

**DHS COMBINED MANUAL
REVISED SECTIONS – ISSUED 03/2006**

§0002.15 (Glossary: Deed...) adds a Glossary entry for DEFER for the Food Support Program. It also adds a cross-reference for coding instructions.

§0002.21 (Glossary: Employability...) under the definition of EXEMPT FROM EMPLOYMENT SERVICES adds an entry for Food Support and an appropriate cross-reference.

§0002.41 (Glossary: Medically Necessary...) adds clarifying language to MFIP PARTICIPATION RATE and moves SELF SUPPORT INDEX to §0002.61 (Glossary: Self...).

§0002.61 (Glossary: Self...) adds the definition of SELF-SUPPORT INDEX to this section and clarifies that this is a measure for both MFIP and DWP.

§0011.33.02 (MFIP Hardship Extensions - Removing 1 Parent) in the 1st paragraph of MFIP clarifies that when 1 parent from a 2-parent household is removed due to not meeting criteria for an extension, treat the unit as a 1-parent unit and use the Shared Household Standard to calculate the grant. It also adds a cross-reference to §0020.09 (MFIP/DWP Assistance Standards) for the Shared Household Standard.

§0011.33.03 (MFIP Employed Extension Category) in MFIP clarifies that hours of participation are not the same as hours in the MFIP Participation Rate.

§0016.18.01 (200 Percent of Federal Poverty Guidelines) in MFIP, DWP updates the monthly standard for 200% FPG.

§0017.03 (Available or Unavailable Income) in the 2nd bullet of FS clarifies the language.

§0017.15.33.27 (Self-Employment Income From Roomer/Boarder) in the 3rd bullet of FS clarifies the allowable roomer and boarder expenses.

§0018.15.18 (Standard Utility Allowance) in FS increases the utility standard to \$305.

§0027.12 (Appeal Hearing Process) restructures the text by moving a paragraph in specific programs to the general programs as it pertains to all programs.

§0028.06.02 (Universal Participation Provisions) in MFIP reorders information for clarity. It removes repetitive language. It also clarifies to refer participants to ES within the first 10 days of the month following the month the child reaches 12 weeks of age.

§0028.06.10 (Who Is Exempt From FSET) under FS adds clarifying language in the 6th bullet regarding ABAWDS and a cross-reference to TEMP Manual TE02.05.69

(ABAWD FSET Exempt Counties). It also adds a new bullet for people who are exempt from mandatory FSET participation for a participant responsible for a unit member under the age 18, even if the unit member is not eligible for Food Support (FS).

§0028.30.03 (Pre 60-Month Type/Length of ES Sanctions) in the 3rd paragraph of MFIP and the 1st bullet below it, clarifies that for 1st occurrence sanctions, the amount is 10% even when both participants in a 2-parent unit are noncompliant at the same time. It also clarifies that when both participants in a 2-parent unit are noncompliant, they both must comply to remove the sanction.

§0028.30.06 (Type/Length of FSET Sanctions) in the last bullet of FS adds the words "work registration". It deletes the sentence that says "However, the sanction will not end for this reason until the minimum sanction period has been served" from that bullet, as it is not supported by CFR.

§0028.30.09 (Refusing or Terminating Employment) in FS under the 1st and 2nd set of bullets changes FSET participation to work registration.

DEED :

Legal document which conveys ownership of property between parties.

DEEM :

To count all or part of the income of people not in the UNIT as if it were income the unit had received. See §0016 (Income From People Not in the Unit).

DEFER :

FS :

Defer a mandatory FSET participant if all of the FSET funding has been used.
See TEMP Manual TE02.05.70 (FSET Exemption/Participation Status).

DEFERRED ACTION :

See “Other Discretionary Classifications” in §0011.03.24 (Non-Citizens - Lawfully Residing People).

DEFERRED ENFORCED DEPARTURE (DED) :

See “Other Discretionary Classifications” in §0011.03.24 (Non-Citizens - Lawfully Residing People).

DENIAL :

The act of disapproving an APPLICATION for ASSISTANCE or an ADDENDUM asking to add a person to a grant.

DEPENDENT CARE DEDUCTION :

An income deduction based on the cost of caring for a child or adult. See §0018.09 (Dependent Care Deduction).

DEPENDENT CHILD :

MFIP, DWP :

See MINOR CHILD in §0002.41 (Glossary: Medically Necessary...).

FS :

A person under age 22 who is living with a parent(s). See §0011.24 (Able-Bodied Adults), §0014.03.06 (Determining the Food Support Unit).

DEPORTATION :

Expulsion of a NON-CITIZEN from the United States.

DESTITUTE :

FS :

Describes MIGRANT AND SEASONAL FARMWORKER UNITS whose only income for the month was 1 or both of the following:

- Received before the date of application from a terminated source.
- Received from a new source, but the unit will receive no more than \$25 by the 10th calendar day after the date of application.

DETOXIFICATION :

GA :

The program of services provided under Minnesota Statutes, section 254A.08.

DHS :

The Minnesota Department of Human Services.

DIRECT CHILD SUPPORT :

Support a custodial parent receives directly from a non-custodial parent even though receipt of support is assigned as a condition of receiving assistance.

DIRECT SPOUSAL SUPPORT :

Support a client receives directly from a former spouse even though support is assigned as a condition of receiving assistance.

DISABILITY :

Each program has its own requirements for disability/incapacity. See §0012.15 (Incapacity and Disability Determinations).

DISABILITY PENSION :

A fixed sum paid regularly to disabled people or their dependents.

DISABLED :

Each program has its own requirements for disability/incapacity. See §0010.18.06 (Verifying Disability/Incapacity - FS), §0012.15 (Incapacity and Disability Determinations), §0013.09.09 (MSA Basis - Disabled Age 18 and Older), §0013.15 (GA Bases of Eligibility).

MFIP, DWP :

A person who is suffering from a permanent or temporary illness, injury, or incapacity. The illness, injury, or incapacity must be certified by a medical

professional, expected to continue for more than 30 days, and prevent him or her from obtaining or retaining employment. People in this category with a temporary illness, injury, or incapacity must be re-evaluated at least quarterly.

DISASTER :

See FNS DISASTER DECLARATION in §0002.25 (Glossary: First Adult...),
NATURAL DISASTER in §0002.43 (Glossary: Money...).

DISCONJUGATE GAZE :

GA :

An inability to move both eyes in unison.

EMPLOYABILITY DEVELOPMENT PLAN (EDP) :

FS :

An FSET plan specifying employment services and job search activities a client must participate in and support services the COUNTY AGENCY or EMPLOYMENT AND TRAINING SERVICES provider will provide.

EMPLOYMENT PLAN :

MFIP, DWP :

A plan developed by the job counselor and the participant which includes the participant's overall employment goal, activities necessary to reach that goal, and a time line for each activity. All DWP and pre 60-month MFIP participants MUST have an Employment Plan based on their individual assessment. There are special provisions for a client granted the Family Violence Waiver. See §0028.15 (Employment Plan (EP)).

