verification by the 10th day of the month following the LBP effective date and the participant's attendance or participation is not an issue:

- ◆ Make entry in PJCase to stop the LBP. Use stop reason "C".
- ◆ Send the IM worker an e-mail that includes the date the client provided the verification. The IM worker needs this date to decide if FIP can be reinstated or if the client must reapply. Suggested text follows:

FYI: The LBP for (Client's name) was imposed for failure to provide needed verification. This person provided the needed verification on (date). Therefore, the LBP will not count if this person chooses an LBP again.

For employment and activities other than job search, continue the LBP if the client provides verification but not all of the required verification or the verification does not adequately verify hours of participation. Send the client a letter within 2 working days of receipt of the

insufficient verification to specify the lacking verification and to explain that the LBP will continue unless all required verification is received within 10 days of the LBP effective date.

For job search activities, continue the LBP if the client provides one or more of the required *Job Search Record(s)* but not all of the *Job Search Records* that are due by that time. Send the client a letter within 2 working days of receipt of the late *Job Search Record* to specify the *Job Search Records* that are still needed and to explain that the LBP will continue.

When a job search client provides all of the required *Job Search Records* but the records are either not complete or the client did not complete the required number of hours of job search activity, follow the procedures at ***New Procedure – Job Search Records Not Complete or Participant Does Not Complete Required Job Search Activity***

For employment and all activities, if the client does not provide any verification by the 10th day of the month following the LBP effective date:

- ◆ A first LBP remains active until the client reapplies for FIP and signs an FIA. The LBP is valid and will count towards a subsequent LBP in the future.
- ◆ A subsequent LBP remains active through the six-month ineligibility period.

No further action is needed.

New Procedure - Verification Shows Unsatisfactory Participation or Attendance:

When an LBP is imposed for failure to verify hours of participation in an ongoing activity other than job search, and the client provides the verification as required, and the verification shows that the participant's attendance or participation is unsatisfactory:

- ◆ Stop the LBP as described in the prior section if you did not send a written reminder to the client regarding unsatisfactory participation or attendance in any of the 3 calendar months prior to the LBP effective date. Send a written reminder regarding the unsatisfactory participation or attendance as described in the PJPM, **FIA PARTICIPATION ISSUES** or ***Participation Issues Specific to Classroom Training*** whichever applies.
- ◆ Continue the LBP if the client's participation or attendance in the specific ongoing activity resulted in a written reminder regarding unsatisfactory attendance or progress in one of the 3 calendar months prior to the LBP effective date.
- ◆ **Exception:** This policy does not apply when the client is in education activities and the verification shows that the client is receiving less than a 2.0 grade point average (or less than a higher average when required by the specific training facility or curriculum). Apply the policies at **Academic Probation** within this memo in this situation.

Example: An LBP is imposed effective April 1 for failure to provide a completed *Time and Attendance* by March 10 to verify hours of attendance in GED. The client provides the verification on March 30. The verification shows that the client did not attend GED as scheduled. Either:

- ◆ Stop the LBP and send a written reminder to the client regarding unsatisfactory attendance in GED unless you sent a written reminder to the client regarding unsatisfactory GED attendance in January, February, or March, or

- ◆ Continue the LBP if the client's attendance in GED has been unsatisfactory in the past and you have sent a written reminder regarding unsatisfactory attendance in January, February, or March. Send a letter as previously described.

New Procedure – Job Search Records Not Complete or Participant Does Not Complete Required Job Search Activity:

When the client provides the late *Job Search Record* and all *Job Search Records* that are due at that time and the client reported the required hours of job search activity but did not provide all of the required information on the *Job Search Record(s)* as described at **COMPLETE JOB SEARCH RECORD** earlier in this memo:

- ◆ Stop the LBP as described earlier if you have not previously sent a written reminder regarding an incomplete *Job Search Record* form during this episode of job search. Send a written reminder regarding the incomplete *Job Search Record* as described in the PJPM, **FIA PARTICIPATION ISSUES**.
- ◆ Continue the LBP if the client has failed to provide complete information on a *Job Search Record* form in the past and you have previously sent a written reminder regarding an incomplete *Job Search Record* during this episode of job search.

