CHAPTER 90

WORK FIRST NEW JERSEY PROGRAM

Authority

N.J.S.A. 30:1-12.

Source and Effective Date

R.2003 d.226, effective May 5, 2003. See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).

Chapter Expiration Date

Chapter 90, Work First New Jersey Program, expires on May 5, 2008.

Chapter Historical Note

Chapter 90, The Handbook for Home Services Program, was filed and became effective prior to September 1, 1969. Chapter 90, The Handbook for Home Services Program, was repealed by R.1980 d.208, effective May 9, 1980. See: 12 N.J.R. 192(a), 12 N.J.R. 323(a).

Chapter 90, Monthly Reporting Policy Manual, was adopted as R.1982 d.399, effective November 15, 1982. See: 14 N.J.R. 958(a), 14 N.J.R. 302(a).

Pursuant to Executive Order No. 66(1978), Chapter 90, Monthly Reporting Policy Manual, was readopted as R.1987 d.454, effective November 16, 1987. See: 19 N.J.R. 1517(a), 19 N.J.R. 2193(a). Pursuant to Executive Order No. 66(1978), Chapter 90, Monthly Reporting Policy Manual, expired on October 14, 1992.

Chapter 90, Work First New Jersey Program, was adopted as R.1997 d.311, effective July 1, 1997 (to expire January 1, 1998). See: 29 N.J.R. 3287(a).

Pursuant to Executive Order No. 66(1978), Chapter 90, Work First New Jersey Program, was readopted as R.1998 d.42, effective December 10, 1997. See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).

Subchapter 17, Early Employment Initiative (EEI), was adopted as R.1998 d.383, effective July 20, 1998. See: 30 N.J.R. 1489(a), 30 N.J.R. 3656(a) (operative August 1, 1998).

Subchapter 18, Essex/Atlantic Substance Abuse Research Demonstration, was adopted as R.1999 d.66, effective March 1, 1999. See: 30 N.J.R. 3629(a), 31 N.J.R. 685(a).

Subchapter 19, Kinship Care Subsidy Program (KCSP), was adopted as R.2002 d.349, effective November 4, 2002. See: 33 N.J.R. 4191(a), 34 N.J.R. 3778(b).

Chapter 90, Work First New Jersey Program, was readopted as R.2003 d.226, effective May 5, 2003. As part of d.226, Subchapter 18, Essex/Atlantic Substance Abuse Research Demonstration was repealed and Subchapter 18, Substance Abuse, and Subchapter 20, The Family Violence Option Initiative, were adopted as new rules. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 10:90-1.1 Purpose, philosophy and scope of the WFNJ program
- 10:90-1.2 Opportunity and decision to apply
- 10:90-1.3 Immediate need
- 10:90-1.4 Notice and information to client
- 10:90-1.5 Prompt disposition by the county or municipal agency
- 10:90-1.6 Primary source of information
- 10:90-1.7 Nondiscrimination
- 10:90-1.8 Adherence to law and regulations
- 10:90-1.9 No duplication of assistance
- 10:90-1.10 Assistance to non-English speaking applicants

- 10:90-1.11 Release of information by county or municipal agency
- 10:90-1.12 Refusal to apply for eligible benefits
- 10:90-1.13 Change in circumstances
- 10:90-1.14 Issuance of summons or subpoena
- 10:90-1.15 Voluntary quit
- 10:90-1.16 Assignment or transfer of property

SUBCHAPTER 2. NON-FINANCIAL ELIGIBILITY REQUIREMENTS

- 10:90-2.1 General provisions
- 10:90-2.2 WFNJ TANF/GA eligibility requirements
- 10:90-2.3 Time limits on eligibility for WFNJ TANF/GA benefits
- 10:90-2.4 Exemptions from the 60 cumulative month time limit
- 10:90-2.5 Extensions to the 60 cumulative month time limit
- 10:90-2.6 Family violence
- 10:90-2.7 Composition of the WFNJ/TANF and WFNJ/GA eligible assistance unit
- 10:90-2.8 Individuals ineligible for WFNJ TANF/GA
- 10:90-2.9 Definition of employable/unemployable persons in WFNJ/GA
- 10:90-2.10 WFNJ TANF/GA citizenship/eligibility requirements
- 10:90-2.11 WFNJ TANF/GA residency requirements
- 10:90-2.12 County/municipal residence for identification
- 10:90-2.13 Temporary absence from the State (WFNJ TANF/GA)
- 10:90-2.14 Responsibility of a parent to report temporary absence of a child from the home
- 10:90-2.15 Child, parent or WFNJ/GA individual in an institution
- 10:90-2.16 Absence for reasons other than institutionalization
- 10:90-2.17 Parent-minor provisions
- 10:90-2.18 Family cap provision for WFNJ/TANF
- 10:90-2.19 Refusal to cooperate with Quality Assurance reviews
- 10:90-2.19 Refusal to cooperate with Quality Assurance for the way 10:90-2.20 Work First New Jersey Post 60-Month Pilot Program: Supportive Assistance for Individuals and Families (SAIF) Program

