



MFIP Employment Services Manual Description of Changes

Revised Sections – Issued October 2012

The following are revisions made to the MFIP Employment Services Manual. These revisions are effective October 1, 2012.

As a result of October 2012 MFIP standard changes, the 38% disregard has been updated to 40% for the following sections: 2.6, 4.12, 4.18, 4.21, 4.27, and 4.30.

2.6, WORK FORCE ATTACHMENT MODEL

An ongoing disregard of **40%** of earned income helps to cover work-related expenses and increases net income.

4.12, TREATMENT OF INCOME

INITIAL INCOME TEST

To determine initial eligibility when a family applies for MFIP, the family's income is compared to the MFIP Transitional Standard after allowing the following deductions:

- 18% of gross earnings or **40%** of the unit's gross earnings if anyone in the unit was a Minnesota participant of MFIP in any 1 of the previous 4 months.

MONTHLY INCOME TEST

Families who meet the initial eligibility test have the opportunity to use the work incentives for the duration of their time on MFIP assistance. When a family has earned income:

- **40%** of gross earnings are disregarded to arrive at the "net earnings".

4.18, WORK INCENTIVES

The MFIP program offers families who are employed a great advantage by providing 2 work incentives:

- A **40%** disregard of gross earnings which is available as long as the family receives MFIP.

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Both entry-level jobs and part-time jobs are realistic alternatives. The Family Wage Level and 40% earnings disregard ALWAYS result in participants being better off when they work.

4.21, GRANT STANDARDS

EARNINGS DISREGARD

The earnings disregard of 40% is applied every month the family has earnings. The disregard is available to each working member of the unit.

• FAMILY WAGE LEVEL

Whenever a family has earnings, 40% of the earnings are disregarded and the resulting net is subtracted from the Family Wage Level (which is 110% of the Transitional Standard). This means that, up to a certain level of earnings, a family may not experience a reduction in the grant amount. For example, a family with 1 adult and 2 children could have \$168 in gross earnings and would still receive the full Transitional Standard of \$1,005. A family will never receive a grant payment greater than the Transitional Standard.

4.27, SIGNIFICANT CHANGE POLICY

MFIP has a "significant change" policy to address a decline of income. If a family experiences a decline in gross earned or unearned income of 40% or more in the payment month from income received in the budget month, a supplement can be issued in the payment month.

4.30, ACTUAL BUDGETING

All examples were updated with 40% deductible figures effective October 1, 2012.

CHILD CARE COPAYMENTS section was updated with no technical changes, but to keep terminology consistent with that of the Child Care Program Manual:

Child care copayments are based on household size and income. Copayments are assessed on family income beginning at when family income reaches 75% of the federal poverty guidelines (FPG) and are increased to provide movement to full payment of child care costs as parents' income increases.

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~~Families with income less than 75% of the Federal Poverty Guidelines (FPG) do not have a co-payment. Families with income between 75% - 100% of the FPG pay a biweekly co-payment fee of \$2.00.~~

Families with income above 100% FPG are assessed copayments based on state median income and family size.

For copayment ~~charts~~ **schedules** for all income levels and household sizes, refer to ~~DHS Bulletin #10-68-14 (DHS Announces Copayment Schedules for the Child Care Assistance Program)~~ **DHS-6413A Minnesota Child Care Assistance Program Copayment Schedules.**

11.6, FSS ELIGIBILITY CRITERIA

Further defined and clarified definition of “extremely limited English” when considering whether a person is unemployable.

There is no single factor or cluster of factors which would indicate unemployability, but take the following into consideration:

- Extremely limited ability to speak or understand English, despite efforts to learn it. ***This means that the person cannot communicate in English or understand questions, and this remains difficult even with an interpreter.*** There must be documentation of the participant’s efforts to learn English.

13.18.12, UNEMPLOYABLE EXTENSION CRITERIA

DETERMINATION OF WHETHER THE PARTICIPANT IS UNEMPLOYABLE

There is no single factor or cluster of factors which would indicate unemployability, but take the following into consideration:

- Extremely limited ability to speak or understand English, despite efforts to learn it. ***This means that the person cannot communicate in English or understand questions, and this remains difficult even with an interpreter.*** There must be documentation of the participant’s efforts to learn English.

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14.3.6, DRUG FELONS SANCTIONS - JOB COUNSELOR RESPONSIBILITIES

In second paragraph, clarified and changed description of time frame for random drug testing of drug felons, effective October 1, 2012:

These policies include vrending of benefits, random drug testing, and sanctions for failing drug tests.

Notify the County immediately if you become aware that a felony drug conviction has been expunged from a participant's record.

Effective October 1, 2012, people convicted of a drug felony that was committed within 10 years of application or recertification ~~on or after 7-1-97~~ are subject to random drug testing as a condition of MFIP eligibility.

A caregiver *participant* who is sanctioned for failing an initial drug test may cure the 30% sanction by passing a subsequent drug test. *The caregiver must pass a subsequent drug test to cure the sanction even after a felony is more than 10 years.*

If a participant fails a subsequent random drug test, the participant is PERMANENTLY disqualified from both the cash and food portions of MFIP, and from MFIP Employment Services (MFIP-ES). *The disqualification remains in place even after the felony is more than 10 years old.*

APPENDIX A, MFIP ASSISTANCE STANDARDS

MFIP assistance standards and guidelines for changes was updated effective October 1, 2012.

