

MANUAL OF ADMINISTRATION

FOR

"ASSISTANCE TO FAMILIES OF THE WORKING POOR",

JULY 1, 1971

STATE OF NEW JERSEY.

DEPARTMENT OF INSTITUTIONS AND AGENCIES .

DIVISION OF PUBLIC WELFARE .

NJ/KA8
IS/F2
1971

copy 1

Assistance to Families of the Working Poor
Manual of Administration
Transmittal Letter #5

July 9, 1973

TO COUNTY WELFARE BOARDS

Attached is one copy of revised material for the Assistance to Families of the Working Poor, Manual of Administration. Staff copies are being forwarded under separate cover.

Attached Pages (7/73)

3000. -3010.
3100. -3110.5

Superseded Pages

3000. -3010.
3100. -3110.5

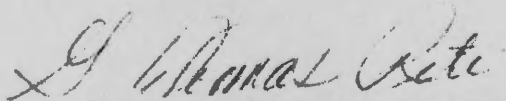
Explanation

The definition of eligibility has been revised, deleting the phrase "ceremonially married" in compliance with an opinion of the Supreme Court of the United States.

Instructions

Remove superseded pages and replace with attached pages as listed above. This material is effective immediately.

Sincerely yours,



G. Thomas Riti, Acting Director
Division of Public Welfare

GTR:MG:d

Attachment

NS/KAS
I5/F2
1971
JTA 7/16/73

State of New Jersey
Department of Institutions and Agencies
Division of Public Welfare
Trenton 08625

ASSISTANCE TO FAMILIES OF THE WORKING POOR
MANUAL OF ADMINISTRATION
TRANSMITTAL LETTER #4

December 1, 1971

TO COUNTY WELFARE BOARDS

Attached is one copy of revised material for the Assistance to Families of the Working Poor Manual of Administration. Staff copies are being forwarded under separate cover.

Attached Page 12/71

Superseded Page 11/71

3200 Appendix II

3200 Appendix II

Explanation

3200 Appendix II (Chart for Use of County Welfare Boards in Determining Eligibility for Potential Federal Matching) - has been revised to correct and clarify the form issued by Transmittal Letter #3, dated November 15, 1971.

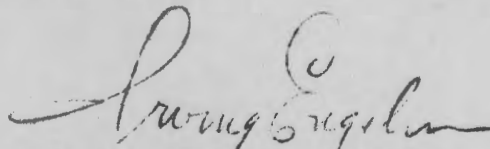
This form is to be reproduced by the County Welfare Board.

Instructions

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This material is effective immediately.

Very truly yours,



Irving J. Engelman, Director
Division of Public Welfare

IJE:MGK
Attachment

State of New Jersey
Department of Institutions and Agencies
Division of Public Welfare
Trenton 08625

ASSISTANCE TO FAMILIES OF THE WORKING POOR
MANUAL OF ADMINISTRATION
TRANSMITTAL LETTER #2

October 5, 1971

TO COUNTY WELFARE BOARDS

Attached is one copy of revised material for the Assistance to Families of the Working Poor Manual of Administration. Staff copies are being forwarded under separate cover.

Attached Page 10/71

3250.1

Superseded Page

3250.1 7/71

Explanation

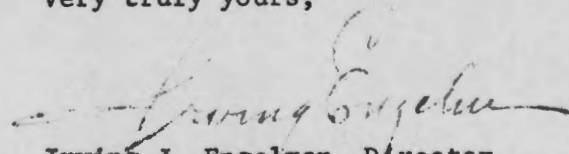
3250.1 d. - changes the definition of the term "unemployed" in conformity with change in criteria for claiming any Federal matching that may be available.

Instructions

Remove superseded page and replace with page as listed above.

This material is effective immediately.

Very truly yours,



Irving J. Engelman, Director
Division of Public Welfare

LJE:MGK
Attachment

State of New Jersey
Department of Institutions and Agencies
Division of Public Welfare
Trenton 08625

ASSISTANCE TO FAMILIES OF THE WORKING POOR
MANUAL OF ADMINISTRATION
TRANSMITTAL LETTER #3

November 15, 1971

TO COUNTY WELFARE BOARDS

Attached is one copy of revised material for the Assistance to Families of the Working Poor Manual of Administration. Staff copies are being forwarded under separate cover.

Attached Page 11/71

Superseded Page 7/71

3200 Appendix II

3200 Appendix II

Explanation

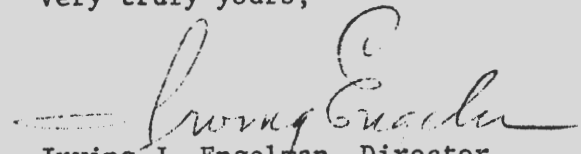
3200 Appendix II (Chart for Use of County Welfare Boards in Determining Eligibility for Potential Federal Matching) - revisions have been made in conformity with Transmittal Letter #2 issued October 5, 1971.

Instructions

Remove superseded page and replace with page as listed above.

This material is effective immediately.

Very truly yours,



Irving J. Engelman, Director
Division of Public Welfare

IJE:MGK
Attachment

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Introduction

3000. INTRODUCTION

3010. PURPOSE AND INTENT OF THE PROGRAM

The program of Assistance to the Families of the Working Poor provides financial assistance and other services under specified eligibility provisions to New Jersey families with children in which both parents are present in the home and are the natural or adoptive parents of such children but where there is inadequate income or resources for the support of the family.

Such families are entitled to receive the benefits available under the "New Jersey Medical Assistance and Health Services Act" and shall be afforded the opportunity to make application for such services without receiving a money payment under the AFWP program.

Part III

3000 Introduction

3020. INFORMATION ON THE MANUAL

3021. Organization as a Separate Manual

This Manual has been developed as a statement of policy and procedure separate from all other assistance programs and applicable only to AFWP. So far as possible, the outline for this Manual has been made consistent with the organization of Part II, Manual of Administration for the other public assistance programs and the same instructions for use and maintenance will be applicable.

Part III

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Introduction

3030. ADMINISTRATIVE ORGANIZATION

This program shall be administered by all of the county welfare boards of the State of New Jersey under the direction of the Commissioner of Department of Institutions and Agencies through the State Division of Public Welfare.

3031. Basic Principles of Administration

The following principles of administration are inherent in the fundamental concept that assistance shall be administered in accordance with standards and methods designed to strengthen self-respect, and to facilitate the attainment of the maximum degree of socio-economic independence of which the family is capable.

.1 Opportunity to Make Application

Any parents believing themselves and their children eligible shall be assured an opportunity to make application (includes reapplication) for financial assistance and other services provided through the program of Assistance to the Families of the Working Poor.

.2 Applicants or Recipients - Primary Source of Information

The applicants or recipients are the primary source of information. However, it is the responsibility of the agency to make the determination of eligibility and to use secondary sources when necessary, with the applicants' knowledge and consent.

.3 No Duplication of Assistance

No family or member thereof for whom financial assistance is being paid shall receive, during the same period, any other financial assistance from the State or any political subdivision thereof with respect to any maintenance requirements or other allowances for which allowance is made in the AFWP program.

.4 Adherence to Law and Administrative Policy

There shall be strict adherence to law and complete conformity with administrative policies. Requirements other than those established by law or regulation established by the Department of Institutions and Agencies or pursuant thereto shall not be imposed on any person as a condition of receiving assistance.

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Introduction

3031. Basic Principles of Administration (Cont'd)

.5 Appeal

a. Appeal to the Department from a Decision of CWB

The applicants or recipients shall have the right to request appeal on the action or inaction of the agency whenever they believe that they have not been given full consideration under the law. A fair hearing shall be conducted by an impartial official of the Department of Institutions and Agencies in accordance with prescribed procedures when

- 1) an application for assistance is denied;
- 2) an application for assistance is not acted upon by the county welfare board receiving such application within 30 days of receipt;
- 3) a grant of assistance is terminated;
- 4) when a dispute between a recipient of assistance and a county welfare board as to correctness of the amount of assistance granted has been resolved by the county welfare board against the recipient.

b. Fair Hearings Related to Services

The applicants or recipients shall have the right to request a fair hearing of the Division of Public Welfare, Department of Institutions and Agencies on the action or inaction of the agency in respect to services.

.6 Confidential Nature of Information

Information about the applicants and recipients and their circumstances shall not be disclosed except as required for the proper and efficient administration of the program.

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The Application Process

3100. THE APPLICATION PROCESS

3110. DEFINITIONS

.1 Application Process

The application process includes all activity performed by the Income Maintenance Section relating to a request for financial assistance.

The application process is primarily geared toward the determination of basic eligibility and the amount of financial assistance to be provided. However, since intake by its very nature involves a combination of services and income maintenance functions, a service worker shall be made available as required during such process.

.2 Applicants

[a. In AFWP "applicant" means both natural or adoptive parents who sign an application (PA-1L) for financial assistance.

b. Since the term "applicant" means both parents both shall be required to execute the formal written application (PA-1L) unless one such parent is not immediately available to sign the application for reasons beyond the family's control. The non-signatory parent shall be required to annex his properly attested signature as promptly as he is available for such purpose.

.3 Recipient

"Recipient" means each member of the family unit who has been found eligible for a payment of assistance.

.4 Child

The term "child" shall be understood to refer to one or more eligible children.

.5 Parent

[The term "parent" is used to refer to two adults of the opposite sex who have at least one eligible child under the age of 18 residing with them. Such child shall be the natural child of both parents or the natural child of one and adopted by the other, or a child adopted by both.

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The Application Process

3110. DEFINITIONS (Cont'd)

.6 Eligible Unit

For a definition of those individuals who are eligible to have their needs included in the assistance grant, see Financial Assistance Manual.

.7 Payee

The payee shall be the parent(s) designated in Application Form (PA-1L) to receive assistance payments on behalf of the eligible members.

.8 Assistance Payment

An assistance payment is the money amount authorized by CWB to or in behalf of the eligible family.

.9 Terms Used to Classify "Application"

- a. A new application is a written request for assistance, from parents who have never previously requested assistance in any county in the State, under this program.
- b. A reapplication is a written request for assistance by parents whose previous application was rejected in any county in the State and who request reconsideration of their current eligibility under this program.
- c. A reopened application is a written request by a former recipient in any county in the State for reconsideration of their current eligibility for this program.
- d. A transfer application is a written request for assistance by parents who at the time of registration are still receiving assistance from the welfare board of another county from which they had moved.
- e. Pending application is the general term for application, reapplication reopened application, or transfer application prior to official disposition.

.10 Registration

Registration is the action of the CWB in assigning a control number to an application.

Part III

3100 The Application Process

3110. DEFINITIONS (Cont'd)

.11 Disposition of Application

The disposition of an application is the official determination by the CWB that one of the following actions is appropriate:

a. Approved means that the applicants have been determined to be eligible for assistance.

b. Rejected is an inclusive term (for statistical purposes) for the following actions:

1) Denied means that the applicants have been determined to be ineligible for assistance for a specific reason.

2) Dismissed means official recognition that eligibility need not be considered further because:

a) an applicant died or the applicants moved to another jurisdiction within New Jersey during the application process; or

b) the applicants cannot be located; or

c) the application was registered in error.

