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CHAPTER 66

EMPLOYMENT AND TRAINING (E & T) PROGRAM

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CHAPTER 66 - DEVELOPMENTAL DISABILITIES CASE SERVICES AND HOME AIDE SERVICES

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66.10 DEVELOPMENTAL DISABILITIES CASE SERVICES--DEFINITION (WAC 388-15-300)

Provides specialized programming to those developmentally disabled persons not living in the developmental disabilities institutions and requiring services. Assisting developmentally disabled individuals and their relatives in finding out-of-home alternative residential settings, developing additional placement resources and monitoring institutional preplacement clients.

66.14 ELIGIBILITY

Individuals eligible for Developmental Disabilities case services under Title XX are recipients of Aid to Dependent Children, or those whose needs are taken into account in determining the needs of AFDC recipients, recipients of SSI or recipients of Medicaid and other individuals whose gross monthly income does not exceed 80% of the state's median gross income for a family of four, adjusted for family size. See Chapter 10.08.

66.20 GOALS

Goals for Developmental Disabilities case services may be any one of the following: however, only one goal may be pursued at any one time. Goals may be changed at any appropriate time and the goal change reflected in a revision of the DSHS 14-140(X) Primary Recipient Form and if appropriate, the DSHS 14-141(X) Social Service Record.

1. Achieving or maintaining economic self-support. That is, providing clients with comprehensive individualized prescriptive programs which indicate movement toward an increase in economic self-support.

2. Achieving or maintaining self-sufficiency. That is, providing clients with comprehenive individualized prescriptive programs which indicate movement toward an increase in self-sufficiency.

3. Preventing or reducing inappropriate institutional care. That is, screening persons requesting developmental disability community services. Refer persons for vocational and training programs. Increase the number of appropriate placements to community-based sheltered care facilities, thereby reducing the number of inappropriate institutional placements.

4. Securing referral or admission for institutional care. That is, screening persons requesting developmental disability institutional services. Refer persons for institutional intake services.

66.22 TASKS

ESSO tasks will be limited to those specified in the Agreement between the Bureau of Developmental Disabilities and the Bureau of Social Services as described and amplified below (see 66.50).

66.28 DEVELOPMENTAL DISABILITIES HOME (AID) SERVICES (WAC 388-15-310)

Home (Aid) Resource Services assists developmentally disabled individuals and their families through professional and paraprofessional home training visits which provide for parent and client training in needed therapies, general health, hygiene, and nutritional programming, and intensive skill training. Services also include assisting in the location, mobilization or development of community resources and may include arranging for other Department services, such as Homemaker Services, Chore Services or Day Care Services, and further, educating the public of the rights to such services, through information and referral efforts.

66.32 ELIGIBILITY

Eligibility for Developmental Disabilities Home (Aid) Services is the same as for DD case services. See 66.14 above and 10.08.

66.36 GOALS

Goals for Developmental Disabilities Home (Aid) Services may be any of the following, but are subject to the same limitations in pursuing one goal at a time as are described in 66.20.

1. Preventing or remedying neglect, abuse or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating or reuniting families. That is, providing individuals with appropriate programming in their own homes. These services are intended to minimize the need for future institutionalization and keep persons in their own homes.

2. Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care. That is, providing individuals with appropriate programming in their own homes. These services are intended to minimize the need for future institutionalization and keep persons in their own homes.

66.40 TASKS

See 66.50 below for ESSO tasks based on the Agreement between the Bureau of Developmental Disabilities and the Bureau of Social Services.

66.50 AGREEMENT

Respective responsibilities of the Bureau of Developmental Disabilities and the Bureau of Social Services in providing social services to Developmentally Disabled Clients.

1. The Bureau of Developmental Disabilities has agreed to be responsible for providing social services for all DSHS clients, including recipients of financial assistance, who meet the following definition of a developmentally disabled individual: A developmentally disabled individual is any person with a disability attributable to mental retardation, cerebral palsy, autism, epilepsy, or other neurological handicapping condition found closely related to mental retardation, or requiring treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age 18, and which can be expected to continue indefinitely, and which constitutes a substantial handicap to the individual.

   "Retardation" is defined as: Significantly subaverage general intellectual functioning existing concurrently with deviations in adaptive behavior and manifested during the developmental period; i.e., before age 18.

   "Significantly subaverage general intellectual functioning" is defined as: General intellectual functioning at or below an IQ level of 69 (Stanford Binet) or 67 (Wechsler-WISC).

2. It is intended that the foregoing definitions do not automatically exclude clients who have been eligible for BDD services in the past. For instance, there may be individuals who were incorrectly diagnosed as meeting the definition of developmental disability in the past, or no longer meet its criteria, but who, because of the effect of long-term institutionalization, continue to need specialized BDD services if they are to have reasonable opportunity to make a satisfactory social adjustment.

3. On the other hand, there are also clients who were incorrectly diagnosed as being developmentally disabled, or whose adaptive behavior has improved to the extent where they no longer require specialized BDD services. Such individuals should continue to receive the services of the ESSO as appropriate.

66.54 DETERMINATION OF ELIGIBILITY FOR SOCIAL SERVICES

1. Eligibility for social services may be determined either by ESSO or BDD Case Service Section staff in accordance with the point of entry. However, eligibility for social services shall be determined by ESSO staff only in those instances where the records clearly show that the person applying for service is developmentally disabled in accordance with the foregoing definitions. Otherwise, when specialized assessment is necessary to determine whether an applicant is developmentally disabled, the ESSO shall initiate a written referral (DSHS 1-107(X)) to BDD Case Service Section for this purpose. Upon receipt of such referrals, determination of eligibility for social services shall be made by BDD Case Service Section.

2. BDD Case Service Section shall determine eligibility for social services of clients leaving BDD institutions, individuals whose initial request for service is made to BDD Case Service Section, and those referred for evaluation prior to determination of eligibility. The DSHS 14-139(X) Social Service Application will be used to determine eligibility for social services.

3. All eligible developmentally disabled individuals who contact, or are currently being served by, the ESSO and demonstrate or express a need for social services shall be referred to BDD Case Service Section to have these service needs met. Upon receipt of such referrals, BDD Case Service Section shall be responsible for the development of an individual client program plan and its implementation.

4. BDD case services shall be responsible for the management of the DSHS 14-140(X) Primary Recipient form and the DSHS 14-141(X) Social Service Record. (See Chapter 99 for instructions.)

5. Forms used to refer cases between the ESSO and BDD Case Services are:

   a. For referring cases from ESSOs to Bureau of Developmental Disabilities case services, DSHS 1-107(X) and for referring cases,

   b. From BDD to ESSOs for specific services for which ESSOs have responsibility, DSHS 1-108(X).

66.58 FAMILY PLANNING SERVICES

Depending upon the point of the individual's initial application, either the ESSO or BDD Case Service Section shall provide information as to the nature and availability of family planning services and initiate inquiry as to whether the applicant wishes to receive such services. This applies to all applicants for service who are of childbearing age, including minors. In the event that the applicant wishes to receive family planning services, and in accordance with the point of the initial application, the ESSO or BDD Case Service Section shall provide all necessary information, referral and follow-through to assure that this need is met. In all cases this responsibility shall be discharged in accordance with the applicant's civil and legal rights, including those involving the concept of informed consent.

66.62 CHILDREN'S PROTECTIVE SERVICE

Responsibility for Children's Protective Services shall continue to remain with the ESSO.

66.66 CHILDREN FOR WHOM ADOPTION IS THE PLAN

Those children for whom adoption is the goal will not be transferred at this time. This includes those children who are in adoptive placement and those who are moving toward adoption.

66.70 CHORE AND HOMEMAKER SERVICES

The ESSO shall honor all appropriate requests for chore or homemaker services made by BDD Case Service Section on behalf of individuals who are eligible for such services, i.e., chore services, homemaker services. When requesting chore services, it must be demonstrated that the client's situation meets the criteria of the rules. When chore services are needed by developmentally disabled clients residing in their own homes, the BDD Case Service Section staff person shall contact the appropriate ESSO for payment of the cost of the service. At that time sufficient information shall be providd to enable the ESSO to make a determination of the client's eligibility. The DSHS 14-139(X) may be used for this purpose. BDD Case Service Section staff will follow established ESSO procedures for the chore service program, including necessary reviews of continued need. Homemaker service will likewise be provided by the ESSO providing the ESSO has homemaker time available, and the use of the homemaker service is an integral part of the BDD Case Service Section's individual cient program plan.

When the individual client program plan includes a need for homemaker service, the BDD Case Service Section staff person will direct a request to the ESSO homemaker coordinator. If homemaker service is approved, the homemaker remains under the supervision of the homemaker coordinator, but works with the BDD Case Section staff in the same manner as practiced with ESSO staff. As with chore services, the usual ESSO procedures and reporting forms will be used.

66.72 ADDITIONAL REQUIREMENTS

The ESSO shall honor all requests for additional requirements made by BDD Case Services Section on behalf of financially eligible persons.

66.74 FOSTER HOMES

The ESSO will retain responsibility for determining financial eligibility for Foster Home placement and for the recruitment, licensing and relicensing of foster homes. The provision of social services and supervision of developmentally disabled clients shall be the responsibility of BDD Case Service Section. The supervision of the foster home in which developmetally disabled clients are placed should be a joint cooperative endeavor involving BDD Case Service Section and the ESSO.

1. When BDD case services worker wishes to place a child in a foster home but does not have a specific placement available, they will request suitable referrals of licensed homes from the ESSO. If they have requests that specific homes be evaluated for licensing, they will make this request of the ESSO. The BDD referral form will be used in both instances.

2. When BDD makes placement of a child in a foster home, they will authorize the payment by use of DSHS 14-05, Authorization for Foster Care Services, which will be sent to the ESSO Financial Services for payment action.

3. When foster care cases are ready for transfer to BDD, the ESSO service worker who has been working with the child should meet with the BDD Case Services Inter-Disciplinary Team to develop a plan for the child.