EMPLOYMENT PREFERENCE :

See §0011.03.12 (Non-Citizens - Lawful Permanent Residents).

EMPLOYMENT SERVICES :

The term Employment Services refers to programs, activities, and services that help clients become employed and self-sufficient. Services may include JOB SEARCH, job placements, client assessments, and training. See §0028 (Employment Services).

MFIP :

See MFIP EMPLOYMENT SERVICES (MFIP-ES) in §0002.41 (Glossary: Medically Necessary...).

EMPLOYMENT SERVICES PROVIDER (ESP) :

An agency or organization that operates under formal agreement with the county agency to provide employment services to certain clients on behalf of the county agency. In some instances the ESP is another unit of the county.

EMV :

See ESTIMATED MARKET VALUE (EMV) below.

ENCUMBRANCE :

A legal claim against REAL PROPERTY or PERSONAL PROPERTY payable when the property is sold.

ENROLLEE :

An MA or GAMC participant who is enrolled in a MANAGED CARE HEALTH

PLAN. See the Health Care Programs Manual.

EQUITY :

The FAIR MARKET VALUE of property minus any ENCUMBRANCE.

ESCROW :

A deed, bond, money, or piece of property held in trust by a 3rd party to be turned over to the grantee only on fulfillment of a condition.

ESTATE CLAIMS :

A method of recovering ASSISTANCE from the estate of a deceased person. See §0025.21.12 (Estate Claims).

ESTIMATED MARKET VALUE (EMV) :

The value assigned to real estate by the county assessor for the purpose of levying property taxes. Estimated market value is found on the annual property tax assessment statement.

EXCESS ASSETS :

The amount of ASSETS which exceeds the client's ASSET LIMIT.

EXCESS CHILD SUPPORT :

EXCESS CHILD SUPPORT occurs when collections disbursed to applicable assigned support (current and any arrears assigned as condition of eligibility for AFDC or MFIP) exceed the total of applicable assigned support. The total assigned support can never exceed the cumulative unreimbursed MFIP grant amount.

EXCLUDED INCOME :

Income not used to determine eligibility.

EXCLUDED TIME :

Excluded time varies by program. See §0006.18 (Excluded Time Facilities and Services).

EXCLUDED TIME RESIDENCE/FACILITY :

A type of living arrangement which affects the determination of state residence and the county of financial responsibility. See §0006.18 (Excluded Time Facilities and Services), §0011.06.03 (State Residence - Excluded Time).

EXCLUDED TIME SERVICES :

Excluded time varies by program. See §0006.18 (Excluded Time Facilities and

Services).

EXEMPT MONTHS :

MFIP :

Refers to months that are not counted toward the 60-month time limit.

EXEMPT FROM EMPLOYMENT SERVICES :

MFIP :

Refers to a person who is not required to participate in Employment Service activities because he or she meets certain criteria.

FS :

Refers to a person who is not required to participate in Employment Service activities because he or she meets certain criteria. See §0028.06.10 (Who Is Exempt From FSET).

EXPEDITED SERVICE :

Special procedures and priority processing of APPLICATIONS to make BENEFITS available to people with immediate need. See §0004.04 (Emergency Aid Eligibility--FS/Expedited Food), §0004.06 (Emergencies - 1st Month Processing).

EXPERIENCE WORKS :

Part of the Senior Community Service Employment Program authorized by the OLDER AMERICANS ACT, formerly known as GREEN THUMB. See TEMP Manual TE02.08.010 (Experience Works Income).

EXTENSION :

MFIP :

Allows families to receive additional months of MFIP beyond the 60-month time limit if certain criteria are met. See §0011.33 (MFIP Hardship Extensions).

FACE-TO-FACE INTERVIEW :

A face-to-face meeting arranged to determine initial or ongoing eligibility for ASSISTANCE. See §0005.12.12 (Application Interviews), §0009.06.03 (Recertification Processing Standards), §0009.06.06 (Recertification Interview), §0011.27.03.01 (Drug Felons - FS), §0011.30.03 (MFIP Transition Period), §0011.30.06 (180 to 60 Days Before MFIP Closes), §0028.30.04 (Post 60-Month Empl. Services Sanctions).

MEDICALLY NECESSARY :

A health service rendered in response to a life-threatening condition or pain; to treat an injury, illness, or infection; to achieve a level of physical or mental function consistent with prevailing community standards for the diagnosis or condition; to care for a mother and child through the maternity period; is a preventative health service; or to treat a condition that could result in physical or mental disability. The provider's professional peer group must recognize the service as the prevailing standard or current practice and consistent with the participant's diagnosis or condition.

MEDICARE :

A federal health insurance program for people who are over 65, disabled, blind, or have permanent kidney failure. Part A covers hospital care, hospice care, and home health care. Part B covers doctor's services, x-rays, laboratory services, and medical supplies.

MENTAL ILLNESS :

An organic disorder of the brain or a clinically significant disorder that seriously limits a person's capacity to function in primary aspects of daily living such as personal relations, living arrangements, work, and recreation.

GA :

A psychological disorder resulting in behavior that limits people from getting, performing, or keeping SUITABLE EMPLOYMENT.

MFIP :

See MINNESOTA FAMILY INVESTMENT PROGRAM.

MFIP EMPLOYMENT SERVICES (MFIP-ES) :

MFIP Employment Services is the name of the program that provides employment services to current and former MFIP participants. See §0028 (Employment Services).

MFIP PARTICIPATION RATE :

An MFIP process measure that tracks the percentage of participants in a given month who are fully engaged in the work or work-related activity requirements of MFIP. This is used with the SELF-SUPPORT INDEX to determine the amount of funds a county or tribe will receive from the CONSOLIDATED FUND. **This measure is based on federal TANF participation rate rules.**

MFIP STANDARD OF NEED :

The appropriate standard used to determine MFIP benefit payments for the MFIP

unit which includes the TRANSITIONAL STANDARD and the SHARED HOUSEHOLD STANDARD. See §0020.09 (MFIP/DWP Assistance Standards).

MIGRANT FARMWORKER UNITS :

Units with people who travel between states or work sites to follow the flow of seasonal agricultural work. Not all members of the unit must work or be in agricultural work but all members must be traveling for this purpose.

MIGRANT WORKER :

A person who travels away from home on a regular basis, usually with a group of other laborers, to seek employment in an agriculturally related activity.

MINIMUM WAGE :

The lowest wage established by law that an employer may pay an employee. See TEMP Manual TE12.05 (Minimum Wage) for the current wage amounts.

MINNESOTACARE :

A premium-based health care coverage program for uninsured Minnesota residents who meet the income guidelines. It is administered by the Department of Human Services. See the Health Care Programs Manual.

MINNESOTA CHILD CARE FOOD PROGRAM :

See CHILD CARE FOOD PROGRAM in §0002.11 (Glossary: Child Care...).

MINNESOTA FAMILY INVESTMENT PROGRAM (MFIP) :

Minnesota's Family Assistance program. The program is both TANF and state-funded. For information on what constitutes a family for MFIP, see §0013.03 (MFIP Bases of Eligibility).