3) Withdrawn means that the applicants decide not to pursue their application further.

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The Application Process

3122. Policy and Procedure on Prompt Disposition

.1 Normal Standards of Reasonable Promptness

- a. The maximum period of time normally essential to process an application is thirty days.
- b. If there is immediate need and eligibility is established, assistance shall be granted not later than the next working day.
- c. "Date of effective disposition", based upon either administrative or Board action means:
 - 1) in the case of an approved application, the date on which first payment is issued to the applicants;
 - 2) in the case of a denied application, the date on which written notification informing the applicant of his lack of eligibility and the reasons therefor is sent to him;
 - 3) in the case of a withdrawn application, the date on which written notification confirming to the client that the agency has taken cognizance of his voluntary withdrawal is sent to him; or
 - 4) in the case of a dismissed application, the date on which written notification informing the applicant of the dismissal and the reasons therefor is sent to him.

.2 Exceptions from Normal Standards

It is recognized that there will be exceptional cases where the proper processing of an application cannot be completed within the 30-day period. Where substantially reliable evidence, of eligibility, is still lacking at the end of the designated period, the application may be continued in pending status. In each such case, the CWB shall be prepared to demonstrate that the delay resulted from one of the following:

- a. circumstances wholly within the applicants' control; or
- b. a determination to afford to applicants whose proofs of eligibility have been inconclusive, a further opportunity to develop additional evidence of eligibility before final action on his application; or
- c. an administrative or other emergency that could not reasonably have been avoided; or
- d. circumstances wholly outside the control of both the applicants and the CWB.

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The Application Process

3122. Policy and Procedure on Prompt Disposition (Cont'd)

.3 Notification

When the complete processing of an application is delayed beyond 30 days, written notification shall be sent to the applicant on or before the expiration of such period, setting forth the specific reasons for the delay.

.4 Agency Controls

Each county director of welfare shall arrange operational procedures and establish appropriate operational controls within his staff organization to expedite the processing of applications and assure the maximum possible compliance with these standards.

Control records on the exceptional cases shall disclose at any time the identity of all applications which have been in pending status for more than 30 days, and the reasons therefor. Such records shall be adequate to make possible the preparation of a report of such information at any time it might be requested by the welfare board or the State Division.

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The Application Process

3130. INTAKE POLICY AND PROCEDURE

"Intake" is an inclusive term applied to the county welfare board's activities in relation to requests for information, financial assistance and service.

.1 Inquiries about Financial Assistance

When a parent inquires about financial assistance in person, he shall be given an opportunity to arrange for an interview. If such parent claims to be in immediate need of assistance he shall be given an Application Form (PA-1L) to fill out at that time.

When the inquiry is by letter or telephone, an appointment, if requested, shall be arranged promptly. If the appointment for the interview is not kept, or the application not returned, the CWB will make a record of the inquiry and need to take no further action.

When a person other than a prospective applicant inquires about financial assistance on behalf of a specific individual, he shall be informed about the program(s) and provided the appropriate informational pamphlet.

Such inquiries on behalf of an individual shall be recorded as inquiries unless and until there is an interview which results in a decision to make application for financial assistance.

.2 Clearance

All inquiries and referrals shall be cleared with the master index and any previous information on file shall be made available to the worker for the initial interview.

3131. Application Policy and Procedure

.1 Where Application is Made.

Application for financial assistance is made during normal business hours at the welfare board of the county where the family is living at the time of application.

PART III

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The Application Process

3131. Application Policy and Procedure (Cont'd)

.2 Factors for Interpretation

There are certain factors to be interpreted as the family situation may require. These include:

- a. Referral to General Assistance of those family members who are not eligible under any CWB program.
- b. Preliminary information concerning policy which will govern the amount of assistance they will receive if found eligible. These include but are not limited to:
 - 1) the nature and amount of allowances;
 - 2) the principle that all income, including contributions from relatives and available cash resources are taken into consideration;
 - 3) the principle of adjusting the amount of payment as either requirements or income change;
 - 4) the responsibility of applicant to report changes in his circumstances; and
 - 5) the right and responsibility of the applicant to manage his assistance payment to meet his needs in the same manner as any other form of income.
 - 6) payment procedures covering:
 - a) issuance of initial payment following determination of eligibility;
 - b) issuance of subsequent payments by check in single cash amount for the month (or other specified period) except for vendor payments;
 - c) date of issue of regular checks;
 - d) instructions for check endorsements.
- c. Explanation of the Appeal Proceedings
- d. Explanation of the provisions of Title VI of the Civil Rights Act of 1964 and provision of a copy of Form WD-1C, A Statement Concerning Nondiscrimination in Programs of Public Assistance and Welfare Services.

PART III
3100

The Application Process

3132. Registration Procedures and Record of Inquiries

.1 Application

Official registration of an application consists of the following steps:

- a. entry in application register under appropriate classification as new, reapplication, reopened application, or transfer in;
- b. assignment of case control number (registration number) to a new application, or reassignment of previous number to a reapplication or reopened application;
- c. preparation of appropriate Form PA-9, Registration Care.

So far as possible, registration shall be completed on the same day that application for assistance is made. If the application is made outside the CWB office, registration shall be completed within three working days.

.2 Inquiries

- a. All inquiries, whether by interview, correspondence or telephone, which do not immediately result in a decision to apply for assistance, shall be recorded.
- b. The inquiry record shall contain the name and address (if available) of the family on whose behalf the inquiry was made, the name and address (if available) of the person making the inquiry, the date of the inquiry, and a brief summary of the nature of the request and what was done by CWB in respect to the inquiry. If the information obtained warrants a narrative report, such a report shall be prepared.
- c. In a situation in which the inquiry may result in a decision to apply within a specified time limit, the record of inquiry shall be held in a follow-up file.
- d. If the inquiry results in an application, the record in inquiry shall immediately be made part of the official case record relating to such application.
- e. Narrative reports and correspondence on inquiries shall be filed appropriately. In the event of any subsequent inquiry or application, earlier material shall be collated with the reports and material relating to the subsequent action.

PART III
3100

The Application Process

3133. Reports to the Commission for the Blind and Visually Impaired under Specified Circumstances

By law, the CWB is required to report to the Commission for the Blind and Visually Impaired, every individual coming to its attention who is known to be, or who is believed likely to become, permanently blind. The pertinent information shall be registered with the Commission for the Blind and Visually Impaired in the prescribed form.

3134. Assignment of Pending Application for Completion of Eligibility Determination

Each CWB shall provide a method to assure assignment of pending application to a worker within three working days; and, establish a follow-up tickler system.

PART III

3100

The Application Process

3140. PROCESS OF ESTABLISHING ELIGIBILITY

The process of establishing eligibility involves the review of the application for completeness, consistency, and reasonableness. A home visit is not required.

3141. Collateral Investigation

.1 Definition

"Collateral investigation" shall refer to contacts with individuals other than members of applicant's immediate household made with the knowledge and assent of the applicants.

.2 General Policy

The primary purpose of collateral contacts is to verify or supplement or clarify discrepancies regarding essential information supplied by the applicant.

The applicants will usually be able to help select the most likely sources of information about themselves. If they are unwilling to have the necessary inquiries made and are unwilling to secure the required information from such sources themselves, then it shall be explained that CWB will be unable to grant assistance.

3142. Case Recording

All pertinent information relating to the eligible family shall be recorded.

3143. Recommendation for Agency Decision

The income maintenance (IM) worker is initially responsible for the recommendation for approval or denial. If the recommendation is for approval, the recommendation shall include:

- a. The amount of assistance to be granted in the initial payment for a full or partial month and the period it covers;
- b. the amount of the regular payment; and
- c. if initial payment is to be deferred, the date on which client will be eligible to receive payment.

The IM worker signs the PA-3A or initials a typescript signature.

PART III
3100

The Application Process

3144. Supervisory Review and Approval

In most cases an IM worker will complete the investigation and formulate the assistance plan.

All assistance plans shall be reviewed by a supervisory staff member prior to final disposition.

Any difference of opinion between worker and supervisor should be resolved by a conference, and, if necessary, the issue should be referred to a higher administrative level for disposition.

All records of application shall be approved in writing by the supervisor following review, either by signature or initialed typescript signature.

3145. Disposition of Application

.1 Action by Executive Authority

It is the intent of State law and policy that the normal method for disposing of applications recommended for approval, shall be by the authority vested in the director of welfare to make decisions on eligibility and to issue initial payment. The director has the same authority to make case decisions other than approvals.

The director may delegate such authority to any staff member or members as he may determine. He shall exercise this right of delegation in such a way as to assure the availability at all times of some staff member possessing the requisite authority to make decisions and to issue payments of assistance when required. Local determinations of such delegation shall be evidenced in writing.

.2 Action by Welfare Board

Applications which may be held for the welfare board are:

- a. those where immediate need is not indicated; and
- b. if the director believes that there is valid cause to question the available evidence on any point of eligibility, or because the case presents a special problem. If so held, the application shall be identified in the narrative portion of the Minutes, and in each instance shall include a brief statement of the question or special problem involved and the decision of the Board. (See Ruling No. 22, item 5 d.)

PART III

3100

The Application Process

3146. Notice of Agency Decision

Designation of personnel responsible for preparation of decision notices shall be at the discretion of the agency. (See 3811. for procedure.)

T A B L E O F C O N T E N T S

CHAPTER 3200

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(1)

T A B L E O F C O N T E N T S

CHAPTER 3200

ELIGIBILITY FACTORS

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Part III

3200

Eligibility Factors

3200. ELIGIBILITY FACTORS

Eligibility must be established in relation to each legal requirement to provide a valid basis for granting or denying assistance.

The applicant's statements regarding his eligibility, as set forth in the application form, are evidence. The statements must be consistent and meet prudent tests of credibility. Incomplete or questionable statements shall be supplemented and substantiated by corroborative evidence from other pertinent sources either documentary or non-documentary.

- a. Documentary sources of evidence present factual information recorded at some previous date by a disinterested party and filed as part of a record. Examples: certificates, legal papers, insurance policies, licenses, bills, receipts, notices of RSDI benefits, etc.
- b. Non-documentary sources of evidence are factual oral statements which appear to be reliable by individuals based on their observation and personal knowledge of the applicant's circumstances.

Part III

3200

Eligibility Factors

3210. AGE

.1 Requirements

- a. Children must be under the age of 18.
- b. The applicant parents must be under 65 years of age to be included in the assistance grant.

.2 Evidence of Age

The applicant may be requested to present one acceptable proof of age.
(See 3200 Appendix I)

.3 Administrative Control

CWB shall maintain administrative controls to assure:

- a. removal of a child from the assistance grant when he is no longer of eligible age;
- b. case closing when the youngest child is no longer of eligible age;
- c. opportunity for a disabled child to apply for DA in advance of his eighteenth birthday to assure his receipt of uninterrupted assistance; and
- d. opportunity for a parent to apply for CAA in advance of his sixty-fifth birthday.

Part III
3200

Eligibility Factors

3220. RESIDENCE

An applicant for or recipient of assistance shall be a resident of this State.