4. The ESSO service worker is responsible to inform, by letter, the child, the parent, the foster parents and other agencies working with the case of the transfer, name and phone number of the BDD Regional Office serving the case.

66.78 PLACEMENT OF DEVELOPMENTALLY DISABLED CLIENTS IN SNFs, ICFs & CCFs

For the purpose of facilitating prompt authorization of necessary financial assistance, the placement of eligible developmentally disabled clients in SNFs, ICFs, and CCFs (other than BDD certified group homes) will be the joint responsibility of the ESSO and BDD Case Service Section in accordance with the following procedure: When an eligible developmentally disabled client requires placement in such facilities, BDD Case Service Section shall be responsible for contacting the ESSO placement worker for the purpose of determining the availability and overall eligibility clearance for placement in the particular facility involved in accordance with usual procedures. In addition, the BDD Case Service Section shall be responsible for contacting the appropriate ESSO for the purpose of determining the client's eligibility for financial assistance and arranging for payment of the cost of care in the facility. BDD Case Service Section will retain responsibility for developing the individual client program plan and its implementation, including placement and revisions of the program plan.

Transfer of Case Record:

1. The ESSO worker may provide a case summary or, if pressure of time requires it, the entire record may be transferred to the BDD Regional case services office. BDD will transfer it back to the ESSO after they have reviewed the file for information currently needed.

2. BDD Regional office managers will send a weekly list to each ESSO confirming receipt of the cases and providing the name, office and phone number of the BDD case services worker to whom each case was assigned.

3. It is unnecessary to refer developmentally disabled clients to BDD Case Service Section if no service request is made and no service need is apparent.

4. It is the goal of the Department that ESSO and BDD staff should cooperate and plan together wherever possible on behalf of the developmentally disabled persons we serve to assure continum of care.

66.80 REFERRAL TO THE DIVISION OF VOCATIONAL REHABILITATION

DVR can accept people with a physical, mental or behavioral condition which appears to cause a vocational handicap. Recipients with a disability shall be referred unless they are AFDC appropriate for referral to alcoholism treatment or other appropriate resources.

AFDC recipients who are exempted from registration for WIN by reason of incapacity will be referred to DVR by financial service technicians.

1. Prescreening

   Financial section will forward to the "G" Unit control desk all mandatory DVR referrals via form DSHS 11-01(X). The "G" Unit coordinator shall meet with the ESSO Voc-Rehab Field Officer to prescreen these referrals for DVR. When this type of referral is accepted at prescreening, the ESSO regular procedures must then be followed for service on the case. The case record may not be retained nor transfered to the "G" Unit.

2. Liaison

   The ESSO will designate a worker as a coordinator or control for recording and distribution. All forms distributed to DVR will be sent to the DVR liasion person. All forms from DVR to the ESSO will be sent to ESSO liaison for recording and distribution.

3. DVR Plans

   The ESSO will not approve DVR plans.

4. Procedures for Referral to DVR.

   a. Service worker prepares form DSHS 11-01 (Referral to DVR).

   b. Form 11-01 is sent to Coordinator of the Prescreening Committee or to Vocational Rehabilitation Office, according to ESSO procedure.

   c. Worker is notified by Coordinator or DVR of date when client will be screened.

   d. Worker attends screening. Contributes information pertinent to decision.

   e. If applicant determined not eligible for further DVR, the original form 11-01 is signed by the DVR field officer as rejected and filed in the service record.

   f. One copy of form DSHS 11-01(X) will be filed in service record.

g. Each ESSO must maintain a complete and current record listing of those recipients involved in VR-sponsored training.

5. Exchange of Information

In behalf of a client, the ESSO and DVR shall exchange case information related to his need and potentialities. Information exchanged is with the implied consent of the individual and is used in a confidential manner.

a. Grant Information

Upon the written request of the DVR local representative, form DSHS 7-09 is prepared for the family of which the DVR client is a member, including parents and minor children. The form is sent to the DVR local representative.

b. Change in recipient's circumstances

Information about major changes in the recipient's circumstances which may affect his vocational rehabilitation are reported to DVR on form DSHS 11-01.

c. Progress and closure reports from DVR

The DVR local representative reports each major change of status for an accepted recipient to the ESSO on form DSHS 11-02.

6. Intercounty Transfer of Case

When a public assistance recipient is sent by the VRO to another county for vocational rehabilitation, his case record and grant shall be transferred to the new county of residence, if he has no dependents or if the dependents move with him.

The case record of the recipient with dependents who remain in the county of original residence is not transferred.

When the plan affects one person in the family and the rest of the family remains behind, there must be preplanning as to how this person can maintain himself at the new location. Public assistance for maintenance is not provided for children who leave the family unit or an adult under fifty.

CHAPTER 66
EMPLOYMENT AND TRAINING (E & T) PROGRAM

66.00 PROGRAM AUTHORITY

CFR 238
WAC 388-15-170; 388-24-090; 388-24-107; 388-24-250; 388-52-166; and 388-57.

66.10 POLICY

66.11 Purpose of Service

The purpose of Employment and Training (E & T) services is to assist employable and potentially employable applicant/recipients (A/Rs) of financial assistance to obtain employment leading to self-support.

66.12 Service Description

Employment and Training services are short-term, goal-oriented services which enable Consolidated Emergency Assistance Program (CEAP) and Aid to Families with Dependent Children (AFDC) applicant/recipients, not being served by the Work Incentive (WIN) Program, to obtain employment and become self-supporting.

A. Work/Training Evaluation/Assessment

Upon referral, A/Rs will have a Work/Training evaluation to identify barriers to employment. This will include assessment of their education, previous training, work history, and social barriers which interfere with their capacity to become self-supporting.

B. Goal-Oriented Employment and Training Services

1. Based on the work/training evaluation, individual and/or group employment oriented services may be provided. These are short-term services designed to remove barriers to employment and to motivate applicant/recipients toward self-supporting employment. For example, they may include counseling or training on job search techniques.

2. Applicant/recipients may be referred to the Employment Security Department and other community resources for direct employment referral, job placement and/or training opportunities which will enhance employment potential.

3. If the A/R has social service needs which are identified as barriers to employment, referral may be made to other DSHS or community social services resources.

C. Follow-Up Services

Employment and Training services staff may provide follow-up services to include, but are not limited to the following:

1. Referral to DSHS programs and community resources to ensure that A/R needs have been met.

2. Necessary followup with tasks agreed upon in the client Employability Plan (EP).

66.13 General Policies Related to This Service

A. Departmental policy is to facilitate the entry or re-entry into employment of all employable or potentially employable A/Rs.

B. Employment and Training staff shall assist employable and potentially employable A/Rs to obtain employment which is within the A/R's capacity to perform.

C. Coordination with the Work Incentive (WIN) Program - In Community Service Offices (CSO) with WIN units, E & T staff will establish and maintain case coordination with the WIN team. (See Section 66.39.)

D. Community Service Offices will establish and maintain a system which establishes a free flow of case information between financial, E & T, and the Employment Security Department.

E. Employable and potentially employable A/Rs will have an agency evaluation of work readiness and an Employability Plan (EP) developed which leads to employment.

F. Vocational Training - If an A/R does not possess a marketable skill in non-WIN CSOs, staff may arrange for short-term vocational training not to exceed 24 continuous months, provided it will lead to employment and this training can be accomplished at no cost to the department. High school or GED completion should be encouraged.

G. E & T Services will be provided until the client is working 80 hours or more per month, is self-supporting (i.e., grant terminated), or has reached his/her maximum employment potential.

66.14 Priorities Related to This Service

E & T services are to be provided to persons in the following order of priority:

A. Mandatory AFDC applicants.

1. AFDC-E

2. AFDC-R

B. Volunteer AFDC applicants.

1. AFDC-E

2. AFDC-R

C. Mandatory AFDC recipients.

1. AFDC-E

2. AFDC-R

D. Volunteer AFDC recipients.

1. AFDC - E

2. AFDC - R

E. CEAP A/Rs.

F. Youth, 16-18 years of age, out of school, who are members of an AFDC assistance unit, or who are recipients of an AFDC or AFDC-FC grant.

66.15 Eligibility

A. To be eligible for E & T services an individual must be:

1. An applicant for AFDC or CEAP.

2. A referred WIN registrant.

3. An employable recipient of AFDC or CEAP.

B. All AFDC applicants must register with E & T in non-WIN unit CSOs as a condition of eligibility prior to financial grant opening unless specifically exempted. AFDC recipients who lose their exempt status must register (with E & T) within 30 days to remain on the grant. Exempt AFDC recipients must be advised that they may receive E & T services as voluntary registrants.

C. An AFDC A/R is exempt from E & T registration if that person is:

1. A child under age 16, or under 19 attending school full time.

2. Ill, incapacitated, or age 65 or over.

3. Too geographically remote for effective participation.

4. Required at home because another family member is ill or incapacitated.

5. A parent or other needy caretaker relative of specified degree of a child under age six who is personally caring for the child full-time, with only very brief and infrequent absences from the child, is exempt. This applies whether the child is receiving assistance or not.

   a. Examples: This applies where the absence is only occasional, as for normal family errands (e.g., shopping) or due to non-recurring circumstances, such as family crises, child attending summer camp for a week, etc. The exemption applies to evening activities, such as caretaker attending night school classes, as E&T does not normally require employment-related activities at such times. It may also apply to unusual circumstances relating to the child (e.g., caretaker absent while physically or mentally handicapped child receives prescribed therapy). The exemption also applies if the absence is due to voluntary WIN/E & T participation.

   b. Specifically, this exemption does not apply to a caretaker attending day school or college full time (as defined by the school). Further, it does not apply to a caretaker who, regardless of the reason, is absent from the child frequently or regularly on week days for a total of 30 hours or more per week. For example, it does not apply if the child is in full-time day care (over six hours a day) or in school all day, regularly.

