



NC Department of Health and Human Services

Work First Sanctions Public Health Emergency (PHE) Lifting

Continuous Quality Improvement Specialist

April 2023

Agenda

- **Housekeeping**
- **Review of DCDL**
- **Previously submitted questions**
- **Post PHE Process**

DCDL REVIEW

[Work First Cash Assistance COVID-19 Federal Public Health Emergency \(PHE\) Ends - Action Needed](#)

NC FAST will generate two reports which can be found on the home page of NC FAST Help.

- **“Active Work First Sanctions” with cases with future dated sanctions**
- **“Cash Assistance Extension Report” regarding time limits.**
- **Case managers should review the report and send an appointment notice (DSS 8189) to review the reason for the sanction.**
- **Customers will have until 5/31/2023 to comply.**
- **If customer remains non-compliant the waiver will lift 6/30/23 with a sanction date of 7/1/2023.**

Sanctions Background

Follow WF Policy Section 120

Work First participants may be sanctioned for non-compliance with program requirements with any of the four categories below:

- 1. Failure to cooperate with Child Support Services**
- 2. Non-compliance with the provisions of the Mutual Responsibility Agreement (MRA)**
- 3. Failure to cooperate with the Substance Use Screening and Testing Requirement**
- 4. Intentional Program Violation (IPV)**

Although the goal of Work First is not to sanction families, sanctions are used to emphasize and promote the importance of personal responsibility. While a family under a sanction will not receive their monthly benefit payment, they remain eligible for Work First Services that may assist in achieving compliance.

Previously Submitted Questions

Question

- **Will counties receive reports needed to identify cases impacted by the PHE lifting?**

Answer

- **Yes, NC FAST will generate a report of cases with future dated sanctions entered (1/1/9999).**
- **There will also be a report generated which identifies cases with extension evidence entered.**
- **Reports will be available on the home page in FAST Help.**

Submitted Questions Con't

What if the customer has COMPLIED with the sanction?

Case manager should cancel the 1/1/9999 sanction and a case note should be entered on the Income Support explaining why the sanction was cancelled.

Submitted Questions Con't

Question

- **What if the customer remains NON-Compliant with the same sanction?**

Answer

Case Manager must edit the sanction effective date. Send an Adequate Notice and determine if good cause exists

Refer to Creating or Disregarding an Active Sanction Job Aid in NC Fast Help

Submitted Questions Con't

Question

What if the customer has a new and different sanction that needs to be initiated after the PHE has ended?

Answer

The case manager should add the new sanction with an effective date of 7/1/2023.

Refer to “Creating or Disregarding an Active Sanction” Job Aid in N C FAST Help

Submitted Questions Con't

How long does the customer have to comply?

The Public Health Emergency ends 5/11/2023. Customers have until 5/31/2023 to come into compliance. If customers are non-compliant after this date, the waivers will lift at the end 6/30/2023 and cases will have a sanction date effective 7/1/2023.

Workers should follow the “Creating or Disregarding an Active Sanction” Job Aid and use a start date of 7/1/2023 for cases that are not in compliance.

Submitted Questions Con't

After the PHE has ended will NC FAST send notices for cases or will the case manager have to send a notice?

NC FAST will not send a notice regarding the future dated sanctions. If the sanction remains in place, the case manager would issue an adequate notice.

Submitted Questions Con't

Question

- **Is the NC DHHS Social Services Guidebook for COVID 19 Waiver Ending still relevant?**

Answer

- **Although guidance provided in the “Transition Guidance for Administrating Social Services After COVID 19 Waivers End” was provided, the guidance for case managers has changed.**
- **Please follow the guidance in Dear County Director Letter EFS-WF-02-2023 issued 4/12/2023 for the process of how to proceed with the ending of the PHE.**

Child Support Sanctions



Child Support Sanctions apply to both Child-only and Work First Benefits cases.