3221. Definitions

.1 State Resident

The term "resident" shall be interpreted to mean a person who is living in the State voluntarily and not for a temporary purpose, that is, with no intention of presently removing therefrom.

.2 County Residence

"County residence" is not an eligibility requirement and relates only to identification of the welfare board charged by law with responsibility for the official receipt, registration and processing of applications, and for making payments to eligible persons. An applicant for assistance shall be considered a resident of the county in which he maintains his customary place of abode.

3222. Return to State of Origin

There may be instances where a family, who has resided in New Jersey for a relatively short period, wishes to return to their state of origin. In such situations, CWB shall process the application and shall grant assistance, if necessary, pending exploration of the possibility of return.

3223. County Responsibility in Respect to Change of County Residence

Whenever it is determined that a family is planning to change customary place of abode from one county to another, it shall be the responsibility of the directors of welfare of the two counties concerned to effect the prompt and efficient disposition of the case in accordance with the following principles:

- a. The county of origin shall initiate, and the receiving county shall, on request, immediately cooperate in accomplishing a full investigation of the circumstances surrounding the move.

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3200

Eligibility Factors

3223. County Responsibility in Respect to Change of County Residence (Cont'd)

- b. If the move is permanent and the family continues to be eligible, transfer of the case shall be accomplished expeditiously by discontinuance of the grant, in the county of origin and award of a grant in the receiving county, to occur simultaneously in the first month for which the directors of welfare concerned can mutually so arrange.
- c. The welfare of the family shall not be adversely affected, and their right to uninterrupted assistance if in need shall not be prejudiced, by disagreement or other administrative difficulty between the counties.
- d. Promptly forward case record, sending the complete original case record, or copies of all forms, reports of first and subsequent applications, discharge reports and the two most recent continuance reports, eliminating intervening reports. If the intervening reports cover any unusual situation or information, a brief summary of the pertinent data should be included.

If the complete original record is forwarded, a summary of contents deemed adequate to its own purposes shall be prepared and retained by the county of origin.

- e. Appropriate board action shall be taken by the county welfare boards in opening and closing of the case.

3224. Eligibility of Recipients Who Leave New Jersey

.1 Preliminary Statement

Whenever a recipient wishes to leave New Jersey either to establish a permanent place of abode, or for a temporary visit, he shall be advised of the effect of this plan on his eligibility for continued assistance. Particular care should be taken to caution the client that if he should need medical care or hospitalization while out of State on an approved temporary visit, no absolute assurance can be given that his medical needs will be provided for.

.2 Permanent Removal

It shall be the policy of this State that if a recipient leaves New Jersey with intent to establish a place of abode elsewhere, or for an indefinite period for purposes other than a temporary visit, or if he decides to remain indefinitely in the place outside New Jersey to which he had gone for a temporary visit, he ceases to be eligible to receive assistance.

Part III

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Eligibility Factors

3224. Eligibility of Recipients Who Leave New Jersey (Cont'd)

3. Temporary Visit Out-of-State

Visits by a parent, parents or family unit for a period of not more than 30 days may be permitted without affecting the family's eligibility. Such absence shall, however, be discussed with the CWB.

Part III

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Eligibility Factors

3230. RELATIVES - LEGALLY RESPONSIBLE AND OTHERS

To be considered eligible, a person shall not only be unable to support himself, but be without legally responsible relatives able and willing to support him and without other persons able and willing to support him.

.1 Responsibility of County Welfare Board

It is the responsibility of CWB to determine the capacity of legally responsible relatives to provide support to an applicant for and recipient of public assistance, and of other relatives' willingness and ability to support him.

.2 Legally Responsible Relatives

Legally Responsible Relatives are:

- a. child under age 55;
- b. parent under age 55;
- c. grandparent under age 55.

3231. Contacts

.1 General Policy

All legally responsible relatives shall be contacted in completing the investigation as shall any other relative who has indicated interest in the client by rendering financial aid or other service. The knowledge and assent of the applicant is necessary.

3232. Method of Contact

Regardless of where the relative lives it is the responsibility of the worker to obtain the necessary information by the most direct and practical method.

3233. Information on Capacity to Support

.1 Legally Responsible Relatives

- a. The legally responsible relative shall be the primary source of the information required to evaluate his capacity to support.

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Eligibility Factors

3233. Information on Capacity to Support (Cont'd)

- .1 b. When the evidence submitted by the relative is inadequate or shows a discrepancy, or he is unable to submit evidence, he shall understand that it will be necessary for the agency to obtain verification directly from the employer, bank, etc.

.2 Other Relatives

Contact with non-responsible relatives shall be in terms of the extent to which they are presently helping the applicant, and what they may be able and willing to do.

3234. Frequency of Reevaluation of Capacity to Support

LRR's shall be reevaluated as circumstances warrant but in no event not less than once every twelve months.

3235. Relative Judicially Excused

As provided in R.S. 44:7, when it has been formally determined by judicial process that a child of an applicant for or recipient of assistance is legally excused and relieved of the obligation to support by reason of abandonment, desertion and non-support on the part of such applicant or recipient during the child's minority, such child shall thereafter be considered a non-legally responsible relative, rather than a legally responsible relative, with respect to other administrative requirements of the program, such as visitation, evaluation of capacity to support, etc.

At the same time it must be remembered that certain property rights arising out of a parent-child relationship, such as rights of inheritance, continue in full legal force and effect. The existence of such rights and their effect on the present or future economic situation of the client must be fully examined and properly accounted for at all times.

(Refer to 3352. for legal procedures.)

Part III

3200

Eligibility Factors

3240. DISPOSAL OF ASSETS: REPAYMENT

.1 Legal Requirement

Applicants must not have made a voluntary assignment or transfer of property within one year prior to the time of application for the purpose of qualifying for public assistance.

3241. Disposal of Assets to Qualify for Assistance

.1 General Statement

Whenever investigation indicates that a person applying for assistance has transferred or assigned any property, whether real or personal, within one year prior to application, the motive for and circumstances surrounding such transfer and assignment shall be evaluated.

.2 Effect on Eligibility

- a. If it is determined that there was no intent to transfer the property solely for the purpose of becoming eligible for assistance, such transfer or assignment shall not make the applicant ineligible.
- b. If the transfer or assignment is found to have been made without receipt of adequate consideration by the applicant, but with no evidence of intent to qualify for assistance or to avoid repayment, it shall be recognized that the applicant may have legal rights to secure the return of the property or the payment of adequate consideration. In such event, this shall be considered a potential resource, and the applicant shall be expected to comply with State requirements governing the liquidation of potential resources.

3242. Assistance Received Constitutes a Debt

Any assistance received by a recipient under this program shall constitute a debt owed to the State of New Jersey.

.1 Recovery of Debt

- a. The debt shall be recoverable by the State of New Jersey or its agents.
- b. Whenever CWB determines that a lump sum payment has been received, either earned or unearned, CWB shall take immediate appropriate action to:
 - 1) effect repayment of any amount of assistance granted;

Part III

3200

Eligibility Factors

3242. Assistance Received Constitutes a Debt (Cont'd)

- .1 b. 2) continue assistance with any necessary adjustment to recipients' grant;
- 3) suspend or close the case as is appropriate.
- c. When there appears to be eligibility for benefits or compensation but no claim has been filed and the parents refuse to file a claim, the family shall be determined ineligible for assistance.
- d. When a recipient child appears to be eligible for benefits or compensation, but no claim has been filed and there is refusal to file a claim, such child shall be determined ineligible for assistance.
- e. If the State of New Jersey or its agents fail(s) to move to recover the debt within six years of the last payment of assistance to the recipient, the former recipient's obligation thereunder shall be deemed unenforceable.

3243. Claims Against Estate of Deceased Minor

Whenever a recipient child dies prior to age 21 leaving an estate, the total amount of assistance paid for such child is a valid claim against his estate. The CWB shall take the necessary legal steps to enforce such claim.

Where there are surviving members of the family CWB shall evaluate the facts of the situation and if in the opinion of the welfare board a compromise settlement is in order, the facts of the matter shall be presented in writing to the State Division for approval.

Part III

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Eligibility Factors

3250. EMPLOYMENT AND TRAINING

One of the goals of public assistance is to help the client realize his full potential and make use of his own capacities for self-support.

.1 Employment or Training for Father

Family life will be greatly strengthened if the head of the household can become self-supporting. Every available resource must be utilized including the prompt referral to the State Employment Service for job or training opportunities.

a. Cessation of Employment

Voluntary cessation of employment within 90 days prior to the date of application will render the family ineligible for assistance.

b. Refusal to Register with DES

Refusal of the father to register with the Division of Employment Security, or refusal, without good cause, to accept employment, better employment, or training for employment or better employment will render the family ineligible to receive assistance.

1) Before it is determined that a father has refused a bona fide offer of employment or training for employment without good cause, CWB must establish that such an offer was actually made. The father shall be given an opportunity to explain why such an offer was not accepted. Questions with respect to the following factors must be resolved:

- a) that there was a definite offer of training or of employment at wages meeting any applicable minimum wage requirement;
- b) the father's inability to engage in such training or employment for physical reasons;
- c) the father's inability to get to or from the particular job or training; and
- d) working or training conditions such as risks to health and safety.

Part III

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Eligibility Factors

3250. EMPLOYMENT AND TRAINING (Cont'd)

.1 c. Review of Determination of Refusal by CWB

In the case of offers of employment or training made through the public employment or Manpower agencies, the initial determination as to whether the offer was bona fide, or whether there was good cause to refuse it, will be made by that office or agency subject to review and final determination by CWB.

d. Special Criteria for Federal Participation

For purposes of claiming any Federal matching that may be available with respect to assistance payments based on the unemployment of the father, the following criteria must be met:

- 1) the father has been unemployed for at least 30 days prior to the receipt of public assistance and is currently registered with the Division of Employment Security;

Unemployed is defined as being:

- a) Employed less than 100 hours a month; or
 - b) Exceeds that standard for a particular month, if his work is intermittent and the excess is of a temporary nature as evidenced by the fact that he was under the 100-hour standard for the two prior months and is expected to be under the standard during the next month.
- 2) the father has not, without good cause, within such 30 day period prior to the receipt of public assistance, refused a bona fide offer of employment or training for employment; (see 3250.1 b.)
 - 3) the father has (i) six or more quarters of work* (see note below) within any 13 calendar quarter period ending within one year prior to the application for such aid, or (ii) within such one year period, received unemployment compensation under an unemployment compensation law of a State or of the United States, or was qualified** (see note below) for such compensation under the State's unemployment compensation law;
 - 4) the father has not received unemployment compensation under an unemployment compensation law of a State or of the United States for any week for which he has also received a grant of assistance;
 - 5) the father will, within 30 days after the receipt of assistance, be referred to the local office of the Division of Employment Security for participation in any appropriate employment service or Manpower training program for which he may be eligible.

(See notes on following page.)

Part III

3200

Eligibility Factors

3250. EMPLOYMENT AND TRAINING (Cont'd)

.1 d. (Cont'd)

A chart for the use of CWB for simplified determination of eligibility for Federal matching may be found in 3200 Appendix II. The chart may be reproduced by each CWB.