When an LBP is imposed for failure to verify hours of participation in job search activities by providing a *Job Search Record* by the due date stated in the Job Search Plan Agreement, and the client provides the *Job Search Record(s)* as required, and the records show that the client did not participate in job search activities for the required number of hours:

- ◆ Stop the LBP as described earlier if you have not sent the client a written reminder for failure to participate in job search activities for the required number of hours during this episode of job search. Send a written reminder regarding the unsatisfactory participation or attendance as described in the PJPM, **FIA PARTICIPATION ISSUES**.
- ◆ Continue the LBP if the client has failed to participate in job search activities for the required number of hours in the past and you have previously sent a written reminder regarding failure to participate in job search activities during this episode of job search.

If the client does not provide any verification by the 10th day of the month following the effective date of the LBP:

- ◆ A first LBP continues until the client reapplies for FIP and signs an FIA. The LBP is valid and will count towards a subsequent LBP in the future.
- ◆ A subsequent LBP remains active through the six-month ineligibility period.

No further action is needed.

Implementation:

Apply new policy and procedure when a participant fails to verify hours of employment or fails to verify hours of participation in other FIA activities and the verification is due on or after receipt of this memo.

Stop an LBP an imposed for failure to verify *hours of participation in other FIA activities* and consider the LBP to be in error when the verification was due on or after March 1, 2009, unless you notified the client in writing that the LBP could be stopped if the client provides the late verification within 10 days of the LBP effective date as described at ***New Procedure – Failure to Verify Hours of Participation.***

REASONS FOR CONSIDERING AN LBP IN ERROR

Current Policy (*PJPM, Stopping a Limited Benefit Plan, pages 287-290*):

The PJPM, **Stopping a Limited Benefit Plan**, page 287, gives examples of situations when PROMISE JOBS needs to stop an LBP and consider the LBP to be imposed in error. An LBP may be “considered imposed in error”:

- ◆ When PROMISE JOBS did not follow policy prior to imposing an LBP or,
- ◆ Due to client circumstances beyond the control of PROMISE JOBS, such as PROMISE JOBS finds the client did not receive notices or reminders regarding the issue that resulted in imposition of the LBP or PROMISE JOBS finds the participant moved out of state or requested cancellation of FIP prior to choosing the LBP.

Policy does not intend to include all LBP error situations and gives PROMISE JOBS staff flexibility in determining if an LBP is imposed in error for situations not specifically listed.

New Policy (*Legal reference: 441 IAC 41.24(8)“f”*):

This policy specifies a new situation when an LBP needs to be considered in error.

Consider an LBP to be imposed in error when the client who chose the LBP reveals a new problem or barrier after the LBP is imposed and it is reasonable that the problem or barrier contributed to the failure that resulted in the LBP.

You may require the person to provide documentation to support their claim of a problem or barrier.

New Procedure:

When a client who has chosen an LBP reveals a new problem or barrier after an LBP is imposed, determine if it is reasonable that the claimed problem or barrier contributed to the failure that resulted in the LBP.

You may require the participant to provide supporting documentation of the claimed problem or barrier, such as medical documentation or a statement from a third party with knowledge of the problem or barrier. Request any needed documentation in writing and allow the participant at least five working days to provide the documentation.

Allow additional time when needed due to individual circumstances, such as when the client needs an updated medical evaluation and the client cannot obtain an evaluation and provide documentation within five working days. Also allow additional time at the request of the client if the client is making effort to obtain the documentation and is unable to do so.

Thoroughly document the basis for your decision in the case file to either:

- ◆ Consider the LBP to be imposed in error and stop the LBP, or
- ◆ Continue the LBP.

If you determine the LBP needs to be stopped and considered in error, make entry in PJCase to stop the LBP.

Implementation:

Begin applying the new policy upon receipt of this memo since current policy allows you to make the decision to stop an LBP in this situation.

WRITTEN NOTICE TO CLIENT

Current Policy (*PJPM, Written Notification to Client, pages 226-229 and PROMISE JOBS Memo #162*):

PROMISE JOBS must notify the participant in writing of the requirement to provide documentation or verification.

New Policy (*Legal reference: 441 IAC 93.10(1)*):

Policy is expanded to include procedural guidance on when the FIA is sufficient written notice to the participant of the need to provide documentation or verification of hours of participation in an FIA activity and when a letter or other written notice must be used to notify the participant of the requirement.

New Procedure

When writing an FIA, include verification requirements for each activity. Be as specific as possible, given that certain information regarding future activities may not be known.