APPENDIX A-1, MFIP INITIAL ELIGIBILITY THRESHOLD GUIDE

MFIP Initial Eligibility Threshold Guide for changes was updated effective October 1, 2012.

APPENDIX A-2, AMOUNT OF EARNINGS NEEDED TO EXIT MFIP CASH

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Amount of Earnings Needed to Exit MFIP Cash for changes was updated effective October 1, 2012.

APPENDIX A-3, AMOUNT OF EARNINGS NEEDED TO EXIT MFIP

Amount of Earnings Needed to Exit MFIP for changes was updated effective October 1, 2012.

MFIP is designed to encourage and enable early work force attachment for participants in order to build job skills, experience, and work history. This approach has been shown to be effective in increasing earnings and income while promoting self-esteem and independence for participant families.

MFIP encourages participant employment by vigorously promoting the financial, social, and psychological advantages of employment. Financial workers, job counselors, managers, and support staff should encourage work by:

- Delivering a strong and consistent message about the 60-month time limit for MFIP and the importance of work.
- Providing easy access to materials and equipment that facilitate job search and promote positive work messages by means of posters and displays of success stories.

The core methods for getting participants to work are setting clear work expectations, and providing encouragement and support for participants as they obtain and retain employment. This encouragement and support should be system-wide; that is, provided by professional job counselors and reinforced by financial, child care, and child support workers. When necessary, sanctions are applied if participants refuse to cooperate with the program. See Chapter 14 (Non-Compliance & Sanctions).

MFIP enables participants to work by supporting program activities with child care funding and health care coverage, both of which can extend through the period where families are off MFIP but not yet at a level of full self-support. These supports are available for up to 1 year after a participant becomes ineligible for a grant because of increased earnings, child/spousal support, or a combination of earnings and child/spousal support. Transitional Year Child Care (TYCC) funding is available for up to 1 year for families that meet the income guidelines. Families that still meet the income guidelines at the end of the transition year are eligible for Basic Sliding Fee Child Care Assistance.

Grants for working families are calculated from a higher standard than those for families that do not work. An ongoing disregard of 40% of earned income helps to cover work-related expenses and increases net income. Federal and state tax credits are also available. The result of these MFIP policies is that **WORK ALWAYS PAYS**; participants are always financially better off working. See Chapter 4 (General MFIP Policy) for additional information on MFIP policies and budgeting.

INITIAL INCOME TEST

MFIP uses an “initial income test” when a family applies for MFIP. A “monthly income test” is used to determine ongoing income eligibility and the payment amount. See Appendix A (MFIP Assistance Standards) for the MFIP Assistance Standards. See §8.6.3 (Self-Employment Earnings & Hours) for information on determining income from self-employment.

To determine initial eligibility when a family applies for MFIP, the family's income is compared to the MFIP Transitional Standard after allowing the following deductions:

- 18% of gross earnings or 40% of the unit's gross earnings if anyone in the unit was a Minnesota participant of MFIP in any 1 of the previous 4 months.
- Child care costs up to \$175 per child for children age 2 and older, and up to \$200 per child for children under age 2.
- All court-ordered child support being paid for the support of children not living in the assistance unit's household.
- An allocation for the unmet need of an ineligible spouse or children.

The family is eligible if it:

- Has income less than the Transitional Standard after completing the initial income test.
- Meets other MFIP eligibility requirements including the asset limits.
- Has provided necessary verifications.

MONTHLY INCOME TEST

Families who meet the initial eligibility test have the opportunity to use the work incentives for the duration of their time on MFIP assistance. When a family has earned income:

- 40% of gross earnings are disregarded to arrive at the "net earnings".
- The "net earnings" are subtracted from the Family Wage Level, which is 10% higher than the Transitional Standard.

TREATMENT OF INCOME**4.12**

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- Child care is paid out of the MFIP Child Care Program. MFIP participants may have a small child care co-payment.

Families are ALWAYS better off financially when they work. Working families can also increase their income by claiming for the federal Earned Income Credit (EIC) and the Minnesota Working Family Credit (MWFC) when they file their taxes. Use the tax credit calculation to show families the approximate amount they can expect to receive by claiming the EIC and MWFC. Families lose eligibility for MFIP when their earnings reach approximately 115% of the Federal Poverty Guideline.

NOTE: Families who do not work or who receive only unearned income will get an MFIP grant based on the Transitional Standard.

LUMP SUM PAYMENTS

MFIP treats lump sum payments as income in the month received and an asset in the 3rd month after receipt. If the lump sum income exceeds the applicable standards, the family will be suspended for 1 month.

TREATMENT OF THE FOOD ASSISTANCE PORTION OF MFIP

Some assistance programs exclude food assistance benefits when they look at a family's income. For instance, HUD housing programs and fuel assistance do not count the Supplemental Nutrition Assistance Program (SNAP) as income when determining program eligibility or the amount of a monthly subsidy. Although MFIP is considered 1 program, a part of the grant is designated as the "food assistance portion" and will be issued as EBT benefits. The food assistance portion is identified on the "Notice of Action and Budget Calculation" issued by MAXIS. All local, state, or federal programs that do not count SNAP as income **MUST NOT COUNT** the food assistance portion of MFIP as income. This amount will be issued in EBT benefits and will be shown separately from the total grant to determine the amount of income to count for these programs.

