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CHAPTER 64

WORK INCENTIVE (WIN) PROGRAM

TABLE OF CONTENTS

		Page
64.00	PROGRAM AUTHORITY	3
64.10	POLICY	3
64.11	Purpose of Service	3
64.12	Service Description	4
64.13	General Policies Related to this Service	7
64.14	Priorities Related to this Service	15
64.15	Eligibility	15
64.16	Payment Rates	17
64.20	PROGRAM STANDARDS	18
64.21	Program Expectations/Response Time	18
64.22	Appropriate Program/Service Outcomes	18
64.30	SERVICE PROCEDURES	19
64.31	Intake and Registration	19
64.32	Appraisal and Decision to Enroll	20
64.33	Reappraisal	22
64.34	Employability Plan	22
64.35	Resolving WIN Team Disagreement	22
64.36	Initial Certification	23
64.37	Documenting Incapacity	23
64.38	Assignment to WIN Component	24
64.39	Supplemental Certification	25
64.40	Social Service Recording and Service Authorization	25
64.41	Social Service Appointments	27
64.42	WIN Child Care Services	27
64.43	Employment-Related Medical Services	28
64.44	WIN Counseling and Referral Services	32
64.45	Social Service Termination and Notification Following Employment	35

SS Manual - 2272
David v.

64.46 WIN Case Transfers 36
64.47 WIN Complaint and Grievance Procedure 40
64.48 Refusal or Failure to Participate 41
64.49 Determination of Good Cause 42
64.50 Conciliation Effort 43
64.51 WIN Sanction Process 45
64.52 Reregistration Following Sanction 46

64.97 INTERFACE WITH OTHER DSHS SERVICES 47

64.98 INTERFACE WITH NON-DSHS SERVICES 47

64.99 REQUIRED FORMS AND INSTRUCTIONS 48

SS Manual - 2273
David v.

CHAPTER 64
WORK INCENTIVE (WIN) PROGRAM

64.00 PROGRAM AUTHORITY

Federal: 29CFR56, 45CFR224.

State: WAC 388-57; WAC 388-24-107; WAC 388-15-170; WAC 388-33-450; WAC 192-09-430 through WAC 192-10-331.

64.10 POLICY

All staff involved in employment and training programs should be aware of the philosophy and purpose of these programs in order to be able to explain and properly administer them.

As a result of factors beyond their control, individuals and families can experience times in which they do not have the resources necessary to provide themselves with basic life-sustaining needs. For the majority, need is a temporary condition resulting from circumstance, not choice. The provision of food, clothing, shelter, and other essentials during these times is in the best interest of the community, the state, and the nation.

An additional and extremely important service to potentially employable persons is to establish the expectation that they will be assisted through a continuum of employment and training programs to become employable and self-supporting. The active and supporting sharing of this philosophy recognizes the need for maximizing limited funds and honors each person's right to economic independence.

64.11 Purpose of Service

The purpose of the Work Incentive (WIN) Program is to enable certified employable applicants/recipients (A/Rs) of Aid to Families with Dependent Children (AFDC) to obtain employment as soon as possible, in order to become wholly or partially self-supporting and consequently to reduce AFDC costs and caseload.

SS Manual - 2274
David v.

64.12 Service Description

The WIN program is a unified series of financial, employment, and social services designed to move eligible AFDC A/Rs into self-supporting employment.

A. Financial Services

Income Maintenance Unit (IMU) staff of DSHS

1. Obtain preregistration physical examinations and other documentation needed to determine WIN exemption,

2. Advise eligible exempt clients of WIN services (e.g., Day Care) and of their right to volunteer for WIN,

3. Refer to the Division of Vocational Rehabilitation (DVR) clients exempt due to incapacity,

4. Refer appropriate mandatory and voluntary A/Rs for WIN registration,

5. Report changes in circumstances and grant status of registrants to WIN, and

6. Take appropriate action in response to WIN status changes, including financial sanctions and protective payee arrangements where required.

B. Employment Services

1. Services provided by WIN staff of the Employment Security Department (ES) include: WIN registration and labor market exposure, setting appointments as needed for appraisal and orientation, assignment of selected registrants to participating components, requesting needed supportive services through the Separate Administrative Unit (SAU) of DSHS, job placement and other appropriate manpower services, payment of training and work-related expenses and incentives, selecting unassigned registrants for reappraisal, and deregistration. ES/WIN functions also include notifying DSHS of employment or other changes which may affect social/financial services or AFDC eligibility.

SS Manual - 2275
David v.

2. ES/WIN services to employers include obtaining and disseminating job listings, referring qualified WIN applicants, informing employers of WIN incentives such as the Targeted Jobs Tax Credit, and writing contracts for institutional training, on-the-job training (WIN/OJT), public service employment (WIN/PSE) and work experience (WE) placements.

C. Social Services Social services provided by the DSHS Separate Administrative Unit (SAU) to WIN participants include:

1. Day care -- Counseling and planning with parents regarding child care needs, the authorization and the arrangement of direct care and protection of infants, preschool and school-age children during a portion of a 24-hour day, as needed to enable the WIN registrant to pursue employment or training.

2. Family planning — Counseling and arranging for educational and medical services (including diagnosis, treatment, drugs, supplies, services, and related counseling furnished, prescribed by, or under the supervision of a physician) to enable appropriate individuals (including minors) to voluntarily limit their family size or to space their children.

3. Employment-related medical/dental services -- Counseling on health care matters and resources, and assistance in obtaining medical care and services directed toward overcoming physical and emotional health problems likely to jeopardize or limit the immediate employability of an individual who otherwise has the potential for work.

4. Home management — Counseling, and arranging for homemaker or chore services when needed, to overcome problems of home and family care that affect participation in employment or training activity.

5. Counseling -- The process in which the SAU service worker directly assists the WIN registrant or a member of the family to resolve an identified problem or to improve individual or family functioning that may interfere with the employability of the registrant. This service is in addition to counseling that may be provided incidentally during the WIN appraisal interview or in relation to services in 1 through 4 above.

SS Manual - 2276
David v.

a. Counseling may:

(1) Pertain to personal and family relationships, housing improvement, problems requiring referral to other DSHS units or other agencies (vocational rehabilitation, family guidance clinics, educational facilities, legal aid, financial counselors, etc.), or any other concern affecting the client's employability.

(2) Include home visits and other action requested by ES concerning problems with transportation, clothing, grooming, and other factors directly affecting participation in the employability plan, including missed appointments and upon ES determination that the client has failed to participate without good cause.

b. SAU provides/arranges non-WIN social services needed by other members of the family during the period the WIN participant is eligible for SAU services.

D. Joint Services

Joint ES/SAU services may include:

1. The joint intake/appraisal interview of mandatory WIN registrants and WIN volunteers,

2. Development of employability plans for registrants selected for participation,

3. Group orientation and/or job search workshops,

4. Case review conferences,

5. Periodic joint reappraisal of participants or unassigned registrants,

6. Appointments to resolve client grievances, and

7. Pattern of behavior and/or conciliation appointments with registrants who have failed to participate.

SS Manual - 2277
David v.

64.13 General Policies Related to This Service

A. The WIN program is a joint responsibility of ES and DSHS.

WIN services are provided to AFDC recipients in selected Community Services Offices (CSOs) in the state according to joint ES/DSHS decision. (See 64.80 for listing). The state and each local WIN project must have an annual plan which describes the WIN goals and operation for the geographic area, prepared jointly by ES (the State WIN Sponsor) and DSHS. Regular data collection and reporting is required by ES, DSHS and federal Region X Department of Labor/Health and Human Services (DOL/HHS) WIN offices to provide for monitoring of service levels and expenditures in relation to the plan, and to assure proper accounting for all WIN program funds.

B. IMU Responsibility

1. The IMU in WIN CSOs must require that all AFDC applicantsregister with WIN as a condition of eligibility prior to opening the AFDC grant unless exempt and that recipients losing their exempt status register to remain on the grant.

2. IMU must also advise exempt A/Rs of WIN services available to them as voluntary registrants.

3. The IMU will arrange for appropriate preregistration physical or psychological examination of persons claiming or revealing temporary illness or injury, or permanent disability or incapacity, that may make them exempt.

   a. When examination indicates temporary impairment (under 90 days), mandatory registrants will be referred to WIN as soon as appropriate.

   b. When permanent incapacity is substantiated, IMU must refer the individual to the Division of Vocational Rehabilitation (DVR).