6. A woman in the third trimester of pregnancy.

7. In AFDC-E only, the parent or other caretaker in the assistance unit who does not qualify the assistance unit for AFDC-E.

8. Working 30 hours or more per week.

66.16 Payment Rates

A. The following are only available to AFDC-CEAP recipients:

1. Reimbursement payments for transportation expenses may be authorized by the E & T service worker up to $8 per day, to a maximum of $320. Payment may be authorized on DSHS 14-154(X)/159 only for participation in job seeking activities. For AFDC cases only, the expense must be incurred prior to grant termination, but may be reimbursed after grant termination. A DSHS 7-49(X), Summary of Job Search Activity, must be in the service record to substantiate the payment. (Use Service Code 6633.)

2. Authorization for E & T child care shall follow the procedures outlined in Manual G, Chapter 28, Day Care Services for Children.

a. For participation in job seeking activities: A client may be reimbursed for up to 280 hours of child care. For AFDC cases only, the expense must be incurred prior to grant termination, but may be paid after grant termination. The DSHS 7-49(X), Summary of Job Search Activity, must be in the service record to substantiate the payment. Each CSO will follow the local office procedure for payment authorization. (Use Service Codes 2861, 2864, or 2868.)

b. For participation in training: For AFDC cases only, child care may be provided for the duration of an approved training plan.

B. The following are only available to Employment Search Program participants:

1. Transportation costs can be prepaid or reimbursed up to $8.00 per day to a maximum total of $160.00 (use Service Code 6633); and

2. Child care reimbursed at Manual G, Chapter 28, rates up to a maximum of 140 hours per child (use Service Codes 2861, 2864, or 2868).

C. The following are available to Community Work Experience Program (CWEP) participants:

1. Transportation costs may be reimbursed at $.15 per mile, or common carrier rate, whichever is most appropriate based on the needs of the client. (Use Service Code 6662.)

2. Child care costs may be reimbursed at Manual G, Chapter 28, rates. (Use Service Codes 2865, 2866, or 2867.)

D. The following are available to Food Stamp Workfare participants: See 66.57 H.4. and 5.

E. Post payment procedures for transportation authorization:

1. When authorizing payments to vendors for purchases of bus passes and tickets, the E & T supervisor will notify CSO clerical staff to use an A-17-1 Field Order. (See Procurement/Materials Manual for A-17-1 instructions.)

2. When authorizing payments to participants, use DSHS 7-13(X), One-Time Payment Authorization (G-form). (See Manual G, Chapter 99 instructions.)

66.20 PROGRAM STANDARDS

66.21 Program Expectations/Response Time

Employment and Training (E & T) Program Social Service Staff will:

A. Complete an evaluation of each participant's readiness for employment based on education, training, work history, and social service needs within 10 days following referral to E & T.

B. Must forward E & T Registration forms to Financial Services staff within three working days of form completion so that a grant eligibility determination can be made.

C. Within 30 days of completion of registration, follow up with Financial Services to determine the grant status of registrants for whom no notification was received.

D. Notify clients of E & T enrollment promptly.

E. Develop an Employability Plan (EP) with the client and must review it at a minimum of every 90 days.

F. Maintain weekly contact with enrolled registrants who are receiving medical treatment.

G. Attempt to resolve client complaints or grievances within four working days of receipt.

H. Unit supervisors have five working days to review a complaint or grievance request after the client and service worker have failed to reach agreement.

I. The CSO administrator has ten working days to respond to a written request from a client for an administrative review of a complaint or grievance.

J. Review each CWEP and Food Stamp Workfare participant's grant amount each month.

K. When there is a change in the AFDC grant amount during participation, a 10-day notice will be given CWEP participants regarding required participation.

L. Utilize all available employment, training and social service resources, especially referrals to DSHS institutions and the chore service program (Chapter 42).

M. Complete all required forms (see Section 66.49 and 66.99) and maintain documentation of services requested, services delivered and service outcomes.

N. E & T supervisors should clear warrants for release promptly (see 66.40).

O. Each client contact is documented on the DSHS 2-305(X), Service Episode Record.

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P. When there is a change to a Food Stamp Workfare participant's food stamp benefits amount, the E & T service worker will send a 10-day notice to the participant informing them of the new required number of work hours to be performed.

Q. E & T CSO staff will complete the Food Stamp Workfare Monthly Report and send it to the Regional Office by the 10th working day of the month following the report month.

66.22 Appropriate Program/Service Outcomes

A. Applicant/recipients are referred to employment as soon as possible. Whenever possible, employment placement will occur prior to the opening of a financial grant.

B. Participants receive help in development of job seeking skills and services needed to remove barriers to employment.

C. Applicant/recipients will be placed in a job which results in self-support.

D. Applicant/recipients are referred to vocational training leading to employment.

66.30 SERVICE PROCEDURES

Employment and training caseworkers will complete and sign all the appropriate eligibility, authorization and narrative recording forms listed in Section 66.99.

66.31 Intake and Registration (SSPS Code 6601)

E & T Registration

Social Services E & T staff will be notified by Financial Services of required E & T registration for all CEAP referrals and mandatory AFDC recipients in non-WIN CSOs. See 66.53 C. for ESP and WIN registration in WIN areas.

A. The E & T staff will interview the client as soon as possible after a DSHS 3-149(X), E & T Registration Record, is received with Sections 1 and 2 completed and signed by the FST. See 66.53 C. for ESP intake and registration.

B. The E & T service worker will explain the E & T program to the client, including:

1. The legal basis for E & T, the applicants'/recipients' rights, responsibilities and potential sanctions (for mandatory registrants).

2. Rights, responsibilities, and lack of sanctions for program volunteers (exempt from registration).

3. Goals and objectives of E & T services.

4. Available DSHS social services and Employment Security (ES) department manpower services for E & T participants.

C. The client will complete and sign Section 4 of the DSHS 3-149(X).

D. E & T service worker will register the client for E & T by completing and signing the DSHS 3-149(X), Section 3. Distribution - one copy will be given to the registrant and the other copies returned to Financial Services within three days so that a grant may be opened. If Financial Services has not received such notification within three days, it is Financial Services' responsibility to contact the E & T unit to determine whether or not registration has been completed. This contact by Financial Services must be done in sufficient time to avoid a delay in determining eligibility.

E. Within three days following final determination of grant approval, the FST should notify E & T by completing Section 5 and returning one copy of the DSHS 3-149(X). If E & T has not received a notification of grant approval or denial from Financial Services within at least 30 days from registration completion, it is the responsibility of E & T to contact Financial Services to determine the disposition of the case.

66.32 Appraisal and Decision to Enroll (SSPS Code 6601)

A. E & T staff will appraise the referrals from WIN or Financial Services in terms of:

1. Education
2. Vocational training
3. Employment history
4. Military background
5. Hobbies and specific interests
6. Occupational, educational and training goals
7. Family situation
8. Child care needs
9. Legal problems
10. Housing needs
11. Transportation
12. Motivation
13. Physical, emotional and mental health
14. Short and long-term barriers to employment.
15. Capacity to use available resources.

B. If E & T disagrees with the Financial Services' referral as a mandatory registrant, E & T will still register the client. The E & T worker will then submit to Financial Services on a DSHS 2-306(X) Communication/ Referral form, a request that exemption be considered, stating the reason. The FST response must be accepted as the final decision. If Financial Services does not respond in 30 days, E & T will consider the individual "exempt".

C. Based on appraisal, a decision will be made whether or not to enroll the client into active E & T participation. If the decision can be made immediately, E & T staff will promptly inform the client. The E & T service worker will inform the individual of other social services available in the CSO and may make a referral.

66.33 WORK/TRAINING EVALUATION

A. Employment and Training service workers will evaluate the registrant's employability and complete either the EMS 511 Work History/Application Card, DSHS 14-50(X) Statement of Employment and Health, or a CSO form equivalent.

B. The information gathering and evaluation process includes, but is not limited to, the factors listed in 66.32 A.

66.34 Employability Plan (SSPS Code 6604)

A. Based on the individual evaluation, a DSHS 3-152(X), Employability Plan (EP), is to be initiated for each participant. (See Manual G, Chapter 99 for instructions and form sample.) This form may be used as the Individual Service Plan for case narrative recording (see Chapter 02).

B. The EP should be a flexible plan designed to help the client meet his/ her own employment and/or training needs.

C. The EP is a mutually agreed upon plan of actions to be taken and tasks to be accomplished. The actions and tasks are time-limited.

1. The EP is the basic accountability tool which defines the level of service to be provided as well as the responsibilities of client and of E & T staff.

2. The client is given a copy of the EP and one copy is to be retained in the service record.

D. The Employability Plan recording may include but is not limited to the following:

1. Identification of services to be provided by E & T staff, including referrals to other employment, training and social service programs.

2. Required E & T and client/community agency contacts.

3. Number of required weekly employer contacts, (for clients involved in job search).

4. When appropriate, responsibilities for training attendance and progress reports.

E. The EP is considered to be a contractual agreement between the client and the department. The EP will be signed by both the E & T service worker and client.

1. If a client does not sign the EP, the reason for no signature must be documented in the service file.

2. Failure to sign the EP does not relieve the client of responsibility to cooperate in required E & T activities (see chapter 388-57 WAC).

F. The EP may be revised, amended, or renegotiated at any time.

1. At a minimum, the EP must be reviewed every 90 days.

2. Changes made in the EP will be initialed and dated by the client and E & T service worker.

3. When major changes occur, a new EP may be initiated.

G. Whenever an EP is initiated, open E & T services with the DSHS 4-244(X), E & T Open and Closure Form and appropriate SSPS service codes.

66.35 Employment Oriented Supportive Services

E & T staff will provide the following individual and/or group supportive services as appropriate:

A. Counseling - build client's self-confidence through positive reinforcement of the client's strengths and abilities. Assist clients to recognize and cope with negative attitudes toward work and to overcome problem barriers associated with moving toward self-support.