MINNESOTA STATE JOB SERVICE :

See JOB SERVICE in §0002.35 (Glossary: Inventory...).

MINNESOTA SUPPLEMENTAL AID (MSA) :

A state-funded program that provides cash ASSISTANCE to SSI RECIPIENTS, BLIND people, people age 65 or older, and DISABLED people who are age 18 and older.

MINNESOTA VOLUNTARY RECOGNITION OF PARENTAGE :

A form (DHS-3159) printed by the Department of Human Services (DHS) that is used to determine the paternity of a child. This form can only be signed after the child's birth. Notarized signatures of both parents must be on the form. See

ACKNOWLEDGEMENT OF PATERNITY in §0002.01 (Glossary: 1619A...) for additional information.

MINNESOTA WORKING FAMILY CREDIT :

A state tax credit for which low or moderate income individuals and families are eligible if they qualify for the federal EARNED INCOME CREDIT. See EARNED INCOME CREDIT in §0002.19 (Glossary: Early...). The Minnesota Working Family Credit can be applied for by filing a Minnesota income tax return.

MINOR CAREGIVER :

MFIP, DWP :

A person who (a) is under the age of 18 years and not emancipated, and (b) has applied for or receives assistance as a CAREGIVER on behalf of himself or herself and his or her MINOR CHILD. See EMANCIPATED MINOR in §0002.19 (Glossary: Early...).

MINOR CHILD :

A child under age 18.

MFIP, DWP :

A child who lives with PARENTS or other CAREGIVER, is not the parent of a child in the home, and who is 1 of the following:

a. Less than 18 years old.

OR

b. Under the age of 19 and a FULL-TIME STUDENT in a SECONDARY SCHOOL or equivalent level of vocational or technical training, designed to fit students for gainful employment.

SELF (STUDENT EDUCATIONAL LOAN FUNDS) :

State financial aid program for post-secondary students.

SELF-EMPLOYED :

Describes a person who works independently, is a **SOLE PROPRIETOR**, or owns a business in **PARTNERSHIP**.

SELF-EMPLOYMENT :

Employment where people work for themselves rather than an employer, are responsible for their own work schedule, do not have taxes or FICA withheld by an employer, and do not have coverage under an employer's liability or **WORKERS' COMPENSATION** insurance.

SELF-EMPLOYMENT INVESTMENT DEVELOPMENT (SEID) :

A program which waives some MFIP and DWP provisions to allow participants more favorable opportunities to start their own self-employment businesses. SEID is an option for counties. See §0029.33 (Self-Empl. Investment Development (SEID)).

SELF-SUPPORT INDEX :

An MFIP/DWP outcome measure that tracks whether adults are either working 30 or more hours per week or no longer receiving MFIP/DWP cash payments 3 years after the baseline quarter. This is used with the MFIP PARTICIPATION RATE to determine the amount of funds a county or tribe will receive from the CONSOLIDATED FUND.

SEOG (Supplemental Educational Opportunity Grants) :

A federal financial aid program for post-secondary students.

SHARED HOUSEHOLD STANDARD :

MFIP, DWP :

The standard used when unrelated people reside in the same household as the assistance unit and no EXCEPTION is met. See §0002.71 (Glossary: Two Party...), §0020.09 (MFIP/DWP Assistance Standards).

SHARED HOUSEHOLD UNIT :

MFIP, DWP :

An assistance unit living with unrelated people. See UNRELATED MEMBER in §0002.71 (Glossary: Two Party...), §0020.09 (MFIP/DWP Assistance Standards).

SHELTER COSTS :

MFIP :

Rent, manufactured home lot rentals, monthly principal, interest, insurance premiums, and property taxes due for mortgages or contracts for deed costs.

DWP :

See FAMILY MAINTENANCE NEEDS in §0002.23 (Glossary: Fair Hearing...)

FS :

See §0018.15 (Shelter Deductions).

MSA :

Rent; mobile home lot rentals; monthly principal, interest, insurance premiums, and property taxes for mortgages or contract for deed costs; utilities, including heating, cooling, electricity, water, and sewer; garbage removal; and the basic service fee for 1 telephone.

SHELTER DEDUCTION :

FS :

Income deductions based on the unit's shelter expenses. See §0018.15 (Shelter Deductions).

SHELTER FOR BATTERED WOMEN :

See BATTERED WOMEN'S SHELTER in §0002.05 (Glossary: Assistance Standard...).

SIBLINGS :

Brothers and sisters related through birth or adoption to 1 or both parents.

SICK PAY :

Salary or wages an employer pays to or on behalf of an employee who is on sick leave at or below the employee's regular wage.

SIGNIFICANT CHANGE :

MFIP :

The unit's gross earned and/or unearned income for the payment month declines by 37% or more from the gross earned and/or unearned income budgeted in the budget month. See §0008.06.15 (Removing or Recalculating Income), TEMP Manual TE02.13.11 (Significant Change).

FS :

A suspended unit's loss of employment, decrease in hours of work, or loss of a unit member with countable income occurs in the suspension month. See TEMP Manual TE02.13.11 (Significant Change).

SMRT :

STATE MEDICAL REVIEW TEAM. People appointed by the COMMISSIONER to determine disability.

SOCIAL SECURITY :

See RETIREMENT SURVIVORS DISABILITY INSURANCE in §0002.57 (Glossary: Relative...).

SOCIAL SECURITY ACT :

A federal law authorizing such programs as RSDI, TANF, SSI, and MA.

SOCIAL SECURITY ADMINISTRATION :

A federal agency which administers the SSI and RSDI programs.

SOCIAL SECURITY CREDITS :

As a person works and pays taxes, he or she earns Social Security credits. The Social Security Administration gives a maximum of 4 credits in 1 year based on a person's own wages. However, EXCEPT for Title II, SSA also gives additional credits based on the wages of a spouse who is still married to the person (or a spouse who is deceased), and/or based on wages a parent earned while the person was a minor child. The same credits may be attributed to the person with wages and his or her spouse or child. See §0010.18.15.06 (Verifying Social Security Credits).

SOCIAL SECURITY DISABILITY INSURANCE :

The term sometimes used for the disability insurance part of the Retirement, Survivors, and Disability Insurance program. See RETIREMENT, SURVIVORS, AND DISABILITY INSURANCE (RSDI) in §0002.57 (Glossary: Relative...). Also see §0029.06.06 (Retirement, Survivors & Disability Insurance).

SOCIAL SERVICES :

The services included in a county's community social services plan which are administered by the county board as described under Minnesota Statutes, section 256E.03, subdivision 2.

SOLE PROPRIETOR :

A person who is the sole owner of an unincorporated SELF-EMPLOYMENT business.

SPECIAL ADVOCACY SERVICES :

Services to GA CLIENTS to help them apply for SSI. See §0012.12.06 (Special Services - Applying for SSI).