Notes: * A "quarter of work" with respect to any individual means a period (of three consecutive calendar months ending on March 31, June 30, September 30, or December 31) in which he received earned income of not less than \$50, or in which he participated in a community work and training program under Section 409 of the Act or any other work and training program subject to the limitations in such section 409, (Title V projects) or the Work Incentive program established under Part C of Title IV of the Act.

** An individual shall be deemed "qualified" for unemployment compensation under the State's unemployment compensation law if he would have been eligible to receive such benefits upon filing application, or he performed work not covered by such law which, if it had been covered, would (together with any covered work he performed) have made him eligible to receive such benefits upon filing application.

.2 Employment or Training for Mother

Although a mother's responsibility is to her home and the care and protection of her children, self-support should be encouraged when appropriate.

Part III

3200

Eligibility Factors

3250. EMPLOYMENT AND TRAINING (Cont'd)

.3 Employment for Children

The State affirms the concept that all children receiving public assistance should be afforded services which will enable them to become responsible citizens and attain a level of financial independence which is consistent with the capacities of the individual child. Such services should be directed toward providing the opportunity for further education or work training which offers a potential for employment not available to the unskilled.

a. Work/Training Opportunities

It is expected that children receiving assistance shall take maximum advantage of work or training in OEO programs, where available. Since these programs are intended to help economically deprived families, and have the basic purpose of overcoming poverty by enabling individuals to obtain financial independence, it is reasonable to expect that children receiving ADC should take maximum advantage of these opportunities. Where any child between the ages of 16 and 18 who is not attending school and is not employed refuses, without good cause, to participate in an available work/training program, such child shall be considered ineligible for further assistance through the AFWP program.

- 1) A finding that a work/training program is available shall be supported by information in the case record which identifies the program and its sponsorship, and which shows that such program was known to the recipient-child and that he was eligible for participation.
- 2) Refusal for good cause includes such situations as:
 - a) lack of capacity or ability to perform the work/training;
 - b) return to school or beginning of employment at an early date so that participation in work/training is not feasible;
 - c) obviously unsuitable work or training assignment;
 - d) assignment to a hazardous job, or one excessively distant, or one requiring extended travel time from the home.

Part III

3200

Eligibility Factors

3250. EMPLOYMENT AND TRAINING (Cont'd.)

.3 a. 3) When refusal to participate is based upon physical or mental incapacity, and doubt exists as to good cause, opportunity for a medical examination should be offered as an assistance cost.

b. Employment

Children should be encouraged to work and handle money as part of their "growing up" process, provided it

- 1) does not interfere with school attendance, and
- 2) is not in conflict with State and Federal child labor laws, and
- 3) is within the physical and mental capacity of the child. If at any time prior to his 18th birthday, the child withdraws or is expelled from school, immediate arrangements should be made with the New Jersey State Employment Service for both aptitude testing and job placement.

Part III

3200

Eligibility Factors

3260. TEMPORARY ABSENCE FROM HOME

.1 General Policy

Eligibility may continue during a temporary absence of either child or parent from the customary family setting in accordance with specific conditions.

.2 Special Conditions Relating to a Child

- a. The purpose of the absence must be to receive a service which will enable the child to make a better family and/or community adjustment.
- b. The nature and purpose of the absence must be consistent with the concept of "temporary", and a subsequent return to the family must be contemplated.

EXCEPTION: The requirements relating to "temporary absence" and "contemplated return to the family" shall not affect the eligibility of a mentally retarded child receiving care in a private institution provided by the Division of Mental Retardation. There must, however, be an eligible child in the home.

- c. There must be evidence that the child remains under the care and protection of the parents despite the temporary separation, and there must be continued maintenance of a home to which the absent member(s) can return.
- d. When a child is receiving active treatment or undergoing diagnostic procedures for a physical or mental illness in a diagnostic or treatment center, his eligibility continues as long as necessary to complete such treatment, provided the family continues to be otherwise eligible.
- e. When it has been determined by CWB, using professional consultation as appropriate, that a child should live away from home in order to receive service through a planned program of special education, vocational training or supervised social environment, he shall continue to be an eligible member of the family for the duration of the program as long as the essential conditions of eligibility are established.
- f. For any visit or temporary absence from the home other than those enumerated in d. and e. above, authorized and approved by the CWB, the limit shall be 60 days if the child is to be continued in the grant. This does not preclude longer periods of absence if maintenance is being otherwise provided.

Part III

3200

Eligibility Factors

3260. TEMPORARY ABSENCE FROM HOME (Cont'd)

.3 Special Conditions Relating to Parent(s)

- a. When a parent becomes absent from the home due to separation or desertion, the case shall be closed and the spouse may apply for ADC.
- b. When a parent becomes hospitalized or incapacitated and will be hospitalized or incapacitated beyond the last day of the current month for which he has received a grant the case shall be closed and an application for ADC initiated immediately.
- c. When a parent becomes absent from the home due to commitment to a mental or TB institution or incarcerated in a penal institution and such absence will extend beyond the last day of the current month for which he has received a grant, the case shall be closed and an application for ADC initiated immediately.

T A B L E O F C O N T E N T S

CHAPTER 3200 APPENDIX

3210.2 Sources of Evidence of Age

Appendix I

SOURCES OF EVIDENCE OF AGE

3210.2 Sources of Evidence of Age

Among acceptable sources of verification of age are:

- a. birth certificate,
- b. marriage certificate,
- c. church records - baptismal, confirmation membership,
- d. immigration or naturalization papers,
- e. census records,
- f. school records,
- g. military service record,
- h. court records,
- i. employment records,
- j. records of public or private welfare agencies,
- k. voting records,
- l. medical records, or
- m. affidavits from disinterested persons.

CHART FOR OPTIONAL USE OF COUNTY WELFARE BOARD
 IN DETERMINING ELIGIBILITY FOR POTENTIAL FEDERAL MATCHING

The individuals indicated on Form PA-3A may be eligible for Federal matching because of unemployment of the father as defined by the Federal government when the response in Columns A and/or B to all of the criteria listed below are identical to those which are pre-printed in Column C. (See instructions on next page.)

CRITERIA TO BE USED FOR THE DETERMINATION OF FEDERAL MATCHING	<u>A</u> Insert Yes or No	<u>B</u> Change of Status Yes/No Date	<u>C</u> Standard For Fed. Matching
1. Father has met the Federal definition of unemployment for at least 30 days prior to receipt of public assistance. (i.e., not working at all; or working less than 100 hours a month or exceeds that standard for a particular month, if his work is intermittent and the excess is of a temporary nature as evidenced by the fact that he was under the 100-hour standard for the two prior months and is expected to be under the standard during the next month.)			YES
2. Father has refused a bona fide offer of employment or training for employment during such 30 day period without good cause.			NO
3. Father is currently receiving unemployment compensation.			NO
4. Father is registered with the Division of Employment Security.			YES
5. Father received, or was eligible to receive, unemployment compensation benefits during the 12 months prior to his application for assistance; or Father has six or more quarters of work within any 13 calendar-quarter period ending within one year prior to application (includes participation in Title V or a work incentive program.)			YES
6. Father has been referred to the Department of Labor for a work incentive program or will be referred for such program within 30 days of the receipt of assistance.			YES

INSTRUCTIONS FOR COMPLETING THE CHART IN
DETERMINING ELIGIBILITY FOR POTENTIAL FEDERAL MATCHING

Column C, pre-printed, will be used for purposes of comparing the responses with Columns A and/or B. At such time as all such responses agree, the case will be considered as eligible for Federal matching.

Item 1. Insert "yes" or "no" as appropriate in Column A. If the father has not been unemployed as specified prior to the receipt of assistance "no" should be inserted in Column A. However, as soon as the client has been unemployed as specified, insert "yes" in Column B.

Item 2. Insert "yes" or "no" as appropriate in Column A. If "yes" is inserted, once the specified period is completed, "no" must be inserted in Column B.

Item 3. Insert "yes" or "no" as appropriate in Column A. If "yes" is inserted, as soon as the father ceases to receive such compensation, "no" must be inserted in Column B.

Item 4. Insert "yes" or "no" as appropriate in Column A. If "no" is inserted, once the father is registered with the Division of Employment Security, "yes" must be inserted in Column B.

Item 5. Insert "yes" or "no" in Column A.

A "quarter of work" means a period of three consecutive calendar months ending on March 31, June 30, September 30 or December 31 in which the father:

1. received earned income totaling not less than \$50 for each such three month period; or
2. he participated in a Title V project or in a work incentive program.

In computing the quarters of work for this item be sure to include all periods indicated in Item 14F. of the application form (PA-1L).

Item 6. Insert "yes" or "no" in Column A. "Yes" should be inserted if the father has been referred or will be referred within 30 days of the receipt of assistance. If the father has not been referred or will not be referred within such 30 day period, "no" should be inserted. When referral is made, "yes" must be inserted in Column B.

T A B L E O F C O N T E N T S

CHAPTER 3300

DETERMINATION OF FINANCIAL NEED

3300.	Determination of Financial Need	3300. -3310.
3310.	General Statement	3300. -3310.

T A B L E O F C O N T E N T S

CHAPTER 3400

COMMUNITY RESOURCES

3400.	Community Resources	3400. -3410.1
3410.	Use of Available Resources	3400. -3410.1
.1	Conditions for Payment of Service	3400. -3410.1
.2	National Multiple Sclerosis Society	3410.1-3410.3
.3	Maternity Homes	3410.1-3410.3

3400

Community Resources

3400. COMMUNITY RESOURCES

3410. USE OF AVAILABLE RESOURCES

A purpose of public assistance is to provide specified social services to eligible persons only to the extent that community resources are not available to provide for their requirements. Only specified social service requirements which are not otherwise available without cost to the recipient may be authorized.

.1 Conditions for Payment of Service

- a. When any service provided by an organization on a nonprofit basis is being purchased by or for a recipient, the amount to be paid shall not exceed the approved rate for such service as established by the Division of Public Welfare or, in the absence of an approved rate, the lowest amount for which the organization is supplying the service to persons in the community either directly or through other agencies. If public funds, other than public assistance funds, have been appropriated for the purchase of such services through contract, lump-sum or per unit payment, then it shall be deemed a service available to the recipient without cost unless the appropriating body shall have specifically limited the benefits of the appropriation to a class of persons of which the recipient is not a member.
- b. In respect to the establishment of an approved rate negotiated by the Division of Public Welfare, the following principles shall govern:
 - 1) the service is one which is considered appropriate and essential for public assistance recipients;
 - 2) the organization must have established and announced a policy to charge a fee for service;
 - 3) if the organization has established a policy of service without cost for a specific class of individuals, or individuals living within a given area, then it shall be understood that the service is available without cost to public assistance recipients falling within such class or living within such area;
 - 4) if the organization has already established a rate or fee for service with a third party user then the rate or fee approved for public assistance recipients shall not exceed such rate or fee; and

3400 Community Resources

3410. USE OF AVAILABLE RESOURCES (Cont'd)

- .1 b. 5) the rate or fee approved for public assistance recipients shall not exceed the actual cost of the service so far as can be reasonably determined from evidence submitted by the organization.