B. Orient clients to available employment and/or training resources.

C. Assist clients with or arrange for services concerning:

1. Legal matters

2. Marital and family relationships

3. Medical and dental needs

4. Transportation

5. Child care

6. Budgeting

7. Other areas which may be identified as barriers to employment.

D. Assist clients to develop and/or improve job search skills.

E. Assist clients to overcome problems experienced on the job.

F. Assist the family unit with problems which prevent the client from being successful in employment.

66.36 Employment-Related Medical Services

A. E & T will refer participants and family members for regular medical/dental services in accordance with policies and procedures in Chapter 48, Health Support Services.

B. When the Employability Plan requires medical evaluation or treatment, E & T will maintain weekly contact with the client.

1. If the client is under a doctor's care or has been seen regularly for the condition in question, the client shall be involved in obtaining the needed information, examination and/or treatment.

2. If the client has made no progress after two weeks, the E & T service worker shall follow up and either make arrangements for completion of the evaluation directly with the same or other medical resources, subject to CSO/regional medical procedures. The follow-up request shall be in writing and shall specify what is needed to determine employability.

C. When denied by the regular medical program, procedures for authorizing E & T supplemental medical services required for employability of a AFDC participant (ESP and CEAP participants are not eligible), are as follows:

1. For medical service and/or aid (hearing aid, eyeglasses, orthopedic shoes, etc.):

a. If a request for medical services and/or an aid has been turned down under Title XIX medical, a request for E & T supplemental medical aid or services may be submitted to the Division of Income Assistance Manpower Section, Mail Stop OB 31-C, Olympia, WA 98504.

b. The service worker completes DSHS 13-525(X), Preauthorization Request-WIN/ E & T Supplemental Medical, according to instructions (see 66.99), using information from the intended provider to complete Section 5.

c. Service worker forwards first three copies of DSHS 13-525(X) to the Manpower Programs Section, Division of Income Assistance.

d. SO will approve or deny the request for the specified amount and notify the local E & T unit supervisor of the decision. (See paragraph 3. below.)

e. Upon receiving notice of approval, E & T will:

(1) Prepare an A-19 Invoice Voucher as follows:

(a) Under "Agency Name", show the DSHS Manpower Section address as in a. above.

(b) Under "Vendor or Claimant" show the provider's name and address.

(c) Under "Description", list the procedure number and name of each E & T-authorized item.

(d) Do NOT complete the bottom ("Account Code") section or process for payment through the CSO. This will be done by state office.

(2) Send the A-19 to the provider with instructions to:

(a) Fill in the "date" column when each item of service is delivered, and show the fee requested.

(b) Sign and date the Vendor's Certificate at upper right when all authorized procedures have been done, then:

(c) Send the completed form to the address in a. above for payment.

2. For dental services:

a. For E & T participants eligible for dental services covered by Title XIX coupons (e.g., EPSDT, if under age 21; or items covered for adults, such as dentures), the dentist must first submit the dental plan to DSHS Provider Services, P.O. Box 9253, MS LG-11, Olympia, WA 98504.

b. For dental needs not covered, or denied, by the regular DSHS dental program, but required in order to obtain or retain employment, the service worker obtains DSHS 525-108, Dental Claim Form, from dentist showing the appropriate American Dental Association number and fee requested for each procedure including:

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(1) The examination and diagnostic x-rays already provided. In order to develop a dental plan, the E & T service worker will assure the dentist that these items will be paid at regular DSHS dental rates.

(2) Complete itemized treatment plan for preauthorization. Request that dentist not complete or sign section 18, Claimant's Certification, on the DSHS 525-108 until all authorized work is completed, as this form will then be used for billing.

c. Service worker completes DSHS 13-525(X), Preauthorization Request--WIN/E & T Supplemental Medical, sections 1, 3, 4, 6 (if x-rays attached), and 7-9, and attaches DSHS 525-108, plus any x-rays submitted.

d. Service worker forwards first three copies of DSHS 13-525(X) to the Manpower Programs Section, Division of Income Assistance, Mail Stop OB-31C, DSHS, Olympia, WA 98504.

e. SO will approve or deny the request for the specified amount and notify the local E & T unit supervisor of the decision. (See paragraph 3. below.)

f. Upon receiving notice of approval, E & T will return to the dental provider the original of the DSHS 525-108, any x-rays attached, and the yellow copy of the DSHS 13-525(X) showing what has been approved.

(1) E & T will instruct the dental provider to date and sign the DSHS 525-108, section 18, Claimant's Certificate, upon completion of all authorized work; then

(2) Provider must send the completed form to the address in d. above, for payment.

3. All authorizations for E & T supplemental Medicaid payments are granted with the understanding that the work will be initiated while the recipient is in an active E & T service status and therefore eligible for E & T services.

a. The E & T service worker must follow up with registrant and/or provider to see the registrant is keeping all appointments and the provider is completing the service as soon as possible, to remove the barrier to employability. One missed appointment with a medical/dental provider, without good cause, is adequate failure to participate in E & T.

b. If before any authorized service is completed, the registrant's case is closed for program service, the E & T service worker must notify the provider not to complete the service. For example, E & T services must terminate when a participant is placed in an inactive status or given notice of Intent to Deregister for sanction.

66.37 Job Search Activities

A. E & T participants, including WIN registrants referred to E & T, will receive E & T transportation and lunch monies while participating in job search activities. Child care needed for job search will also be provided by E & T. (See 66.16.)

B. The client will complete a DSHS 7-49(X), Summary of Job Search Activity, a copy of the completed DSHS 7-49(X) will be retained in the service record.

C. To enhance the capability of the client to compete successfully in the labor market, E & T staff will assist the client in developing and/or improving job search skills. These include, but are not limited to, the following:

1. Researching the job market to determine where jobs are available and where specific vocational skills can be used.

   a. Reading newspapers to determine the establishment of new business and/or expansion of existing business.

   b. Checking the yellow pages of telephone directories for businesses that may be able to use a specific vocational skill.

   c. Asking friends, relatives, and acquaintances for information about job openings.

2. Writing a resume which will present the client's employability history, education and training, and special skills and abilities to an employer in the most positive way.

3. Completing a written job application.

4. Learning proper dress and personal appearance for a job interview.

5. Presenting abilities and skills in the most positive way to an employer in a job interview.

6. Participating in group job seeking classes.

7. Utilizing tax credits.

66.38 Vocational Training

When clients do not possess the marketable skills necessary for competing in the labor market, short-term specific vocational training leading to employment may be considered. The E & T Unit shall have the responsibility to approve or disapprove all non-WIN training plans using the criteria outlined in WAC 388-57-028. In WIN CSOs, all vocational training plans developed with WIN/AFDC clients must be approved by WIN.

A. Clients may be enrolled in vocational training if the training meets the following conditions:

1. Training which exceeds 12 months is not considered short term and requires supervisory approval.

2. All self-initiated training plans are subject to review by E & T.

3. The training must be in preparation for a job meeting federal and state standards for wages, conditions, etc.

4. The quality of the training must meet local employers' standards to ensure the client will be in competetive position in the labor market.

5. The training must be reasonably within the client's ability to perform.

6. The client must have access to reliable transportation to and from the training facility.

7. Day care must be reliable and meet agency requirements.

8. The training plan must be reflected on the employability plan and the caseworker's signature thereon constitutes approval of that training plan.

9. Clients who are participating in a Divison of Vocational Rehabilitation training plan are not required to have an approved training plan. However, liaison must be established and maintained between the Vocational Rehabilitation counselor and the E & T service worker.

B. When a client is in an approved training program, a close working relationship will be established and maintained with the client and training institution to ensure successful completion of the training.

1. The EP will specify client responsibilities to include written verification of class attendance and regular progress reports.

2. The EP will be reviewed at a minimum of every 90 days.

C. In non-WIN CSOs mandatory AFDC registrants, who refuse a bona fide offer of training for employment, are subject to sanctions as specified in WAC 388-57-061 and WAC 388-57-064.

66.39 Referral to the Work Incentive (WIN) Program

A. In WIN CSOs, a WIN registrant who has been referred to E & T and has reached the point where he/she can benefit from WIN services will be referred back to WIN for possible reappraisal and consideration for selection as an active WIN participant.

B. A client will be referred to WIN on DSHS 2-306(X), Communication/ Referral form. Information will include, but is not limited to, the following:

1. Client's name, case number and social security number
2. Address and telephone number
3. Summary of current situation
4. Summary of activity with E & T worker
5. The EP formulated by E & T worker
6. Service being requested of WIN.

C. When a WIN registrant becomes employed, E & T staff will inform WIN on DSHS 2-306(X) and will include the following information:

1. Client's name, case number and social security number
2. Address and telephone number of client
3. Employer's name, address and telephone number
4. Starting date of employment
5. Job title
6. Starting wage
7. Whether client authorizes WIN to contact employer.

D. Monthly reports of client's progress will be sent to WIN.

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66.40 LIAISON WITH FINANCIAL SERVICES

A. E & T staff will notify Financial Services on DSHS 2-306(X), Communication/Referral, of any change in circumstances, including employment, wages, changes of address, and any other pertinent information.

B. In WIN CSOs, E & T nonvolunteer registrants who fail to cooperate with E & T are subject to E & T sanctions as prescribed in Manual G, Chapter 66. Employment and Training will notify the WIN team of failure to cooperate on DSHS 2-306(X).

C. In non-WIN CSOs, E & T staff will notify Financial Services using DSHS 2-306(X), Communication/Referral for applicants and DSHS 3-159(X), Notice of Intent to Deregister when an individual fails to participate in E & T activities without good cause.

D. Returned Warrants

An FST will contact E & T supervisor for disposition of any warrant that is returned to the CSO by the post office, client or public, and other CSOs after SO issue. The E & T supervisor will have the appropriate service worker complete a DSHS 2-306(X), Communication/Referral Form, and send it to the FST instructing him/her what action to take. A copy of that DSHS 2-306(X) will be kept in the social service file.