When a family receives only the food assistance portion of MFIP in a month, that month does not count toward the family's 60-month limit. Families who receive only a small amount of the cash portion of MFIP benefits can opt out of receiving the cash portion to preserve their 60-month limit.

TREATMENT OF HOUSING SUBSIDIES

The value of public housing, HUD project-based properties, and Section 8 rental subsidies provided through HUD is counted up to \$50, as unearned income toward the cash portion of the MFIP grant. The full amount of the subsidy is counted if it is less than \$50. Several types of housing that DO NOT count as income include: RAFS, Bridges, Shelter Plus Care, HOPWA, Mainstream Vouchers, Section 236, or tax credits.

EXEMPTIONS:

The policy does not apply to an MFIP assistance unit which includes a participant who is:

- Age 60 or older;

OR

- A caregiver who is suffering from an illness, injury, or incapacity that has been certified by a qualified professional when the illness, injury, or incapacity is expected to continue for more than 30 days and prevents the caregiver from obtaining or retaining employment.

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week.

OR

- A caregiver whose presence in the home is required due to the illness or incapacity of another member in the assistance unit, a relative in the household, or a foster child in the household when the illness/incapacity and the need for the participant's presence in the home has been certified by a qualified professional and is expected to continue for more than 30 days. This includes participants who have family members in the home who meet the Special Medical Criteria or receive waived services.

OR

- A caregiver who is an SSI recipient.

The following procedures apply to people who live in public housing, a HUD project-based property, or a Section 8 rental property:

- Deny the application when applicants do not provide verification of the amount of the subsidy.
- Close the case when participants fail to provide verification of the rent subsidy amount:

TREATMENT OF INCOME

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- At the time of the recertification.
- OR
- When there is a change in the amount of the subsidy.
- OR
- When the participant moves to a property that provides a subsidy to the MFIP unit.

TREATMENT OF SSI INCOME

All SSI benefits are excluded as income when determining eligibility and benefit amounts for DWP and MFIP.

The MFIP program offers families who are employed a great advantage by providing 2 work incentives:

- A 2-tiered payment standard that uses a higher standard (Family Wage Level) whenever there is earned income.
- A 40% disregard of gross earnings which is available as long as the family receives MFIP.

Both entry-level jobs and part-time jobs are realistic alternatives. The Family Wage Level and 40% earnings disregard ALWAYS result in participants being better off when they work.

The federal Earned Income Credit (EIC) and the Minnesota Working Family Credit (MWFC) can add additional income for the family and are excluded when determining eligibility and benefit levels.

See Appendix A, Appendix A-1, Appendix A-2, Appendix A-3, for MFIP Assistance Standards and tables comparing family size, grant amounts, income amounts and “exit levels”.

Work incentives and tax credits provide families with new opportunities. They can make choices which can increase their income and make self-sufficiency a reality. Participants can enter the job market slowly and with entry-level jobs still see a benefit to their family in terms of increased income. See DHS Bulletin [#11-11-03](#) (DHS Reissues “Work Will Always Pay...With MFIP”) handout to show changes effective **October 1, 2012**). Also see Appendix A (MFIP Assistance Standards), Appendix A-1 (MFIP Initial Eligibility Threshold Guide), Appendix A-2 (Amount of Earnings Needed to Exit MFIP Cash), Appendix A-3 (Amount of Earnings Needed to Exit MFIP) for MFIP Assistance Standards and tables comparing family size, grant amounts, income amounts, and “exit levels”.

General descriptions of the components that affect the MFIP grant are as follows:

➤ **TRANSITIONAL STANDARD**

The MFIP Transitional Standard is the base standard issued for most families with no earnings or with only unearned income. The Transitional Standard has a cash portion and a food portion. The MFIP grant is issued on an Electronic Benefit Transfer (EBT) card. Both the cash portion and the food portion are on the same EBT card imprinted with the name of the head of household. One additional card restricted to the food portion is also available on request, allowing children and other family members to purchase food. No name is printed on this card.

In a small number of cases, where unrelated people reside in the same household, families receive a reduced benefit called a Shared Household Standard.

➤ **RESTRICTION ON EBT CARDS**

The cash portion of benefits on an EBT card cannot be used to purchase alcohol or tobacco products. A participant found guilty of using their benefits in this way will be disqualified from the program (other assistance unit member continue to be eligible).

- For MFIP, the disqualification is one year for the first offense, two years for the second, and a permanent disqualification for the third. See § 14.33 (Fraud and EBT Misuse).
- DWP families with a disqualified participant are no longer eligible for DWP. An MTAF must be completed to open MFIP for the rest of the assistance unit.
- WB will close and does not reopen.

EARNINGS DISREGARD

The earnings disregard of 40% is applied every month the family has earnings. The disregard is available to each working member of the unit.

➤ FAMILY WAGE LEVEL

Whenever a family has earnings, 40% of the earnings are disregarded and the resulting net is subtracted from the Family Wage Level (which is 110% of the Transitional Standard). This means that, up to a certain level of earnings, a family may not experience a reduction in the grant amount. For example, a family with 1 adult and 2 children could have \$168 in gross earnings and would still receive the full Transitional Standard of \$1,005. A family will never receive a grant payment greater than the Transitional Standard.

NOTE: Families receiving cash benefits are limited to 60 months of assistance during their lifetime. Every month a family receives an MFIP grant that includes a cash portion counts toward the 60-month limit. Any month the grant amount includes the food portion ONLY does NOT count toward the lifetime limit.