The FIA is adequate written notification of the requirement to provide documentation or verification of hours of participation in a specific FIA activity when:

- ◆ The need is determined during the FIA appointment or other meeting, and
- ◆ The participant is currently participating in the activity or it is reasonably certain the participant will begin the activity within 30 days of the date the FIA is signed (i.e. person has been hired for employment or person is enrolled in a training program), and
- ◆ You can specify what is needed from whom (i.e. name of employer) and a specific due date that is within 30 days of the date the FIA is signed, and
- ◆ The activity is not individual or structured job search.

The above applies when the participant must provide occasional verification (i.e. verification of actual hours of employment or verification of a medical problem or barrier) and when the participant must provide monthly verification of hours of participation in an ongoing activity (i.e. classroom training).

For individual and structured job search, use the Job Search Plan Agreement in addition to the FIA to notify a participant of the documentation requirements for job search activities. Use a letter as written notice of the need to provide documentation or verification of hours of participation in an FIA activity when:

- ◆ The verification requirement is not specified in the FIA or
- ◆ The FIA is not adequate notification as previously defined.

When a participant must provide monthly verification of hours of participation in an ongoing activity, provide the participant with adequate written notice at the time the participant begins the ongoing activity and at least 5 working days before the initial verification is due. It is not necessary to provide written notice to the participant each month.

When providing written notice to a participant of the need to provide documentation or verification, assign due dates for the verification as described in the next section titled **TIMES FRAMES FOR PROVIDING VERIFICATION.**

Failure to provide required documentation or verification:

- ◆ If a participant fails to provide required documentation or verification of hours of employment or hours of participation in other FIA activities after being notified in writing, follow the policies described at **LIMITED BENEFIT PLAN (LBP) FOR FAILURE TO VERIFY HOURS OF EMPLOYMENT OR FAILURE TO VERIFY HOURS OF PARTICIPATION** earlier in this memo.
- ◆ Follow the policies described at **VERIFYING PROBLEMS OR BARRIERS TO PARTICIPATION** if a participant fails to provide verification of a problem or barrier after being notified in writing of the requirement.
- ◆ If a participant fails to provide **other** required verification, send a written reminder as described in the PJPM, **Identifying Participation Issues.**

TIMES FRAMES FOR PROVIDING VERIFICATION

Current Policy (*PJPM, Required Client Documentation, pages 221-226, Written Notification to Client, pages 226-228, Problems With Participation, pages 259-262, PROMISE JOBS Memo # 162*):

Require participants to provide any documentation necessary to verify that the participant is carrying out the terms of the FIA and to provide verification of a claimed inability to participate. PROMISE JOBS may also require a participant to provide verification of a temporary problem with participation.

This includes documentation or verification of:

- ◆ Family emergency, lack of transportation, medical examination, documentation of illness or illness of a family member, medical documentation of need for substance abuse or mental health treatment, etc.,
- ◆ Hours of attendance in work-related activities, training, and job search activities that cannot be documented by PROMISE JOBS, and

- ◆ Actual hours of employment.

Allow the participant a minimum of **5 working days** from a written request to provide the documentation or verification **except** as follows:

- ◆ Participants must provide verification of actual hours of employment **within 10 days** from:
 - The date the desired verification will be available, or
 - The date the request is mailed or given to the client, or
 - By the 10th of the month following the month during that the hours were worked.
- ◆ Applicants must provide verification of actual hours of employment **within 10 days** of the FIP approval notice.
- ◆ For ongoing FIA activities that are not provided by PROMISE JOBS, the provider verifies the participant's attendance on *Time and Attendance*, form 470-2617. Participants must provide the completed *Time and Attendance* form to PROMISE JOBS by the **10th day following the end of each month** of participation, unless the provider returns the form to PROMISE JOBS.
- ◆ Participants must secure a medical examination and provide verification **within 45 days** of the mail date of the written request.

For job search activities, allow participants **5 working days after the Friday of the week** that participation in job search activities occurred to provide a completed *Job Search Record*. PROMISE JOBS and the participant can arrange a shorter period that fits the job search plan. However, if the participant fails and the participant was not allowed at least 5 working days after the Friday of the week of job search activity, the failure cannot count towards the choice of an LBP.

For activities that are not provided by PROMISE JOBS, the participant can complete, sign and date the *Time and Attendance* form when the training provider refuses.

New Policy (Legal reference: 441 IAC 93.10(239B)):

Allow the participant a **minimum of 5 working days** from a written request to provide the documentation or verification unless the participant is in an ongoing FIA activity that is not provided or directly monitored by PROMISE JOBS. Allow additional time when needed, such as when the participant must obtain an evaluation for a claimed medical condition or when the participant has attempted and not been able to secure the documentation or verification.