C. Registration by ES

ES must register all AFDC A/Rs referred by IMU as mandatory WIN registrants and must advise them in writing of their WIN rights and responsibilities. Completion of the EMS 5327/511, Application for Service, during WIN registration satisfies the AFDC and food stamp

SS Manual - 2278
David v.

eligibility requirements of work registration at ES. IMU may be asked to reconsider a referral for mandatory WIN registration when the WIN intake team believes an exemption applies.

D. Appraisal/Reappraisal

1. All WIN registrants must receive an in-person appraisal by WIN staff to determine employability potential and suitability for WIN participation. The SAU of DSHS participates in joint WIN intake/appraisal with ES and provides or arranges supportive social services for WIN participants and their families as needed. Except for joint appraisal or reappraisal of candidates for WIN enrollment, SAU staff assignment and involvement must be limited to cases of current registrants in an active WIN status.

2. DSHS shall cooperate with periodic ES review of unassigned registrants and in joint reappraisal when indicated. Unassigned registrants shall not receive WIN manpower or social services.

E. Sharing of Information

Information from DSHS records that may affect employability of an AFDC A/R referred to WIN must be shared with ES (WIN unit, only). A free exchange of pertinent information from ES and DSHS records must be maintained. Each agency will assume responsibility for confidentiality of information received.

F. Social Summary

The SAU service worker will complete a written social summary on each WIN registrant or volunteer requiring WIN supportive services. This must contain the client's major strengths, problems and barriers to employment.

G. Employability Plan

When a registrant is selected for enrollment as a WIN participant, SAU must participate with ES and the client in the development of a written employability plan, to be signed by all three parties. The plan will show the employment objective, projected steps and time frame to achieve it, existing barriers, and any supportive social services required to accomplish the plan. On signing the plan, the registrant has agreed to the delivery of the specific manpower and social services outlined. For a mandatory registrant, cooperation in development of the plan is mandatory both prior to and following certification.

SS Manual - 2279
David v.

H. Certification

SAU must certify to ES the specific types of service that will be delivered in accordance with the employability plan, and must certify all AFDC-E qualifying registrants as employable regardless of whether or not enrolled in an active WIN status.

I. SAU Service Policies

1. Child Care — Where the employability plan contains an immediate or anticipated need for child care, planning with the parent must begin during appraisal.

   a. WIN-paid day care may be authorized only for registrants enrolled in WIN-approved training or other WIN-assigned activities, when coverage through no cost arrangements or other resources (e.g., Title XX, educational grants, work-study funds, etc.) is unavailable or denied.

   b. Although used primarily for one-parent families (AFDC-R), WIN-paid day care may be authorized for two-parent families (AFDC-E) while the mandatory parent is participating in WIN activity, if the other parent cannot care for the child(ren) due to:

      (1) Circumstances beyond the control of the family (e.g., illness, jury duty, etc.), or

      (2) His/her own participation as a WIN volunteer. If the other parent is employed prior to his/her WIN registration, child care will be treated as a work expense, not charged to WIN.

   c. WIN-paid child care providers must meet licensing/approval standards set forth in Manual G, Chapter 06 Licensing/ Certification, and WAC 388-15-170.

   d. When only one type of child care is available, it must be accepted by the parent if she/ he is a mandatory participant. All child care documents and communications must clearly specify "WIN Child Care."

2. Family Planning -- If, after information on this resource is given at appraisal or thereafter, a WIN participant expresses a desire or interest in family planning, SAU shall provide further

SS Manual - 2280
David v.

information, counseling, and referral (if desired) to an appropriate medical provider of the client's choice from among those available.

3. Employment-Related Medical Services -- WIN medical/dental services shall be arranged toward overcoming physical and emotional problems likely to adversely affect employability of an individual who otherwise has the potential for work.

   a. For A/Rs with a disabling condition known or claimed prior to referral to WIN, IMU must obtain any preregistration physical or psychological examination necessary to determine if the A/R should be exempt from WIN registration.

   b. For WIN registrants selected for participation, SAU must obtain medical information, evaluation, and treatment as soon as possible when requested by ES and shall report status to ES within 30 days.

   c. A client who fails to cooperate in obtaining documentation or treatment of a condition affecting employability may be sanctioned by ES WIN for failure to participate in the employability plan.

   d. WIN supplemental medical/dental coverage may be requested for services and aids prescribed or recommended by local medical examiners to enhance client employability when coverage has been denied by, or is not available from, the regular DSHS medical program and other resources.

   e. WIN medical/dental services and rates shall use, as a guideline, policies and allowances established by the DSHS Division of Medical Assistance (DMA) for other medical programs. Physicians and dentists used for WIN services must be under current contract with DMA (with Provider Number), as they are expected to accept Title XIX coupons for services covered thereby and to accept DSHS rates without charge to the recipient.

   f. All WIN medical/dental services, including diagnostic examinations, require preauthorization by field staff of the Division of Income Assistance (DIA). The local SAU supervisor will control expenditures through case-by-case decision on purchase of the procedures authorized and priced by DIA staff.

SS Manual - 2281
David v.

g. All WIN covered procedures will be time-limited, normally bearing an expiration date of 30 days for examinations and 60 days for treatment from date of authorization by DIA field staff.

h. Authorizations will be limited to services:

(1) Necessary to obtain or retain a specific type of employment currently available in the area,

(2) For participants who are otherwise job ready; i.e., who do not have other barriers that will preclude employment and who already possess the necessary skills and experience or are expected to be successfully complete training within 60 days.

i. From the date a participant enters employment (WIN status WR, SE, OJT, PSE, or PT), any prior WIN authorized treatment must be completed within 30 days, and new WIN requests will be considered only if loss of existing employment would occur if the service were denied.

4. Home Management — Homemaker or chore services are appropriate when needed to meet a temporary situation arising at home that would interrupt WIN participation, such as the hospitalization of the caretaker relative in the family.

5. Counseling — If, at the appraisal interview or later, a WIN registrant selected for participation indicates a specific problem or need that may affect employability, SAU shall schedule counseling toward resolving it. Whenever requested by ES, counseling intervention shall be initiated immediately to resolve a specific problem affecting employability or participation.

6. When any of the above services (1-5) involve referral to another resource (e.g., counseling agency, substance abuse clinic, mental health center, displaced homemakers program, etc.), the SAU service worker must monitor the WIN registrant's attendance and progress to ensure active participation in removing employment barriers.

7. WIN purchased services (including day care, medical, and other) are to be authorized only when:

a. Required for employability, and

SS Manual - 2282
David v.

b. Coverable by allotted WIN funds, and

c. No other resource is available for timely provision of the service.

J. SAU Service Record

A CSO social service file shall be established for each WIN participant/family and maintained where it is immediately accessible to SAU staff while the recipient is eligible for WIN services.

K. Orientation

DSHS staff may assist ES in planning the schedule and content of periodic group orientation for new WIN participants. An SAU staff member may be present during part of each orientation session to discuss DSHS services. An IMU representative will be invited to participate briefly, whenever possible, to discuss the 30 + 1/3 earned income disregard and other financial eligibility factors.

L. Joint Case Review

A Joint Case Review Committee shall be appointed by local ES and SAU supervisors, whenever requested by either SAU or ES WIN staff, to reach mutual agreement on WIN services and case disposition. The committee shall be composed, at a minimum, of an ES and a SAU staff member who have not dealt directly with the individual under review. Other consultants appropriate to the case may be asked to participate.

M. SAU Service Termination Following Employment

At the time a participant enters employment, full or part-time, subsidized or unsubsidized, he/she must be advised in writing that SAU services will terminate in 30 days, or sooner if another resource is then available. He/she must also be advised of available non-WIN social services and how to apply for them (for example, Title IV-A child care reimbursement as a work expense).

N. WIN Sanctions

1. Refusal or failure to register for WIN

a. A nonexempt AFDC-E qualifying applicant or recipient who refuses/fails to register for WIN shall render the entire assistance unit ineligible for AFDC-E for so long as the qualifying parent is not registered.

SS Manual - 2283
David v.

b. Any other nonexempt AFDC applicant or recipient who refuses to register for WIN shall not be included in the grant (if an applicant) or shall be deleted (if a recipient) by IMU.

2. Refusal/failure to participate in WIN after registration

a. A nonexempt qualifying AFDC-E recipient who refuses/fails to participate satisfactorily in WIN shall cause the entire assistance unit to be terminated from AFDC-E.

b. A mandatory WIN registrant who fails without good cause to appear for appraisal or otherwise cooperate during the appraisal process shall be deregistered by ES and shall be removed from the AFDC grant by IMU for failure to participate. This applies also to a mandatory registrant in Unassigned Recipient status, whether certified or not, who fails without good cause to appear or otherwise cooperate when scheduled for reappraisal.

c. Sanction period

(1) For the first occurrence, the individual will be deregistered and appropriate financial action taken for three payment months beginning on the first day of the first payment month the grant change can take place following ten days' advance notice from IMU.