66.41 Incapacity Determination Services

Incapacity is defined as the existence of a physiological, mental and/or emotional impairment which renders the person incapable of gainful employment. Generally, these problems will become apparent as E & T staff work with the A/R.

A. Employment and Training service workers determine the categories employable, potentially employable, and unemployable clients.

B. If unemployable due to probable incapacity, the case should be referred back to Financial Services per instruction in 66.32.

66.42 Follow-Up Services

A. Agency Liaison

1. E & T staff will establish and maintain close working relationships with the client and the family unit to ensure that the client has followed through with tasks indicated on the EP.

2. Documentation of client followup may be accomplished by making phone calls, writing letters, or face-to-face contact with the client in the office or in the field.

3. Accurate statistics will be maintained and documented.

B. Client Relationship

1. E & T staff will establish and maintain close working relationships with community resources to ensure that E & T clients are receiving needed services.

2. As necessary, E & T staff will intervene to ensure that the client's needs are met.

C. Vocational Training

1. As the approved training plan nears completion, E & T staff will begin planning with the client for job placement.

2. Available agency and community resources will be maximized, including training institution resources, to ensure employment following termination of training.

D. Job Placement

1. When a client obtains employment, follow-up services may be provided to ensure job retention.

2. During the follow-up period, services may include, but are not limited to, the following:

a. Budgeting of wages

b. Assistance with child care plans

c. Supportive social services

d. Assisting the client to cope with problems experienced on the job

e. Information and referral services.

E. The client should be aware that if requested and when needed certain E & T services, (not child care and transportation/lunch) may be available for up to 30 days following termination of their grant.

F. Terminate E & T services using DSHS 14-159(X), Change of Service Authorization, and the DSHS 4-244(X), Employment and Training Case Opening and Closure.

66.43 E & T Sanction and Adjudications

A. Mandatory AFDC cases in WIN CSOs

1. Review chapter 388-57 WAC, Sections 061, 062, 064, 090; Manual G, Chapter 64; and Manual F, Chapters 20 and 22.

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2. If a mandatory registrant without good cause:

   a. Refuses to participate in preparation of an employability plan, or in carrying it out; or

   b. Misses two appointments with E & T, as described in Chapter 64.49; or

   c. Fails or refuses to cooperate in removal of employment barriers; or

   d. Fails or refuses to participate in job search; or

   e. Refuses training or a job offer; or

   f. Fails to continue employment; then

   E & T must refer the case back to the WIN unit (SAU) on DSHS 2-306/306A(X), Communication/Referral form. The service worker must provide complete documentation on the form and in the service record of the sequence of events regarding client's failure to participate as required.

B. Mandatory AFDC cases in non-WIN CSOs and non-WIN AFDC cases in WIN CSOs.

   1. Review WAC 388-24-090, chapter 388-57 WAC, Sections 032, 036, 056, 057, 061 and 090; Manual G, Chapters 64.49 and 66.43 A. 2. a-f; and Manual F, Chapters 20 and 22.

   2. The E & T unit is responsible for determining whether sanctions are imposed, and if so, the length of the sanction period. E & T will take all necessary steps to notify the client and the financial unit of actions taken.

   3. At the time of registration, each client must be advised orally and in writing of sanction provisions, the options for resolving differences, and fair hearing rights.

   4. Voluntary E & T registrants (AFDC recipients who are not required to register with WIN or E & T) who fail to cooperate are not subject to financial penalty.

      a. An attempt should be made to discuss with the client his or her failure, and to offer conciliation to restore cooperation and to deal with any complaint or grievance involved.

      b. If cooperation is not restored through these efforts, the volunteer may be deregistered following a 10-day advance notice on a DSHS 14-159(X), Change of Service Authorization.

66.44 Complaint or Grievance by Client

A. A complaint or grievance may be over:

1. Something which is not sanctionable.

2. A dispute over an assignment, provided the client is not refusing the assignment.

3. Alleged discrimination.

4. A claim of inappropriate treatment by staff.

5. Eligibility for, or the amount of allowances for transportation, lunch money, or child care.

B. Complaint or Grievance Procedure

1. When a complaint or grievance is expressed, the E & T service worker should attempt to resolve the issue within four working days, but must advise the client in writing, immediately, of the right to file a written grievance.

2. If not resolved at the E & T service worker level, the client may within one working day of the attempted resolution conversation, request in writing a supervisory review. The client and E & T service service worker may be present at the review. The unit supervisor has five working days after the day of the request to conduct the review and to issue a written decision.

3. If the complaint or grievance is not resolved at the supervisory level, the client may within two working days of the client-supervisor conversation request in writing an administrative review and must receive written notification of this right. This may be a record review.

4. The CSO administrator has ten working days after the day of the request to conduct the review and to provide a written decision. This decision is final and is the last step in the conciliation process for a complaint or grievance.

5. The client retains the right to request a fair hearing if dissatisfied with the administrative decision, and must be so notified in writing.

66.45 The Sanction Process

A. Sanctionable items are issues which may result in deregistration from the program for any of the reasons listed in Manual G, 66.43. A sanction may be applied to an AFDC recipient only after the following three steps have been taken:

1. An interview has been completed to discuss with the client his/her apparent failure to cooperate, (i.e., no resolution).

2. A conciliation appointment is offered and either provided by DSHS or waived by the client, and the issue remains unresolved. The client is deemed to have waived conciliation if he/she overtly rejects the opportunity, fails to cooperate in interviews and activities designed to resolve the problem, or fails to respond to two notices of conciliation appointments mailed to the client's current address.

3. A DSHS 3-159(X), Notice of Intent to Deregister is sent, and either the client does not request a hearing or the hearing decision is not in the client's favor.

B. If the refusal is overt, that is, the client states orally or in writing that he/she refuses to cooperate, the initial interview to discuss apparent failure to cooperate (A. 1. above) is waived and the conciliation appointment (A. 2.) becomes the first step in the process.

C. If there is disagreement with a determination that he/she must register for E & T, or if a complaint or grievance is not resolved to the client's satisfaction, or if there is disagreement with E & T action to deregister or sanction the client, a client may request a fair hearing.

66.46 Appointment to Discuss Failure to Cooperate (Step 1)

A. As soon as E & T service worker determines that a registrant has failed to cooperate in any of the ways described in 66.43, (except in cases of overt refusal), E & T staff shall mail a notice of an appointment for an interview to take place within 10 days, to discuss the apparent failure.

B. The appointment letter must state briefly the reason for the appointment and the possible consequences of not keeping it. The service worker will use DSHS 3-156(X), Appointment to Discuss Failure to Cooperate (see Manual G, Chapter 99).

C. If this action is taken because the client has missed two previous appointments with E & T, the case record must show that at least one attempt has already been made to contact the client. Provided the purpose was to determine the cause of and explain the consequences of noncooperation.

D. If the appointment results are positive, the client should be asked to sign a statement:

1. Acknowledging the discussion of the specific problem;

2. That his/her rights and responsibilities were explained;

3. That he/she has now agreed to cooperate; and

4. Has been informed of the consequences of any future failure to cooperate. The service worker will use DSHS 3-157(X), Resolution of Failure to Cooperate (see Manual G, Chapter 99).

E. If the client subsequently fails to cooperate, no further appointment to discuss failure shall be given and the conciliation process must begin.

66.47 Conciliation (Step 2)

A. Conciliation is an attempt to resolve a complaint, grievance, or participation issue informally prior to a formal hearing, adjudication or sanction.

B. A conciliation opportunity is offered for any of the circumstances listed in Manual G, Chapter 66.43 or in relation to a client complaint or a grievance.

C. The conciliatory action regarding failure to cooperate is initiated from:

1. The date a client fails to appear (without explanation) for the appointment to discuss his/her failure to cooperate, or

2. The date of subsequent failure following resolution and agreement at the first such interview, or

3. The date a client overtly refuses to cooperate.

D. The E & T service worker shall within two working days mail an appointment letter to the client offering an initial conciliation meeting to be held within 10 calendar days of its issuance. The letter must state the purpose of the meeting, the client's right to terminate conciliation, and the consequences of not attending the meeting. The service worker will use DSHS 3-158(X), Conciliation Appointment (see Chapter 66.99).

E. The conciliation process may last up to 30 calendar days:

1. From the date of receipt of a complaint or grievance to the date of submission of an administrative decision; or

2. From the date of the first conciliation appointment to the date a DSHS 3-159(X), Notice of Intent to Deregister, is issued.

F. E & T staff must offer in writing at least two appointments during this 30-day period, at intervals not to exceed 10 days, to resolve the problem with the registrant. Any and all efforts must be recorded completely and accurately in the case record.

G. Examples of service worker conciliation efforts are:

1. Establishing personal contact with an individual with whom previous communication (since registraton) has been only by mail.

2. Where feasible, a home visit by E & T staff, to discover relevant information which the client may not disclose in an office environment.

3. Collateral contact with other persons to assure that all available information relevant to the problem has been obtained.

H. If during the conciliation period agreement is reached to resolve the complaint or continue participation, E & T staff shall send a letter to the client to confirm it, by the close of the next business day.

1. The letter should state the nature of the agreement and, if conciliation regarding failure to cooperate was achieved, the conditions of continued participation.

2. Following this, if the client once again fails to participate without good cause, no further appointments shall be given to seek resolution or offer conciliation, and a DSHS 3-159(X), Notice of Intent to Deregister, must be issued.

66.48 Notice of Intent to Deregister (Step 3)

A. If conciliation efforts or the complaint/grievance procedure have failed to resolve the problems, and the client is still failing to cooperate without good cause, the following actions should be taken:

1. E & T staff must within two working days send DSHS 3-159(X), Notice of Intent to Deregister, to the client by certified mail, restricted delivery. (Good cause is defined in Manual A, WAC 388-57-025(7).)

2. The pink (financial) copy of DSHS 3-159(X) should be retained by the social service worker. If no appeal is filed by the client within 10 days, the service worker will forward the pink copy to financial services.