New Procedure

- ◆ The time frame for providing verification of actual hours of employment is changed from 10 days to **5 working days**:
 - Participants must provide verification of actual hours of employment **within 5 days** from:

- The date the desired verification will be available, or
 - The date the request is mailed or given to the client, or
 - By the 10th of the month following the month that the hours were worked.
- Applicants must provide verification of actual hours of employment **within 5 days** of the FIP approval notice.

- ◆ There is no longer a requirement to allow a participant 45 days to secure a medical examination.
- ◆ Allow a participant no less than 5 working days after the Friday of the week that participation in job search activities occurred to provide a completed *Job Search Record* for the week.

Continue to require participants in ongoing FIA activities that are not provided or directly monitored by PROMISE JOBS to provide the completed *Time and Attendance* form to PROMISE JOBS by the **10th day following the end of each month** of participation, unless the provider chooses to return the form to PROMISE JOBS.

Approvable training providers and providers of other FIA activities must verify a participant's hours of attendance. If a provider refuses to verify a participant's attendance in an FIA activity, follow the procedures at **Provider Refusal to Verify Attendance** later in this memo.

Implementation

Apply the new time frames when requesting verification or completing a Job Search Plan Agreement on or after the effective date of this memo.

PROVIDER REFUSAL TO VERIFY ATTENDANCE

Current Policy (*PJPM, Required Client Documentation, pages 222-224*):

When a participant is in an activity that is provided outside of PROMISE JOBS, and the provider refuses to verify the participant's hours of attendance, require the participant to record their attendance and sign and date the *Time and Attendance Report*, form 470-2617 on a monthly basis instead.

New Policy (*Legal reference: 441 IAC 93.8(2), 93.10(2)*):

When a participant is in an activity that is provided by a service provider other than PROMISE JOBS, the provider must verify the participant's hours of attendance for the activity to be an acceptable FIA activity.

New Procedure:

If a service provider, including a training provider, refuses to verify a participant's hours of attendance in an activity:

- ◆ Contact the provider to explain the program verification requirements and that the participant will not be able to continue to use the activity as an FIA activity without verification and,

- ◆ Make every effort to negotiate for a solution that will result in the provider verifying hours of attendance. Involve supervisory staff if needed.

If the provider continues to refuse to verify a participant's hours of attendance, the participant will not be able to continue to use the training as an FIA activity.

If the activity is education or training, allow the participant to continue through the current semester or quarter before finding another provider. If the activity is not education or training, work with the participant to determine a reasonable time frame for the participant to end services from the current provider and find another service provider. If the activity is one that was arranged through PROMISE JOBS, such as a WEP, allow the participant to discontinue attending immediately.

Contact the participant in writing:

- ◆ For education or training, require the participant to document their attendance for the months remaining in the current semester or quarter on the *Time and Attendance Report* and sign and date the form.
- ◆ For activities other than education or training, require the participant to document their attendance for the remaining period that the participant received services from the provider that is refusing to verify attendance.
- ◆ Require the participant to return the form by the 10th calendar day following the end of the month of participation or within 5 working days of the written request, whichever is later.

For education or training, schedule the participant prior to the end of the current semester or quarter to discuss renegotiation of the FIA to include an approvable training provider. For activities other than education or training, schedule the participant as soon as possible to discuss renegotiation of the FIA to include an approvable service provider. Assist the participant finding another service provider.

Record the provider's refusal in participant case files and notify other PROMISE JOBS staff in your area. Report the situation to your PROMISE JOBS Coordinators at IWD.

Implementation:

Apply the new policy upon issuance of this memo for provider refusals that occur on or after March 1, 2009.

VERIFYING PROBLEMS OR BARRIERS TO PARTICIPATION

Current Policy (*PJPM, Referring Disabled People, Medical Examinations, pages 32-33, Treatment for Substance Abuse or Mental Health Issues as an FIA Option, page 74, Required Client Documentation, Written Verification, pages 221-222, FIA PARTICIPATION ISSUES, pages 240-262*):

Participants who claim a temporary or permanent disability that makes PROMISE JOBS participation limited or impossible must provide medical verification of their disability and the extent of any participation limitations. If the participant does not have a recent

medical history, the participant can be required to obtain a medical examination and to provide written documentation of the results.