(2) For the second and any subsequent occurrences, the individual will be deregistered and the appropriate financial action taken for six payment months beginning on the first day of the first payment month the grant change can take place following ten days advance notice from IMU.

d. If an AFDC-R caretaker relative is deregistered for sanction, IMU must arrange a protective payee for the grant. This does not involve SAU which may serve only current WIN registrants.

O. Reregistration and Reacceptance to WIN

1. When an individual has been deregistered because of failure to accept employment or to participate in the WIN program without good cause, ES WIN will reregister the individual, provided the

SS Manual - 2284
David v.

sanction period has elapsed since deregistration and the individual has reapplied for AFDC, been referred by IMU, and given evidence to ES of willingness to participate. If reregistration is denied pending evidence of willingness to participate, the applicant may appeal for a WIN hearing.

2. Reacceptance in WIN may also be denied if the termination action was the result of the individual's disruptive behavior or of criminal or other activities which presented a hazard to the staff or other participants.

P. DSHS Fair Hearings and ES WIN Hearings

1. An applicant or recipient has a right to request a fair hearing (to be conducted by DSHS) to contest a determination of nonexempt status, or to contest a denial of AFDC benefits when such benefits have been denied because of refusal to register for WIN or as a result of deregistration (WIN sanction) for failure to participate in WIN.

   An AFDC applicant who claims to be exempt from WIN registration (as provided in WAC 388-24-107) shall be considered as exempt until his/her status is finally determined by IMU or by a DSHS fair hearing decision.

2. ES has the responsibility for hearing and deciding disputes over WIN requirements and benefits, and over WIN decisions involving refusal or failure on the part of a registrant to accept employment or to participate in WIN, and over a WIN decision to not reregister an individual following sanction.

   ES also has jurisdiction to hear and decide all disputes regarding provision and acceptance of supportive social services needed the employability of the WIN registrant as provided or arranged/referred by WIN SAU staff of DSHS.

3. An Indian A/R has the right to involve DSHS Office of Indian Affairs in the fair hearing process.

Q. Deregistration by ES

WIN deregistration is an ES function. It is a separate process from grant termination, although it may affect the latter.

SS Manual - 2285
David v.

R. Notifications from IMU

IMU must notify WIN within 3 days of any change in a WIN registrant's employment, AFDC eligibility, or exemption status which may result in deregistration, and of any change of address.

64.14 Priorities Related to This Service

Priority for appraisal, employability plan development, and certification of supportive services will be given to A/Rs in the following order:

A. Mandatory WIN registrants in two-parent households;

B. Heads of single-parent AFDC families who volunteer;

C. Heads of single-parent AFDC families who are required to register.

D. Others age 16 or older who are required to register for WIN.

64.15 Eligibility

A. In WIN CSOs all AFDC applicants must register with WIN as a condition of eligibility prior to financial grant opening unless specifically exempted by IMU in accordance with Manual F, 22.15. AFDC recipients who lose their exempt status must register within 30 days to remain on grant. Exempt AFDC recipients must be advised they may receive WIN services as voluntary registrants.

An AFDC A/R is exempt from WIN registration if that person is:

1. A dependent child under age 16, or under 19 attending elementary, secondary or vocational-technical school full time.

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

3. Residing outside a WIN area or so remote from the WIN office serving the recipient's residence area that he/she cannot effectively participate. Remoteness is defined as a distance which would require more than one hour commuting time each way, by any available mode of travel, for a total in excess of two hours daily, exclusive of time necessary to take children to and from a child care facility. However, if normal commuting time in the area exceeds two hours round trip, the generally accepted community standard will prevail.

SS Manual - 2286
David v.

4. Required at home on a substantially continuous basis because another family member is ill or incapacitated. This exemption does not apply if the ill/disabled person is regularly away from the caretaker for several hours on work days (e.g., SSI disabled child in school).

5. A parent or other needy caretaker relative of specified degree of a child under age six who is personally caring for the child. This exemption applies whether the child is receiving assistance or not. This exemption does not apply to a foster parent who is not a relative of the child, nor to a caretaker who is a full-time day college student as defined by the school.

   This exemption applies where the caretaker's absence from the child is only occasional, as for normal family errands (e.g., shopping) or due to nonrecurring 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 WIN does not normally require employment-related activities at such times.

6. In unsubsidized, paid employment 30 hours or more per week.

7. A woman in the third trimester of pregnancy.

8. In AFDC-E only, the parent or caretaker in the assistance unit who does not qualify the assistance unit for AFDC-E, if the qualifying parent is not exempt.

9. A full-time participant in the Volunteers In Service to America (VISTA) program, if determined eligible for AFDC prior to VISTA enrollment.

B. WIN manpower services from ES and WIN supportive services from DSHS are available only to those WIN registrants who are selected for participation while not in the ESP program. Once enrolled as a participant the individual is eligible for WIN social services, as needed, until employed 30 days or until removed earlier from participant status, whether or not the individual is still an AFDC recipient. Eligibility for WIN manpower services from ES continues for as long as the individual is retained in a participant status by ES.

SS Manual - 2287
David v.

C. Special eligibility rules for WIN day care for training.

1. Full-time students in training programs which qualify for financial aid grants are not eligible for WIN-paid day care unless all available grants have been applied for and day care costs included in the training budget submitted.

2. WIN registrants who require high school or equivalent for employability are not eligible for WIN-paid day care to attend high school, General Educational Development (FED), or Adult Basic Education (ABE) classes, as Title XX day care applies.

3. Registrants in vocational training remain eligible for WIN day care only if assigned to Institutional Training (IT) or Suspense to Training (ST) status by ES (i.e., WIN-approved training, appropriate and necessary for employment).

4. Eligibility for WIN day care for training is limited to cases in which the record contains a completed DSHS 10-164, WIN Day Care for Training Request.

D. Eligibility for WIN-paid child care for participants assigned to WIN work experience or job search is limited to the number of hours the ES WIN counselor authorizes transportation and related expenses (TRE).

64.16 Payment Rates

A. Payment of transportation and other work or training allowances and incentives shall be an ES function.

B. Arrangements for payment of WIN medical costs shall be a DSHS responsibility, using current maximum fee schedules of the DSHS Division of Medical Assistance as a guideline.

1. IMU shall approve and arrange payment for preregistration physical and psychological examinations.

2. SAU shall obtain preauthorization from state office for all precertification examinations and employment-related medical services to be paid for by WIN.

C. SAU staff shall authorize payment for WIN child care in accordance with rates and procedures in Chapters 28, Day Care Services for Children, and in the Social Service Payment System Manual, Appendix A.

SS Manual - 2288
David v.

64.20 PROGRAM STANDARDS

64.21 Program Expectations/Response Time

A. When an EMS 587, WIN Registration Record, is received from IMU, provide WIN registration and appraisal the same day, if possible.

B. Provide full appraisal of mandatory registrant within three days.

C. Appraise voluntary registrant within three days, if possible.

D. Provide counseling within 5 days of enrollment as a WIN participant, when needed.

E. Respond to need for joint conferences with ES regarding client's WIN status when appropriate.

F. Develop Individual Service Plan (ISP), and arrange for delivery of needed social services within 30 days of enrollment as a WIN participant.

G. Review and evaluate ISP as often as needed but no less frequently than once per service episode, and in no case less often than once every six months.

H. Complete delivery of services during WIN enrollment.

I. Arrange transfer of client to a non-WIN service worker when WIN status is terminated and service needs persist.

J. Respond to need for joint training with ES regarding the WIN Program when appropriate.

64.22 Appropriate Program/Service Outcomes

A. The employability potential and suitability for employment of AFDC recipients is assessed.

B. The AFDC recipient formulates immediate occupational goals.

C. The AFDC recipient acquires work experience.

D. The AFDC recipient is employed for at least 30 days.

SS Manual - 2289
David v.

E. The employment of the AFDC recipient results in welfare grant termination and/or reduction.

F. The AFDC recipient is referred/suspended to other employment programs.

G. The AFDC caseload is decreased.

64.30 SERVICE PROCEDURES

64.31 Intake and Registration

A. Mandatory Registrants

As soon as possible after notification from reception or within three days of receipt of a signed EMS 587 WIN Registration Record from IMU, WIN staff will register in person:

1. Any WIN-mandatory AFDC applicant. For those applicants registered for WIN prior to a financial interview, WIN staff will initiate the EMS 587 (completing Sections 1, 3, 4, 5, and 6) and route form to reception to be attached to the DSHS 2-128. When all other mandatory applicants are referred to WIN staff, IMU will have completed Sections 1 and 2 of the EMS 587.