B. The notice of intent to deregister must state:

1. The reason for the action and the consequences (sanction).

2. The date of the first failure and the length of the sanction period.

3. The action which will be implemented by the service worker.

4. Notice of the right to a hearing regarding either the proposed action (sanction) or the length of the sanction period.

5. The location and procedure for accessing forms for requesting a hearing.

6. An offer to assist in filing a request for a hearing.

7. Notice of the right to have legal representation at a hearing.

8. Notice of the right to present material evidence and to cross examine.

C. The client has 10 calendar days (beginning the day the notice was mailed) to request a Fair Hearing. Otherwise, the sanction will be invoked. The request should be written, or if made orally, followed up in writing and delivered to the CSO within the 10 days.

66.49 SANCTIONS

A. E & T sanction for AFDC recipients is:

1. The termination of E & T registration for failure or refusal without good cause to cooperate in the E & T program; and

2. Denial of the right to reregister with E & T for a stated period of time.

B. An AFDC-R recipient who is a mandatory E & T registrant and who has been found to have failed or refused without good cause to participate shall be sanctioned as follows:

1. For the first occurrence, the individual shall be deregistered for three payment months beginning the first day of the month in which the sanctioned individuals's needs are removed from the grant; and

2. For the second and subsequent occurrences, the individual shall be deregistered for six payment months begining the first day of the month in which the sanctioned individual's needs are removed from the grant.

C. An AFDC-E recipient who is a mandatory E & T registrant and who has been found to have failed or refused without good cause to participate shall be sanctioned as follows:

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The entire assistance unit shall be terminated if the qualifying parent is deregistered with sanction. The parent who refused to register may then claim exemption under exemption criteria in 66.15. The sanction time period shall be the same as 66.49 B., 1. and 2. above.

D. To invoke a sanction, E & T social service staff will notify financial by:

1. Forwarding the pink copy of DSHS 3-159(X) 10 days after mailing this form to the client;

2. Indicating that sanction is to be invoked as soon as possible; and

3. Requesting a reply from financial services indicating the effective date of grant change.

E. To implement an E & T sanction, the financial service unit will send a 10-day advance notice to the client and a DSHS 2-236(X) to the E & T service worker.

F. If no fair hearing is filed, the sanction begins on the first of the month after the 10-day notice expires.

G. If a fair hearing is filed, sanctions will not be imposed until after an unfavorable fair hearing decision has been made.

H. The reasons for, and the length of, a sanction may be included in the scope of the hearing. If not previously appealed, if the hearing decision upholds the sanction action, the sanction period will begin on the first of the next calendar month following the hearing decision.

66.50 REREGISTRATION AND REACCEPTANCE FOLLOWING SANCTION

A. An individual who has been deregistered because of failure to cooperate may again register for E & T, provided the prescribed sanction period has elapsed and the individual has given evidence to E & T staff of willingness to participate.

B. Reregistration in E & T may be denied:

1. If the termination action was the result of the individual's disruptive behavior; or

2. Criminal behavior; or

3. Other activities which present a hazard to the staff or other participants; or

4. Staff determines that readmission would be disruptive to the orderly administration of the E & T program.

66.51 Case Narrative Recording/Required Forms

A. Recording of E & T social service client contacts and activities is to be documented on DSHS 2-305(X), Service Episode Record (SER).

B. DSHS 3-152(X), Employability Plan, DSHS 7-49(X), Summary of Job Search Activity, DSHS 2-306(X), Communication/Referral, DSHS 3-149(X), E & T Registration Record, DSHS 4-244(X), Employment and Training Case Opening and Closure, DSHS 14-154/159, Social Service Authorization, and other required forms (see Manual G, Chapter 99) will serve as part of the required audit trail.

66.52 Targeted Jobs Tax Credit (TJTC)

The Targeted Jobs Tax Credit (TJTC) program is available to employers who hire recipients of certain welfare programs and members of other targeted groups. Effective January 1, 1982, the Work Incentive (WIN) and Welfare Tax Credit programs were terminated. TJTC is the only tax credit program for employers of recipients of General Assistance (GA) and Aid to Families with Dependent Children (AFDC). Recipients are not required to participate in TJTC, but should be encouraged to do so to enhance their employability.

A. General Assistance (GA)

To be eligible for TJTC, recipients must have received GA for a total of 30 days, cumulative, and one day of that grant receipt must have been during the 60 days immediately prior to the date of hire. There are no time restrictions for the accumulation period and it need not be 30 consecutive days of assistance.

B. Aid to Families with Dependent Children

To be eligible for TJTC, recipients must have been eligible for AFDC and have continuously received financial assistance during the 90 days immediately preceding the date of hire, or be current WIN registrants. In the case of WIN registrants, the 90-day assistance rule does not apply. WIN registered applicants for AFDC are also eligible for TJTC certification.

66.53 Employment Search Program (ESP) (SSPS 6606)

This program provides intensive employment services for applicants and recipients of AFDC. The program operates in all CSO areas. Participation is mandatory for nonexempt clients.

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A. The ESP Participation period begins on the day the CSO receives a written request for assistance and continues up to a maximum of 40 continuous working days.

B. The following persons are exempt from ESP participation although they may volunteer for the program:

1. Children who are 15 years of age and under or children age 16-19 who are full-time students.

2. Disabled or ill persons.

3. Persons over age 65.

4. The caretaker of disabled person.

5. A parent or other needy caretaker relative of specified degree of a child under age six who is personally caring for the child full time, with only very brief and infrequent absences from the child (see 66.15 C.).

6. Persons so physically remote from the CSO or work site as to make participation not feasible (two hours round-trip commute).

7. Persons already working 30 hours or more per week.

8. Former recipients who are still E & T or WIN program participants and are currently covered by an Employment Plan.

9. A woman in the third trimester of pregnancy.

10. An AFDC-E only, the parent or other caretaker in the assistance unit who does not qualify the assistance unit for AFDC-E, unless the qualifying parent is exempt.

C. Registration and Appraisal (SSPS 6601):

1. In non-WIN CSOs when E & T is notified by Financial Services that an AFDC applicant is being referred for ESP/E & T registration, E & T staff will interview the client as soon as possible. The same process applies to notification of DSHS/ESD staff for ESP/WIN registration in WIN CSOs.

2. The E & T service worker will explain the Employment Search Program to the client, including:

a. Goals and objectives.

b. The legal basis for ESP, and their rights, and responsibilities.

c. The sanctions that may be imposed on mandatory registrants, and the lack of sanctions for exempt volunteers.

3. In WIN CSOs, initiate DSHS 3-149(X), E & T Registration Record, only for individuals selected for ESP participation. Registrant completes and signs Section 4, E & T staff completes Sections 1, 3 and 6. Place one copy in Service Record. Give one copy to Registrant. In non-WIN CSOs only, all mandatory referrals from Financial must be registered with the DSHS 3-149(X).

4. In WIN areas, E & T/SAU staff will participate in the WIN registration process jointly with ES/WIN staff. (See Manual G, Chapter 64.31.)

5. The E & T service worker will appraise the referrals from Financial Services in terms of:

   a. Education

   b. Vocational training

   c. Employment history

   d. Military background

   e. Hobbies and specific interests

   f. Occupational, educational and training goals

   g. Family situation

   h. Child care needs

   i. Legal problems

   j. Housing needs

   k. Transportation

   l. Motivation

   m. Physical, emotional and mental health

   n. Short and long-term barriers to employment

   o. Capacity to use available resources.

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6. Employment and training will evaluate the registrant's employability using either the EMS 5327/511, Application for Services; DSHS 14-50(X), Statement of Employment and Health; or a CSO (local office) equivalent form. The information gathering and evaluation process includes the factors listed in 66.53 C. 5. above.

D. Employability plan:

1. Based on the individual appraisal evaluation, a DSHS 3-152(X), Employability Plan (EP), is to be initiated for each participant. See Section 66.34 for a description of an EP and see Chapter 99 for instructions and form sample. In WIN CSOs, substitute the EMS 10003 for the DSHS 3-152(X). When the client's participation period has ended, retain a copy of the form in the Service Record and route the original to the ES/WIN counselor.

2. If registrant later becomes an E & T registrant, a new EP is not necessary. Instead the EP developed during ESP participation should be updated.

3. Whenever an EP is initiated for a client, a DSHS 4-244(X), E & T case opening and closure form and Service Code 6606 must be opened.

E. Available services:

1. Individuals subject to the ESP are required to engage in ESP program activities for up to 40 continuous working days in order to be eligible or maintain their eligibility for AFDC. The 40-day period begins on the day the individual submits a written request for assistance to the CSO. Services to participants provided by E & T are those listed in 66.34 and 66.37. In addition, transportation costs can be prepaid or reimbursed up to $8.00 per day to a maximum total of $160; and child care reimbursed at Manual G, Chapter 28 rates up to a maximum of 140 hours per child.

   a. The employability plan outlines the period of participation and the tasks to be accomplished. For example, a certain number of directed job-seeking contacts each week or attendance at a job-seeking club may be required.

   b. At the end of the participation period, volunteers for ESP will have the option of continued service by the regular E & T program.

   c. When services are terminated, close the DSHS 4-244(X) and send a copy to ES/WIN.

F. Failure to participate:

Mandatory AFDC-R participants who refuse or fail to participate without good cause shall have their needs removed from the grant. AFDC-E recipients who refuse or fail to participate without good cause shall disqualify the entire family from assistance. AFDC-E applicants who refuse or fail to participate shall make the entire assistance unit ineligible for AFDC-E.

1. The following shall be the criteria for determining failure to participate:

   a. Refusal to participate in development or carrying out of an Employability Plan.

   b. Missed appointment with E & T worker or a scheduled activity.