.2 National Multiple Sclerosis Society

It is suggested that the appropriate MS Chapter be consulted about a recipient who is a multiple sclerosis patient as to whether "free" counseling or recreational services are available from that Chapter.

.3 Maternity Homes

Community resources shall include maternity home care for an eligible child who is an expectant mother.

For list of maternity homes with which agreements have been made, see 3400. Appendix I.

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T A B L E O F C O N T E N T S

CHAPTER 3400 APPENDIX

3410.3 Maternity Facilities

Appendix I

Maternity Facilities Meeting the Requirements of 3410.3

Atlantic County

Florence Crittenton Mission
5 South Chelsea Avenue
Atlantic City

Essex County

Florence Crittenton League of Newark:
2 Ogden Street
Newark:

St. Martha's Residence
294 Mt. Prospect Avenue
Newark:

Hudson County

Salvation Army Door of Hope Home and Hospital
503 Garfield Avenue
Jersey City

Mercer County

Florence Crittenton Home
1212 Edgewood Avenue
Trenton

St. Elizabeth's Home
Bordentown and Crosswicks Road
Yardville

Passaic County

Florence Crittenton Home
700 East 18th Street
Paterson

Mary Anne Manor
73 Hillside Avenue
Henville

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T A B L E O F C O N T E N T S

CHAPTER 3500

PUBLIC ASSISTANCE PAYMENTS

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.1	Definition of Public Assistance Payments	3500. -3510.1
3520.	Initial Payments	3520. -3521.
.1	Legal Provisions	3520. -3521.
.2	Purpose of Payment by Director's Authority	3520. -3521.
3521.	Initial Determination of Eligibility by Director	3520. -3521.
3522.	Deferred Payment	3522. -3525.
3523.	Minimum Requirements for Case Record	3522. -3525.
3524.	Authorization of Payment	3522. -3525.
3525.	Issuance of Payment	3522. -3525.
3526.	Formal Board Action	3526. -3527.
3527.	Reports to State Division	3526. -3527.
3530.	Suspended Grant	3530.
3540.	Payment of Burial and Funeral Expenses	3540.

Part III

3500

Public Assistance Payments

3500. PUBLIC ASSISTANCE PAYMENTS

3510. THE NATURE OF PUBLIC ASSISTANCE PAYMENTS

In public assistance the principle of assistance by money payments is based on the concept of affording needy persons the fullest reasonable opportunity to plan for themselves, to decide what use the assistance payment will best serve the family interest, and to make purchases through the normal channels of exchange, enjoying the same rights and discharging the same responsibilities as do other members of the community.

.1 Definition of Public Assistance Payments

- a. Money payments are checks made payable to eligible families and are unrestricted.
- b. Vendor payments are checks drawn to the order of a person who has provided goods or services to or for the clients, and representing payment to such person for the goods or services provided.

Part III

3500. Public Assistance Payments

3520. INITIAL PAYMENTS

.1 Legal Provisions

The county welfare board is responsible for approving all grants of assistance including initial, continuing and adjusted payments. The CWB establishes a principle of "reasonable promptness" in issuing and modifying assistance payments, and grants specific authority to the director of welfare to issue and modify payments prior to formal board action. An initial grant may be made prior to completion of the investigation when immediate financial need exists and eligibility for assistance has been demonstrated. If the completed investigation shows the applicants to have been ineligible for reasons other than need, the county welfare board shall not be obliged, in the absence of fraud or misrepresentation, to take action for the recovery of any assistance granted pending completion of such investigation.

All payments authorized by the director are subject to ratification, revision, or termination by the welfare board.

The State Division is responsible for establishing the conditions under which and the procedures by which all grants of assistance are to be made.

.2 Purpose of Payment by Director's Authority

The purpose of payment through an administrative action of the director is to facilitate and expedite initial payments of assistance to eligible applicants under certain conditions herein defined.

It is intended that the director shall exercise his authority to the fullest extent and that initial payments to eligible applicants shall normally be accomplished by this method. The purpose of the procedure is not limited to so-called "emergency need."

In exercising his authority to issue initial payments in advance of welfare board action, the director shall observe the following principles and procedures.

3521. Initial Determination of Eligibility by Director

An applicant shall be eligible for an initial payment of assistance as soon as eligibility has been determined.

Part III

3500

Public Assistance Payments

3522. Deferred Payment

When the investigation is completed prior to the date on which the applicant would be eligible for first payment, but such date of eligibility will not occur within three calendar months following completion of investigation, the application shall be denied. [For instructions on scheduling deferred payments in Board Minutes, see Ruling No. 22, item 5 d.]

3523. Minimum Requirements for Case Record

Prior to authorization of an initial grant by the director, a case record shall be compiled to include the following as a minimum:

- a. PA-1L - Application and Affidavit.
- b. PA-3A - Worksheet and Authorization for Public Assistance

3524. Authorization of Payment

If, after review of the record, the director or his designee is satisfied that the applicant meets all eligibility requirements, he should immediately authorize an initial payment.

Authorization shall be by the signature of the director or deputy director, which signature may be accomplished by typescript or facsimile signature if personally initialed by an authorized member of staff.

3525. Issuance of Payment

Applicants who, because of immediate need, receive an initial payment for a partial month as provided in the Financial Assistance Manual (FAM) shall continue to receive payments to meet needs at intervals to be determined by the director, until the applicants have been determined to be ineligible or payment has been ordered suspended.

Once eligibility has been established clients shall continue to receive assistance each month (or other specified period) as long as eligibility continues.

Part III

3500

Public Assistance Payments

3526. Formal Board Action

By statutory requirement, when an initial payment is authorized by the director of welfare prior to the board meeting in that month, the application must be presented to the board for formal action in the same month.

When the initial payment is authorized subsequent to the board meeting in that month, the application shall be presented for formal action at the next regular or special meeting of the board following initial payment.

3527. Reports to State Division

New and reopened cases when authorized by the director as per Ruling 4 shall be reported to the State Division.

Part III

3500

Public Assistance Payments

3530. SUSPENDED GRANT

A suspended grant is that payment which is temporarily withheld pending clarification of continuing eligibility and/or amount of payment.

Part III

3500 Public Assistance Payments

3540. PAYMENT OF BURIAL AND FUNERAL EXPENSES

Payment for Burial and Funeral expenses cannot be made through the AFWP program.

T A B L E O F C O N T E N T S

CHAPTER 3600

DETERMINATION OF CONTINUING ELIGIBILITY

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Part III

3600 Determination of Continuing Eligibility

3600. DETERMINATION OF CONTINUING ELIGIBILITY

3610. REDETERMINATIONS

3611. Requirements

.1 Three Month Redetermination of Eligibility

a. The CWB shall require the parents to execute a formal written application for continuing assistance, (PA-1M) not less than every three months and complete a review of financial circumstances.

b. Redetermination of eligibility shall be presented to the welfare board for approval.

c. There will be no State matching of any grant when a formal redetermination has not been accomplished for a period over three months.

.2 Special Redetermination

Action shall be initiated promptly, and in any event within 30 days, to review pertinent eligibility factors when any of the following circumstances occur:

a. reports of changes in circumstances are received;

b. a recipient changes his customary place of abode;

c. changes occur in regulation or in assistance standards which affect eligibility or the amount of payment.

3612. Process of Redetermination of Eligibility

.1 Procedure

a. Contact Through Correspondence

The CWB shall mail to the recipients an application for continuation of assistance (Form PA-1M) which must be completed and returned promptly.

b. Personal Contacts

An interview with the recipients shall be held when the statements on the PA-1M are incomplete, unclear, inconsistent or where other circumstances indicate that further inquiry should be made.

Part III

3600 Determination of Continuing Eligibility

3612. Process of Redetermination of Eligibility (Cont'd)

.1 c. Failure to return PA-1M

Failure of the recipients to return the PA-1M or refusal of a personal contact within 30 days shall result in a suspension of the grant.

3613. Recommendation for Agency Decision

It is the responsibility of the IM worker to recommend that:

- a. assistance be continued, payment suspended, or case closed in respect to each redetermination of eligibility (quarterly or special);
- b. if continued, whether the amount of payment shall remain the same or shall be adjusted in accordance with the currently prepared Worksheet and Authorization for Public Assistance (PA-3A);
- c. The IM worker signs the PA-3A.

3614. Supervisory Review and Approval

.1 Quarterly and Special Redetermination Reports

(The provisions of 3144. shall apply.)

.2 Interim Contacts and Other Reports

It shall be the responsibility of the IM worker to route to the supervisor any report which indicates a possible change in eligibility, amount of assistance payment, or about which he wishes consultation. The supervisor shall initial all reports which require review.

3615. Disposition of Application for Continuance

An application for continuance, shall be processed in accordance with provisions of 3145.

3616. Notice of Agency Decision

(See 3811.)

T A B L E O F C O N T E N T S

CHAPTER 3700

CASE RECORDS AND FILES

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Part III

3700. Case Records and Files

3700. CASE RECORDS AND FILES

3710. CASE RECORDS

3711. Purpose of Case Record

The case record is a complete record in support of the CWB's decisions and actions for each case.

3712. Contents of the Case Record

The following items shall be part of the case records:

- a. all required forms;
- b. the narrative recording; and
- c. all related correspondence, memoranda and documents except those which are required by law or regulation to be maintained in some other files.

3713. Forms Applicable to AFWP Program

The applicable forms for the AFWP program include the following:

- PA-1L - Application and Affidavit for Public Assistance (App. I)
- PA-1M - Application for Continuance of Public Assistance (App. II)
- PA-2D - Summary Report (App. III)
- PA-3A - Worksheet and Authorization for Public Assistance (App. IV)
- PA-3B - Evaluation of Capacity of Legally Responsible Relatives to Support (App. V)
- PA-14 - Inter-Agency Referral (App. VI)

Part III

3700 Case Records and Files

3714. Maintenance and Custody of Case Records

Maintenance

All case record material relevant to each family shall be maintained under an appropriate registration number. All records shall be appropriately indexed and filed.

3715. Movement of Case Records

.1 General Policy

No case record or official part of such record shall be removed from its designated filing cabinet without proper out form.

.2 Authorization

No case record or official part shall be removed from the offices of the county welfare board except at the specific authorization of the director, deputy director or duly designated representative of the director.

3716. Retention and Destruction of Case Records

For policy and procedure on retention and destruction of case records see Manual of Administration, Part II, 2716.