2. Any WIN-mandatory AFDC recipient who is transferring in from a non-WIN CSO or is otherwise no longer exempt from WIN. IMU will have completed Sections 1, 2, and 7 of the EMS 587.

B. Voluntary Registrants

As soon as possible after notification from reception or receipt of an EMS 587 signed by IMU, WIN staff will appraise and register, if appropriate, any WIN-exempt AFDC A/R who volunteers for services.

C. The SAU service worker and/or the ES interviewer will explain the WIN program to the client, including:

1. The federal legal basis for WIN, rights, responsibilities, and sanctions to mandatory registrants.

2. Rights, responsibilities, and lack of sanctions to exempt WIN volunteers.

3. Goals and objectives of WIN.

SS Manual - 2290
David v.

4. DSHS social services and ES manpower services available for WIN participants.

D. The interviewer will complete the EMS 5327/511, Application for Service (Employment History and Identifying Data).

E. The client will complete and sign Section 4 of the EMS 587.

F. ES WIN staff will register the A/R for WIN by completing and signing the EMS 587, Section 3; one copy will be given to the registrant, the other copies returned to IMU by ES within three days. See Chapter 99 EMS 587 instructions.

G. For new applicants, within three (3) days following final determination of grant approval, IMU should so notify WIN by returning two copies of the EMS 587 after completing Section 7. If WIN has not received a notification of grant approval or denial from IMU within at least 30 days from WIN registration completion, it is the responsibility of WIN to contact IMU to determine the disposition of the case.

H. If time does not permit full appraisal at time of registration, WIN will complete the registration as outlined and give the registrant an appointment in writing for a WIN appraisal to take place as soon as possible (usually the next working day). WIN will remind a mandatory registrant that failure to appear for appraisal may affect the AFDC grant.

64.32 Appraisal and Decision to Enroll (SSPS Code 6405)

A. During the appraisal, WIN staff will:

1. Ensure registrant access to labor market information;

2. Determine registrant's suitability for the Employment Search Program or WIN participation and determine his/her employability potential with consideration of current labor market;

3. Determine and authorize supportive services necessary for WIN participation using service codes in the SSPS Manual, Appendix A;

4. Determine whether to enroll the registrant for WIN participation;

5. Develop an Employability Plan (EMS 10003) if appropriate; and

SS Manual - 2291
David v.

6. Select and inform registrant of appropriate WIN status (see 64.38).

B. WIN staff will evaluate appropriateness of the client for WIN in terms of:

1. Work history, skills, and training

   a. Education,
   b. Vocational training,
   c. Employment history,
   d. Military background,
   e. Hobbies and specific interests, and
   f. Occupational, educational and training goals.

2. Personal and family needs or problems affecting employability

   a. Family situation,
   b. Child care needs,
   c. Legal problems,
   d. Housing needs,
   e. Transportation,
   f. Motivation,
   g. Physical, emotional and mental health, and
   h. Short and long-term barriers to employment.

C. If WIN staff disagree with the IMU referral as a mandatory registrant, WIN will register and place the client in an appropriate component, then submit a request to IMU that exemption be considered, stating the reason with supporting documents attached. The IMU response must be accepted. If IMU does not respond in 30 days, WIN will deregister the individual as exempt.

D. If a nonexempt AFDC-E qualifying registrant is appraised and not enrolled, an EMS 408, WIN Certification Record, will be completed by ES and SAU, checking under "Services" (Section 7), "None Required" (Box f.)

E. If a mandatory registrant is not enrolled, WIN staff shall inform the registrant about periodic reappraisals and of the consequences of not responding to reappraisal appointment letters.

SS Manual - 2292
David v.

64.33 Reappraisal (SSPS Code 6406)

WIN staff shall reappraise a current registrant as soon as possible when:

A. A DSHS 2-236, Client Change of Status Notice, is received from IMU showing that the registrant has transferred in from another WIN CSO (see 64.46).

B. The registrant has been in Unassigned Recipient Status 90 days, or sooner if a change of circumstances is anticipated that may affect employability or available services.

C. A need for SAU supportive services continues or re-occurs after the registrant has been employed 30 days (see 64.45).

D. A major change in the employability plan is indicated.

64.34 Employability Plan

A. If the client is to be enrolled for participation in a WIN component, WIN staff will complete an EMS 10003, Employability Plan. An EMS 10003 will also be completed when SAU services are requested for registrants assigned to Working Registrant Status, Part-Time Employment, and Other WIN Non-Component Activity. See Chapter 99 EMS 10003 Instructions.

B. Participating agencies and the client must then sign the EMS 10003. All three parties (ES, SAU, and client) must date and initial any subsequent revisions of the plan, acknowledging the change(s), as this is a contract that may be used in case of a hearing regarding a client's complaint or failure to participate.

64.35 Resolving WIN Team Disagreement

A. If ES and SAU disagree about the enrollment decision, the employability plan or any other determination during the WIN appraisal process, the two workers shall first attempt to resolve the issue immediately.

B. If agreement cannot be reached both the ES and SAU supervisors (or lead workers appointed to represent them) must be involved in order to reach immediate agreement. This should occur within three working days.

SS Manual - 2293
David v.

C. If the supervisors cannot reach a mutually satisfactory conclusion, the ultimate decision to expend manpower resources for the client rests with the state WIN sponsor (ES).

D. After a decision is reached, the client will receive appropriate notification from WIN and, if necessary, an appointment to complete the appraisal interview.

64.36 Initial Certification

A. Following the development of an employability plan, WIN staff will complete and sign Part A of the EMS 408 which lists the specific types of social services deemed necessary for successful completion of the plan, as indicated in Section V of the EMS 10003.

B. SAU will then--or as soon as possible within 30 days--complete and sign Part B of the EMS 408 which certifies if the specified services will be provided by the date requested. See Chapter 99 EMS 408 Instructions.

C. Although ES and SAU shall also complete an EMS 408 for any AFDC-E registrant who is placed in the Unassigned Registrant Status, no EMS 10003 will be written or WIN social services given, unless the registrant is later enrolled as an active WIN participant.

D. If an EMS 408 has not been received by the SAU for an AFDC-E qualifying parent within 25 days of receipt of AFDC benefits, the SAU will initiate an EMS 408 with Part B completed and forward to ES with a memorandum stating that the AFDC-E registrant is thereby being certified and that no services are required. Upon receipt ES WIN staff will complete the cost center code, date of request, Items 1 through 6, 7 f, and 9, and enter the date of the memorandum in the date item in Part B. A copy of the SAU memorandum should be attached to the green copy and submitted along with the State Office (SO) DSHS green copy to the SAU.

64.37 Documenting Incapacity

When incapacity is claimed or discovered during the appraisal, WIN staff will register and place the individual in Other WIN Non-Component Activity status. The WIN team must decide which of the following two procedures to follow:

SS Manual - 2294
David v.

A. SAU may request IMU to reconsider exemption, as in 64.32 C above. When incapacity is the reason for this request, it is recommended that SAU first contact the IMU worker to determine if the problem was already explored by IMU and, if so, what information was obtained. Following this contact, the request may be initiated if it is still believed to be appropriate. If IMU decides to exempt the client until incapacity is determined, WIN staff will deregister him/her. IMU will then authorize, process, and retain copies of the preregistration physical or psychological examination, as in Manual F, 22.35 A.

B. SAU may initiate a precertification physical or psychological examination if needed to document the incapacity. WIN staff will request this on an EMS 408.

1. SAU will follow instructions in 64.43 D.

2. If the exam reveals evidence of incapacity, SAU will send a copy to IMU for determination of WIN exemption and referral to vocational rehabilitation.

3. SAU will send a copy to ES.

64.38 Assignment to WIN Component

A. When IMU has signed Section 7 of the EMS 587 and returned the first two copies which indicate that the AFDC grant is open, WIN staff will complete an initial EMS 186 to place the registrant in either a participating or a nonparticipating status, as determined during the appraisal. See Chapter 99 EMS 186 instructions.

B. Registrants not selected for immediate WIN participation will be placed in Unassigned Recipient status, subject to periodic review.

C. Registrants selected for WIN participation will be enrolled in a participating component, active status, or placed in Other WIN Non-Component activity, as indicated on the EMS 186.

D. The SAU will maintain jointly with ES WIN where possible, a WIN control card file of all current and former registrants, showing:

1. The registrant's current WIN status and date entered.

2. The ES and SAU service worker assigned.

SS Manual - 2295
David v.

