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Operations Memo 2011-53
November 22, 2011

To: Department of Transitional Assistance Staff

From:  Stephanie Brown, Assistant Commissioner for Policy, Program and External Relations

Re: TAFDC – New Five-Year (60-Month) Period

Overview

TAFDC benefits are limited to a maximum of 24 months in a 60-month period (5 years) for nonexempt clients. As of November 30, 2011, the five-year period is ending for some clients.

Because this five-year period is “rolling,” not all clients subject to this rule are eligible for a new five-year period at the same point in time. Any client whose five-year period began December 1, 2006 begins a new five-year period effective December 1, 2011. Any client whose five-year period began January 1, 2007 begins a new five-year period effective January 1, 2012 and so on.

Additionally, a new five-year period:

- resets the affected client’s 24-month benefit period (sometimes called a 24-month “clock”) (106 CMR 203.200(A));
 - resets the affected client’s 60-day work-search period (106 CMR 203.400 (A)); and
 - enables the affected client to obtain presumptive eligibility should he or she claim a disability as is the case with first-time claims of disability (106 CMR 203.530 (F) and (G)).
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**Purpose of
Memo**

This Operations Memo advises case managers about changes to affected clients' cases as a result of the new five-year (60-month) period.

**Processing
Applications for
Former Clients**

Any former client whose 60-month period has ended is eligible to reapply for TAFDC even if he or she has used 24 months of time-limited benefits.

Before taking an application, it is important to review:

- the Time Limits page in the Program Administration workflow to determine if the applicant is eligible for a new 60-month period; and
- the TAFDC – Work Requirements page to determine if the applicant is subject to a new work-search period.

Each applicant must be informed that:

- the new 60-month period begins on the first of the month following the application date (and will be automatically reset on BEACON);
 - if applicable, a new 24-month clock will begin when the client has been active for an entire calendar month (and will be automatically reset on BEACON);
 - if applicable, a new 60-day work-search period also begins on the application date (and will be automatically reset on BEACON); and
 - if applicable, he or she may be presumptively eligible under a first-time medical disability claim and be exempt from the Work Program and time-limited benefits.
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Clocks View

Case managers are reminded that the “Clocks” view identifies:

- information on months used for 24 months of time-limited benefits (listed on the “Count” field),
- the last time the 24-month clock was adjusted (listed on the “Entered” field), and
- all currently active, exempt and nonexempt TAFDC cases and their respective 60-month period (listed on the “Start” and “End” fields).

To determine who must be seen to discuss the impact of the new 60-month period on the case, case managers should look at the “End” field on this view. Case managers can sort this field by clicking on the “End” column heading. This will sort the 60-month period end date for the case manager’s cases by closest to the present date to determine who needs to be called in for an appointment. For those needing appointments, schedule them *no more than* two months in advance. Those who have a new 60-month period beginning either December 1, 2011 or January 1, 2012 should have an appointment scheduled as soon as possible.

Example: Lisa Smith is listed on the “Clocks” View with an end date of 5/01/12. She needs an appointment scheduled to discuss the impact the new 60-month period has on the case. Her case manager will schedule an appointment no earlier than March 2012.

**Active Client
Groups**

All active clients appearing on the State Clocks View are separated into four groups and except where otherwise indicated, BEACON automatically resets the clock to zero. The impact on each group once they reach the beginning of the new 60-month period is as follows:

Group: Currently Exempt Used None of 24 Months
60-Month Period: System resets to new 60-month period
24-Month Clock: NA
60-Day Work Search: NA

Group: Currently Exempt Used Less Than or All of 24 Months
60-Month Period: System resets to new 60-month period
24-Month Clock: System resets to zero
60-Day Work Search: NA

Group: Currently Nonexempt Used Less Than or All of 24 Months
60-Month Period: System resets to new 60-month period
24-Month Clock: System resets to zero
60-Day Work Search: System resets Work Search Period, if applicable

Group: Currently Nonexempt Extension Related^{*}
60-Month Period: System resets to new 60-month period
24-Month Clock: System resets to zero
60-Day Work Search: System resets Work Search Period, if applicable

* Special procedures for nonexempt clients who have Domestic Violence Waivers are found later in this memo.

Reminders: 60-month period and 24-month clock information are found on the Time Limits page.
60-day work-search period is found on the TAFDC – Work Requirements page.

The remaining sections of this memo contain procedures for processing the various groups on this View.