Assistance to Families of the Working Poor
Manual of Administration
Division of Public Welfare

T A B L E O F C O N T E N T S

CHAPTER 3700 APPENDIX

Application and Affidavit for Public Assistance (PA-1L)	Appendix I
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APPLICATION AND AFFIDAVIT FOR ASSISTANCE TO THE FAMILIES OF THE WORKING POOR

CWB USE ONLY
DATE AND METHOD
OF VERIFICATION

TO BE FILLED IN BY COUNTY WELFARE BOARD

REGISTRATION NUMBER _____
RELATED REGISTRATION NUMBERS _____
DATE REGISTERED _____
STATUS NA () RA () RO () TR ()

INCOME MAINTENANCE
WORKER

SIGNATURE _____

IMPORTANT: THIS FORM IS TO BE COMPLETED AND SIGNED BY BOTH PARENTS. YOU ARE TO ANSWER ALL OF THE QUESTIONS ON THIS APPLICATION FOR ASSISTANCE. FROM WHAT YOU WRITE BELOW, WE WILL BE ABLE TO FIND OUT IF WE CAN HELP YOU. IF YOU NEED HELP TO FILL OUT THE FORM, CALL THE COUNTY WELFARE BOARD. COMPLETE THE ORIGINAL AND ALL COPIES. IF MORE SPACE IS NEEDED FOR ANY OF THE QUESTIONS ON THIS FORM, PLEASE USE THE BACK OF THE PAGE. KEEP ONE COPY OF EACH PAGE INCLUDING THE ATTACHMENT FOR YOUR OWN RECORDS. BRING OR MAIL THE ORIGINAL AND COPIES OF PAGES 1, 2 AND 3 TO THE COUNTY WELFARE BOARD.

BE SURE THAT ALL OF YOUR ANSWERS ARE CORRECT.

1. PERSONS APPLYING FOR ASSISTANCE: TELEPHONE NUMBER _____

HUSBAND'S NAME _____ DATE OF BIRTH _____
(LAST) (FIRST) (MIDDLE) (MONTH) (DAY) (YEAR)

SOCIAL SECURITY NUMBER OR RAILROAD RETIREMENT NUMBER _____

PLACE OF BIRTH _____ HOW MANY YEARS HAVE YOU LIVED IN N.J.?
(STATE OR FOREIGN COUNTRY) _____ YRS. _____ MOS.

IF YOU HAVE NOT ALWAYS LIVED IN N.J., WHERE DID YOU LIVE BEFORE YOU CAME TO N.J.?

DO YOU PLAN TO CONTINUE LIVING IN THE STATE OF N.J.? () YES () NO, IF "NO" EXPLAIN _____

WIFE'S NAME _____ DATE OF BIRTH _____
(MAIDEN NAME) (FIRST) (MIDDLE) (MONTH) (DAY) (YEAR)

SOCIAL SECURITY NUMBER OR RAILROAD RETIREMENT NUMBER _____

DATE AND PLACE OF MARRIAGE TO EACH OTHER _____
(DATE) (CITY AND STATE)

ADDRESS AT WHICH YOU LIVE _____
(STREET AND NUMBER) (TOWN OR CITY)

MAILING ADDRESS _____
(STREET AND NUMBER OR POST OFFICE BOX) (TOWN OR CITY) (ZIP CODE)

2. WHAT IS THE MAIN LANGUAGE SPOKEN IN YOUR HOME? _____

3. THE FOLLOWING QUESTION IS BEING ASKED FOR RESEARCH PURPOSES IN ACCORDANCE WITH THE CIVIL RIGHTS ACT OF 1964 AND AT THE REQUEST OF THE FEDERAL GOVERNMENT. IF YOU AND YOUR HUSBAND OR WIFE FEEL THAT THE FOLLOWING DESCRIPTIONS DO NOT APPLY TO YOU, YOU MAY CHECK THE BOX "OTHER" AND WRITE IN WHAT YOU PREFER TO BE CONSIDERED. YOU MAY CHOOSE NOT TO ANSWER THE QUESTION. (CHECK ONLY 1 BOX FOR THE HUSBAND AND 1 BOX FOR THE WIFE).

(HUSBAND)

- () NEGRO
- () WHITE
- () LATIN AMERICAN
- () AMERICAN INDIAN
- () ORIENTAL
- () OTHER _____

(WIFE)

- () NEGRO
- () WHITE
- () LATIN AMERICAN
- () AMERICAN INDIAN
- () ORIENTAL
- () OTHER _____

4. WHY DO YOU NEED HELP? _____

UP TO NOW WHAT HAS BEEN THE SOURCE OF YOUR INCOME? _____

IF YOUR INCOME HAS CHANGED, EXPLAIN HOW AND WHEN. _____

5. WHAT PROGRAM DO YOU WANT TO APPLY FOR? (CHECK ONE)
 ASSISTANCE TO THE FAMILIES OF THE WORKING POOR. (INCLUDING MEDICAL ASSISTANCE)
 MEDICAL ASSISTANCE ONLY

6. LIST BELOW THE NATURAL OR ADOPTED CHILDREN OF BOTH PARENTS LIVING IN YOUR HOME

FULL NAME(S) OF CHILD(REN)	SEX	BIRTH DATE MO/DAY/YEAR	STATE OR COUNTRY OF BIRTH	ATTENDING SCHOOL?		
				YES	NO	GRADE

7. LIST BELOW ALL PERSONS LIVING IN YOUR HOME WHO ARE NOW WORKING

NAME OF PERSON(S)	NAME AND ADDRESS OF EMPLOYER(S)	GROSS PAY BEFORE DEDUCTIONS	NUMBER OF WORK HOURS A WEEK	PAY * PERIOD	EXPECTED DATE OF NEXT PAY CHECK

*WEEKLY, EVERY OTHER WEEK, TWICE A MONTH OR MONTHLY

8. IF HUSBAND IS NOT WORKING, WHY? _____
 DATE AND PLACE HUSBAND WAS LAST EMPLOYED _____
 IF WIFE IS NOT WORKING, WHY? _____
 DATE AND PLACE WIFE WAS LAST EMPLOYED _____

9. ARE YOU PRESENTLY RECEIVING PUBLIC ASSISTANCE? NO YES: (GIVE THE FOLLOWING INFORMATION)

NAME OF AGENCY _____ (STATE) _____ (COUNTY) _____ (TOWN)

HAVE YOU EVER RECEIVED PUBLIC ASSISTANCE IN NEW JERSEY, OR IN ANY OTHER STATE DURING THE LAST 10 YEARS? NO YES: (GIVE THE FOLLOWING INFORMATION)

TYPE OF ASSISTANCE RECEIVED	STATE (IF NEW JERSEY INDICATE COUNTY)	NUMBER OF MONTHS

10. WHAT IS THE HIGHEST LEVEL OF EDUCATION, EXCLUDING VOCATIONAL SCHOOL, COMPLETED BY THE HUSBAND?
 _____ (GRADE)

WHAT IS THE HIGHEST LEVEL OF EDUCATION, EXCLUDING VOCATIONAL SCHOOL, COMPLETED BY THE WIFE?
 _____ (GRADE)

11. HAVE YOU OR YOUR HUSBAND OR WIFE EVERY PARTICIPATED IN A TRAINING PROGRAM, INCLUDING MILITARY JOB TRAINING & VOCATIONAL SCHOOL? NO YES: (COMPLETE THE BOXES BELOW)

NAME OF PERSON(S)	TYPE OF TRAINING OR SCHOOLING	NUMBER OF MONTHS COMPLETED

12. "TRAINING PROGRAM" REFERS TO PROGRAMS THAT PREPARE YOU FOR FUTURE EMPLOYMENT. LIST BELOW ALL PERSONS LIVING IN YOUR HOME WHO ARE NOW IN A TRAINING PROGRAM.

NAME(S) OF PERSON(S) IN PROGRAM	PROGRAM	I N C O M E		TYPE OF INCOME CHECK (✓)	
		AMOUNT	WEEK OR MONTH	WAGE	ALLOWANCE

13. CHECK THE PROPER BOX BELOW THAT APPLIES TO YOUR LIVING ARRANGEMENT.

- () YOU OWN OR ARE BUYING YOUR OWN HOME OR TRAILER.
- () YOU RENT A HOUSE, APARTMENT OR ROOM. (PLEASE CIRCLE ONE)
- () OTHER LIVING ARRANGEMENTS, (EXPLAIN): _____
 HOW MUCH DO YOU PAY PER MONTH? \$ _____ CHECK HERE IF NONE ().
 DO YOU OWN THE FURNISHINGS IN YOUR HOME? _____
 HOW MANY ROOMS ARE THERE IN YOUR SHELTER UNIT (EXCLUDING BATHROOMS)? _____
 NAME AND ADDRESS OF MORTGAGE COMPANY OR LANDLORD _____

IN ADDITION TO YOUR MONTHLY MORTGAGE OR RENTAL CHARGE, DO YOU PAY SEPARATELY FOR TAXES, INSURANCE, OR UTILITIES? () NO () YES: (GIVE THE FOLLOWING INFORMATION)

IDENTIFY ITEM(S)	AMOUNT PER MONTH

14. THIS SECTION APPLIES TO THE HUSBAND ONLY

- A. PRESENT EMPLOYMENT STATUS: (CHECK 1, 2 OR 3 AND FILL IN THE REQUESTED INFORMATION)
- 1. () UNEMPLOYED (NOT WORKING AT ALL): DATE LAST EMPLOYMENT ENDED _____ (MONTH, DAY, YEAR)
 - 2. () EMPLOYED FULL-TIME (EMPLOYED AT LEAST 35 HOURS A WEEK OR THE NUMBER OF HOURS CONSIDERED FULL-TIME FOR THE JOB)
 - 3. () EMPLOYED PART-TIME (EMPLOYED LESS THAN 35 HOURS A WEEK OR LESS THAN THE NUMBER OF HOURS CONSIDERED FULL-TIME FOR THE JOB, WHICHEVER IS LESS)
 (1) NUMBER OF WORK HOURS A WEEK ____: DATE EMPLOYMENT STARTED _____ (MONTH, DAY, YEAR)
 (2) PLACE OF EMPLOYMENT: NAME _____
 ADDRESS _____

B. DID YOU REFUSE A JOB OFFER WITHIN THE LAST 30 DAYS?
 () NO () YES IF YES, WHY? _____

C. ARE YOU REGISTERED WITH THE DIVISION OF EMPLOYMENT SECURITY? () NO () YES

D. ARE YOU NOW RECEIVING UNEMPLOYMENT COMPENSATION? () NO () YES

E. HAVE YOU RECEIVED, OR HAVE YOU BEEN ELIGIBLE TO RECEIVE, UNEMPLOYMENT COMPENSATION BENEFITS WITHIN THE LAST 12 MONTHS? () NO () YES
 IF "NO" IS CHECKED COMPLETE 1 AND 2 BELOW.