Child Support Sanctions

- **Child Support sanctions are also referred to as IV-D sanctions.**
- **Parents or caretakers must cooperate with Child Support Services to establish paternity, if necessary, and to secure child support for the children in their care who receive WFFA.**
- **Parents or caretakers who without good cause, do not cooperate with Child Support Services, the entire family will be ineligible for a WFFA payment for one month or until compliance, whichever is later.**

Child Support Sanctions Con't

During the PHE, families with ongoing cases were not required to cooperate with Child Support. After 5/31/2023, any application and ongoing case who is in non-cooperation status is subject to this sanction effective July 1, 2023.

- The Child Support Services agency determines non-cooperation and will notify the Work First case manager when a sanction must be applied and when a sanction should end.**
- Action to apply the sanction must be initiated within ten workdays from notification.**
- The notification date from ACTS is the effective date from the Details tab. The worker will receive a task from ACTS to review the Data Sent from ACTS on the Income Support Case.**

Child Support Sanctions Con't

- **MRA-A (DSS-6963A) serves as timely notice of termination of cash payments for both child only and Work First Benefits (WFB) cases.**
- **For child only cases, the sanction will begin the following month after the sanction is keyed.**
 - **For example:**
 - **Child only case: Payment issued 8/1/2023, worker receives notification of non-compliance 8/11/2023 and sends the adequate notice within the ten-day time period. The sanction will be effective 9/1/2023.**

Child Support Sanctions Con't

- **For WFB cases, the worker will not issue the payment for the month of non-cooperation.**
 - **For example:**
 - **Work First Benefit case: Worker receives notification of noncompliance 8/11/2023 and sends the adequate notice within the ten-day time period. The sanction will be effective 8/1/2023- due to pay after performance payment rules.**
- **No additional payments will be issued until Child Support Enforcement verified the adult's cooperation**
- **Key the sanction following the “Creating a Sanction” job aid located in FAST Help.**
- **If a customer has not complied with the Work First case will terminate.**

Child Support Sanctions Con't

- **After the sanction is imposed in NC FAST, apply the change and review the change decision. If correct, accept the change decision and the case will terminate at the end of the month. The family may reapply if they wish to continue to receive cash assistance. However, the family must cure the sanction in order to re-establish eligibility.**
- **Please note that, unless the non-cooperation notification is in error, the Work First case manager should not issue the payment for the month of non-cooperation for Work First Benefit cases. Once the Child Support agency has determined non-cooperation for a Work First Benefit case, at least one assistance payment must be missed.**

Child Support Sanctions Con't

Question

How will future Child Support Sanctions be handled?

Answer

Case Manager will receive a task from ACTS identifying non-compliance.

After 5/31/23 customers who are non-compliant with child support will have a child support sanction imposed as outlined in work first policy. If the customer has complied, the sanction should be cancelled.

If the customer has not complied, a sanction with the effective date of 7/1/23 would be appropriate.

Please refer to the “Creating or Disregarding an Active Sanction” Job Aid.

The screenshot shows a software interface with a top navigation bar containing tabs like Home, Evidence, Eligibility Checks, Compliance, Participation, Time Limits, Case Details, Events, Administration, Online Data, Assessments, and AVS Data. Below the navigation bar is a section titled 'Data Sent from ACTS' with a table listing entries. One entry is selected, and a 'View Detail' pop-up window is open, showing the following information:

View Detail - Good Cause/Non-Cooperation			
Transaction Details			
Client Name	AN... E CH	IV-D Agent ID	ALAM1010
Effective Date	11/13/2015	Creation Time	16:31
Creation Date	11/13/2015		
Good Cause/Non-Cooperation Details			
Cooperation	No	Date Of Cooperation	11/9/2015
Good Cause	No	Claim Date	
Non-Cooperation/Good Cause Absent Parent	JO... L T		