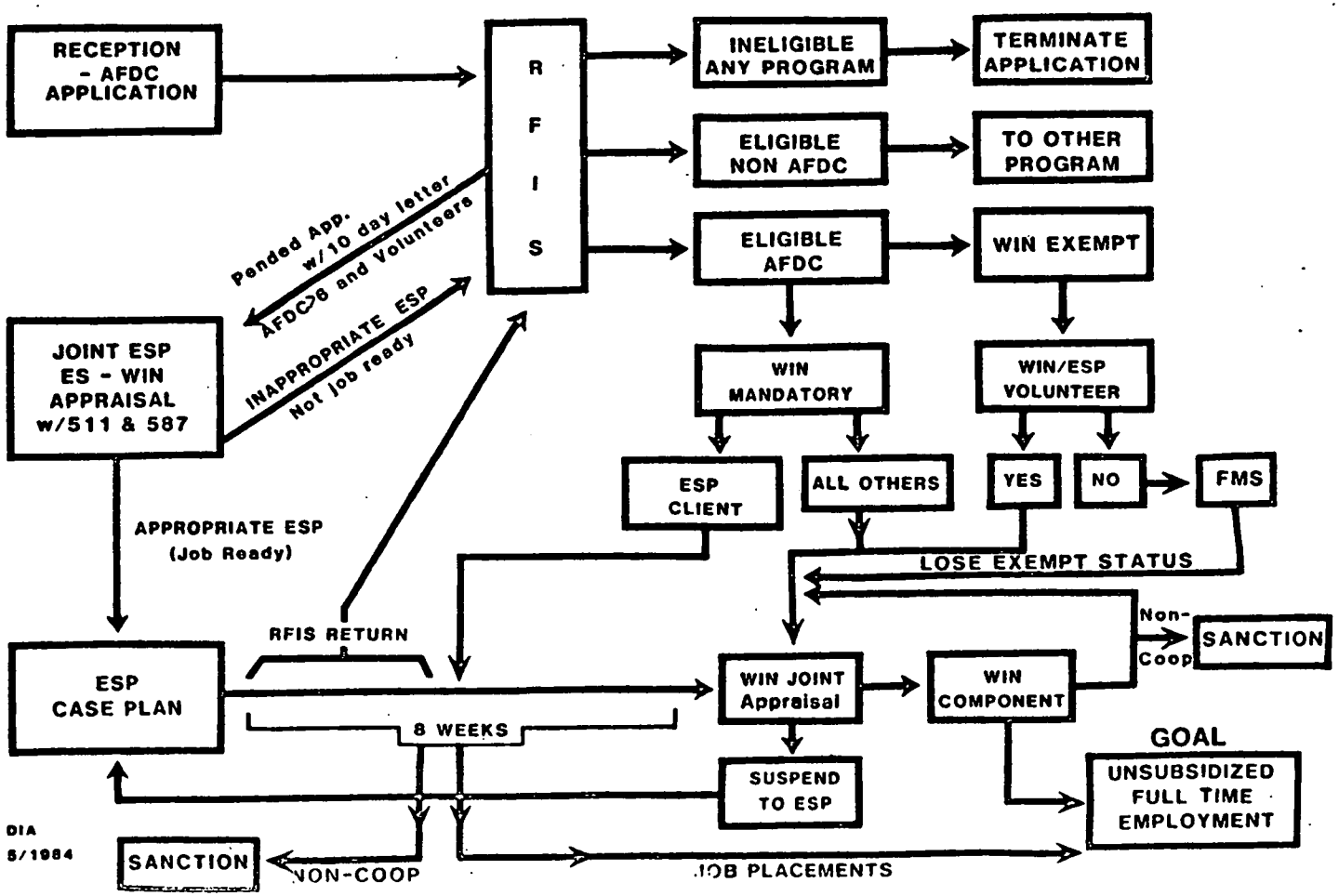
   c. Refusal to cooperate in the removal of employment barrier(s).

   d. Refusal of a job offer.

   e. Quit a job.

2. When a participant fails to participate, the E & T service worker shall notify Financial Services of such failure on a DSHS 2-306(X).

Employment Search Program



66.55 Community Work Experience Program (CWEP) (SSPS Code 6660)

A. CWEP is a program required by RCW 74.04 as amended 5/4/83. The program has the following objectives:

1. To provide work experience to recipients of AFDC unable to secure employment through other employment programs; and

2. Provide useful assistance to public and private nonprofit agencies which would otherwise not be provided by paid employees.

B. The program operates in Mt. Vernon and Moses Lake CSOs.

C. An individual is exempt from participating in CWEP if he/she:

1. Is participating in WIN/E & T approved training plan; or

2. Meets the E & T exemption criteria in Manual G, Chapter 66.15 C; or

3. Is currently (or becomes) employed at least 80 hours per month and earns not less than the legally established minimum wage for such employment. Persons employed at least 80 hours per month at jobs not having an established minimum, shall be exempted regardless of wage level, or whether they have reached their maximum employment potential; or

4. Is denied an AFDC grant for any month solely because the amount of entitlement is less than $10 per month; or

5. Does not reside within a CWEP CSO area.

D. All AFDC recipients who are mandatory referrals to WIN and/or E & T and are not otherwise exempt, are required to participate in CWEP.

1. The following shall be considered mandatory CWEP participants:

   AFDC recipients who are registered with E & T and have participated in the E & T program for 30 days without obtaining employment pursuant to Section 66.13 G.

2. Participating CWEP CSOs shall identify all mandatory CWEP participants.

   a. Mandatory CWEP participants shall be interviewed by the E & T Service Worker in order to identify any barriers to CWEP participation, and to devise a social service plan to enable participation.

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b. As CWEP positions become available, the E & T Service Worker will determine the suitability of specific assignments taking into consideration, to the extent possible, the prior training, proficiency, experience and skills of a participant.

c. If there are more recipients identified for CWEP participation than there are available CWEP positions, clients will be selected based upon the date of the most recent registration for E & T with those having the earliest date of registration being assessed and placed first.

E. CWEP participants shall be referred to, and shall participate in, community work experience positions in public agencies or private non-profit organizations.

1. Positions will be developed with participating organizations by the CWEP E & T service worker.

2. E & T service workers will refer participants for placement in a CWEP position. At the time of referral, the service worker will:

a. Complete DSHS 4-244(X), Part 1, according to forms instruction section 66.99, except:

(1) Any existing opened DSHS 4-244(X) for the same client must be closed prior to opening for CWEP. Use Reason Code 10 and write in "Referred to CWEP".

(2) Check mandatory box.

(3) Date Service Initiated shall be the date first notice is sent to client for CWEP interview with service worker.

(4) Write "CWEP" in Service Authorization section.

b. Complete DSHS 3-152(X) according to forms instruction Section 66.99. Indicate date of "CWEP Assignment" in Section III Plan of Action.

c. Complete DSHS 14-154(X) using service code 6660. For additional information see service code data in Appendix A of the SSPS Manual.

d. Assure that the participant has an adequate child care plan; (see Manual G, Chapter 28).

e. Explain the child care and transportation reimbursement method (see 66.16).

f. Inform the client in writing of the number of hours he/she is required to participate.

(1) Hours are computed by dividing the household assistance grant by the federal minimum wage (i.e., grant divided by federal minimum wage equals hours).

(2) No assistance unit shall be required to participate more than 8 hours per day or 40 hours per week nor more than 128 hours per month.

(3) It will be necessary to review each CWEP participant's grant amount each month to make certain that the number of hours participation is required are kept current.

(4) In the event of a change in the AFDC grant amount during participation, adequate advance notice (10 days) will be given the participant regarding the hours of participation required, as specified in WAC 388-33-376.

g. Submit DSHS 4-244(X), Case Opening, when CWEP assignment has been made.

Do not use the section of Part 2 labeled Case Close Job Placement when clients are assigned to CWEP projects. This section applies only to termination of CWEP status.

h. Participation at the work site shall be in the payment month for which hours have been computed. CWEP assignments shall be made early enough in the payment month to include required hours of participation.

3. Refusal or failure to participate may be by either overt act (written or verbal statement of refusal) or any current act or pattern of behavior consisting of a series of current events from which failure or refusal to participate can be implied.

a. In the event of refusal or failure to participate without good cause (see WAC 588-57-064 for good cause definition), use the sanctioning procedure in 66.43 through 66.49. The dates and incidents of refusal to participate shall be documented.

b. The service worker will be responsible for the sanctioning process.

F. Upon completion of the six-month participation, or when the client obtains employment during CWEP participation, or when sanctioned, the DSHS 4-244(X) will be closed using parts 2 and 4 showing the appropriate termination reason. Terminate service code 660 on the DSHS 14-159 using the appropriate termination reason listed on the service code data in Appendix A of the SSPS manual.

1. When six months are completed and none of the reasons in Part 4 apply, check "other" and write in "CWEP completed".

2. When a participant completes six months of CWEP participation without obtaining employment, the service worker will schedule an appraisal interview with the client within 10 days of completion. A new employability plan will be completed for clients who will receive further E & T services. Additional six-month assignments to CWEP may be made if appropriate.

66.56 Food Stamp Workfare (SSPS Code 6665)

A. Food Stamp Workfare is a program mandated by the 1983 State of Washington legislature and outlined in "Optional Workfare", 7-CFR 273.22. The program has the following objectives:

1. To provide work experience to recipients of food stamp benefits unable to secure employment through other employment programs.

2. To improve employability and enable individuals to move into unsubsidized employment.

B. The program will operate in the following CSOs:

1. Spokane Southwest

2. Spokane North

3. Spokane East

4. Pierce South

5. Pierce West

6. Pierce East

C. Individuals are exempt from participation in Food Stamp Workfare for any of the following reasons:

1. A person employed or self-employed and working a minimum of 30 hours weekly or receiving weekly earnings at least equal to the federal minimum wage multiplied by 30.

2. Self-employed with weekly earnings equal to the minimum wage times 30 hours per week.

3. Caretaker of a child under six or of a disabled person.

4. Disabled.

5. Participant in a drug addiction or alcohol treatment program.

6. Student enrolled at least half-time.

7. Recipient of refugee assistance who is receiving employment services under that program.

D. All food stamp recipients who are not otherwise exempt will be eligible to participate in Food Stamp Workfare.

1. The number of hours of mandatory participation will be determined by dividing the food stamp allotment amount by the minimum wage but will in no event exceed 30 hours per week. Fractions of hours may be rounded down to the next whole hour.

