

(A) A WFNJ FVO Waiver of a WFNJ TANF/GA program requirement(s) includes a good cause exception from the child support requirements in accordance with the provisions at N.J.A.C. 10:90-16.5, 20.3, 20.4, 20.6, 20.7, 20.8, 20.9, and 10:110-9.5;

(B) EA for reason of family violence in accordance with the provisions at N.J.A.C. 10:90-6.1(c)4 may be requested; and

(3) Confidentiality and privacy with regard to disclosure of information in accordance with the provisions at N.J.A.C. 10:90-1.11 concerning the release of information and 10:90-7.7 concerning the confidential nature of information.

(A) The provisions at N.J.A.C. 10:90-20.1(d)1v(1)(A) and (B) concerning safety, confidentiality and privacy may apply.

ii. The WFNJ FVO Risk Assessment process and the WFNJ TANF/GA individual's responsibility for completion of the WFNJ FVO Risk Assessment in order to retain his or her WFNJ FVO Waiver including informing the WFNJ TANF/GA applicant/recipient of the following:

(1) All requests for a WFNJ FVO Waiver of any WFNJ TANF/GA program requirement(s) are coupled with the requirement for participation in the standardized WFNJ FVO Risk Assessment process in accordance with N.J.A.C. 10:90-20.1(b).

(2) The WFNJ FVO Risk Assessment shall be completed for every WFNJ TANF/GA individual who requests a WFNJ FVO Waiver of one or more WFNJ TANF/GA program requirements, including a good cause exception from the child support requirements or requests for EA for reason of family violence.

(3) He or she must complete the WFNJ FVO Risk Assessment within 10 calendar days of the referral to the designated victim services provider agency in accordance with N.J.A.C. 10:90-20.8 or 20.9, to retain the WFNJ FVO Waiver.

(4) The WFNJ FVO Risk Assessment identifies the safety and service needs of the individual and members of the family in his or her care who are impacted by the violence, as that violence presently affects his or her day-to-day living situation and ability to comply with WFNJ TANF/GA program requirements.

(5) Participation in the safety and service planning process of the WFNJ FVO Risk Assessment with the risk assessor at the designated victim service provider agency is required, initially when the WFNJ FVO Waiver is requested and for periodic updates to the safety and service plan in accordance with N.J.A.C. 10:90-20.

(6) The CWA FVO representative or designated MWA worker shall assist the WFNJ TANF/GA individual, as necessary, in scheduling the appointment for the WFNJ FVO Risk Assessment; arranging for the assessment to be completed by telephone while the individual is present; or rescheduling the appointment for another time or place mutually agreed to by the individual, the CWA FVO representative or designated MWA worker and the representative from the designated victim service provider agency.

(7) That failure to complete the WFNJ FVO Risk Assessment shall result in cancellation of the WFNJ FVO Waiver, unless the individual has a good reason in accordance with N.J.A.C. 10:90-20.8(b) and 20.9(b), for not scheduling an initial appointment or rescheduling an appointment for completion of the assessment.

(8) The WFNJ TANF/GA individual may be required to participate in the WFNJ TANF/GA program requirement(s) for which the WFNJ FVO Waiver was requested, unless the individual has another deferral.

(9) The WFNJ TANF/GA applicant/recipient whose WFNJ FVO Waiver is cancelled for failure to complete the WFNJ FVO Risk Assessment shall be permitted to request another waiver at any time and the WFNJ Risk Assessment shall be completed at that time;

3. Offer the person an opportunity to discuss the matter;

4. Upon the request of the individual, assist the person in accessing the victim service provider agency;

5. Advise the individual of services available to victims through the NJACP, including the following:

i. The purpose of the service is to protect the safety of the applicant's/recipient's location;

ii. The individual may choose to use this service provided by the State for his or her own safety;

iii. The NJACP protected records service only apply to agency documents controlled/issued by New Jersey agencies and is not applicable to out-of-State agencies/records;

iv. The NJACP program is under the Department of Community Affairs, Division on Women. Applications for the NJACP shall be made through the designated victim service provider agency in accordance with State law; and

v. That interested individuals will be provided a NJACP application package;

6. Advise the individual of eligibility for unemployment benefits in accordance with N.J.A.C. 12:17-9.11; and

7. Ensure confidentiality and disclosure of information in accordance with the provisions at N.J.A.C. 10:90-1.11 concerning the release of information and 10:90-7.7 concerning the confidential nature of information.

(b) The responsibility of the CWA FVO representative or designated MWA worker for individuals not applying for or receiving WFNJ TANF/GA, including CWA/MWA employees, is as set forth in (b)1 through 5 below. The representative shall:

1. Offer the person an opportunity to discuss the matter;
2. Advise the public at large having contact with the CWA/MWA, and CWA/MWA employees of access to and availability of victim services offered by the designated victim service provider agency;
3. Inform the public at large having contact with the CWA and CWA/MWA employees who wish to access victim services that an informal referral may be made to the designated victim service provider agency in order to access such services on his or her own if he or she so chooses;
4. Upon the request of an individual, assist the person in accessing victim services;
5. Advise the individual of services available to victims, through the NJACP in accordance with N.J.A.C. 10:90-20.11(a)5, and, provide interested individuals with an NJACP application package;
6. Advise the individual of eligibility for unemployment benefits in accordance with N.J.A.C. 12:17-9.11; and
7. Ensure confidentiality and disclosure of information in accordance with the provisions at N.J.A.C. 10:90-1.11 concerning the release of information and 7.7 concerning the confidential nature of information.

10:90-20.12 Responsibility of the designated victim service provider agency under the WFNJ FVO Initiative

(a) The responsibility of the designated victim service provider agency, under the WFNJ FVO Initiative, for WFNJ TANF/GA individuals, who have requested a WFNJ FVO Waiver, is as set forth in (a)1 through 4 below. The program shall:

1. Complete the required standardized WFNJ FVO Risk Assessment for every WFNJ TANF/GA individual referred to its agency by the CWA FVO representative or the designated MWA worker;

2. Review the WFNJ TANF/GA individual's circumstances to determine the existence of the past or present violence or the risk of family violence and complete a safety and service plan that includes the identification of intervention services, where appropriate;

3. Provide the CWA FVO representative or the designated MWA worker with confirmation that the initial WFNJ FVO Risk Assessment or updated risk assessment has or has not been completed within no more than 10 calendar days from the date of the CWA/MWA referral, unless there is an exception that prohibits the designated victim service provider agency from responding in the prescribed timeframe, including the applicant/recipient's inability to meet with the victim service provider agency's risk assessor within the prescribed timeframe.

i. The designated victim service provider agency shall advise the CWA FVO representative or the designated MWA worker of any exceptions to (a)3 above, or the applicant/ recipient's inability to meet with the victim service provider agency representative within the prescribed timeframe based on individual applicant/recipient circumstances, as soon as the agency becomes aware that it will be unable to complete the WFNJ FVO Risk Assessment process in the prescribed timeframe.

(1) In instances involving (a)3i above, the designated victim service provider agency shall provide the CWA FVO representative or the designated MWA worker with an anticipated date for completion of the WFNJ FVO Risk Assessment; and

4. Guarantee privacy and confidentiality to WFNJ TANF/GA applicants/recipients that are referred to the designated victim service provider agency in accordance with New Jersey law, N.J.S.A. 2A:84A-22.13 of the Criminal Justice Code, "Victim-Counselor Privilege" protection.

10:90-20.13 Fair hearings

WFNJ applicants/recipients have a right to a fair hearing on any adverse action in accordance with the provisions at N.J.A.C. 10:90-9.