MFIP HARDSHIP EXTENSIONS - REMOVING 1 PARENT

0011.33.02

MFIP: When 1 or both parents in a 2-parent family reach the 60-month limit, the unit has the option to remove a caregiver who DOES NOT meet the criteria for an extension from the grant and continue MFIP for the remainder of the unit. **In that case, treat the assistance unit as a 1-parent unit and calculate the unit's MFIP grant using the Shared Household Standard. See §0020.09 (MFIP/DWP Assistance Standards). Also see §0011.33 (MFIP Hardship Extensions), §0028.30.04.03 (Post 60-Month Sanctions: 2-Parent Provisions).**

The option to remove 1 parent must occur as part of a discussion and decision-making process between the county, the Employment Services Provider, and the participants. The county **MUST NOT** automatically remove a parent.

A parent who is removed from the grant for non-compliance is eligible 1 additional time. A subsequent removal of this parent from the grant for non-compliance will result in permanent disqualification of that parent from MFIP. Only 1 parent may be removed at a time. Removals are counted **PER CAREGIVER** for purposes of determining permanent disqualification of that caregiver from the MFIP unit.

Before removing a non-compliant participant under this policy, you must review the participant's case to determine if the Employment Plan is still appropriate and must make a good faith effort to meet with the participant face-to-face. If the participant does not comply, you must send the participant a notice of adverse action.

REMOVING (DISQUALIFYING) 1 PARENT FROM THE GRANT WHEN BOTH PARENTS REACH MONTH 60 AT THE SAME TIME:

When **BOTH** parents reach month 60 at the same time and are being evaluated for an extension, there are 2 instances when 1 parent may be removed from the grant and MFIP continued for the remainder of the unit:

- **EFFECTIVE MONTH 61:** If 1 of the participants **DOES NOT** meet the requirements for an extension, either caregiver may request to remove (disqualify) that parent from the unit effective month 61. If both parents fail to meet the criteria for an extension, **DO NOT** extend the MFIP case. If extended as employed, the remaining parent must meet the 30/25 hour Employment Services requirement. The Shared Household Standard and deeming provisions apply. Only 1 parent may be removed from the MFIP unit under this provision.
- **AFTER MONTH 61:** Once extended, if either participant is out of compliance with Employment Services requirements, regardless of who has reached month

60 first, either caregiver may request removal of the non-compliant parent from the MFIP grant. Pre 60-month notice requirements apply.

REMOVING (DISQUALIFYING) A CAREGIVER WHEN 1 PARENT REACHES MONTH 60 BEFORE THE OTHER:

There are 3 instances when 1 parent in a 2-parent unit can be removed from the grant when 1 parent reaches month 60 before the other.

- **EFFECTIVE MONTH 61:** If the parent who has reached month 60 does NOT meet the criteria for an extension, either parent may ask to remove (disqualify) the non-compliant parent from the unit. The Shared Household Standard and deeming provisions apply. In this scenario, pre 60-month sanction policies apply to the remaining parent.
- **EFFECTIVE MONTH 61:** If the parent who has reached month 60 is requesting an extension and is in compliance with MFIP requirements, but the parent who has NOT reached month 60 is NOT in compliance, the non-compliant parent, at either caregiver's request, can be removed (disqualified) effective month 61. This parent may reapply and be removed 1 additional time before he/she is permanently disqualified from MFIP. If the non-compliant parent who has not reached month 60 is not removed, post 60-month ES sanctions apply.
- **AFTER MONTH 61:** Once extended, if either caregiver is out of compliance with Employment Services requirements, regardless of who has reached month 60 first, either caregiver may request removal of the non-compliant caregiver. Pre 60-month notice requirements apply.
 - If the parent who is removed after month 61 has reached month 60, and the remaining parent has not, then pre 60-month sanction policies apply to the remaining parent.
 - If the parent who is removed after month 61 has NOT reached month 60, and the remaining parent has, then post 60-month sanction policies apply to the remaining parent.
 - If both parents have reached month 60, then post 60-month sanction policies apply to the remaining parent.

The removed caregiver may be added back to the grant 1 additional time before being permanently disqualified from MFIP.

DHS COMBINED MANUAL

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MFIP HARDSHIP EXTENSIONS - REMOVING 1 PARENT

0011.33.02

DWP, FS, MSA, GA, GRH:

No provisions.

MFIP EMPLOYED EXTENSION CATEGORY**0011.33.03**

MFIP: See §0011.30 (60-Month Lifetime Limit) for an explanation of the 60-month lifetime limit and exceptions. See §0011.33 (MFIP Hardship Extensions) for general information and requirements for hardship extensions.

Also see §0011.33.03.03 (Limited Work Due to Illness/Disability), §0011.33.06 (MFIP Hard to Employ Extension Category), §0011.33.06.03 (MFIP Family Violence Extension Category), §0011.33.09 (MFIP Ill/Incapacitated Extension Category).

To be eligible for the “employed” extension category, the participant(s) must be in compliance 10 out of the last 12 months immediately preceding the participant’s 61st month, and meet the ALL following conditions:

1-PARENT UNITS:

- The participant must be in compliance with all program requirements in the 60th month. Being in compliance means the participant is not in sanction for non-cooperation with ANY MFIP program requirement, including non-cooperation with child support. Only consider the months that the participant actually received MFIP (cash OR food portion).

AND

- The participant must participate in work activities at least 30 hours per week per month, 25 of which on average must be employment. Participants must meet minimum work requirements, and they are NOT exempt from ES requirements.

When the participant has accepted a job that begins during the 60th or 61st month, there must be a reasonable expectation that the participant will work an average of 30 hours per week (or 25 hours of work plus 5 hours of another work activity) in the upcoming month. DHS recommends that the decision be based on the participant’s current employment situation and/or employment offer.

2-PARENT UNITS:

- The participant(s) must be in compliance with all program requirements in the 60th month. If BOTH parents reach month 60 at the same time, they both MUST be in compliance in the 60th month. If 1 or both parent(s) are not in compliance in month 60, the unit is not eligible for an extension. Being in compliance means the participant(s) is not in sanction for non-cooperation with ANY MFIP program requirement, including non-cooperation with child support. Only consider the months that the participant(s) actually received MFIP (cash OR food portion).

MFIP EMPLOYED EXTENSION CATEGORY

0011.33.03

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- When both parents reach month 60 at the same time, both parents must be in compliance 10 out of the last 12 months. If 1 parent does not meet this requirement, the unit has the option to remove (disqualify) that caregiver and extend the remainder of the unit under the employed category. Use the Shared Household Standard and deem the disqualified caregiver's income to the MFIP unit members. The remaining caregiver in the unit must participate in at least 30 hours of work activities per week, of which an average of at least 25 each week must be employment. See §0011.33.02 (MFIP Hardship Extensions - Removing 1 Parent).
 - When only 1 parent in a 2-parent unit has reached month 60, only that parent must be in compliance 10 out of the last 12 months. If he/she does not meet this requirement, the unit has the option to remove (disqualify) him/her and extend the remainder of the unit under the employed category. Use the Shared Household Standard and deem the disqualified caregiver's income to the MFIP unit members. The remaining caregiver in the unit who has not reached month 60 does not need to meet extension criteria until he/she reaches month 60. See §0011.33.02 (MFIP Hardship Extensions - Removing 1 Parent).