SUBCHAPTER 3. FINANCIAL ELIGIBILITY—INCOME, RESOURCES, BENEFITS

- 10:90-3.1 General financial eligibility provisions
- 10:90-3.2 Determining initial financial eligibility for WFNJ/ TANF assistance units with dependent children
- 10:90-3.3 WFNJ/TANF-initial allowable maximum income and maximum benefit payment levels (Schedules I and II)
- 10:90-3.4 Determining initial financial eligibility for employable WFNJ/GA assistance units
- 10:90-3.5 WFNJ/GA employable, initial allowable maximum income and maximum benefit payment levels (Schedules III and IV)
- 10:90-3.6 Eligibility/maximum benefit payment levels for WFNJ/ GA unemployable single adults and couples without dependent children (Schedule V)
- 10:90-3.7 Computing prorated cash assistance benefits for WFNJ TANF/GA recipients
- 10:90-3.8 Computing the WFNJ TANF/GA monthly cash benefit using disregards for earned income
- 10:90-3.9 Income—WFNJ TANF/GA
- 10:90-3.10 Resources-WFNJ TANF/GA
- 10:90-3.11 Determining the income of WFNJ TANF/GA assistance units
- 10:90-3.12 Treatment of income and resources from eligible and noneligible individuals in the WFNJ TANF/GA household, as appropriate
- 10:90-3.13 Treatment of income for needy stepparents who are married to a WFNJ recipient parent
- 10:90-3.14 Treatment of income for non-needy stepparents who are married to a natural or adoptive WFNJ recipient parent
- 10:90-3.15 Eligibility of sponsored aliens and deeming of sponsor's income and resources to a sponsored alien for eligible aliens who entered the United States after August 22, 1996
- 10:90-3.16 Deeming income of parents of adolescent parents

- 10:90-3.17 WFNJ/GA special payment provisions for other living arrangements
- Treatment of lump sum income WFNJ TANF/GA 10:90-3.18
- 10:90-3.19 Exempt income
- 10:90-3.20 Exempt resources
- Overpayments and underpayments 10:90-3.21
- WFNJ TANF/GA case redetermination process 10:90-3.22
- Payees in WFNJ 10:90-3.23

SUBCHAPTER 4. WFNJ WORK REQUIREMENTS

- 10:90-4.1 General work requirement provisions
- Work activity participation Description of work activities 10:90-4.2
- 10:90-4.3
- 10:90-4.4 Satisfactory attendance
- Conditions under which CWEP and AWEP shall be 10:90-4.5 regarded as employment
- Work activity placement parameters 10:90-4.6
- The "Individual Responsibility Plan (IRP) Develop-10:90-4.7 ment Tool and Employability Profile" (IDT) (assessment)
- 10:90-4.8 Individual responsibility plan (IRP)
- 10:90-4.9 WFNJ comprehensive social assessment (CSA)
- 10:90-4.10 Deferrals from the work requirement
- 10:90-4.11 Good cause
- 10:90-4.12 Sanction notification process (conciliation)
- 10:90-4.13 Sanctions
- 10:90-4.14 10:90-4.15 Voluntary quit (recipients) Removal/lifting and rescission of sanctions
- 10:90-4.16 Sanction accruals
- 10:90-4.17 Effective date of sanctions
- 10:90-4.18 Intent to comply
- 10:90-4.19 Appeals
- 10:90-4.20 Injury compensation for CWEP and AWEP participants
- 10:90-4.21 Failure to comply with work requirements for individuals in post 60-month extension or exemption status

SUBCHAPTER 5. SUPPORTIVE SERVICES

- 10:90-5.1 Introduction
- 10:90-5.2 Child care services
- 10:90-5.3 Child care for special circumstances
- 10:90-5.4 Transportation services
- 10:90-5.5 Work expense allowance
- Medical support services Retroactive Medicaid Medicaid Special 10:90-5.6
- 10:90-5.7
- 10:90-5.8
- 10:90-5.9 Medicaid extension (employment-related)
- 10:90-5.10 Medicaid extension (child support-related)
- Supplemental Work Support Program 10:90-5.11
- Career Advancement Voucher Program
- 10:90-5.12 10:90-5.13 Housing Subsidy Program
- 10:90-5.14 Supplemental Living Support (SLS) Program
- 10:90-5.15 Mental Health Initiative
- 10:90-5.16 TANF Initiative for Parents (TIP) Program