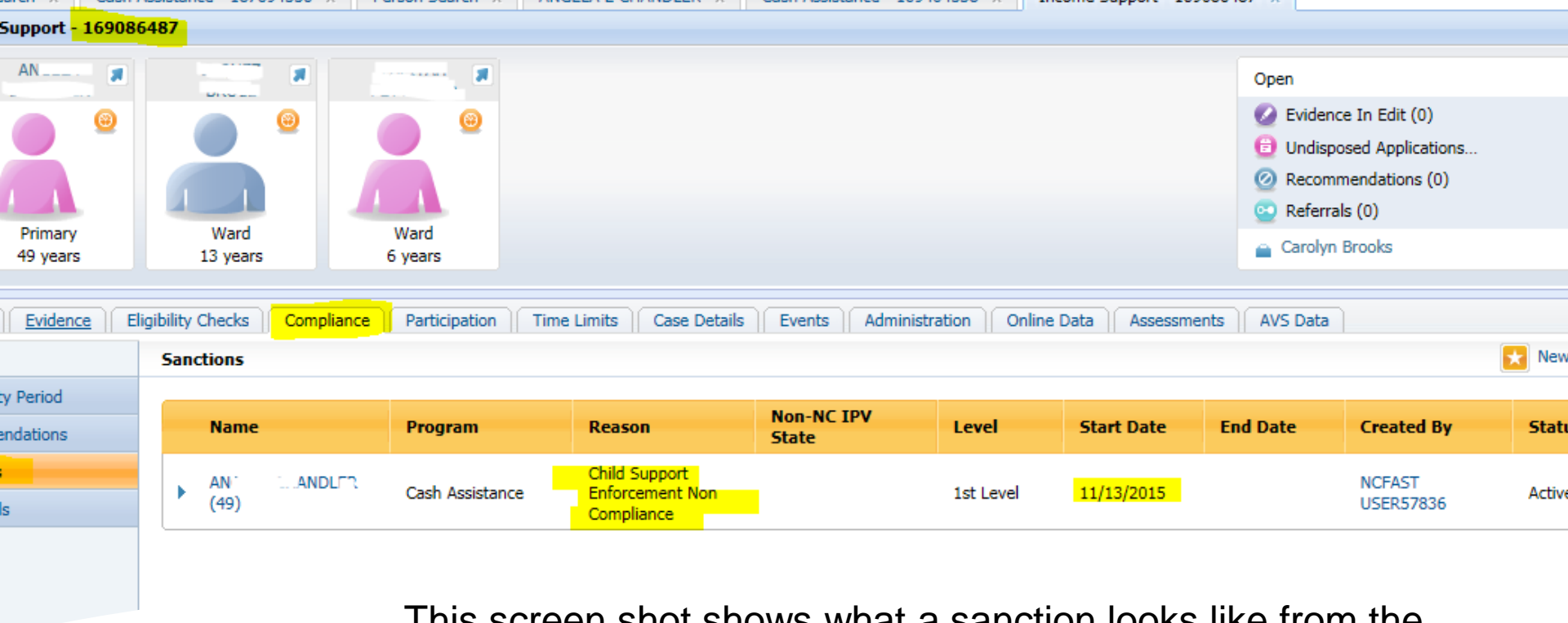
Child Support Sanctions

This screen shot shows what information received in the Data Sent From ACTS details looks like.

The requirement is for workers to initiate the sanction within ten workdays from notification.

The notification date is the effective date found in the details of the Data Sent From ACTS folder.

In this example, the notification date is 11/13/2015.



This screen shot shows what a sanction looks like from the Compliance tab in the Sanctions folder.

Child Support Sanctions

The notification date from Data Sent from ACTS tab was 11/13/2015 this translates to the sanction start date in NC FAST as 11/13/2015.

This sanction date will prevent the payment from being issued for the following month.