3. The dates, chronologically, of WIN-related forms sent or received. See Chapter 99 Instructions, DSHS 2-12 E&T Control Card.

64.39 Supplemental Certification

A. At any time following enrollment and certification, a supplemental EMS 408 must be initiated (by either the ES or SAU worker) when a new category of social services is required. Each type of service shown on the EMS 408 shall be checked only once during a period of enrollment, regardless of the number of times the services in that category are opened and closed on DSHS 14-154/159.

B. When a supplemental EMS 408 is initiated by the SAU worker, it does not need to be signed by the ES worker. "Supplemental" shall be written at the top of the EMS 408 and the top half, Part A, shall be completed, except for the ES worker's signature. It shall be submitted through regular channels.

C. If an additional service is needed in a category previously checked for service, an EMS 408 shall be used between ES and DSHS. The following procedures shall be used:

1. Write - "DO NOT SUBMIT" - across the top of the EMS 408.

2. Leave Number 7., a-f, blank.

3. Under Number 10 - Additional Information - write the category of services needed (counseling, medical, day care) and the specific service to be delivered (eyeglasses, child care).

4. Follow regular distribution, except that SAU shall <u>not</u> transmit the SO DSHS copy.

64.40 Social Service Recording and Service Authorization

A. SAU shall complete a DSHS 14-154(X), Social Services Authorization, when a WIN candidate is registered and appraised, and when a WIN registrant is reappraised or contacted to review his/her status while in the unassigned registrant pool.

B. The WIN service code for the appraisal (6405) or reappraisal (6406) shall be opened and closed as of the date the client is interviewed. This covers the information and general counseling given during the

SS Manual - 2296
David v.

interview. Appraisal and reappraisal activities are not specified on the EMS 10003 or EMS 408 as services; that is, they are not to be counted as counseling (see 64.44 B.).

C. The other WIN codes shall be opened (and closed the same day where appropriate) for specific services other than counseling delivered at the time of the appraisal—e.g., planning child care with the parent, referral for employment-related medical services such as eyeglasses, etc. If a further appointment is given to deal with a problem identified on the EMS 408, other than child care, family planning, medical or home management, the SAU service worker will see that counseling is checked on the EMS 408 and the appropriate SSPS counseling/referral code is opened. The SAU service worker must see that all WIN services, when opened, are within service categories authorized on an initial or supplemental EMS 408.

When a WIN appraisal, reappraisal, or service action is recorded on the DSHS 14-154/159, show in Item 21 the WIN status the client is entering or continuing. For example, when a potential WIN volunteer is interviewed (6405, Appraisal), but decides not to sign up for WIN, show Code 13 (not registered) in Item 21. This makes it possible to determine the number and type of supportive services used for each WIN status.

D. SSPS Code 6407 (WIN Enrolled Services) must also be opened, and kept open, as long as any other WIN service codes remain open following appraisal or reappraisal. This provides for a monthly printout listing all active SAU service cases to assist in SAU caseload management.

E. The SAU service worker shall complete a written social summary on DSHS 2-305(X) regarding each registrant for whom WIN social services are requested. This will be placed in the SAU service record.

F. For each service category authorized on the EMS 408, the SAU service worker shall open and close corresponding WIN codes on the DSHS 14-154/159 as many times as needed to complete employment-related service plans. The SAU service worker shall also open non-WIN service codes on DSHS 14-154/159 for social services provided or arranged for other members of the family (i.e., service needs not related to employment of the WIN participant) during the time any family member is eligible for SAU services as a WIN participant. Nonemployment-related services shall not be shown on the EMS 10003 or EMS 408.

SS Manual - 2297
David v.

G. The SAU/social service case records for Unassigned Recipients, and for registrants in active WIN status with ES, but for whom no SAU service is open or needed, may be returned to CSO service files. These records must be immediately available, however, when reappraisal or SAU supportive service is requested (not retained at a site where they would not be readily accessible).

H. All WIN social service codes shall be closed when the participant has been employed 30 days, is returned to Unassigned Recipient status, or is deregistered. At that point, if no other family member is enrolled in an active WIN status and therefore eligible for SAU supportive services, the family ceases to be an SAU service case and all non-WIN service codes as well as SAU service codes shall be closed. Upon termination of SAU services, the case must be transferred to a non-WIN service unit to open or reopen any needed social services for which the family may be eligible. The closing of WIN services following employment is effective 30 days after the date of entry into Part-Time Employment, Working Registrant Status, Suspense to Employment, WIN/OJT or WIN/PSE, as shown on the EMS 186.

64.41 Social Service Appointments

A. When a registrant is to be enrolled, before concluding the appraisal interview WIN staff will give the client a written notice of the date and time of the next ES WIN appointment(s), and/or SAU will provide written appointment(s) to initiate social services required for employability (e.g., counseling, day care, medical).

B. If possible, the client shall also be given the names and telephone numbers of the ES placement worker and SAU service worker to be assigned for ongoing service, if different from that of the person(s) conducting the interview.

C. Both ES and SAU workers will emphasize the importance of keeping all appointments and maintaining contact with the WIN staff.

64.42 WIN Child Care Services

A. Day Care Counseling and Referral (SSPS 6428).--Open and close this service each time the service worker develops or adjusts a WIN-approved day care plan with client and/or provider, regardless of whether the plan involves payment from WIN or from another source, or is a no-cost arrangement. Chapter 28.

SS Manual - 2298
David v.

B. WIN Purchased Day Care (SSPS 2811, 2814, 2820).--Open 2811 or 2814 only for the period of time (days and hours) WIN-paid day care is authorized. When WIN pays a day care registration fee (SSPS code 2820), open and close that service whether or not WIN is also paying for child care. Follow procedures in Chapter 28, Day Care Services for Children.

C. Other Day Care Use (SSPS Code 6412).--Open this service to show the period of time a provider not paid by WIN is used to support the WIN participant's employment related activity, during the time the client remains eligible for SAU services. Show the source by reason code.

64.43 Employment-Related Medical Services (SSPS 6431 and 6432)

A. SAU will refer WIN participants and family members for regular medical/dental services in accordance with policies and procedures in Chapter 48, Health Support Services. Use SSPS Code 6432, "Other Medical," only for employment-related needs of the WIN registrant when no cost to WIN is involved (e.g., Title XIX coupons or other resource used).

B. When the employability plan requires medical determination or treatment, SAU will maintain weekly contact with the client. 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. If the client has made no progress after two weeks, the SAU service worker shall make arrangements directly with the same or other medical resource, subject to CSO/regional medical procedures. Requests shall be in writing and shall specify what is needed to determine employability.

C. If a mandatory registrant who appears employable is unable to produce documentation of a claimed incapacity within 30 days, SAU will confer with ES on the status of the medical request. A decision will be made whether to allow additional time or to place the client in a job search or training component. In the latter case SAU will follow through with the client in the attempt to obtain medical documentation if the request is still appropriate.

D. Procedures for providing WIN supplemental medical services required for employability of the participant only, when denied or not covered by Title XIX or other medical program, are as follows using SSPS Code 6431:

SS Manual - 2299
David v.

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

   a. If a request for medical services and/or aids has been turned down or is not covered under Title XIX medical, a request for WIN supplemental medical aids or services may be submitted to field staff of the Division of Income Assistance (DIA), Office of Employment and Training (see D. 3.).

   b. The service worker completes DSHS 13-525(X), Preauthorization Request-WIN/E&T Supplemental Medical, according to instructions (see Chapter 99), using information from the intended provider to complete Section 5.

   c. Service worker forwards first three copies of DSHS 13-525(X) to DIA field staff.

   d. DIA field staff will approve or deny the request for specified amount and period of time, and will notify the local SAU of the decision. (See paragraph 4. below.)

   e. Upon receiving notice of approval, the SAU service worker or clerk will:

      (1) Prepare a DSHS 6-109(X) Medical Services Invoice Voucher as follows:

         (a) Under "Agency Name," show Division of Income Assistance, Office of Employment and Training, Mail Stop OB-31G, Olympia, WA 98504.

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

         (c) Under "Description," first show the recipient's name and case number, then list the procedure number and name of each WIN-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.

SS Manual - 2300
David v.

(2) Send the DSHS 6-109 to the provider with instructions to:

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

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

(c) Return the completed form to the SAU service worker.

(3) Upon return of the DSHS 6-109 from the provider, check the form for completeness and forward to DIA field staff (see D. 3.).