SIGNIFICANT CHANGE POLICY**4.27**

MFIP has a "significant change" policy to address a decline of income. If a family experiences a decline in gross earned or unearned income of **40%** or more in the payment month from income received in the budget month, a supplement can be issued in the payment month. For example, if the hours worked by the participant are reduced in June, and the participant's June payment was based on full-time work in April, a supplement can be issued in June based on the "best estimate" of income that will be received in June. The participant must request this recalculation to be done by the financial worker and can only receive this supplement twice in a 12-month period.

MAXIS issues a monthly "Notice of Action and Budget Calculation" for families with earnings. This notice includes a statement alerting the participant to a possible "significant change". The notice includes the dollar amount that qualifies for a "significant change" and informs the participant to call their worker if they experience this decline in income.

Significant change does not apply when the unit receives a lump sum; a unit member is on strike, in a month in which the unit gets an extra paycheck, or for self-employment income.

There are 3 MFIP budgeting rules to remember:

- The Transitional Standard or the Shared Household Standard is used if the family has no income or only unearned income.
- The Family Wage Level is always used when the family has earnings.
- The actual payment cannot exceed the Transitional Standard or Shared Household Standard.

See Appendix A for the Transitional Standard, Shared Household Standard, Family Wage Level and Appendix A-1 for the Federal Poverty Guidelines (FPGs).

The following examples illustrate the effects of earnings on the payment amount (standards EFFECTIVE 10/1/2012):

CASE EXAMPLE 1:

The family consists of 1 adult and 1 child. There are no earnings. The grant equals the Transitional Standard of \$764.

Result: Family receives \$437 cash portion and \$327 food portion.

CASE EXAMPLE 2:

The same family consists of 1 adult and 1 child. The participant is employed part-time and receives \$400 in gross earnings per month. She/he receives 2 work incentives -- the Family Wage Level and the 40% disregard.

\$400	Gross Earnings
<u>-160</u>	40% disregard
\$248	Net earnings
\$840	Family Wage Level
<u>-240</u>	Net earnings
\$600	MFIP Grant

Result: Family receives \$400 in gross earned income (less paycheck deductions such as taxes and FICA) and \$600 grant = \$1,100 total family income (less paycheck deductions). In this case, the grant includes \$273 cash and \$327 in food portion.

In addition, the family would be eligible for the federal Earned Income Credit (EIC) and the Minnesota Working Family Credit (MWFC).

CASE EXAMPLE 3:

The family consists of 1 adult and 1 child. The participant now earns \$900/month.

\$900	Gross Earnings
<u>-360</u>	40% disregard
\$540	Net earnings
\$840	Family Wage Level
<u>-540</u>	Net earnings
\$300	MFIP Grant

Result: Family receives \$900 in gross earning (less paycheck deductions such as taxes and FICA) and \$300 grant = \$1,200 total family income. Because the entire grant amount (\$300) is in food portion, this month DOES NOT count against the 60-month maximum lifetime limit. Again, the family would be eligible for EIC and MWFC.

As illustrated by these examples, a NON-WORKING family receives cash and food benefits of \$764. With earnings of \$400 per month, the cash and food benefit grant is \$600 and the combined gross income is \$1,100 (less paycheck deductions). With increased earnings of \$900, the food benefit is \$300, the combined gross income is \$1,200 (less paycheck deductions), and the month does not count against the 60-month maximum lifetime limit.

CHILD CARE COPAYMENTS

Child care copayments are based on household size and income. Copayments are assessed when family income reaches 75% of the federal poverty guidelines (FPG) and are increased to provide movement to full payment of child care costs as parents' income increases.

Families with income above 100% FPG are assessed copayments based on state median income and family size.

For copayment schedules for all income levels and household sizes, refer to **DHS-6413A - Minnesota Child Care Assistance Program Copayment Schedules**.

TAX CREDITS

A family can increase their family income even more with the federal Earned Income Credit (EIC) and the Minnesota Working Family Credit (MWFC). These tax credits are not counted against the MFIP grant, whether received monthly or annually.

FSS ELIGIBILITY CRITERIA**11.6**

A person who is applying for or receiving DWP or MFIP (pre or post 60 months) or a person who was disqualified due to fraud on or after October 1, 2007, who meets 1 or more of the following criteria is eligible for Family Stabilization Services (FSS).

The following are the “ill, injured or incapacitated” eligibility categories:

ILL, INJURED OR INCAPACITATED

Participants who are ill, injured, or incapacitated **MUST** provide professional certification of an illness, injury, or incapacity that is expected to last more than 30 days and severely limits the participant’s ability to obtain or maintain suitable employment.

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant’s condition prevents him/her from working 20 or more hours per week.

Participants who are ill or incapacitated **ARE REQUIRED** to develop an Employment Plan for FSS participants and follow FSS service requirements. See §13.15.3 (Ill/Injured/Incapacitated Extensions).

NEEDED IN THE HOME

Participants who are needed in the home **MUST** provide verification that they are needed to provide care for another member of the assistance unit, a relative in the household, or a foster child in the household who has a professionally certified illness or incapacity that is expected to continue for more than 30 days. Participants in this category are not expected to work but **ARE REQUIRED** to develop an Employment Plan for FSS participants and follow FSS service requirements. See §13.15.12 (Needed In The Home Extension Criteria).