NOTE: If the participant who has NOT reached month 60 is also employed, the combined minimum **hours of participation** for the 2-parent family is 55 hours a week, of which 45 must be employment. **This calculation is not the same as the calculation used for the MFIP participation rate. For more information see the MFIP Employment Services Manual**

- When only 1 parent qualifies for the employed extension and the other parent is extended in another category, the employed parent must be participating in at least 30 hours of work activities per week, of which an average of at least 25 each week must be employment.
- The participants must participate in work activities at least 55 hours per week per month, 45 of which on average must be employment. Hours may be divided between the 2 parents in any way that works for that unit's particular situation and should be documented in the Employment Plan. These participants must meet minimum work requirements, and they are NOT exempt from ES requirements.

When a participant in a 2-parent unit has accepted a job that begins during the 60th or 61st month, there must be a reasonable expectation that the participants will work an average of 55 hours per week (or 45 hours of work plus 10 hours of another work activity) in the upcoming month. DHS recommends that the decision be based on the participant's current employment situation and /or employment offer.

In some instances 2-parent units failing to comply with Employment Services requirements, and thus facing a disqualification from MFIP, may have the option to remove the non-compliant caregiver from the grant and continue MFIP for the remainder of the unit. See §0011.33.02 (MFIP Hardship Extensions - Removing 1 Parent) for more information.

LOSS OF EMPLOYMENT

If the loss of employment is involuntary (for example, layoffs including seasonal work) the participant is not subject to the hourly employment requirement for 1 month (30 days), but must meet all remaining requirements in the participant's Employment Plan. In cases where participants claim an involuntary loss of employment that is not documented, have them sign a statement that they are unemployed through no fault of their own. Counties and ES providers have flexibility to do as much verification as they deem necessary. Falsifying the statement will result in a sanction.

If the loss of employment is voluntary or if the participant fails to meet the hourly requirements for more than 30 days after the last date of employment, begin the post 60-month sanction process.

The 1-month exemption provision is available to a 1-parent assistance unit twice (separate incidents) in a 12-month period. The 1-month exemption provision is available to a 2-parent assistance unit twice per parent in a 12-month period.

If a participant has been in sanction for 3 or more of the 12 months immediately preceding the 61st month and is able to document that the sanction was incorrectly applied or that he/she had good cause for the non-compliance, consider the participant in compliance for the purpose of establishing eligibility for an employed hardship extension. Considering the participant in compliance under this item IS an adjustment of a previous sanction period. However, DO NOT recalculate benefits or issue supplements unless the participant submitted a timely appeal.

If a participant is complying with a child protection plan, the number of hours required under that plan counts toward the number of hours of employment required in the employed extension category.

For purposes of the employed extension category, employment means:

- Subsidized private sector or public sector employment, including Grant Diversion.
- Unsubsidized employment.
- On-the-job training.
- Apprenticeship.
- Work study.

OR

- A combination of any of the bulleted items above.

OR

- Providing child care services to another participant who is working in a community service program, if it is in combination with paid employment.

Participants who have verification from their health care provider that the number of hours they may work is limited due to illness or disability may qualify for an MFIP hardship extension as long as they work at least the number of hours specified by the health care provider. See §0011.33.03.03 (Limited Work Due to Illness/Disability).

DWP, FS, MSA, GA, GRH:

No provisions.

See §0016.18 (Income of Incl. Parent/Guard. of Minor Crgvr).

MFIP, DWP:

Household Size	Monthly Standard (Effective 3/1/06)
1	\$1,633
2	\$2,200
3	\$2,767
4	\$3,333
5	\$3,900
6	\$4,467
7	\$5,033
8	\$5,600
9	\$6,167
10	\$6,733
Each add'l person	\$ 567

FS, MSA, GA, GRH:

No provisions.

Determine if income is available or unavailable. Income is available when:

- Received by the client.
- Received by someone for the client and available to the client. However, for some programs, when a person who does not live with the client receives the client's RSDI checks, special provisions apply. See §0017.15.45 (Income From RSDI and SSI).
- Wages are withheld as a result of a garnishment, deemed income to the unit, or court ordered child/spousal support. See §0016 (Income From People Not in the Unit), §0018.33 (Child and Spousal Support Deductions).
- Withheld by the employer at the client's request.

Income is unavailable when the client cannot gain access to the income. For example, wages are unavailable when an employer owes wages to, but refuses to pay, a client.

For some programs, student financial aid is considered available when the client signs or receives the award letter, not when money is actually disbursed. See §0017.15.36.03 (When to Budget Student Financial Aid).

Do not count unavailable income.

MFIP, DWP, MSA, GA:

Clients must try to gain access to unavailable income as a condition of eligibility, unless they can document that the income is permanently unavailable.

Deduct the costs of securing unearned income, such as legal fees, medical fees, withdrawal penalties, and mandatory deductions (such as federal and state income taxes). Deduct work expenses and disregards from earned income.

Deny or terminate assistance when clients fail to cooperate in gaining access to the income.

Disregard income received before the month of application, regardless of the period it was intended to cover.

Periodic income received by a participant during or after the month of application is considered available and must be converted to monthly amounts. See §0017.09 (Converting Income to Monthly Amounts). Some income, such as casino profits,

can be received on a monthly, quarterly or annual basis. Budget income that participants have the option to receive on a monthly basis as monthly income even if they access it on a less than monthly basis.

For self-employment income received before the month of application, see §0017.15.33 (Self-Employment Income), §0017.15.33.03 (Self-Employment, Convert Inc. to Monthly Amt), §0017.15.33.24 (Self-Employment Income From Farming).

Do not allow a deduction from income when part of the income is being withheld to repay a debt or obligation, unless the income is being reduced to recover a prior overpayment from the same income source. (For example, a VA payment of \$400 is reduced by \$150 due to a prior VA overpayment; in this case, count only \$250.)

FS: Follow general provisions. In addition, count the following as available income:

- Transitional housing payments for the homeless which are designated for a specific household. See TRANSITIONAL HOUSING in §0002.67 (Glossary: Third...).
- The amount **that is being recouped from** RSDI, UC, WC, VA, or other entitlement **program**, due to adjudicated fraud. Do not count amounts being recouped when there is no fraud.

Do not count fees paid from SSI/RSDI to organizational representative payees as income.

GRH: Follow general provisions.

SELF-EMPLOYMENT INCOME FROM ROOMER/BOARDER**0017.15.33.27**

If a client receives payments for lodging, meals, or related services from people living in the client's home, the income is roomer/boarder income. Units with roomer/boarder income are self-employed. Count the income as earned income.

- A roomer lives with the unit and pays for lodging only.
- A boarder eats with the unit and pays for meals only.
- A roomer and boarder lives AND eats with the unit and pays for lodging AND meals.

Roomer/boarder income is different from rental property or from shared living expense income. For information on rental property income, see §0017.15.33.30 (Self-Employment Income From Rental Property). For information on shared living expense income, see §0017.06 (Excluded Income).