MRA Sanctions



MRA Sanctions

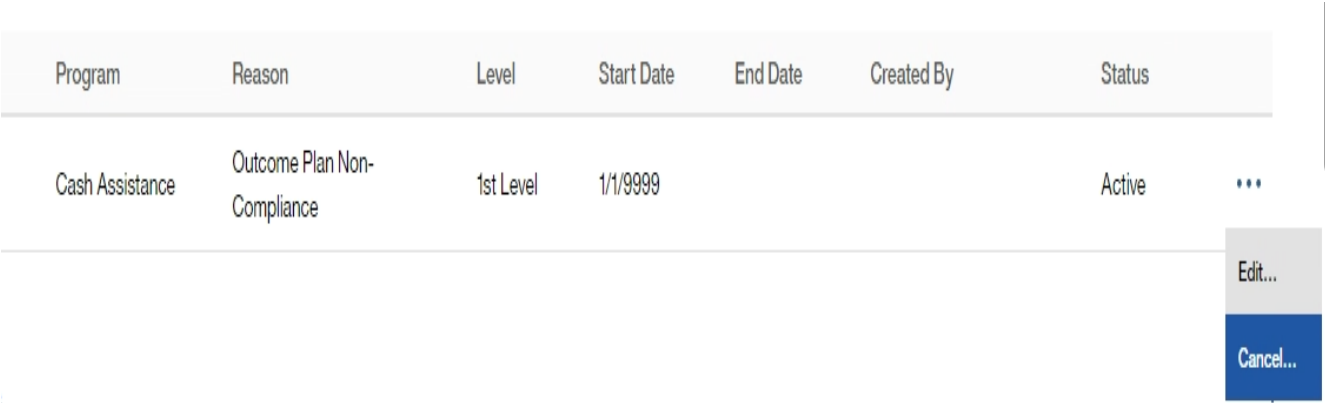
- **The MRA-A (DSS-6963A) will serve as the timely notice for all applicants and participants, including Child Only cases who fail to comply with the requirements.**
- **Parents or caretakers who, without good cause, do not comply with their MRA-A will make the entire family ineligible for a cash assistance payment for one month or until compliance.**
 - **When a cash assistance payment is missed, the case terminates.**
- **The worker must impose the sanction, apply the change, review the change decision and if correct accept the change decision. When the decision shows ineligible the case will close at the end of the month.**
- **The family is responsible for providing documentation to the case manager if they believe there is good cause for their non-compliance. Counties must use prudent judgment to ensure that good cause is applied reasonably and equitably to all families.**

Applying MRA-A Sanction

Sanctions should be applied only after attempts have been made to help the family meet the requirements of their MRA-A. These efforts must be documented in the case notes in NC FAST. Action to initiate a sanction must be taken within 10 days of the noncompliance.

- **Sanctions are applied even though the caretaker is not included in the payment for child only cases.**
- **The sanction is always applied to the Head of Household.**
- **The family may request a reopen by the 10th of the month following the month of termination. After that time the family would have to complete a reapplication to resume benefits. Workers should follow administrative reopen policy (WF 203).**
- **To apply or end a sanction refer to “Creating or Disregarding an Active Sanction” Job Aid.**