2. For dental services:

a. For WIN 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 or treatment for abscess via extraction, draining, or root canal), the dentist must first request coverage of those items from DSHS Provider Services, P.O. Box 9253, MS LG-11, Olympia, WA 98504.

b. To request preauthorization for dental examination and X-rays if not available at no cost to WIN, submit DSHS 13-525 to DIA field staff (D. 3.). Include in Part 4 the registrant's description of the dental problem (which teeth affected--upper or lower, front or back, right or left, etc.), and why it affects employability. A provider need not be listed if undetermined at this point. If approved, a second DSHS 13-525 must accompany the treatment plan service worker forwards from the provider.

WIN authorization of x-rays will normally be limited to single periapical or bitewing films of the specific teeth where pain or appearance is a problem. X-rays should not be forwarded to DIA staff unless specifically requested.

c. For dental needs not covered or denied by the regular Title XIX dental program or the Emergent Adult Medical/Dental Program, but required in order to obtain or retain employment,

SS Manual - 2301
David v.

the service worker obtains DSHS 525-108, Dental Claim Form, from dentist showing the appropriate American Dental Association number, and the fee requested, for each procedure, including:

(1) The examination and diagnostic x-rays that have been preauthorized by the DIA field staff.

(2) Complete itemized treatment plan for preauthorization.

Request that dentist not complete or sign section 17, Provider Certification, on the DSHS 525-108 until all authorized work is completed, as this form will then be used for billing. See sample DSHS 525-108 in Chapter 99.

d. Service worker completes DSHS 13-525(X), Preauthorization Request--WIN/E&T Supplemental Medical, section 1, 2, 4, 6 (if x-rays attached), 7-9, and attaches DSHS 525-108, plus any x-rays requested by DIA. See Chapter 99, DSHS 13-525 Instructions.

e. Service worker forwards first three copies of DSHS 13-525(X), with DSHS 525-108 and any attachments, to DIA field staff.

f. DIA staff will approve or deny requested treatment, item by item, showing the authorized rate for each procedure as well as total amount approved. DIA staff will also show the date by which the treatment must be completed and will notify the SAU supervisor of the decision. (See paragraph 4. below.)

g. Upon receiving notice of approval, SAU 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. SAU will instruct the dental provider to:

(1) Date and sign the DSHS 525-108, section 17, Claimant's Certificate, upon completion of all authorized work, then to showing in column D the date each procedure was performed,

(2) Return the completed form to the SAU service worker.

SS Manual - 2302
David v.

h. Upon return of the DSHS 525-108 from the provider, service worker will check the form for completeness and forward to DIA field staff.

3. Send requests to supplemental medical authorization or payment to DIA field staff, Office of Employment and Training:

   a. c/o Regional Office, B32-6 (for Regions 1 and 2);
   b. c/o Region 3 Office, N31-7 (for Regions 3 and 4);
   c. c/o Region 5 Office, N27-5 (for Regions 5 and 6).

4. All authorizations for WIN supplemental medical payments are granted with the understanding that the work will be completed while the recipient is in an active status and therefore eligible for WIN supportive services.

   a. The SAU service worker must follow-up with registrant and/or provider to see the registrant is keeping all appointments and that 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 a de facto failure to participate in WIN (see 64.48 B 2).

   b. If, before the authorized service is completed, there change in the registrant's WIN status that affects eligibility for SAU services, the SAU service worker must notify the provider. For example, SAU services are time-limited after a registrant enters paid employment and must terminate when a registrant is placed in Unassigned Recipient status or is deregistered or given Notice of Intent to Deregister for sanction. See 64.15 C, 64.40 H, and 64.45.

64.44 WIN Counseling and Referral Services

SAU employment-related counseling may be conducted in the office, the participant's home, work or training site, and/or by telephone if necessary. If the client is scheduled for visits to ES/WIN in the vicinity of SAU, appointments shall be coordinated, if possible, to avoid extra travel.

SS Manual - 2303
David v.

A. Services Listed Separately on the EMS 408

1. Family Planning (SSPS 6461)

SAU will provide counseling regarding the need and desire for family planning, and make referral to appropriate available resources.

2. Home Management (SSPS 6408)

SAU will provide counseling and referral regarding management of home, family and financial problems affecting employability of the registrant. Follow procedures in Chapter 42 if chore services are needed, and use appropriate SSPS codes.

B. Other Counseling and Referral Services

The following are included under "Counseling" on the EMS 408 with the type of need or problem specified in Section 10 of the 408:

1. Vocational Rehabilitation Referral (SSPS 6410). See DSHS 1-123(X), DVR/CSO Communications Document instructions, Chapter 99.

2. Counseling - Other (SSPS 6452)

For any SAU service worker contact with a registrant in an active WIN status, to deal with an employment-related need or problem not shown above in section 64.42, 64.43, or 64.44, use this SSPS code and show the purpose by Reason Code (e.g., "F" for contact in Group Employment Search session).

WIN Counseling - Other must also be opened (and shown on a Supplemental EMS 408 if not already listed) when service worker contact is requested following missed ES appointments, for involvement in Pattern Of Behavior (POB), or Conciliation interviews with registrants who have failed to participate.

C. WIN Purchased Services--Other (SSPS 6465)

1. If referral for services under A or B above requires a payment not available from another source, preauthorization for WIN coverage may be requested in writing from the Office of Employment and Training, Division of Income Assistance, OB-31G, Olympia, WA 98504. Include:

SS Manual - 2304
David v.

a. Registrant's name and case number.

b. Registrant's WIN status and date entered, per the EMS 186.

c. Specific employment objective per the EMS 10003.

d. Description of the service/item to be purchased.

e. Justification: Why needed to obtain or retain employment.

f. Amount requested.

g. Proposed provider's name, address, and telephone.

2. If WIN coverage is approved, the SAU service worker will:

a. Prepare an A-19 Invoice Voucher as follows:

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

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

(3) Under "Description," first show the recipient's name and case number, then list each WIN-authorized item.

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

b. Send the A-19 to the provider with instructions to:

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

(2) Sign and date the Vendor's Certificate at upper right when all authorized items have been provided, then

(3) Send the completed form for payment to: Office of Employment and Training, DIA, MS OB-31G, Olympia, WA 98504.

SS Manual - 2305
David v.

64.45 Social Service Termination and Notification Following Employment

A. WIN participants who become employed shall receive notice in writing that WIN supportive services will terminate 30 days following the date of employment (or if other resources are available, following a 10-day notice), and

1. This notice must contain the following:

   a. Description of service(s) being terminated.

   b. Date(s) of termination.

   c. Reason for termination. NOTE: SSPS termination codes (item 34 on DSHS 14-159 or item 30C on DSHS 14-154) should reflect the reason for termination or outcome of service provision.

   d. Information formation on non-WIN services (e.g., day care) and how to apply.

   e. Appeal rights: That the recipient may file oral or written appeal with WIN staff within 10 days of the date the notice is mailed.

2. If the DSHS 14-159 is used for this purpose, the SPECIAL INSTRUCTIONS section must also advise the recipient to disregard the DSHS Fair Hearing information under CLIENT INSTRUCTIONS on the back of the form. Jurisdiction for hearing appeals regarding employment-related social services provided or arranged by WIN SAU rests with the ES-administered WIN appeal system. The EMS 5354 Notice of Appeal form is available from ES WIN.

3. Although Title IV-A day care as a work expense is applicable from the first day of employment, continuation of WIN day care may be needed in some circumstances. For example:

   a. In the event no caretaker in the area will provide day care for a private party without an advance deposit, and the parent does not have the required deposit, continuation of WIN day care may be needed until the first payday (within 30 days).

   b. If the rates of available caretakers for the hours worked per month exceed the maximum that is allowable under Title IV-A as a work expense, continuation of WIN day care may be needed to cover the difference the first 30 days.

SS Manual - 2306
David v.

c. A registrant who is receiving WIN day care but who is off AFDC when employment begins may be eligible for DCFS day care per Division of Children and Family Services (DCFS) Manual 28.15. Continuation of WIN day care may be needed to cover the amount the parent must pay the first month of employment.

B. For employed registrants who have not yet been deregistered by ES, continuation of WIN services more than 30 days following employment shall require a policy exception request plus a reappraisal and updating of the EMS 10003. The exception may request approval of an additional 30 days of service. If that proves insufficient, another exception must be submitted for a second and final 30-day extension. DSHS 5-10(X), Policy Exception Request, must be submitted for SO approval through normal channels. See Chapter 01, Social Service Policy and Administration.

CAUTION: If the client is in Working Registrant status, SAU must coordinate with ES to ensure client is not deregistered (rendered ineligible for SAU services) until approved services are completed. WIN can pay only for services provided while the recipient is a WIN registrant in a participating status. See Chapter 99: EMS 186 WIN Status Notice instructions.