**Currently Exempt
Used None of 24
Months**

No case manager contact is necessary at this time. Clients who begin a new 60-month period must be told about it at the next client contact. Case managers must then review the Time Limits page to ensure the 60-month period has been reset, which the case manager should record on the Narrative tab.

**Currently Exempt
Clients: Used
Less Than or All
of 24 Months**

No case manager contact is necessary at this time. Clients who begin a new 60-month period must be told about it at the next client contact. Systems will automatically reset the 24-month clock when the client begins a new 60-month period. Case managers must then review the Time Limits page to ensure the 60-month period and 24-month clock have been reset, which the case manager should record on the Narrative tab.

**Currently
Nonexempt
Clients: Used
Less Than 24
Months**

For currently nonexempt clients who have used fewer than 24 months of time-limited benefits and in at least the final two months of the 60-month period, the case manager must:

- schedule an appointment for the client, excluding those clients with a Domestic Violence Waiver (see the section on Domestic Violence Waivers in this memo for procedures);
 - at the appointment, inform the client of the impact of this new 60-month period on the case:
 - ◆ the new 60-month period begins on the first of the month following the application date (and will be automatically reset on BEACON);
 - ◆ a new 24-month clock will begin when the client has been active for an entire calendar month (the 24-month clock will be reset to “0” on the Time Limits page for the client with a new 60-month period);
 - ◆ if Work Program-required, a new 60-day work-search period also begins on the application date (and will be automatically reset on the TAFDC – Work Requirements page on BEACON); and
- Note:** Clients who are currently enrolled in an Employment Services Program (ESP) activity and who receive a new 60-month period should be encouraged to continue in that activity during the new 60-day work search period.
- ◆ if applicable, he or she may be presumptively eligible under a first-time medical disability claim and be exempt from the Work Program and time-limited benefits; and
- ensure the new 60-month period, 24-month period and/or the work search period are accurately reflected on BEACON, which the case manager should record on the Narrative tab.

IMPORTANT: A reapplicant’s or client’s Work Program Sanction level is NOT reset when he or she gets a new 60-month period. The sanction must be “cured” before the sanction is removed.

**Currently
Nonexempt
Clients:
Extension
Related (In an
Extension)**

For currently nonexempt clients who are in an extension and have used the full 60-month period, the case manager must at the **end** of the extension period:

- schedule an appointment for the case;
- close the Extension case on BEACON following the instructions in A User's Guide: Transitional Assistance Programs and BEACON, Chapter XVI, Section E;
- ask the TAO director to update the extension tracking system with the appropriate action;
- conduct a TAFDC reapplication interview, inform the client of the impact of this new 60-month period on the case:
 - ◆ the new 60-month period begins on the first of the month following the reapplication date (and will be automatically reset on BEACON);
 - ◆ the extension will end and a new 24-month clock will begin when the client has been active for an entire calendar month (the 24-month clock will be reset to "0" on the Time Limits page for the client with a new 60-month period);
 - ◆ if Work Program-required, a new 60-day work-search period also begins on the application date (and will be automatically reset on the TAFDC – Work Requirements page on BEACON);
Note: Clients who are currently enrolled in an Employment Services Program (ESP) activity and who receive a new 60-month period should be encouraged to continue in that activity during the new 60-day work search period.
 - ◆ if applicable, he or she may be presumptively eligible under a first-time medical disability claim and be exempt from the Work Program and time-limited benefits; and,
- ensure the new 60-month period, 24-month period and/or the work search period are accurately reflected on BEACON, which the case manager should record on the Narrative tab.

Note: Extension cases that are pending to close that have a new 60-month period should be allowed to close. Should a client whose Extension case is closed want to reapply, follow the procedures above to process the reapplication.

**Currently
Nonexempt
Clients:
Extension
Related
(continued)
(Pending an
Extension)**

For currently nonexempt clients who have a pending extension request and have used the full 60-month period, the TAO director must:

- deny the Extension request with the reason “Your Request for a TAFDC Extension Has Been Denied”; and
- update the extension tracking system with the appropriate denial reason (Use the reason that begins “106 CMR” and then fill in the following: “203.210. You have started a new 60-month and 24-month period. No extension is needed.”)