Participants who reveal substance abuse or mental health issues that are affecting the family's ability to be self-supporting must obtain an assessment of the issue and provide medical verification of the issue to allow the treatment plan to be included in the FIA.

Participants who do not attend or participate in an FIA activity due to a reported problem or barrier can be required to provide verification of the problem or barrier to be excused from the failure to attend or participate. PROMISE JOBS may accept the participant's statement of a reported problem or barrier when there is no reason to question the participant's statement.

The following is clarification of current policy that is implied in the current PJPM but not specifically stated:

- ◆ A participant who claims they are not able to participate in FIA activities on a full-time basis due to a disability or other problem or barrier and who fails to provide verification of the problem or barrier after being notified in writing is expected to participate in FIA activities at a level that is equivalent to full-time employment or significant so as to move toward this level.
- ◆ A participant who claims a problem or barrier caused an issue with their participation in an FIA activity and the participant fails to provide verification of the problem or barrier after being notified in writing, PROMISE JOBS may decide not to excuse the participant for the issue. If the participation issue is not excused, the issue will result in imposition of an LBP unless the issue is one that requires a written reminder or letter and a written reminder or letter has not been sent.

A participant who fails to obtain a required medical examination or provide written documentation of the results of an examination after one written request has chosen an LBP.

Current Procedure:

When you determine that verification of a problem or barrier is needed, notify the participant in writing of the need to:

- ◆ Provide medical verification of a disability, mental health or substance abuse issue, illness of the participant or family member that resulted in failure to participate,
- ◆ Obtain a medical examination and to provide written documentation of the results, and
- ◆ Provide documentation or verification of a problem or barrier.

Issue form 470-0447, *Report on Incapacity*, to the participant to assist with obtaining medical verification.

Require a participant to participate in FIA activities at a level that is equivalent to full-time employment or significant so as to move toward this level if the participant claims they are not able to participate at this level due to a problem or barrier but the participant failed to provide verification of the problem or barrier after being notified in writing.

Schedule the participant an appointment to discuss renegotiation of the FIA when appropriate.

When participation in FIA activities becomes an issue, follow the policies described at in the PJPM, **Identifying Participation Issues** to determine if you need to attempt to resolve the issue or if the participant has chosen an LBP. If a participant claims a problem or barrier caused a participation issue and the participant fails to provide verification of the problem or barrier after being notified in writing, determine if you should excuse the participant for the issue.

If a participant fails to obtain a medical examination or to provide written documentation of the results of an examination after one written request, consider that the participant has chosen an LBP and refer the participant's case for a review. Make entry to start an LBP if a review concurs that the participant has chosen an LBP.

New Policy (Legal reference: 93.5(1)"b", 93.10(3)"a"):

A participant who fails to obtain a required medical examination or to provide written documentation of the results of an examination is not considered to have chosen an LBP.

A participant who fails to obtain a required medical examination or to provide written documentation of the results of an examination must participate in FIA activities at a level that is equivalent to full-time employment or significant so as to move toward this level.

New Procedure:

Continue to require a participant to obtain a medical examination when the participant claims a temporary or permanent disability or incapacity that makes PROMISE JOBS participation limited or impossible when the participant does not have a recent medical history.

Continue to notify a participant in writing of the need to obtain a medical examination:

- ◆ Include the requirements of obtaining the medical examination and providing written documentation of the results as a step in the FIA with a due date or,
- ◆ Send a written request for the verification with a due date.
- ◆ See **WRITTEN NOTICE TO CLIENT** for more information.

Allow a participant sufficient time to obtain the examination and provide the documentation as described at **TIME FRAMES FOR PROVIDING VERIFICATION** earlier in this memo.

Expect a participant who fails to obtain a required medical examination or to provide written documentation of the results of an examination to participate in FIA activities at a level that is equivalent to full-time employment or significant so as to move toward this level. Consider any needs or problems that are either verified or you have determined to accept the participant's statements without documentation. Schedule the participant to discuss renegotiation of the FIA, when necessary.

See the PJPM, **FAMILY INVESTMENT AGREEMENT, Family Investment Agreement Requirements** for more information.

Implementation

Apply the new policy to any request to obtain a medical examination and to provide written verification of the results of the examination that is due on or after March 1, 2009.

Stop any LBP that is effective March 1, 2009, or later for failure to obtain a medical examination or to provide written verification of the results of the examination.