C. WIN supportive services, once terminated following employment, may be reopened for 30 days only as an emergency measure to enable a participant to continue existing employment, but not as a means of prolonging service beyond the extensions provided above. The 30-day reopening also requires a reappraisal and updating of the EMS 10003, but not an exception to policy. The reappraisal shall determine if the employment plan remains feasible in light of the extraordinary need for continued or reopened services to support it. If it is not possible or practical for the client to participate in person in the reappraisal or sign the updated plan, notation must be made in the record to this effect.

64.46 WIN Case Transfers

A. Transfer-out: Consistent with general case transfer policies in Chapter 02, when a request for transfer of record to another WIN CSO (see list at end of this section) is received:

SS Manual - 2307
David v.

1. WIN service worker will:

   a. Complete the copy of DSHS 1-01(X), Record Transfer Notice, received from transfer-out clerk, listing client's new address and telephone number if known, on line E-1.

   b. Prepare the record for transfer, to include: child care changes, all documents, a transfer summary of the client's WIN involvement and identification of needed services and problem areas. Terminate all services on DSHS 14-159.

   c. Inform child care desk of transfer so DSHS 14-159 terminating child care may be sent.

   d. Forward service record to SAU supervisor.

2. SAU supervisor will:

   a. Complete necessary review of client's service record.

   b. Forward service record to social services/SAU clerk.

3. Social services/SAU clerk will:

   a. On receipt of client's service record, pull DSHS 2-12(X), post transfer date, receiving CSO, and client's new address (if known.)

   b. Mail photo copy of DSHS 2-12(X) to receiving SAU with a copy of the DSHS 14-159 terminating child care (if a child care case).

   c. File in the service record any forms remaining at WIN SAU which concern transferring record. Retain DSHS 2-12(X) in "Closed" section of control card file.

   d. Stamp in red "WIN PROGRAM" on top of DSHS 1-01(X). Complete and date item #6, "Social Services Cleared."

   e. Forward photo copy of DSHS 1-01(X) to ES/WIN office for information.

   f. Forward service record with completed DSHS 1-01(X) to Master File.

SS Manual - 2308
David v.

4. Transfer out is to be completed within 5 working days. Should delay occur, in no instance shall a case be retained after 10 days' without clear justification and agreement with the receiving office.

B. Pre-Transfer Notice: The WIN pre-transfer notice consists of a photo copy of the DSHS 2-12(X) forwarded by mail to the receiving WIN SAU to alert and assure receipt of active WIN cases. The receiving SAU will:

1. Upon receipt of the DSHS 2-12(X):

   a. Alert transfer-in desk to forward incoming record to SAU.

   b. File in folder designated "Pre-Transfer Notices."

2. Follow-up after 10-day period if record has not been received.

   a. Call transfer-in desk to see if case has arrived in CSO.

   b. If record has not been received in CSO, contact WIN control in <u>sending</u> office to confirm transfer.

   c. If not yet sent by sending CSO, notify SAU supervisor for action.

   d. If it is determined that the client will not be transferring to the alerted CSO, the request for the record will be cancelled. The sending CSO then must notify the new receiving CSO of the impending transfer.

C. Transfer-In: On receipt of incoming record

1. Social services/SAU clerk:

   a. Prepare DSHS 2-12(X) for client.

   b. Post date record received in CSO.

   c. File DSHS 2-12(X) in control file.

   d. Forward service record to SAU supervisor for assignment.

   e. Notify ES/WIN by memo of transfer-in.

SS Manual - 2309
David v.

2. SAU supervisor will:

   a. Review and assign record to appropriate service worker.

   b. Return service record to social service/SAU clerk.

3. Social service/SAU clerk will:

   a. Post service worker's name on client's DSHS 2-12(X) card.

   b. Route service record to assigned service worker.

D. IMU Notice of Transfer:

When the client transfers from one WIN CSO to another WIN CSO, IMU notifies the SAU and ES unit via the DSHS 2-236(X) of the transfer out and transfer in. As long as the transferring client lives in a WIN CSO area, he/she remains registered for WIN, unless he/she becomes exempt.

E. Transfer Within the CSO:

1. When WIN services have been terminated, the service record will be prepared for transfer out of the SAU to appropriate other location.

2. The service record shall contain the proper documents and be prepared as described in 64.46 A., Transfer-Out, except step 3 will not involve a receiving SAU or CSO.

3. SAU/CSO service record will be given to the SAU supervisor for reading and review prior to the record leaving the unit.

4. After supervisory review, the record will be given to the social service/SAU clerk for transfer.

5. The social service/SAU clerk will post transfer on DSHS 2-12(X) and transfer record to appropriate unit or location.

F. WIN Project Areas in the State of Washington

CSOs PROVIDING WIN SERVICES
(Subject to change, according to ES/DSHS agreement and modification of the annual state WIN plan)

DSHS REGION	CSO NO.	MAIL-STOP	CSO	COUNTY SERVED
1	58	B 32-1	Spokane East	Spokane
	60	B 32-2	Spokane Southwest	Spokane
	59	B 32-4	Spokane North	Spokane
2	39	B 39-1	Yakima	Yakima
3	31	N 31-1	Everett	Snohomish
	52	N 52-1	Mountlake Terrace	Snohomish
	65	B 65-1	Smokey Point	Snohomish
4	46	N 46-1	Capitol Hill	King
	44	N 44-1	Burien	King
	55	N 55-1	West Seattle	King
	42	N 42-1	King North	King
	41	N 41-1	Rainier	King
	43	N 43-1	King South	King
5	48	N 48-1	Pierce South	Pierce
	49	N 49-1	Pierce West	Pierce
	51	N 51-1	Pierce East	Pierce
6	8	S 8-1	Kelso	Cowlitz
	6	S 6-1	Vancouver	Clark
	53	S 53-1	Orchards	Clark
	34	KR-11	Olympia	Thurston

64.47 WIN Complaint and Grievance Procedure

A WIN registrant who has not refused or failed to participate but expresses a complaint regarding WIN requirements or services may file a written grievance with ES WIN, with assistance from SAU or ES WIN staff. Local ESWIN management will provide a written response to the registrant within 30days. If the issue is not resolved to the registrant's satisfaction, WINstaff will assist the individual to file an appeal with ES for a WINhearing before an Administrative Law Judge.

SS Manual - 2311
David v.

64.48 Refusal or Failure to Participate

Failure or refusal without good cause to participate in WIN is a sanctionable issue, and must be dealt with via the WIN adjudication process rather than the complaint and grievance procedure. The sanctionable issue will involve either an overt refusal or a de facto failure to participate:

A. An overt refusal occurs when a registrant states orally or in writing that he/she will not participate in required WIN activities or services. SAU or ES staff will obtain a signed statement to this effect if possible and will inform the registrant of his/her right to conciliation.

B. A de facto failure occurs when a registrant's action or inaction indicates he/she will not participate as required. Examples of de facto failure to participate are:

1. At least two but not more than five failed appointments with ES and/or SAU WIN staff within four months, without good cause. These need not be consecutive, and may include but are not limited to:

   a. Appointments with SAU in office, home or elsewhere to discuss barriers to employment, provide counseling, or arrange needed services (e.g., day care, medical, etc.).

   b. Attendance at WIN-operated group job search sessions and/or appointments for individual job search supervision.

   c. Appraisal of new registrants or reappraisal of unassigned recipients, whether certified or not.

2. A single failure without good cause to appear for and participate appropriately at a required appointment with another agency, including but not limited to:

   a. Application for employment.

   b. A job interview.

   c. An appointment with a day care provider, psychologist, doctor dentist, etc.

SS Manual - 2312
David v.

3. Voluntarily discontinuing, without good cause:

   a. Needed social services (e.g., day care, counseling, medical treatment, etc.).

   b. Any type of WIN-approved training.

   c. A Work Experience assignment.

   d. An On-the-Job Training (OJT) assignment.

   e. Other paid employment, including reduction of hours/ earnings.

4. Discharge from employment or training (including Work Experience) for misconduct.

5. Failure to utilize existing skills and experience.

6. Behavior which is criminal, disrupts WIN activity, or endangers WIN staff or other registrants.

64.49 Determination of Good Cause

A. Pattern-of-behavior (POB) Appointment

When a de facto failure to participate exists, WIN must offer an immediate appointment with ES/SAU (confirmed in writing) to:

1. Confront the registrant with the sanctionable act or pattern of behavior and with the consequences,

2. Determine if the registrant had good cause for the behavior,

3. Offer supportive services to overcome barriers to participation, and

4. Give the registrant an opportunity to respond.

B. Good Cause for Refusing to Participate May Include, But is Not Limited to:

1. Illness or incapacity.

SS Manual - 2313
David v.