MFIP, DWP:

Allow a flat rate deduction for each roomer, boarder, and roomer/boarder:

- Roomer: \$71 per month.
- Boarder: \$152 per month (the Thrifty Food Plan amount for 1).
- Roomer/boarder: \$223 per month (the roomer rate plus the Thrifty Food Plan amount for 1).

If there is more than 1 boarder (or roomer/boarder), use the total number of boarders as the unit size in determining the Thrifty Food Plan amount. See the Food Support provisions of §0022.12.01 (How to Calculate Benefit Level - FS/MSA/GRH).

Subtract the flat rate deduction for each roomer, boarder, and roomer/boarder from total roomer/boarder income to get gross roomer/boarder self-employment income.

FS: Allow the following expenses for a roomer/boarder:

- Roomer: The verified expense of providing the room. See the general provisions of §0017.15.33.30 (Self-Employment Income From Rental Property) for instructions on how to determine the expense.
- Boarder: The verified expense of providing the food or the Thrifty Food Plan. For Thrifty Food Plan amounts, see §0022.12.01 (How to Calculate Benefit

Level - FS/MSA/GRH).

- Roomer and boarder: **The verified expense of providing the room and the Thrifty Food Plan amount or the verified expense of providing the food, whichever is greater.** For the Thrifty Food Plan Amounts, see §0022.12.01 (How to Calculate Benefit Level - FS/MSA/GRH).

If there is more than 1 boarder, use the total number of boarders as the unit size in determining the Thrifty Food Plan amount.

Deduct the allowable expenses, up to the amount of the income, to get gross self-employment income. For treatment of boarders who pay less than the Thrifty Food Plan amount for food, see §0014.03.06 (Determining the Food Support Unit), §0022.12.01 (How to Calculate Benefit Level - FS/MSA/GRH).

MSA: Allow the following expenses for a roomer/boarder:

- Roomer: The verified expense of providing the room.
- Boarder: The verified expense of providing the food.
- Roomer and boarder: The verified expense of providing the room and board.

Deduct the allowable expenses, up to the amount of the income, to get gross self-employment income.

GA: Allow a flat rate deduction for each roomer/boarder:

- Roomer: \$71 per month.
- Boarder: \$86 per month.
- Roomer and boarder: \$157 per month.

Subtract the flat rate deduction for each roomer/boarder from total roomer/boarder income to get gross self-employment income.

GRH: Follow MSA for aged, blind, or disabled clients. Follow GA for all other adults.

STANDARD UTILITY ALLOWANCE

0018.15.18

MFIP, MSA, GA, GRH:

No provisions.

DWP: Allow actual verified utility expenses and the flat rate of \$35 for telephone service, if applicable, in determining the amount of the grant. See §0022.12 (How to Calculate Benefit Level - MFIP/DWP/GA).

FS: Allow the single utility standard of \$305 only for:

- Units that incur expenses for heating and/or cooling.
- Units on the Low Income Home Energy Assistance Program (LIHEAP), regardless of whether they incur expenses for heating and/or cooling.

The standard includes heating, cooling, electricity, water, sewer, garbage, and phone.

For units billed for neither heating nor cooling:

- Deduct the electric standard of \$75 per month for units billed for electricity.
- Deduct the phone standard of \$25 per month for units billed for phone service. Do not allow actual phone expenses.
- Allow actual, verified costs for units billed for the cost of cooking gas, water, sewer, or garbage collection. See §0018.15.12 (Actual Utility Deductions).

Do not prorate the standard utility allowance when all unit members who share utility expenses are not part of the FS unit because they are ineligible. Allow the full standard utility allowance.

Send the written request for an appeal to the appeals office within 5 working days of receiving the client request.

Send the appeal summary to the client and the appeals office at least 3 working days before the date of the hearing.

Before the hearing, offer the client an agency conference to resolve the appealed issue informally. The conference must include a supervisor or the agency director. If the conference resolves the issue, ask the client to sign a written request to withdraw the appeal. Do not delay sending the appeal request to the Appeals Office pending an informal conference.

To allow for proper notification, the Appeals Office normally holds hearings at least 5 days (10 for FS) after it receives the appeal notice. Hearings can be held sooner if the client and referee consent. The referee may conduct a hearing face to face, or by telephone if the client agrees. County agencies must have equipment necessary to conduct telephone hearings (such as a telephone speaker attachment).

Summarize the issues (including timeliness) and county actions leading to the appeal on the State Agency Appeal Summary form (DHS-0035). Provide copies to the client and DHS. The client may give additional evidence at the hearing. Evidence given at the hearing is the basis for the referee's recommendation and the commissioner designee's decision.

The referee recommends an order to the commissioner designee, who then issues an order affirming, reversing, or modifying the action of the agency or DHS. If the commissioner designee disagrees with the referee's recommendation, each party has 10 days to present additional written arguments. The commissioner designee then issues a decision.

The client or the county agency may ask the commissioner designee to reconsider within 30 days after the date the commissioner designee issues the order. A request to reconsider should state the reasons the dissatisfied party believes the original order is incorrect. The commissioner designee may reconsider an order upon request of either party or on the commissioner designee's own motion, and will then issue an amended order or an order affirming the original order. The original order takes effect even if there is a request to reconsider.

The client or the county agency may also appeal to district court within 30 days after the date the commissioner designee issues, amends, or affirms an order. Either party may also appeal to district court to enforce an appeal decision.

The commissioner designee can order that the client receive benefits during the entire time of appeal.

MFIP, DWP, MSA, GA, GRH:

Follow general provisions.

FS: Clients may also orally withdraw their request for a hearing. Send the client a notice indicating that you have withdrawn their request for a hearing per their oral request.

If a client requests an agency conference to contest a denial of expedited benefits, schedule it within 2 working days of the denial.

UNIVERSAL PARTICIPATION PROVISIONS

0028.06.02

MFIP: Universal Participation requires all caregivers receiving assistance to be engaged in Employment Services, with the exception of participants with a natural born child under the age of 12 weeks regardless if the child's needs are included in the grant. This is an option and assistance units are not required to choose this option if it would not be advantageous for them to do so. Some participants who have barriers to employment will need a modified plan. See §0028.15 (Employment Plan (EP)).

NOTE: Universal Participation does not apply to caregivers extended beyond 60 months. Post 60-month ES policies pertaining to who is required to participate and develop an Employment Plan and who is exempt are unchanged.

EXCEPTION TO UNIVERSAL PARTICIPATION REQUIREMENTS

Under the law there is a time-limited exception from Universal Participation for caregivers with a natural born child under 12 weeks of age regardless if the child's needs are included in the grant (for example, a child under family cap) if the assistance unit has NOT already used this exception or all the months of the previous ES exemption allowed for a child under 1 year of age.

The **child under 12 week** exception ends the first full month after the child reaches 12 weeks of age. This provision is available only once in a caregiver's lifetime and only for 1 child. The exception may not be split between births. In a 2-parent household only 1 parent may use this exception.