SPECIAL MEDICAL CRITERIA

Participants with a child or an adult in the household who meets the special medical criteria for home care services or a home and community-based waiver services program, severe emotional disturbance, or serious and persistent mental illness. Those meeting the special medical criteria must be receiving or eligible to receive these services or programs. Verification of the ability of caregivers to obtain or retain employment is not required. The participant in a single parent MFIP unit and 1 of the parents in a 2-parent unit are presumed to be unable to work but **ARE REQUIRED** to develop an EP for FSS participants and follow FSS service requirements.

FSS ELIGIBILITY CRITERIA

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If the participant's health care provider cannot or will not provide the information needed to determine if the participant is eligible for FSS, obtain a release of information from the participant authorizing you to contact the health care provider. Explain to the health care provider that this information is needed to determine if the participant is eligible for a service track in MFIP. If the health care provider still does not respond, contact the consumer representative at the health plan.

If the health plan does not respond, contact DHS Health Care Purchasing Division, at 651-296-3386 or 1-800-657-3756. Indicate which health plan you have contacted. See §13.15.9 (Special Medical Criteria Extension)

The following are the "hard to employ" eligibility categories:

UNEMPLOYABLE

Before determining whether a participant is unemployable for purposes of FSS, counties and Employment Services Providers should assess whether he or she is eligible under a different FSS category. If he or she does not meet the criteria for another category, but appears to have significant and severe issues that impact their ability to work, a determination of unemployability should be done by a vocational rehabilitation specialist or another qualified professional designated by the county. For more information on Qualified Professional, see §3.33 (Glossary: O-Q...).

There is no single factor or cluster of factors which would indicate unemployability, but take the following into consideration:

- The participant's work history over the past 5 years. If the person has worked, review his or her work history and the reason or reasons the participant left employment to determine whether any barriers exist which prevent the participant from maintaining a job. If the participant has not worked, review the reason he or she has not been employed to identify any barriers to employment.
- Extremely limited ability to speak or understand English, despite efforts to learn it. **This means that the person cannot communicate in English or understand questions, and this remains difficult even with an interpreter.** There must be documentation of the participant's efforts to learn English.
- Felony record that inhibits employment in existing positions.
- Other severe and chronic mental health or chemical dependency issues that have not been professionally certified because the nature of the illness interfere with the participant's ability to seek assessment or treatment. There must be documentation of

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the agency or other professionals attempt to engage the participant in necessary services.

Participants in this category ARE REQUIRED to develop an Employment Plan for FSS participants and follow FSS service requirements.

NOTE: Factors such as lack of child care, transportation, or housing, while they may be significant barriers to employment, do not in and of themselves constitute a basis for unemployability.

After reviewing the above, determine whether there are any factors that would result in the participant being unable to work. If there are not significant factors that would result in the participant being unable to work, he or she is considered employable and is NOT eligible for FSS. If the participant cannot work, determine whether he or she could work with a reasonable investment of available supports to address his or her limitations.

- If yes, these supports must be provided. The participant is not eligible for FSS under the category of “unemployable”.
- If no, the county must document the lack of available supports, and the participant may be extended as “unemployable”. When appropriate, the county should assist a participant who is assessed as “unemployable” to apply for SSI.

See §13.18.12 (Unemployable Extension Criteria).

DEVELOPMENTAL DISABILITY OR MENTALLY ILL

Participants who are developmentally disabled or mentally ill must be diagnosed by a licensed physician, psychological practitioner, or other qualified professional as developmentally disabled or mentally ill or the condition severely limits the participant’s ability to obtain or maintain suitable employment. See §13.18.3 (Developmental Disability/Mental Illness Extension Criteria).

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant’s condition prevents him/her from working 20 or more hours per week.

Participants in this category ARE REQUIRED to develop an Employment Plan for FSS participants and follow FSS service requirements.

PARTICIPANTS WITH IQ BELOW 80

Participants with an IQ below 80 must have been assessed by a vocational specialist qualified professional to determine that the condition severely limits the participant's ability to obtain or maintain suitable employment.

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition significantly restricts:

➤ The range of employment that the person is able to perform.

OR

➤ The condition significantly interferes with the person's ability to obtain or maintain suitable employment for 20 or more hours per week.

Participants in this category ARE REQUIRED to develop an Employment Plan for FSS participants and follow FSS service requirements.

Determining if a person has an IQ below 80 may be difficult due to limited English proficiency or lack of cultural assessment tools. Standard methods used to determine IQ may be inappropriate or ineffective. Only accept statements from professionals who are qualified to determine IQ scores AND who have experience assessing functional limitations with non-English speakers. See §13.18.9 (IQ Below 80 Extension Criteria).

LEARNING DISABLED

Participants with a learning disability must have been assessed by a vocational specialist or qualified professional to determine that the condition severely limits the participant's ability to obtain or maintain suitable employment. Learning disabled means that the person has a disorder in 1 or more of the psychological processes involved in perceiving, understanding, or using language. The determination must be based on a statement provided by a licensed professional who is qualified to assess learning disabilities. Statements from qualified professionals submitted for purposes of determining eligibility for these criteria must include verification that:

➤ There is a pattern of intra-individual discrepancy when compared to similar language of peers.

➤ The disability is not primarily the result of visual, hearing, or motor handicaps, developmental disability, emotional disturbance or due to environmental,

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cultural, or economic disadvantage.