Once this is done the case manager must:

- schedule an appointment for the case, excluding those clients with a Domestic Violence Waiver (see the section on Domestic Violence Waivers in this memo for procedures);
 - at the appointment inform the client of the impact of this new 60-month period on the case:
 - ◆ the new 60-month period begins on the first of the month following the reapplication date (and will be automatically reset on BEACON);
 - ◆ and a new 24-month clock will begin when the client has been active for an entire calendar month (the 24-month clock will be reset to “0” on the Time Limits page for the client with a new 60-month period);
 - ◆ if Work Program-required, a new 60-day work-search period also begins on the reapplication date (and will be automatically reset on the TAFDC – Work Requirements page on BEACON); and,
Note: Clients who are currently enrolled in an Employment Services Program (ESP) activity and who receive a new 60-month period should be encouraged to continue in that activity during the new 60-day work search period.
 - ◆ if applicable, he or she may be presumptively eligible under a first-time medical disability claim and be exempt from the Work Program and time-limited benefits; and,
 - ensure the new 60-month period, 24-month period and/or the work search period are accurately reflected on BEACON, which the case manager should record on the Narrative tab.
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**Domestic
Violence Waivers
and the New 60-
Month Period**

Clients subject to the 24-month time limit, the work program requirement or mandatory participation in an ESP component can receive waivers of these requirements due to domestic violence (see Operations Memo 2010-35). Clients with approved Domestic Violence Waivers who have reached the end of the 60-month period but not the end of the waiver must come in for a review when the *waiver* expires.

When a waiver expires, the case must be reviewed by the case manager to ensure that:

- the 24-month clock and 60-month period have been reset.
- a new 60-day work search period has started.

A client granted a Domestic Violence Waiver of the work program requirement or mandatory participation in an ESP component must be advised to either comply with the specific requirement at this time or request another Domestic Violence Waiver.

A client granted a Domestic Violence Waiver of the 24-month time limit is no longer in need of this waiver since the 24-month clock has been reset, but must be informed that she or he may be required to participate in the Work Program or an ESP component unless she or he chooses to apply for a Domestic Violence Waiver of these requirements. A client may claim “Good Cause” for not participating in the Work Program or request a waiver.

Important: Cases with a Heightened Level of Security indicator on BEACON must have an appointment scheduled to have the information explained to them. This information cannot be given to the client over the phone if there is a Heightened Level of Security.

**Two-Parent
Cases and the
New 60-Month
Period**

In a two-parent case, each parent may have a different 60-month period. When conducting a review with the parent eligible for a new 60-month period, it is important to review the other parent’s status to determine if this parent has time left in his or her 60-month period.

If the other parent is a nonexempt client with time left in his or her 60-month period, he or she continues to be subject to the Work Program, if applicable, and the entire case’s time-limited benefits continue to be determined by that other parent’s 24-month clock.

Two-Parent Examples

Example 1: Sally and John Smith have a four-year-old child and have a nonexempt case.

Sally's 60-month period and 24-month clock are reset on December 1, 2011.

John's 60-month period and 24-month clock are also reset on December 1, 2011.

Sally and John and their family are eligible to receive a new period of 24-month time-limited benefits.

Example 2: Bill and Mary Ivy have a six-year-old child and have a nonexempt case.

Bill's 60-month period and 24-month clock are reset on January 1, 2012. On January 1, 2012, Mary has five months remaining in her 60-month period. She has two months remaining on her 24-month clock.

On March 31, 2012, Mary will have used 24 months of time-limited benefits. If Mary does not apply for an extension or applies for an extension which is subsequently denied, the entire case is ineligible because Mary has time remaining in her 60-month period and has received 24 months of time-limited benefits in that period.

If the extension is denied, Bill and Mary may reapply for an extension at any time. On June 1, 2012, when Mary's 60-month period is reset, Bill and Mary may reapply, and if otherwise eligible, qualify for TAFDC benefits.

Example 3: Barbara and Mark Jones have a medically disabled five-year-old child and have an exempt case. Mark is also disabled, exempt, and unable to care for their child. Barbara is exempt because she is needed in the home to care for their child.

Barbara's 60-month period and 24-month clock are reset on February 1, 2012. Mark's 60-month period and 24-month clock are also reset on February 1, 2012.

Barbara becomes nonexempt in March 2012, when Mark's disability improves and he is able to care for their child. He is still considered disabled and remains exempt.

Because Barbara becomes nonexempt in March, she and the case are subject to the 24-months of time-limited benefits effective April 1, 2012.

**Supervisor
Responsibilities**

Supervisors must:

- review progress being made to process applications for reinstatement and reviews by checking the AU Manager's View; and
 - take appropriate action on the applications/reviews.
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Questions

If you have any questions, please have your Hotline designee call the Policy Hotline.