1. GIVE A RECORD OF YOUR EMPLOYMENT FOR THE LAST 3 1/2 YEARS. (BEGIN WITH MOST RECENT EMPLOYMENT.)

NAME AND ADDRESS OF EMPLOYER	DATES OF EMPLOYMENT (MONTH AND YEAR)		WEEKLY EARNINGS
	FROM	TO	

2. DID YOU PARTICIPATE IN A TITLE V PROJECT OR IN A WORK INCENTIVE PROGRAM DURING THE PAST 3 1/2 YEARS?

() NO () YES: FROM _____ TO _____
 (MONTH AND YEAR) (MONTH AND YEAR)

15. LIST ALL OTHER PERSONS LIVING IN YOUR HOME FOR WHOM YOU ARE NOT APPLYING FOR ASSISTANCE.

NAME	RELATIONSHIP TO HUSBAND	RELATIONSHIP TO WIFE	SOURCE OF HIS OR HER INCOME	AGE

16. DO YOU PAY ANYONE TO CARE FOR YOUR CHILDREN? ()NO ()YES: (GIVE THE FOLLOWING INFORMATION)

NAME(S) OF CHILD(REN)	NAME OF PERSON OR AGENCY CARING FOR CHILD(REN)	ADDRESS WHERE CARE IS PROVIDED	AMOUNT PAID PER WEEK

17. DO YOU HAVE PARENTS LIVING OUTSIDE OF YOUR HOME? ()NO ()YES: (GIVE THE FOLLOWING INFORMATION)

NAME	ADDRESS	AGE

18. DO YOU HAVE CHILDREN LIVING OUTSIDE OF YOUR HOME? ()NO ()YES: (GIVE THE FOLLOWING INFORMATION)

NAME	ADDRESS	AGE

NOTE: THOSE PERSONS LISTED IN ALL OF THE ABOVE QUESTIONS WHO ARE RESPONSIBLE FOR YOUR SUPPORT OR THE SUPPORT OF THE CHILDREN UNDER NEW JERSEY LAW WILL BE CONTACTED BY A REPRESENTATIVE OF THE COUNTY WELFARE BOARD.

19. DOES ANYONE LIVING IN YOUR HOME HAVE INCOME FROM ANY OF THE FOLLOWING?
 ()NO ()YES: (COMPLETE THE BOXES BELOW)

FROM	RECEIVED BY	GROSS AMOUNT	CHECK (✓) WHEN RECEIVED			
			EVERY WEEK	EVERY OTHER WEEK	ONCE A MONTH	TWICE A MONTH
SOCIAL SECURITY						
RAILROAD RETIREMENT						
UNEMPLOYMENT COMPENSATION						
WORKMEN'S COMPENSATION						
VETERANS BENEFITS						
MILITARY ALLOTMENT						
OTHER RETIREMENT BENEFITS						
DISABILITY BENEFITS						
SICK BENEFITS						
OTHER PENSIONS PAYMENTS						
DAMAGE PAYMENTS						
RENT OF ROOMS OR PROPERTY						
PAYMENT FROM BOARDERS						
SUPPORT ORDERS						
CONTRIBUTIONS FROM RELATIVES						
OTHER (NOT WAGES) EXPLAIN:						

20. HAS ANYONE LIVING IN YOUR HOME APPLIED FOR BUT NOT RECEIVED ANY OF THE ITEMS LISTED IN QUESTION 19? ()NO ()YES: (COMPLETE THE BOXES BELOW)

ITEMS APPLIED FOR	WHO APPLIED	WHEN DID THEY APPLY

21. DOES ANYONE LIVING IN YOUR HOME HAVE ANY OF THE FOLLOWING?
 ()NO ()YES: (COMPLETE THE BOXES BELOW)

TYPE OF ASSET	AMOUNT	NAME OF OWNER		TODAY'S VALUE
		LAST	FIRST	
CASH ON HAND				XXXXXXXX
MONEY IN BANK				XXXXXXXX
CHRISTMAS CLUB SAVINGS				XXXXXXXX
U. S. SAVINGS BONDS	XXXXXXXX			
OTHER STOCKS OR BONDS	XXXXXXXX			
CAR, TRUCK, OR OTHER VEHICLE	XXXXXXXX			
REAL ESTATE: LAND, HOME, ETC.	XXXXXXXX			
OTHER (EXPLAIN)				

22. CHECK THE APPROPRIATE BOX(ES) BELOW IF YOU OR YOUR CHILD(REN) LIVING IN YOUR HOME HAVE ANY OF THE FOLLOWING. ()BLUE CROSS ()OTHER HEALTH OR MEDICAL INSURANCE ()NONE
 (FOR EACH TYPE OF COVERAGE CHECKED, COMPLETE THE FOLLOWING)

NAME OF COMPANY OR AGENT	NAME OF INSURED PERSON(S)	POLICY NUMBER (IF KNOWN)

23. HAS EITHER OF YOU SOLD OR TRANSFERRED ANY PROPERTY IN THE LAST YEAR?
 ()NO ()YES: (COMPLETE THE BOXES BELOW)

TYPE OF PROPERTY	NAME OF PERSON WHO DISPOSED OF PROPERTY	AMOUNT RECEIVED	RECEIVER OF PROPERTY	DATE OF TRANSFER

24. DO YOU WANT TO TALK TO A REPRESENTATIVE OF THE COUNTY WELFARE BOARD ABOUT:
 (CHECK THE BOXES THAT APPLY)

- () JOB TRAINING () MONEY MANAGEMENT () HOME MANAGEMENT
 () EMPLOYMENT () FAMILY PLANNING () MEDICAL, DENTAL OR EYE CARE
 () EDUCATION () YOUR CHILDREN () FOOD STAMPS
 () LEGAL SERVICE () HOUSING () NONE
 () OTHER FINANCIAL PROBLEMS (STATE WHAT) _____
 () OTHER FAMILY OR PERSONAL PROBLEMS (STATE WHAT) _____

25. IF YOU ARE FOUND ELIGIBLE, TO WHOM SHOULD THE CHECK BE MADE PAYABLE?

_____ (HUSBAND OR WIFE)

PLEASE READ CAREFULLY BEFORE SIGNING

WE UNDERSTAND THAT WE MUST GIVE CERTAIN INFORMATION TO THE COUNTY WELFARE BOARD TO RECEIVE PUBLIC ASSISTANCE; THAT THE COUNTY WELFARE BOARD MAY HELP TO GET THIS INFORMATION; AND THAT THE ANSWERS WE GIVE ON THIS FORM MAY BE INVESTIGATED BY THE COUNTY WELFARE BOARD OR THE STATE DIVISION OF PUBLIC WELFARE; THAT A REVIEW OF OUR CASE BY A REPRESENTATIVE OF THE STATE DIVISION MAY BE MADE TO DETERMINE OUR CONTINUING ELIGIBILITY FOR ASSISTANCE. WE UNDERSTAND THE INFORMATION OBTAINED WILL BE USED ONLY FOR PURPOSES OF ESTABLISHING OUR ELIGIBILITY FOR ASSISTANCE. WE HAVE GIVEN, AND WILL CONTINUE TO GIVE, COMPLETE AND ACCURATE INFORMATION, WITHIN OUR KNOWLEDGE, TO THE COUNTY WELFARE BOARD. WE WILL ALSO GET, OR HELP GET, NEW DOCUMENTS OR INFORMATION WHEN REQUESTED BY THE COUNTY WELFARE BOARD. WE UNDERSTAND THAT ANY INFORMATION WE GIVE WILL BE USED ONLY IN CONNECTION WITH OUR APPLICATION FOR PUBLIC ASSISTANCE.

WE ALSO UNDERSTAND THAT IT IS OUR DUTY TO REPORT IMMEDIATELY TO THE COUNTY WELFARE BOARD ANY CHANGE IN LIVING CONDITIONS, FAMILY SITUATION, OR RECEIPT OF MONEY FROM ANY SOURCE.

WE UNDERSTAND THAT THE AMOUNTS OF ASSISTANCE, IF ANY, RECEIVED BY US SHALL CONSTITUTE A DEBT TO THE STATE OF NEW JERSEY. THIS IS REQUIRED BY THE PROVISIONS OF THE ASSISTANCE TO THE FAMILIES OF THE WORKING POOR ACT. AS A RESULT OF THE PROVISIONS OF THAT ACT, WE HEREBY PROMISE TO REPAY ALL ASSISTANCE GRANTED TO OR ON BEHALF OF OUR FAMILY TO THE STATE OF NEW JERSEY OR ITS DESIGNATED AGENT. WE WILL MAKE THE REPAYMENT FROM THE MONIES WE MAY RECEIVE IN THE FUTURE, EITHER EARNED OR UNEARNED, AND FROM THE MONIES WE EXPECT TO RECEIVE FROM

(NAME OR NAMES)

BECAUSE OF _____
(DESCRIBE CIRCUMSTANCES)

WE HEREBY AGREE, AND ALSO AUTHORIZE AND DIRECT OUR ATTORNEY, IF ANY, TO FURNISH FULL AND COMPLETE INFORMATION TO THE _____ COUNTY WELFARE DEPARTMENT AS TO THE ABOVE CLAIM OR OTHER ACTION. WE AGREE TO KEEP THE WELFARE BOARD INFORMED OF ANY PROPOSED SETTLEMENT OF THE CLAIM OR OTHER ACTION. WE AGREE NOT TO DISPOSE OF ANY MONIES REALIZED FROM SUCH CLAIM OR OTHER ACTION WITHOUT THE PRIOR CONSENT AND APPROVAL OF THE WELFARE BOARD.

WE ARE FULLY AWARE OF THE CONTENTS OF THIS APPLICATION. WE KNOW THAT MAKING FALSE STATEMENTS, FAILING TO GIVE NECESSARY INFORMATION, CAUSING OTHERS TO HOLD BACK INFORMATION, OR FAILING TO LET THE WELFARE BOARD KNOW OF ANY CHANGES IN OUR CIRCUMSTANCES, IS AGAINST THE LAW AND MAY SUBJECT US TO PROSECUTION. WE ARE FULLY AWARE THAT IF WE ARE NOT SATISFIED WITH ANY ACTION OR LACK OF ACTION BY THE COUNTY WELFARE BOARD, WE HAVE THE RIGHT TO A FAIR HEARING. WE ARE AWARE THAT IN ACCORDANCE WITH THE CIVIL RIGHTS ACT OF 1964, NO PERSON SEEKING OR RECEIVING PUBLIC ASSISTANCE SHALL BE SUBJECTED TO DISCRIMINATION BECAUSE OF RACE, COLOR OR NATIONAL ORIGIN.

WE _____ (HUSBAND) _____ (WIFE)

BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY WE HAVE READ THE FOREGOING AFFIDAVIT FOR PUBLIC ASSISTANCE CONSISTING OF SIX PAGES, WITH ATTACHMENTS, AND THE ANSWERS THERETO ARE TRUE AND CORRECT, FULLY KNOWING AND REALIZING THAT THE COUNTY WELFARE BOARD RELIES UPON THE TRUTH OF THE STATEMENTS THEREIN CONTAINED.

(SIGNATURE OF APPLICANT-HUSBAND) (DATE) (SIGNATURE OF APPLICANT-WIFE) (DATE)

(SIGNATURE OF PERSON, IF ANY, WHO HELPED YOU WITH THIS APPLICATION) (ADDRESS OF PERSON, IF ANY, WHO HELPED YOU WITH THIS APPLICATION) (ZIP CODE)

NOTE: THIS AFFIDAVIT MUST BE WITNESSED BY A REPRESENTATIVE OF THE COUNTY WELFARE BOARD, A DULY AUTHORIZED NOTARY PUBLIC, OR A PERSON AUTHORIZED TO ADMINISTER OATHS.

SWORN TO AND SUBSCRIBED BEFORE ME)
THIS ___ DAY OF _____ 19__ .)

WITNESSED BY

YOUR RIGHT TO A FAIR HEARING

If you are a person seeking or receiving assistance and you are dissatisfied with any action or lack of action by the county welfare board, you have a right to ask for a fair hearing.