SUBCHAPTER 6. EMERGENCY ASSISTANCE

- 10:90-6.1 Availability of emergency assistance
- Persons eligible for emergency assistance 10:90-6.2
- 10:90-6.3 Kinds of emergency assistance authorized
- 10:90-6.4 Time limitations
- 10:90-6.5 Recipient contribution
- 10:90-6.6 Recipient/agency responsibilities
- 10:90-6.7 Payment for emergency shelter
- 10:90-6.8 Intercounty/municipality transfer of EA cases
- 10:90-6.9 (Reserved)

Supp. 1-16-07

Commissioner's Long Term Support Program (LTSP) 10:90-6.10 pilot project for emergency assistance extensions

SUBCHAPTER 7. ADDITIONAL AGENCY RESPONSIBILITIES

- 10:90-7.1 Establishment and maintenance of case records
- 10:90-7.2 Contents of the case record

- 10:90-7.3 Maintenance, custody, movement and transfer of case records
- Issuance of photo identification cards 10:90-7.4
- 10:90-7.5 Lost or stolen benefits
- 10:90-7.6 Reporting of child abuse and neglect
- Confidential nature of information 10:90-7.7
- 10:90-7.8 Settlement of suits and claims

SUBCHAPTER 8. SPECIAL PROVISIONS FOR PAYMENT OF FUNERAL AND BURIAL EXPENSES

- 10:90-8.1 Payment of funeral and burial expenses
- 10:90-8.2 Persons who may be eligible
- 10:90-8.3 Funeral and burial contracts
- 10:90-8.4 Definitions and conditions
- 10:90-8.5 Authorization of payment
- 10:90-8.6 Time of payment
- 10:90-8.7 Irregularities
- 10:90-8.8 Requirements pertaining to SSI or Medicaid Only recipients

SUBCHAPTER 9. NOTICES AND HEARINGS IN WFNJ

- 10:90-9.1 Notice to applicant/recipient
- 10:90-9.2 Definitions related to hearings
- 10:90-9.3 Right to a fair hearing
- Rules applicable to WFNJ/GA applicants/recipients 10:90-9.4
- 10:90-9.5 Responsibilities of the county/municipal agency in processing hearing requests
- 10:90-9.6 Responsibilities of the Division of Family Development
- 10:90-9.7 Responsibilities of the Office of Administrative Law upon transmittal of a contested case from DFD
- 10:90-9.8 Administrative hearings and administrative reviews
- 10:90-9.9 Complaints and adjustment procedures
- 10:90-9.10 Time limitations on entitlement to fair hearings (county and municipal)
- 10:90-9.11 Access to case file and documents prior to hearing
- 10:90-9.12 Representation at hearings
- 10:90-9.13 Disposition of hearing request through withdrawal, abandonment or settlement
- Adjournments 10:90-9.14
- 10:90-9.15 Hearings involving medical issues
- Decision by Director, Division of Family Develop-10:90-9.16 ment
- 10:90-9.17 Emergency fair hearings

SUBCHAPTER 10. REFUGEE RESETTLEMENT PROGRAM

SUBCHAPTER 11. INTENTIONAL PROGRAM VIOLATION

Participation while awaiting a hearing

No further administrative appeal Referral of IPV cases for prosecution

Disgualification consent agreement

Methods of determining IPV

Definition of intentional program violation (IPV)

Referral for administrative disqualification hearing

Administrative disqualification hearing procedures

Waiver of right to administrative disqualification hear-

Termination of RRP: continued eligibility for assis-

Medical assistance and medical expense spend-down

- 10:90-10.1 Purpose and funding
- 10:90-10.2 Identifying refugees
- 10:90-10.3 INS statuses for RRP
- 10:90-10.4 Resettlement

tance

Eligibility

Social services

Fair hearings

ing

10:90-11.10 Reversed IPV disqualifications

10:90-11.12 Imposing disgualification periods

10:90-11.11 IPV disgualification penalties

10:90-10.10 Case records

10:90-10.5

10:90-10.6

10:90-10.7

10:90-10.8

10:90-10.9

10:90-11.1

10:90-11.2

10:90-11.3

10:90-11.4

10:90-11.5

10:90-11.6

10:90-11.7 10:90-11.8

10:90-11.9

90-2