REFERRAL PROCESS

Refer all caregivers for MFIP to Employment Services following the county's normal referral process unless the caregiver meets the child under 12 week exception.

In the first full month after the child reaches 12 weeks of age (when the participant no longer meets the child under 12 weeks exception) refer the participant to ES. The participant must meet with the job counselor and develop or revise his or her existing Employment Plan within the first 10 days of the month after the month the child reaches 12 weeks of age. Until the Employment Plan is developed, consider the participant in compliance with the participation requirements as long as the participant is cooperating with development of an EP.

Although MFIP Employment Services requirements changed on July 1, 2004 for families formerly exempt, their "special circumstances" may continue to impact

UNIVERSAL PARTICIPATION PROVISIONS

0028.06.02

their MFIP, Food Support and MA. Continue to enter the same data on the STAT/EMPS panel in MAXIS for applicants and participants as you have in the past even though the participant's circumstances no longer exempts them from participation with ES.

For example, if an applicant or participant meets special medical criteria, follow the same verification and documentation process as prior to the change in law, and continue to code MAXIS the same way as in the past.

DWP: Follow MFIP, EXCEPT a 1-parent family that includes a child under 12 weeks of age is not eligible for DWP, unless the parent previously used the child under 1 exemption or the child under 12 weeks exception.

For a caregiver in a 2-parent family not excluded from DWP who has a child under 12 weeks of age, this exception is available once and is not allowed if the family has used all the months of the MFIP child under 1 year exemption or the child under 12 weeks exception. Only 1 caregiver in a 2-parent family is eligible. Refer the caregiver to Employment Services (ES) the 1st full month after the child reaches 12 weeks of age. For additional information, see §0028.15 (Employment Plan (EP)).

FS, MSA, GA, GRH:
No provisions.

MFIP, DWP, MSA, GA, GRH:

No provisions.

FS: The following people are exempt from mandatory FSET participation:

- People exempt from Food Support work registration under §0028.06.12 (Who Is Exempt From FS Work Registration).
- Participants of any of the following cash assistance programs:
 - Minnesota Family Investment Program (MFIP).
 - Diversionary Work Program (DWP). See §0028.06.03 (Who Must Participate in Empl. Services/FSET).
 - Minnesota Supplemental Aid (MSA).
 - Refugee Cash Assistance (RCA).
 - General Assistance (GA).
- Children under age 18.
- People age 50 or older.
- People providing home schooling to a child and in compliance with state reporting requirements for home schooling. If compliance is questionable, contact the superintendent of the local school district to verify.
- People who reside in an ABAWD exempt county **or resides on an ABAWD exempt reservation**. See §0011.24 (Able-bodied Adults) and **TEMP Manual TE02.05.69 (ABAWD FSET Exempt Counties)**.
- **Participant responsible for a unit member under the age of 18, even if the member is not eligible for Food Support (FS).**

Redetermine the client's exemption status at least annually.

PRE 60-MONTH TYPE/LENGTH OF ES SANCTIONS

0028.30.03

For information on whether or not to sanction clients, see §0028.30 (Sanctions for Failure to Comply - Cash), §0028.20 (Failure to Comply - FSET). For information on sanctions for refusing or terminating suitable employment, see §0028.18.03 (Suitable Work/Unsuitable Work), §0028.30.09 (Refusing or Terminating Employment).

MFIP: This section applies to participants who have not reached their 60-month lifetime limit as specified in §0011.30 (60-Month Lifetime Limit). For information on participants who have reached their 60-month lifetime limit and qualify for a hardship extension, see §0011.33 (MFIP Hardship Extensions). For sanction information, see §0028.30 (Sanctions for Failure to Comply - Cash), §0028.30.04 (Post 60-Month Empl. Services Sanctions).

Effective 7-1-03, sanctions count towards closure of the MFIP case. A participant will have his or her case closed at the 7th occurrence of non-compliance. The count toward closure does **NOT** start over, even if the participant goes off assistance, comes into compliance, and remains in compliance. Use the STAT/SANC panel to track occurrences of non-compliance.

Each month that a participant fails to comply with a requirement is considered a separate occurrence of non-compliance. **However, if both participants in a 2-parent assistance unit are out of compliance at the same time, it is considered 1 occurrence of noncompliance.**

- **FOR THE 1ST OCCURRENCE OF NON-COMPLIANCE:** **by a participant(s) in an assistance unit, reduce the assistance unit's grant by 10 percent of the MFIP standard of need for an assistance unit of the same size with the residual grant paid to the participant. The reduction in the grant amount must be in effect for a minimum of 1 month. Remove the reduction in the month following the month that the participant(s) returns to compliance.**

- **FOR THE 2ND - 6TH OCCURRENCE OF NON-COMPLIANCE:** Vendor pay the shelter costs up to the amount of the cash portion of the grant. At county option, you may vendor pay utilities up to the amount of the cash portion of the grant. Vendor payment rules apply beginning with the 2nd occurrence of child support sanctions. Non-compliance with child support also counts toward the 7 occurrences and may lead to a 100% sanction. See §0012.24 (Child Support Sanctions, §0024.09 (Protective and Vendor Payments) for procedures to use when the information necessary to vendor pay is not on file and the vendor refuses to accept partial payment.

PRE 60-MONTH TYPE/LENGTH OF ES SANCTIONS

0028.30.03

The residual amount of the cash grant after vendor payment, if any, and the food portion must be reduced by an amount equal to 30% of the Transitional Standard or Shared Household Standard, whichever applies for the family's size.

The reduction in the grant must be in effect for a minimum of 1 month and must be removed the month after the month the participant returns to compliance. In a 2-parent household, remove the grant reduction in the month following the month **both** participants return to compliance.

Continue to vendor pay the shelter (and utilities, if applicable) for 6 months after the month in which the participant(s) return to compliance.

NOTE: If the participant comes into compliance between occurrences and the next occurrence results in a change in benefit amount, issue a notice of adverse action. Participants must comply on or before 10 days prior to the effective date of the sanction in order to cure the sanction.

- **FOR THE 7TH OCCURRENCE OF NON-COMPLIANCE:** Close the MFIP case (100% sanction). Closure during the first 60 months is NOT permanent. The case must be closed for 1 full month but can be reopened after 1 month if the participant demonstrates compliance for up to 1 month.

The Employment Services Provider must attempt a face-to-face meeting prior to case closure. Review the participant's case file to determine if:

- The continued non-compliance can be explained by providing a needed pre-employment activity. This includes activities such as volunteer work, literacy programs and related activities, citizenship and English as a second language classes, or participation in dislocated worker services, chemical dependency treatment, mental health services, peer group networks, displaced homemaker programs, parenting education, or other programs designed to help families reach their employment goals and enhance their ability to care for their children.

OR

- The participant qualifies for a good cause exception.

If the lack of an identified activity can explain the non-compliance, the provider must work with the participant to provide the activity. Also, the county must restore the participant's grant amount to the full amount retroactive to the 1st day in which the participant was found to lack pre-employment activities or to

qualify for a good cause exception. If the participant's grant is restored, remove the vendor payment of shelter (and utilities), if applicable.