2. Court required appearance or temporary incarceration.

3. Family crisis or changed individual or family circumstances which adversely affect the individual's ability to participate in work, training, or WIN/SAU services.

4. Unavailability of suitable child care appropriate for the special needs of the children for whom it was intended.

5. Breakdown in child care arrangement.

6. Withdrawal or lack of other supportive services necessary for participation.

7. Breakdown in transportation arrangement, and no readily accessible alternate means of transportation was available.

8. Lack of any other necessary social or supportive services.

9. Inclement weather which prevented the recipient and other persons similarly situated from traveling to, or participating in the prescribed activity.

10. Individual not sufficiently advised as to the effect of refusal to participate.

11. The employment referral was not for a specific job vacancy.

12. Refusal to accept major medical services even where this precludes participation.

13. An individual engaged in employment-related activity consistent with a WIN-approved employability plan.

14. The assignment or job referral does not meet appropriate work or training criteria.

64.50 Conciliation Effort

When either overt refusal or de facto failure to participate has occurred, WIN must attempt conciliation for up to 30 days unless waived by the registrant or determined by WIN to be unproductive after attempting two appointments. WIN must advise the registrant of the right to waive conciliation or to terminate it at any time. If the registrant waives or terminates conciliation, WIN will try to obtain a signed statement to that effect.

SS Manual - 2314
David v.

EXCEPTION: A registrant who refuses a job offer or voluntarily terminates employment or reduces his/her income from employment without good cause is not eligible for conciliation. When this is confirmed through contact with both employer and registrant, WIN will issue an EMS 461, Notice of Intended Deregistration, within two work days of the date the failure is established.

A. Beginning Conciliation

The 30-day conciliation period begins on the date an overt refusal is received by WIN. If the refusal is made in person, WIN should attempt conciliation then and there; otherwise give written notice of a first conciliation appointment to occur as soon as possible within 10 calendar days.

Following a de facto failure the 30-day conciliation period begins with the POB interview, whether or not the registrant keeps that appointment. If the registrant does not appear for the POB appointment, WIN will by the next working day give written notification of a second appointment to occur within 10 calendar days of the POB date.

B. Concluding Conciliation

At whatever point the problem is resolved -- at the time of overt refusal, or at the POB interview following de facto failure, or at any other point during conciliation -- WIN will obtain a signed statement from the registrant agreeing to participate from that point on and will consider conciliation successfully concluded.

If after signing such a statement the registrant again refuses or fails to participate in a similar manner within 90 days, WIN will issue a Notice of Intended Deregistration (NID) within two work days of the date the failure is established. If more than 90 days have elapsed between successful conclusion of conciliation and subsequent failure, WIN will again attempt conciliation.

If the issue is unresolved when conciliation ends -- terminated by either party or by the 30-day limit -- WIN will issue a NID within two work days.

SS Manual - 2315
David v.

64.51 WIN Sanction Process

A. Issuance of Notice of Intended Deregistration for Sanction (NID)

ES WIN will issue an EMS 461, Notice of Intended Deregistration (Sanction):

1. Within two working days of the date:

   a. The registrant declines conciliation, or

   b. The registrant has failed to respond to two conciliation appointments, or

   c. WIN staff otherwise terminate conciliation as unproductive, or

   d. The 30-day conciliation period ends without resolution.

2. Within ten calendar days of the date:

   a. The registrant again refuses or fails to participate following an agreement resolving the problem during conciliation, or

   b. WIN confirms that the registrant has:

      (1) Refused a job offer, or

      (2) Voluntarily terminated paid employment, or

      (3) Voluntarily reduced earnings from employment.

B. Sanction Period

ES will check box a. on the NID and show an intended sanction period of either three or six payment months, depending on whether it is the first or second sanction for the registrant. As the effective date must be supplied by IMU after the ten day WIN appeal period has expired, the NID will either show no starting date for the WIN sanction (deregistration) or will state "beginning with grant change."

SS Manual - 2316
David v.

C. Action Pursuant to the NID

1. The registrant has ten calendar days from date of postmark to appeal orally or in writing to ES WIN for a hearing on the NID action.

2. If an appeal is filed:

   a. Deregistration will be delayed pending the hearing results. ES WIN will provide a copy of the NID and any hearing notice to SAU, for possible participation in the hearing, but no copy is to go to IMU at this point.

   b. If the hearing decision supports sanction, ES WIN will then notify IMU in writing (with a copy of the decision attached) that WIN is ready to deregister the individual for failure to participate.

3. If no appeal is filed, ES WIN will notify IMU via Public Assistance Copy #2 of the NID (EMS 461), showing no appeal filed.

4. Following either 2 b or 3 above, IMU will determine what date the grant will be reduced or terminated, will send the registrant the required ten day notice, and will notify ES WIN of the date via DSHS 2-236, Client Change of Status.

5. ES WIN will then issue an EMS 186, WIN Status Change Notice, deregistering the client on the effective date of the grant change.

64.52 Reregistration Following Sanction

To be reregistered for WIN following the sanction period, a sanctioned person must reapply for AFDC and be referred by IMU via EMS 587, WIN Registration Record.

If WIN staff refuse to reregister such a person:

A. WIN will give the individual a new NID (EMS 461, Notice of Intended Deregistration or Other Action) with block d checked, and will state the reason for the refusal (e.g., disruptive behavior) in the "Summary of Reasons" section at the top of the form. If ES or SAU WIN staff require evidence of willingness to participate before reregistrating,

SS Manual - 2317
David v.

they will indicate in this section the type and duration of activity (e.g., documented independent job search, adjustment of training, etc.) that would constitute satisfactory evidence.

B. WIN will return the EMS 587 to IMU, with Section 3 signed and dated, stating the reason reregistration has been denied.

64.97 INTERFACE WITH OTHER DSHS SERVICES

SAU workers may need to confer/coordinate services with the following:

A. IMU to assist clients in establishing/maintaining financial grants.

B. Day care services to locate/arrange day care homes/payment for those clients who need child care.

C. Family planning services to refer/arrange family planning for those clients and/or their family members who wish these services.

D. Employment and training services to explore job placement/training when WIN services are not appropriate/available.

E. Indochinese refugee program to secure training/employment through that service for those who are eligible.

64.98 INTERFACE WITH NON-DSHS SERVICES

A. Because of the nature of services provided by WIN, close cooperation and working procedures must be developed and maintained with ES.

B. Contact with other community agencies may be necessary in the provision of services to the WIN client (i.e., family planning clinics, day care centers, etc.)

SS Manual - 2318
David v.

64.99 REQUIRED FORMS AND INSTRUCTIONS

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

A-19	Invoice Voucher (Rev. 4/81)
DSHS 1-01(X)	Record Transfer Notice (Rev. 10/78)
DSHS 1-123(X)	DVR/CSO Communications Document (Rev. 2/83)
DSHS 2-12(X)	Employment and Training Control Card (Rev. 2/80)
DSHS 2-236(X)	Client Change of Status (Rev. 3/80)
DSHS 2-305(X)	Service Episode Record (Rev. 12/79)
DSHS 2-306(X)	Communication/Referral (Rev. 10/78)
DSHS 2-306A(X)	Communication/Referral page 2 (Rev. 10/78)
DSHS 5-10(X)	Policy Exception Request (Rev. 6/83)
DSHS 6-109(X)	Medical Services Invoice Voucher (1/84)
DSHS 10-164	WIN Day Care for Training Request (8/84)
DSHS 13-21(X)	Physical Evaluation (Rev. 2/84)
DSHS 13-21A(X)	Psychological/Psychiatric Evaluation (Rev. 2/84)
DSHS 13-525(X)	Pre-authorization Request, WIN/E&T Supplemental Medical (Rev. 2/82)
DSHS 14-24(X)	Face Sheet (Rev. 9/78)
DSHS 525-108	Dental Claim Form (Rev. 10/82)
EMS 186	WIN Status Change Notice (Rev. 11/81)
EMS 408	WIN Certification Record (Rev. 1/79)
EMS 461	Notice of Intended Deregistration from the WIN Program or Other Action (Rev. 10/80)
EMS 587	WIN Registration Record (Rev. 7/76)
EMS 10003	Employability Plan (Rev. 7/80)

See SSPS Manual for instructions on completion of:

DSHS 14-154(X)	Social Service Authorization
DSHS 14-159	Change of Service Authorization

SS Manual - 2319
David v.