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition significantly restricts:

➤ The range of employment that the person is able to perform.

OR

➤ The condition significantly interferes with the person's ability to obtain or maintain suitable employment for 20 or more hours per week.

Participants in this category ARE REQUIRED to develop an Employment Plan for FSS participants and follow FSS service requirements.

Determining if a person has a learning disability may be difficult due to limited English proficiency or lack of cultural assessment tools. Verify by seeking and only accepting statements from professionals who are qualified to determine learning disabilities, and have experience assessing functional limitations with non-English speaking clients. See §13.18.6 (Learning Disabled Extension Criteria).

FAMILY VIOLENCE WAIVER

Participants who are victims of family abuse are considered FSS participants. The abuse MUST be verified. See §7.36 (Family Violence Waiver Option) for a list of acceptable forms of verification. These participants must work with a job counselor and/or FSS case manager and a person trained in domestic violence (if they are not already working with a domestic violence advocate) to develop an EP for FSS participants. The primary goal of an EP for Victims of Family Violence is to ensure the safety of the caregiver and the children. The job counselor and/or FSS case manager has final approval of the EP, see §7.12 (Plan for Victims of Family Violence). Participants in this category ARE REQUIRED to develop an EP for FSS participants and follow FSS service requirements.

The following are the remaining eligibility categories:

IN THE COUNTRY 12 MONTHS OR LESS

Participants who are legal non-citizens in the United States 12 months or less are considered an FSS participant and ARE REQUIRED to develop an EP for FSS participants and follow FSS service requirements.

NOTE: Legal non-citizens may continue to receive FSS beyond the initial 12 month period if it

is determined by the participant and the case manager that the participant should continue with ESL or skills training or both.

APPLYING FOR SSI/RSDI

Participants who are applying for or those who are appealing a denial of an SSI or RSDI application are considered an FSS participant and **ARE REQUIRED** to develop an EP for FSS participants and follow FSS service requirements.

AGE 60 OR OLDER

Participants who are age 60 or older are considered FSS participants. They **ARE REQUIRED** to develop an EP for FSS participants and follow FSS service requirements.

MFIP participants who are considered “unemployable” may be eligible for an extension of MFIP benefits. It is helpful to think about this category as an extension for individuals who are unemployable because they are experiencing multiple and severe issues that significantly impact their ability to work. Participants who demonstrate they are able to work in unsubsidized employment should not be extended in this category.

Participants extended in the unemployable category are considered an FSS participant and ARE REQUIRED to develop an Employment Plan for FSS participants and follow FSS service requirements. Hourly requirements and activities should be appropriate to the participant’s abilities and included in the Employment Plan.

NOTE: Mental and chemical health treatment may be included in the plan on a voluntary basis.

DETERMINATION OF WHETHER THE PARTICIPANT IS UNEMPLOYABLE

Before determining whether an MFIP participant is unemployable for purposes of this extension, counties and Employment Services Providers should assess whether he or she is eligible for an extension under a different category. If he or she does not meet the criteria for another extension category, but appears to have significant and severe issues that impact their ability to work, a determination of unemployability should be done by a vocational rehabilitation specialist or another qualified professional designated by the county.

There is no single factor or cluster of factors which would indicate unemployability, but take the following into consideration:

- The participant’s work history over the past 5 years. If the person has worked, review his or her work history and the reason or reasons the participant left employment to determine whether any barriers exist which prevent the participant from maintaining a job. If the participant has not worked, review the reason he or she has not been employed to identify any barriers to employment.
- Extremely limited ability to speak or understand English, despite efforts to learn it. **This means that the person cannot communicate in English or understand questions, and this remains difficult even with an interpreter.** There must be documentation of the participant’s efforts to learn English.
- Felony record that inhibits employment in existing positions.

UNEMPLOYABLE EXTENSION CRITERIA

13.18.12

- Other severe and chronic mental health or chemical dependency issues that have not been professionally certified because the nature of the illness interfere with the participant's ability to seek assessment or treatment. There must be documentation of the agency or other professionals attempt to engage the participant in necessary services.

NOTE: Factors such as lack of child care, transportation, or housing, while they may be significant barriers to employment, do not in and of themselves constitute a basis for unemployability.

After reviewing the above, determine whether there are any factors that would result in the participant being unable to work. If there are not significant factors that would result in the participant being unable to work, he or she is considered employable and is NOT eligible for an extension. If the participant cannot work, determine whether he or she could work with a reasonable investment of available supports to address his or her limitations.

- If yes, these supports must be provided. The participant is not eligible for a hardship extension under the category of "unemployable", but may qualify for another extension.
- If no, the county must document the lack of available supports, and the participant may be extended as "unemployable". When appropriate, the county should assist a participant who is assessed as "unemployable" to apply for SSI.

See §13.3 (60-Month Lifetime Limit) for an explanation of the 60-month lifetime limit and exceptions. See §13.15 (Hardship Extensions) for general information and requirements for hardship extensions. Also see §13.18 (Hard to Employ Extensions).

DRUG FELONS SANCTIONS - JOB COUNSELOR RESPONSIBILITIES 14.3.6

There are certain policies for participants who disclose at financial intake that they have a drug felony. **These policies include vrending of benefits, random drug testing, and sanctions for failing drug tests.**

Notify the County immediately if you become aware that a felony drug conviction has been expunged from a participant's record.