Ending Sanctions



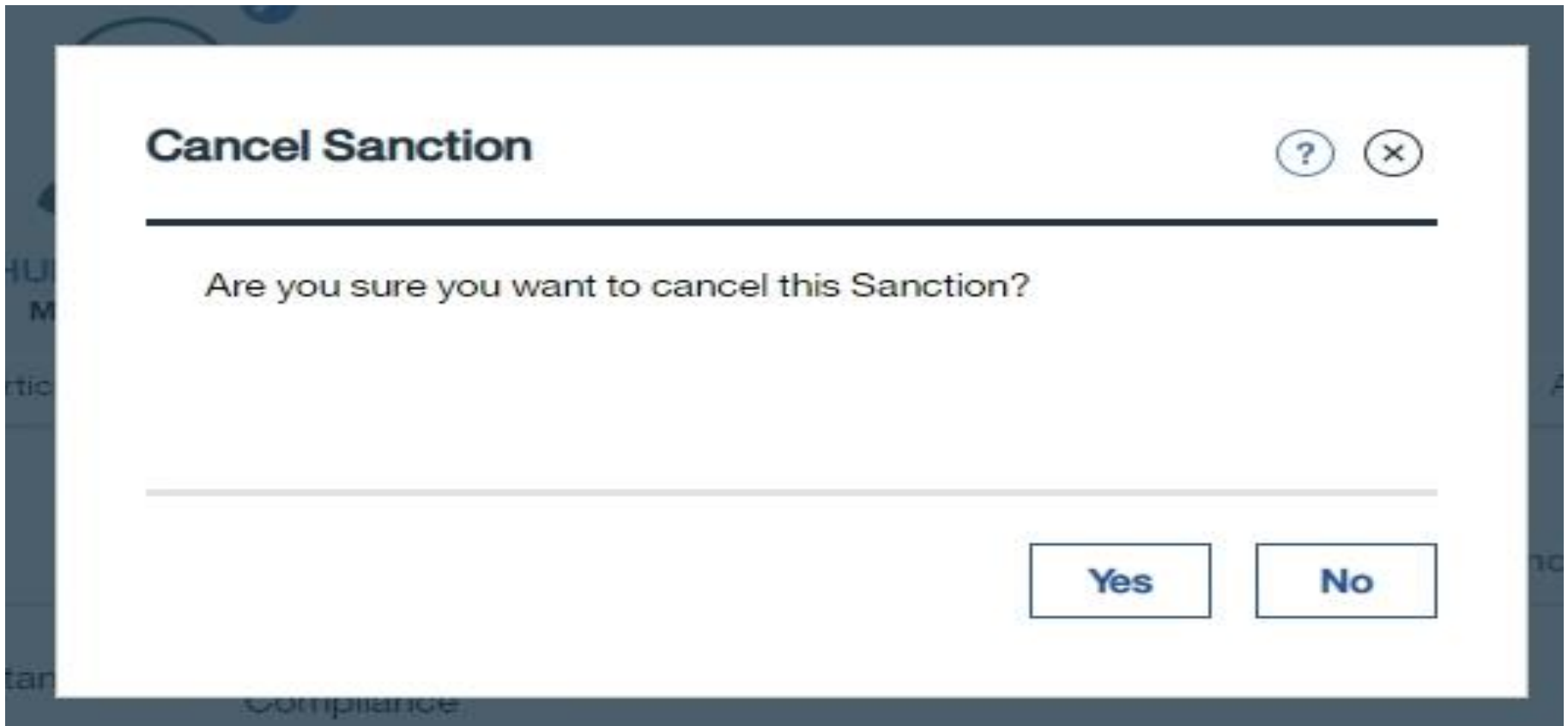
The screenshot shows a table with the following columns: Program, Reason, Level, Start Date, End Date, Created By, and Status. A single row is visible with the following data: Program: Cash Assistance, Reason: Outcome Plan Non-Compliance, Level: 1st Level, Start Date: 1/1/9999, End Date: (empty), Created By: (empty), Status: Active. A context menu is open over the 'Active' status, containing two options: 'Edit...' and 'Cancel...'.

Program	Reason	Level	Start Date	End Date	Created By	Status
Cash Assistance	Outcome Plan Non-Compliance	1st Level	1/1/9999			Active

Here is a screen shot of the first step in ending a sanction. The case worker will go to the Compliance tab and click on the List Actions Menu section of the active sanction and select Cancel.

Ending Sanctions Con't

Select Yes to cancel - once the case manager selects cancel, they will confirm “yes” to canceling the sanction.



The image shows a screenshot of a software dialog box titled "Cancel Sanction". The title bar includes a question mark icon and a close (X) icon. The main content area contains the question "Are you sure you want to cancel this Sanction?". At the bottom right, there are two buttons labeled "Yes" and "No". The dialog box is set against a dark blue background with some faint, partially visible text like "HU", "M", "rtic", "tan", and "Compliance".

Ending Sanctions Con't

Sanction status should now show "Canceled."

Program	Reason	Level	Start Date	End Date	Created By	Status
Cash Assistance	Outcome Plan Non-Compliance	1st Level	1/1/9999			Canceled ...