A 2-parent assistance unit gets a **total** of 6 occurrences before closure. For example: if Mom has 3 occurrences and Dad has 3, the next (7th) occurrence results in case closure. However, if both parents in a 2-parent assistance unit are out of compliance during the same month, it counts as 1 occurrence.

Closure for non-compliance does **NOT** make the participant ineligible for Food Support, if otherwise eligible. Determine eligibility for Food Support at the time of closure. Case closure also does not affect health care eligibility.

If a case that has been closed for non-compliance is reopened and has another occurrence of non-compliance, sanction the case at 30%. A subsequent occurrence of non-compliance for a case reopened after closure for non-compliance will result in case closure.

FOR DUAL SANCTIONING: Impose sanctions as follows for participants who refuse to comply with child support requirements AND have a concurrent sanction for failure to attend orientation or to develop or to comply with their Employment Plan:

- If the child support non-compliance and other program non-compliance occur in the SAME month, reduce the Transitional Standard or Shared Household Standard and MFIP food portion, whichever applies, by 30% for the 1st month, then vendor pay shelter costs (and utilities, if applicable) for the 2nd month.
- The participant remains subject to vendor payments and 30% sanction until BOTH issues of non-compliance have been resolved.

DWP, MSA, GA, GRH:

No provisions.

FS: See §0028.30.06 (Type/Length of FSET Sanctions).

TYPE/LENGTH OF FSET SANCTIONS

0028.30.06

For information on whether or not to sanction clients, see §0028.20 (Failure to Comply - FSET), §0028.06.10 (Who Is Exempt From FSET). For information on sanctions for refusing or quitting suitable employment, see §0028.18.03 (Suitable Work/Unsuitable Work), §0028.30.09 (Refusing or Terminating Employment). For information on drug felony sanctions, see §0011.27.03 (Drug Felons), §0011.27.03.01 (Drug Felons - FS).

MFIP: See §0028.30.03 (Pre 60-Month Type/Length of ES Sanctions), §0028.30.04 (Post 60-Month Empl. Services Sanctions).

DWP, MSA, GA, GRH:

No provisions.

FS: The following provisions apply to non-PA mandatory FSET participants who fail to participate, cooperate, accept employment, or voluntarily quit suitable employment while participating in FSET. When a mandatory participant fails, without good cause, to comply with FSET requirements, determine if you must sanction only the client or the entire unit.

- If the client is NOT the principal wage earner (PWE), sanction ONLY the client.
- If the client is the PWE, sanction the entire unit. (Note that during a sanction the unit cannot designate someone else as the PWE simply to avoid the sanction.)

See §0028.03.06 (Determining FS Principal Wage Earner).

Apply the length of the sanction for each occurrence as follows:

- **FOR THE 1ST OCCURRENCE:** Loss of FS for 1 month or until compliance, whichever is longer.
- **FOR THE 2ND OCCURRENCE:** Loss of FS for 3 months or until compliance, whichever is longer.
- **FOR THE 3RD AND ANY SUBSEQUENT OCCURRENCE:** Loss of FS for 6 months or until compliance, whichever is longer.

The sanction begins on the date specified in the county agency's 10-day notice to the participant. See §0026.12.03 (10 Day Notice).

Apply the sanction policy until the client does 1 of the following:

- Serves the sanction period and reapplies for FS.

- Leaves the unit's home.
 - If a unit member who failed to comply joins another unit as that unit's PWE, the entire new unit is ineligible for the rest of the disqualification period.
 - If a unit member who failed to comply joins another unit where that person is NOT the PWE, ONLY that person is ineligible.
 - If a unit is disqualified because the PWE failed to comply and a new person who has not committed any violations joins the unit as the PWE, end the disqualification for the other unit members. Require a new application and prorate benefits from that date.
- Becomes exempt from **work registration or** FSET participation.

When an FSET sanction ends, see §0008.06.07 (Adding a Person to the Unit - FS).

REFUSING OR TERMINATING EMPLOYMENT

0028.30.09

MFIP: Sanction participants for failure to accept suitable employment or for terminating suitable employment, ONLY if they are enrolled in MFIP Employment Services (MFIP-ES). See §0028.18.03 (Suitable Work/Unsuitable Work).

When participants extended under the “employed” or “limited work due to illness/disability” category involuntarily lose employment, allow a 1-month exemption from meeting hourly employment requirements. See §0011.33.03 (MFIP Employed Extension Category), §0011.33.03.03 (Limited Work Due to Illness/Disability).

When a job counselor determines that a sanction is appropriate for failure to accept or terminating suitable employment, the job counselor will notify the financial worker using the Status Update Form (DHS-3165). When you get the Status Update Form, send the participant a Notice of Adverse Action (NOAA). See §0028.30 (Sanctions for Failure to Comply - Cash).

DWP: Disqualify family units when a participant(s) fails to accept suitable employment or terminates suitable employment without good cause. See §0028.18 (Good Cause for Non-Compliance--MFIP/ DWP).

FS: Federal regulations specify that households will be subject to disqualification from receipt of FS benefits if the PWE or a non-PWE, without good cause, quit employment of 30 or more hours per week (or employment that weekly paid a wage equal to 30 hours times federal minimum wage) within 60 days of applying for FS benefits.

Sanction only the client when a non-PWE fails to participate, cooperate, accept employment, or voluntarily quits suitable employment within the 60 days before application or while receiving FS.

In the case of an applicant PWE who is determined to have quit employment without good cause, the household’s eligibility will be denied and the household will be disqualified from receiving Food Support benefits for 90 days, starting from the date of quit. For a non-PWE applicant, disqualify only the individual for 90 days from the date of quit.

In the case of a participant PWE who is determined to have quit employment without good cause, the household must be disqualified from receiving Food Support benefits for 3 calendar months, starting with the 1st of the month following timely notice. If you are unable to disqualify the unit for 3 months because the quit or determination of the quit occurs in the last month of the certification, cite

REFUSING OR TERMINATING EMPLOYMENT

0028.30.09

overpayments for Food Support issued the month following the month the PWE quit. Apply this provision to non-PWE participants but only disqualify the individual.

This provision does not apply if the client meets any of the following:

- The PWE is exempt from **work registration**, EXCEPT that the exemption for a person working 30 or more hours per week may not be used in this situation.
- The PWE quit self-employment.
- The PWE reduced his or her hours while working for the same employer, or quit a job at the employer's demand. However, a federal, state, or local government employee who is dismissed because of participating in a strike is considered to have quit employment.
- The PWE accepted equivalent employment.

A PWE disqualified for quitting a job carries the sanction from 1 assistance unit to another if the person joins another unit as that unit's PWE.

Once started, the disqualification period runs without interruption unless any of the following happen:

- The PWE returns to the same job.
- The PWE accepts equivalent employment.
- A new member joins the unit as the unit PWE.
- The PWE becomes exempt from **work registration** for a reason other than receiving unemployment compensation.

MSA, GA, GRH:

No provisions.