Effective October 1, 2012, people convicted of a drug felony that was committed **within 10 years of application or recertification** are subject to random drug testing as a condition of MFIP eligibility. The drug test may be conducted by the county agency, or the county agency may be informed of a test failure by a probation officer or other official entity.

If a participant fails a random drug test, before imposing a sanction, the job counselor must:

- Attempt to meet face-to-face with the caregiver. See §14.24 (Case Review Requirements for Occurrences of Sanctions).
- Explain the consequences of failing a subsequent drug test. (A participant who fails a subsequent drug test is permanently disqualified from MFIP cash and food.) For the definition of DISQUALIFICATION, see §3.12 (Glossary: D...).
- Explain the right to appeal. See APPEAL in §3.3 (Glossary: A...).

If a face-to-face meeting is not possible, let the county know so the county can provide the above information in writing.

A **participant** who is sanctioned for failing an initial drug test may cure the 30% sanction by passing a subsequent drug test. **The caregiver must pass a subsequent drug test to cure the sanction even after a felony is more than 10 years.**

If a participant fails a subsequent random drug test, the participant is **PERMANENTLY** disqualified from both the cash and food portions of MFIP, and from MFIP Employment Services (MFIP-ES). **The disqualification remains in place even after the felony is more than 10 years old.**

DRUG FELONS SANCTIONS - JOB COUNSELOR RESPONSIBILITIES 14.3.6

Before disqualifying the caregiver and sending a notice of adverse action, the job counselor must:

- Explain the right to appeal.
- Identify other resources that may be available to the family.

Note: Drug felon sanctions do not count toward the 100% sanction policy.

MFIP Transition Standards and Shared Household Standards effective October 1, 2012:

MFIP Unit	Family Wage Level	Transitional Standard		
		Eligible People	Standard	Full Standard
1	\$ 471	\$ 428	\$ 250	\$ 178
2	840	764	437	327
3	1,106	1,005	532	473
4	1,348	1,225	621	604
5	1,544	1,404	697	707
6	1,774	1,613	773	840
7	1,935	1,759	850	909
8	2,141	1,946	916	1,030
9	2,344	2,131	980	1,151
10	2,541	2,310	1,035	1,275
Each Additional Person	196	178	53	125

Use the Family Wage Level (FWL) standard only for units with earned income.

For families with a child subject to the family cap, apply the FWL for the household size including that child. To determine the Transitional Standard to apply, add the cash portion for the household size **not including** the child to the food portion for the household size **including** the child.

MFIP ASSISTANCE STANDARDS

APPENDIX A

Some state and federal programs do not count the food portion as income. Examples of these programs include housing subsidy programs, low income energy assistance program, Relative Custody Assistance program (RCAP), and Supplemental Security Income when determining interim assistance amount.

SHARED HOUSEHOLD STANDARD effective October 1, 2012:

MFIP Unit	Shared Household Standard		
Eligible People	Full Standard	Cash Portion	Food Portion
1	\$ 403	\$ 225	\$ 178
2	720	393	327
3	952	479	473
4	1,163	559	604
5	1,334	627	707
6	1,536	696	840
7	1,674	765	909
8	1,854	824	1,030
9	2,033	882	1,151
10	2,207	932	1,275
Each Additional Person	173	48	125

NOTE: Assistance standards for a household of more than 10 are calculated by MAXIS.

The Shared Household Standard does NOT apply if:

- The MFIP member is a victim of family violence.
OR
- The non-MFIP member meets the eligible caregiver requirement.
OR
- The MFIP family includes a child subject to the family cap.

Use the Shared Household Standard unless unrelated household members meet at least 1 of the following EXCEPTIONS:

- Receiving Public Assistance:
 - Minnesota Family Investment Program (MFIP).
 - General Assistance (GA).
 - Emergency General Assistance (EGA).
 - Minnesota Supplemental Aid (MSA).
 - Minnesota Food Assistance Program (MFAP).
 - Refugee Cash Assistance (RCA).
 - Supplemental Nutrition Assistance Program (SNAP)
 - Medical Assistance (MA).
 - General Assistance Medical Care (GAMC).
 - MinnesotaCare.
 - Supplemental Security Income (SSI).
 - Adoption Assistance.
 - Relative Custody Assistance.
 - Foster Care.
- Roomer, Boarder, or a Person to whom Room or Board Is Paid:
For this to apply, the unit must meet the definition of ROOMER/BOARDER, not simply share living expenses. If the MFIP unit is receiving roomer/boarder income, consider the income as self-employment.
- Minor Child
- Minor Caregiver:
This includes minor caregivers living with parents or in an approved supervised living arrangement, if applicable.

- **Caregiver of a Child not in the MFIP Assistance Unit:**
This refers to the relationship of an unrelated person in the household to a child that is not considered part of the MFIP assistance unit.

- **Providing Child Care to a Child in the MFIP Assistance Unit:**
This refers to the unrelated person providing care for a child who is part of the MFIP assistance unit.

The maximum earnings on this initial eligibility threshold chart are calculated assuming that the unit is employed at application, has only earned income, has not been on MFIP in the previous 4 months, receives the regular Transitional Standard and has no children subject to the Family Cap. The earnings amounts listed assume that the unit has no child care expenses, makes no child or spousal support payments and allocates no income to others in the household. Unless otherwise noted, the table assumes working 40 hours per week and 4.3 weeks per month.