Edit Sanctions

Select “edit” from the List Action Menu

Program	Reason	Level	Start Date	End Date	Created By	Status	
Cash Assistance	Outcome Plan Non-Compliance	1st Level	1/1/9999			Active	...

Edit...

Cancel...

The case manager will go to the Compliance tab and click on the List Actions Menu section of the active sanction and select Edit. This should be by the sanction with the start date of 1/1/9999.

Edit Sanctions Con't

Change the sanction Start Date from 1/1/9999 to 7/1/2023

Edit Sanction



* required field

Program	Cash Assistance	Reason	Outcome Plan Non-Compliance
Level *	1st Level	Conciliation Complete	<input type="checkbox"/>
Start Date *	07/01/2023	PML Amount	\$0.00
End Date			

Rich text editor toolbar with font (Arial), size (12), bold, italic, underline, text color, background color, bulleted list, numbered list, indent, and outdent icons.

Save Cancel

The case manager will enter the new start date of the sanction to 7/1/2023 and then select “save”.

Edit Sanctions Con't

Sanction should reflect "Active" with updated start date of 7/1/2023

Program	Reason	Level	Start Date	End Date	Created By	Status	
Cash Assistance	Outcome Plan Non-Compliance	1st Level	7/1/2023			Active	...

Work First Case Manager Responsibility

Continue to assist parents and caretakers with identifying and developing procedures and activities to achieve compliance, which, hopefully, will result in lifting the sanction.



Case Scenario 1

Grandmother Susan Sunshine has custody of her 9-year-old granddaughter Mary Sunshine. Susan is non-coop with Child Support for absent parent Donna Sunshine. What should the case manager do with the Work First case?

Response:

Case manager should attempt to determine good cause. If good cause cannot be established, the CM will issue an adequate notice and impose the sanction for the month following the month of non-compliance.

For example: if the non-cooperation date was July 15 and the case manager reacted to the information timely, the case manager would impose a sanction dated 8/1/2023 and issue the DSS-8110 with a termination date of 7/31/2023.

Case Scenario 2

Customer completed WF recertification on 3/15/2022 and the WF case was certified for 4/1/2022 through 3/31/2023. The children were not current on immunizations and well check ups. The worker entered a future dated sanction of 1/1/9999.

In 2023, the customer completed their WF recertification and the WF case was certified for 4/1/2023 through 3/31/2024. The children are now current on immunizations and well check ups. What should the case manager do?

Response:

Since the family is now in compliance the case manager will cancel the future dated sanction as outlined previously and enter the documentation in NC FAST to support why the sanction was canceled.

Case Scenario 3

Customer completed WF recertification on 3/15/2022 and the WF case was certified for 4/1/2022 through 3/31/2023. The children were not current on immunizations and well check ups. The worker entered a future dated sanction of 1/1/9999.

In 2023, the customer completed their WF recertification and the WF case was certified for 4/1/2023 through 3/31/2024. The children are still not current on immunizations and well check ups. What should the case manager do?

Response:

If good cause is not able to be established, the Case Manager (CM) will issue an adequate notice (DSS-8110) and impose the sanction for the month following the month of noncompliance. CM will edit the start date of the future dated sanction. Accept the on-hold decision and send an adequate DSS-8110 to terminate the case 6/30/2023. Enter documentation in NC FAST to support why the sanction was imposed.

Best Practice to Prepare for Sanctions After PHE is lifted.

- **Review Active WF Future Sanction report in NC FAST Help**
- **Review WF Extension report regarding time limits in NC FAST Help**
- **Review Child Support Referral and Sanction Training PowerPoint in Learning Gateway**
- **Review the DCDL guidelines regarding the PHE lifting on May 11, 2023**
- **Continue to submit questions as needed to your Continuous Quality Improvement Specialist**

QUESTIONS?

If you have any questions, please see your CQI.

DSS.policy.questions@dhhs.nc.gov