2. The number of hours of participation in workfare plus the number of hours worked on a part-time job will not exceed 30 hours per week. With the participant's consent, more than 30 hours may be scheduled for any one week provided the weekly average for the month does not exceed 30 hours.

3. Participants may not be required to work more than eight hours per day. However, participants may choose to voluntarily work more than eight hours per day.

4. Participants will not be required to participate at a specific site if any of the following apply:

a. The participant is required to join, resign from, or refrain from joining any legitimate labor organization;

b. The work offered is at a site subject to a strike or lockout;

c. The degree of risk to health and safety is unreasonable;

d. The participant is physically or mentally unfit to perform the employment, as documented by medical evidence or by reliable information from other sources;

e. The distance from the participant's home to the place of employment is more than a two-hour round-trip commute not including transporting a child to and from a child care facility; or

f. The working hours or nature of the work interferes with the participant's religious observances, convictions or beliefs.

5. The meeting of Unemployment Insurance requirements such as job interviews is a priority and is not considered as failure to participate in Food Stamp Workfare. Insofar as possible workfare activities shall be rescheduled.

6. Food Stamp Workfare shall not discriminate on the basis of sex, creed, color, religion, national origin, or political belief.

E. Financial Service Technician will refer all mandatory registrants using form EMS 5327/511 and Food Stamp Workfare Control Card.

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F. All referrals will be interviewed by the caseworker and service provided in the following order:

1. Recipients of Unemployment Compensation with over $116 in food stamp benefits.

2. All 0 income households.

3. Households with stable unearned income such as child support, OASDI survivor's benefits, etc., with over $116 in food stamp benefits.

4. Households working less than 20 hours a week.

5. Households with less than $116.00 per month food stamp benefits.

6. Households enrolled in WIN or E & T and participating less than 20 hours per week.

G. Participants will be referred to, and will participate in, workfare positions in public or private non-profit agencies.

H. The caseworker will perform the following activities:

1. Develop contracts with public and private non-profit agencies for workfare positions. Contracts will include the reporting of attendance to the caseworker using the attendance report form within five working days of the following month.

2. Determine the suitability of specific assignments taking into consideration, to the extent possible, the prior training, proficiency, experience, and skills of a participant.

3. Assure that the participant has an adequate child care plan (see Manual G, Chapter 28).

4. Explain the child care and transportation reimbursement method. Child care will be paid at the rates in Manual G, Chapter 28, but will be submitted on an A-19 Invoice Voucher to DIA Accountant, MS OB-31C for payment. Transportation shall be for actual costs up to $8.00 per day, following the same payment procedure as for child care (SSPS code 6662).

5. Explain the reimbursement method for the cost of personal items required for the workfare site, such as special clothing or supplies that reqular employees must purchase. If a client is unable to purchase the items and be reimbursed, they may be purchased on an A-17-1, Field Order, itemizing the exact amount of each item. The field order must identify the client by name and case number and be sent to DIA Accountant, MS OB-31C before payment. Reimbursement shall be on the A-19, Invoice Voucher, sent to the DIA Accountant, MS OB-31C (SSPS Code 6666).

6. On each A-19 and A-17 submitted to DIA accountant, the claimant's case number and household name, if different than claimant name, must be provided in the description section of the form.

7. Inform the participants in writing of the number of hours he/she is required to participate (see 66.57 D).

8. Complete DSHS 14-154(X) using Service Code 6665. The head of the household of the food stamp unit will be listed as the primary recipient. Each individual in the household who is in a food stamp placement will be listed as a service recipient. Each service recipient should reflect the number of hours worked by that individual. For additional information see Service Code data in Appendix A of the SSPS manual.

I. Interface with Financial Units

1. FSTs will inform the caseworker of changes in food stamp benefit amounts accordingly. Participants must be given 10 days advance notice of any changes in number of hours required.

2. Refusal or failure to participate may be by either overt act (written or verbal statement of refusal) or any current act or acts from which failure or refusal to participate can be implied.

   a. In the event of refusal or failure to participate without good cause, the entire household will be ineligible for two months for each month of nonparticipation.

   b. Good cause shall include, but not be limited to:

      i. Illness or incapacitation of the participant or other household member requiring the presence of the Workfare participant.

      ii. Necessity for a participant to care for a child between the ages of six and twelve because adequate child care is not available.

      iii. Lack of adequate public or private transportation.

      iv. Household moves out of Workfare project area.

      v. Become exempt from workfare eligibility requirements.

   c. The caseworker will notify Financial of the sanction stating the reasons for failure or refusal and the length of the sanction period using a DSHS 2-306, Communication and Referral.

   d. Participants may requalify for food stamps by working at a job site until the obligation is fulfilled. Then the participants may reapply and begin receiving benefits.

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J. Caseworkers will use the Food Stamp Workfare Control Card to compile data which will be used to complete the Food Stamp Workfare Monthly Report. The Monthly Report must be sent to the Regional Office for forwarding to the State Office.

K. The Food Stamp Workfare Monthly Report is to be completed and sent to the Regional Office by the 10th working day of the month following the report month. Complete the "Report Month", "CSO", "Report Completed By", and "Phone No".

1. Number of households referred is the number of households financial units have referred for registration in food stamp workfare.

2. Number of households assigned to jobs is the number of households having been assigned to a specific workfare position.

3. Number of individuals assigned to jobs is the number of persons having been assigned to specific workfare positions. Since a household with more than one eligible person may elect to share the work requirement, this number may be more than reported in #2.

4. Grand total of all hours worked of all participants for reporting month is the total hours reported on the attendance sheets received from workfare contractors.

5. Number of households sanctioned is the number of households whose sanction was imposed in the report month.

6. Number of employments is the number of workfare participants obtaining new unsubsidized jobs.

7. Total dollars saved due to employment for reporting month is the amount of the food stamp benefit reduction. Earnings will be from the new job as reported on the DSHS 12-90 or a DSHS 2-236. This is only for the first time there is a benefit reduction for a new job. Subsequent reductions are <u>not</u> to be added to this figure. This is for active workfare participants. Attach a copy of the Food Stamp Workfare Control Card for each individual newly employed. Be sure to include cases where food stamp participation is terminated due to new employment.

FOOD STAMP WORKFARE MONTHLY REPORT

Report Month _____ CSO _____

Report Completed by _____ Phone # _____

1. Number of Households referred _____

2. Number of Households assigned to jobs _____

3. Number of Individuals assigned to jobs _____

4. Grand Total of all hours worked of all participants for reporting month _____

5. Number of Households sanctioned _____

6. Number of Employments _____

7. Total dollars saved due to employment for reporting month _____

Regional Office will forward reports within five working days to:

Food Stamp Workfare Coordinator
Division of Income Assistance
Mail Stop OB-31C

66.97 INTERFACE WITH OTHER DSHS SERVICES

The E & T social service worker should be aware of and use all available resources within the department as necessary and appropriate. Resources include, but are not limited to, the following:

A. Financial Services - FST to provide up-to-date information which may affect a client's grant.

B. Division of Vocational Rehabilitation for rehabilitative services.

C. Child care services to develop and authorize child care.

D. Bureau of Children Services - crisis intervention services to maintain family unit.

E. Child Protective Services (CPS) when child abuse or neglect is suspected.

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66.98 INTERFACE WITH NON-DSHS SERVICES

The E & T service worker should be aware of and utilize available community employment and training resources which help to remove barriers to employment. Whenever possible, E & T workers will establish and maintain close working relationships with these resources to maximize their use by the client. These resources may include, but are not limited to, the following:

A. Employment Security Job Service Centers for job referral and placement services.

B. Job Training Partnership Act (JTPA) training resources.

C. Community colleges, public and private institutions, and vocational schools for training.

D. Other community resources where job listings and employment assistance are available, especially agencies which specialize in serving particular ethnic, minority and handicapped clients.

66.99 REQUIRED FORMS AND INSTRUCTIONS

See Chapter 99, General Forms, for instructions on these forms:

DSHS 2-305(X)	Service Episode Record (Rev. 10/78)
DSHS 2-306(X)	Communication/Referral (10/78)
DSHS 3-149(X)	E & T Registration Record (Rev. 7/84)
DSHS 3-152(X)	E & T Employability Plan (Rev. 4/80)
DSHS 3-156(X)	Appointment to Discuss Failure to Cooperate (Rev. 4/80)
DSHS 3-157(X)	Resolution of Failure to Cooperate (Rev. 4/80)
DSHS 3-158(X)	Conciliation Appointment (Rev. 2/82)
DSHS 3-159(X)	Notice of Intent to Deregister (Rev. 5/82)
DSHS 4-244(X)	Employment and Training Case Opening and Closure (Rev. 8/84)
DSHS 7-13(X)	One-Time Payment Authorization (Rev. 5/81)
DSHS 7-49(X)	Summary of Job Search Activity (Rev. 8/79)
DSHS 13-525(X)	Preauthorization Request - WIN/E & T Supplemental Medical (Rev. 2/82)
DSHS 14-24(X)	Face Sheet (Rev. 9/78)
DSHS 14-50(X)	Statement of Education, Employment, and Health (11/83)
DSHS 14-154(X)	Social Services Authorization (Rev. 9/80)
DSHS 14-159	Change of Service Authorization (Rev. 1/81)
DSHS 525-108	Dental Claim Form (10/82)
EMS 5327/511	Application for Services (10/83)
EMS 10003	Employability Plan (Rev. 7/80)
EMS 10042	Voucher-Targeted Jobs Tax Credit (Rev. 1/82)
EMS 10066	Applicant Characteristic (Rev. 1/82)
A-17-1	Field Order (Rev. 1/80)
A-19	Invoice Voucher (Rev. 4-81)

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