This chart should be used only as a guide and not to determine eligibility.

To be eligible for MFIP, the assistance unit's gross earnings minus an 18% disregard must be below the Transitional Standard for that size unit in the month of application. These earnings thresholds apply to a DWP family who applies for MFIP after having received 4 months of DWP benefits. The current federal minimum wage is \$7.25/hour for large employers.

Household Size	10/1/2012 Transitional Standard	Maximum Monthly Gross Earnings of Applicant to be Eligible for MFIP	Maximum Hourly Wage of Applicant to be Eligible for MFIP	Monthly 2012 Federal Poverty Guidelines*	Percent of Federal Poverty Guideline at Threshold
1	\$428	\$520	16 hrs/wk @ \$7.25	\$931	56%
2	\$764	\$930	29 hrs/wk @ \$7.25	\$1,261	74%
3	\$1,005	\$1,224	39 hrs/wk @ \$7.25	\$1,591	77%
4	\$1,225	\$1,492	\$8.67	\$1,921	78%
5	\$1,404	\$1,710	\$9.94	\$2,251	76%
6	\$1,613	\$1,965	\$11.42	\$2,581	76%
7	\$1,759	\$2,143	\$12.46	\$2,911	74%
8	\$1,946	\$2,371	\$13.78	\$3,241	73%
9	\$2,131	\$2,597	\$15.10	\$3,571	73%
10	\$2,310	\$2,815	\$16.37	\$3,901	73%

*The 2012 FPG amounts are effective for Calendar Year 2012.

AMOUNT OF EARNINGS NEEDED TO EXIT MFIP CASH

APPENDIX A-2

This table is used to calculate the amount of earnings needed to exit the MFIP cash portion and eligible only for the food portion.

NOTE: MFIP does not count against 60-month clock if only the food portion is received. A participant can choose to “opt out” of cash portion to stop the 60-month clock.

Unless otherwise noted, this table assumes working 40 hours per week and 4.3 weeks per month. It also assumes no allocation, deeming or sanctions. Calculations are based on MFIP standards effective **October 1, 2012**. The current federal minimum wage is \$7.25 per hour for large employers. The earned income disregard is **40%** of gross earnings.

Amount of Earnings Needed to Reach the Food Portion

Household Size	Full MFIP Food Portion Effective 10/1/12	Monthly Income	Annual Income	Weekly Hours Must Work at Minimum Wage	Hourly Wage Effective 7/24/09	Child Care Bi-Weekly Copay when Lose Cash	2012 Federal Poverty Guidelines (FPG)	Percent of FPG when Lose Cash Portion
1	\$178	\$487	\$5,844	16 hrs	16 hrs/wk @ \$7.25	None	\$11,170	52%
2	\$327	\$854	\$10,248	28 hrs	28 hrs/wk @ \$7.25	None	\$15,130	68%
3	\$473	\$1,054	\$12,648	34 hrs	34 hrs/wk @ \$7.25	None	\$19,090	66%
4	\$604	\$1,239	\$14,868	40 hrs	40 hrs/wk @ \$7.25	None	\$23,050	65%
5	\$707	\$1,394	\$16,728	45 hrs	\$8.10	None	\$27,010	62%
6	\$840	\$1,556	\$18,672	50 hrs	\$9.05	None	\$30,970	60%
7	\$909	\$1,709	\$20,508	55 hrs	\$9.94	None	\$34,930	59%
8	\$1,030	\$1,851	\$22,212	59 hrs	\$10.76	None	\$38,890	57%
9	\$1,151	\$1,987	\$23,844	64 hrs	\$11.55	None	\$42,850	56%
10	\$1,275	\$2,109	\$25,308	68 hrs	\$12.26	None	\$46,810	54%

*The 2012 FPG amounts are effective for Calendar Year 2012.

AMOUNT OF EARNINGS NEEDED TO EXIT MFIP

APPENDIX A-3

This table is used to calculate the amount of earnings needed to exit the MFIP program (both the cash and food portion) effective **10/1/12**.

Household Size	Family Wage Level	Monthly Income	Annual Income	Hourly Wage	Child Care Bi-Weekly Copay when Exit MFIP*	Annual 2012 Federal Poverty Guidelines (FPG)**	Percent of FPG when Exit MFIP
1	\$471	\$784	\$9,408	25 hrs/wk @ \$7.25	NA	\$11,170	84%
2	\$840	\$1,399	\$16,788	\$8.13	\$17	\$15,130	111%
3	\$1,106	\$1,842	\$22,104	\$10.71	\$23	\$19,090	116%
4	\$1,348	\$2,246	\$26,952	\$13.06	\$27	\$23,050	117%
5	\$1,544	\$2,572	\$30,864	\$14.95	\$31	\$27,010	114%
6	\$1,774	\$2,956	\$35,472	\$17.19	\$36	\$30,970	115%
7	\$1,935	\$3,224	\$38,688	\$18.74	\$44	\$34,930	111%
8	\$2,141	\$3,567	\$42,804	\$20.74	\$49	\$38,890	110%
9	\$2,344	\$3,906	\$46,872	\$22.71	\$59	\$42,850	109%
10	\$2,541	\$4,234	\$50,808	\$24.62	\$77	\$46,810	109%

* The child care co-pay amounts are effective **10/01/12**.

** The **2012** FPG amounts are effective for calendar year **2012**.