Some of the reasons why people request fair hearings are: (1) agency delays in accepting or reaching decisions on assistance applications; (2) a person believes that the amount of assistance he receives is incorrect or is not sufficient to meet his needs; (3) a person believes that a suspension of his assistance is not reasonable; (4) a person thinks that he is eligible for assistance and should receive it although his application has been denied or his assistance payment has been discontinued; and (5) a person is dissatisfied because his assistance is being given to someone else to control or spend for him.

It is important for you to remember that a fair hearing must be requested within a reasonable time. Usually a fair hearing request must be made within ninety days of the action or lack of action about which you are dissatisfied.

If it is reasonably possible, the county welfare board is expected to complete action within thirty days on applications for Assistance for the Blind, Assistance for Dependent Children, Medical Assistance for the Aged, and Old Age Assistance, and within sixty days in Disability Assistance. If you are an applicant for assistance under any of these programs except Disability Assistance, you are entitled to receive notice on or before the end of thirty days of the final action taken on your application or be given an explanation if a further delay is unavoidable. If you are an applicant for Disability Assistance, you are entitled to the same notice or explanation on or before the end of sixty days.

A fair hearing is only one of the ways or methods used to review complaints. When the fair hearing method is used, the Commissioner of Institutions and Agencies or his representative reviews the complaint. If you request a fair hearing, arrangements are made for a suitable time and place for holding the

hearing. You and other persons, including your witnesses or representatives, if any, and representatives of the county and State assistance agencies, participate in the hearing to provide information and answer questions needed to reach a decision. The fair hearing decision is binding on all parties concerned but may be appealed to the New Jersey Superior Court, Appellate Division.

You can request a fair hearing by writing or calling your county welfare board or by addressing a request to the Department of Institutions and Agencies, Division of Public Welfare, P. O. Box 1627, Trenton, New Jersey 08625.

You do not have to request a fair hearing in order to receive prompt consideration and review of your complaint by the county welfare board or by the State Division of Public Welfare. The county welfare board and the State Division of Public Welfare are required to promptly review any requests you make to them for an informal review of your complaint and to do everything possible within the laws and regulations to adjust your complaint in a simple and informal manner without requiring that you file a fair hearing request and participate in a more formal hearing. All you have to do to get prompt attention and an informal review of a complaint is to ask for it at the county welfare board either by letter or verbally or you can write directly to the State Division of Public Welfare, Box 1627, Trenton, New Jersey 08625.

You, as a person seeking or receiving assistance, have a free choice to request either (1) an informal review of your complaint by the county welfare board or State Public Welfare Division or (2) a formal review by the Commissioner of Institutions and Agencies or his representative in a fair hearing. If you choose to ask for an informal review of your complaint by the county welfare board or the State Division of Public Welfare and the result of the review should be unsatisfactory, you still have the right to then request a fair hearing.

A STATEMENT CONCERNING HOME VISITS

The determination of eligibility for assistance may require a home visit prior to authorization of an initial payment of assistance, and at prescribed periods while assistance is being received. These home visits are the responsibility of the staff of the county welfare board.

In addition, the State Division of Public Welfare is required to conduct a continuing review of public assistance programs.

In this connection staff of the State Division, in a selected number of cases, will make home visits similar to the kind made by the county welfare board caseworker. Representatives of the State Division will have identification cards.

Your cooperation in providing information to the county and State representatives will make it possible to provide the assistance and services to which you are entitled.

DEPARTMENT OF INSTITUTIONS AND AGENCIES

Lloyd W. McCorkle, Commissioner

A STATEMENT
 CONCERNING NON-DISCRIMINATION IN PROGRAMS
 OF PUBLIC ASSISTANCE AND WELFARE SERVICES

Under the provisions of Federal law (Civil Rights Act of 1964) no person seeking or receiving public assistance and welfare services shall be subjected to discrimination because of race, color or national origin. In New Jersey this law applies to any financial assistance and welfare services provided by or under the supervision of the Division of Public Welfare.

This protection against discrimination means that these agencies, directly or through arrangements with other organizations participating in the programs, shall not on the ground of race, color or national origin:

1. deny an individual any aid, care or services provided under the programs;
2. provide any aid, care or services to an individual which are different, or are provided in a different manner, from that provided to others under the programs;
3. subject an individual to segregation or separate treatment in any matter related to his receipt of any aid, care or services provided under the programs;
4. restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving aid, care or services provided under the programs;
5. treat an individual differently from others in determining whether he satisfies any eligibility or other requirements or condition which individuals must meet in order to receive any aid, care or services provided under the programs; or
6. deny any individual an opportunity to participate in the programs through the provision of services or otherwise, or afford him an opportunity to do so which is different from that afforded others under the programs (including the opportunity to participate in the program as an employee where the primary objective of the Federal financial assistance to the program is to provide employment, including a program under which the employment is provided to reduce unemployment).

When any person seeking or receiving public assistance and welfare services believes he has been subjected to discrimination because of his race, color or national origin, he may file a complaint concerning this. The complaint should be in writing and describe the circumstances. It may be sent to the Director, Division of Public Welfare, P.O. Box 1627, Trenton, New Jersey; or to the Regional Commissioner, Federal Department of Health, Education and Welfare, 26 Federal Plaza, New York, New York 10007.

When a complaint is received an investigation will be made of the circumstances. If it is found that there was discrimination on the ground of race, color or national origin, proper action will be taken to correct the situation.

New Jersey Department of Institutions and Agencies, Division of Public Welfare

CP

TRANSMITTAL
 LETTER #1

PAGE DATE
 7/71

NOTE: If you FAIL to RETURN this Form or to contact the County Welfare Board by _____, we will NOT be able to continue Assistance.

CWB USE ONLY
 DATE AND METHOD
 OF VERIFICATION

TO BE FILLED IN BY COUNTY WELFARE BOARD

REGISTRATION NUMBER _____

RELATED REGISTRATION NUMBERS _____

INCOME MAINTENANCE
 WORKER

SIGNATURE _____

IMPORTANT: THIS FORM IS TO BE COMPLETED AND SIGNED BY BOTH PARENTS. YOU ARE TO ANSWER ALL OF THE QUESTIONS ON THIS APPLICATION FOR CONTINUANCE OF ASSISTANCE. FROM WHAT YOU WRITE BELOW, WE WILL BE ABLE TO FIND OUT IF WE CAN CONTINUE TO HELP YOU. IF YOU NEED HELP TO FILL OUT THE FORM, CALL THE COUNTY WELFARE BOARD. IF MORE SPACE IS NEEDED FOR ANY OF THE QUESTIONS ON THIS FORM, PLEASE USE THE BACK OF THE PAGE. WHEN THE FORM IS COMPLETED, BRING OR MAIL IT TO THE COUNTY WELFARE BOARD. FILL OUT A SECOND COPY FOR YOUR OWN RECORDS.

BE SURE THAT ALL OF YOUR ANSWERS ARE CORRECT.

1. PERSONS MAKING APPLICATION FOR CONTINUATION OF ASSISTANCE:

HUSBAND'S NAME _____
 (LAST) (FIRST) (MIDDLE)

WIFE'S NAME _____
 (MAIDEN NAME) (FIRST) (MIDDLE) (TELEPHONE NUMBER)

ADDRESS AT WHICH YOU LIVE _____
 (STREET AND NUMBER) (TOWN OR CITY)

MAILING ADDRESS _____
 (STREET AND NUMBER OR POST OFFICE BOX) (TOWN OR CITY) (ZIP CODE)

2. DO YOU CONTINUE TO NEED HELP FOR YOURSELF, YOUR HUSBAND OR WIFE AND THE CHILD(REN) WHO ARE LIVING WITH YOU? () NO () YES: (IF "YES", LIST BELOW THE NATURAL OR ADOPTED CHILDREN OF BOTH PARENTS LIVING IN YOUR HOME.

FULL NAME OF CHILD(REN)	SEX	BIRTH DATE MO/DAY/YEAR	STATE OR COUNTRY OF BIRTH	ATTENDING SCHOOL?		
				YES	NO	GRADE

3. LIST ALL OTHER PERSONS LIVING IN YOUR HOME FOR WHOM YOU ARE NOT APPLYING FOR ASSISTANCE.

NAME	RELATIONSHIP TO HUSBAND	RELATIONSHIP TO WIFE	SOURCE OF HIS OR HER INCOME	AGE

4. LIST BELOW ALL PERSONS LIVING IN YOUR HOME WHO ARE WORKING OR IN A TRAINING PROGRAM FOR EMPLOYMENT.

NAME OF PERSON(S)	NAME AND ADDRESS OF EMPLOYER(S)	GROSS PAY OR ALLOWANCES BEFORE DEDUCTIONS	NUMBER OF WORK HOURS PER WEEK	PAY * PERIOD	EXPECTED DATE OF NEXT CHECK

*WEEKLY, EVERY OTHER WEEK, TWICE A MONTH OR MONTHLY

5. DO YOU PAY ANYONE TO CARE FOR YOUR CHILDREN? () NO () YES: (IF "YES", GIVE THE FOLLOWING INFORMATION)

NAME OF CHILD(REN)	NAME OF PERSON OR AGENCY CARING FOR YOUR CHILD(REN)	ADDRESS WHERE CARE IS PROVIDED	AMOUNT PAID PER WEEK

6. IF ANYONE LIVING IN YOUR HOME HAS MONEY COMING IN FROM ANY OF THE FOLLOWING, PLEASE ENTER THE AMOUNT AND HOW OFTEN THEY RECEIVE IT BELOW. CHECK HERE IF NONE (). IF ANYONE LIVING IN YOUR HOME HAS APPLIED FOR BUT IS NOT RECEIVING ANY OF THE FOLLOWING, PLEASE CHECK (✓) THE ITEM(S) APPLIED FOR. CHECK HERE IF NONE ().

	✓	AMOUNT	HOW OFTEN?		✓	AMOUNT	HOW OFTEN?
SOCIAL SECURITY				SICK BENEFITS			
RAILROAD RETIREMENT				OTHER PENSION PAYMENTS			
UNEMPLOYMENT COMPENSATION				DAMAGE PAYMENTS			
WORKMEN'S COMPENSATION				RENT OF ROOMS OR PROPERTY			
VETERANS BENEFITS				PAYMENT FROM BOARDERS			
MILITARY ALLOTMENT				SUPPORT ORDERS			
OTHER RETIREMENT BENEFITS				CONTRIBUTIONS FROM RELATIVES			
DISABILITY BENEFITS				OTHER (NOT WAGES) EXPLAIN:			

7. DOES ANYONE LIVING IN YOUR HOME HAVE ANY OF THE FOLLOWING? () NO () YES: (IF "YES", COMPLETE THE BOXES BELOW)

TYPE OF ASSET	AMOUNT	TYPE OF ASSET	VALUE
CASH ON HAND		U. S. SAVINGS BONDS	
MONEY IN BANK		OTHER SAVINGS BONDS	
CHRISTMAS CLUB SAVINGS		CAR, TRUCK, OTHER VEHICLE	
OTHER (EXPLAIN):		REAL ESTATE, LAND, HOME, ETC.	

8. COMPLETE THE FOLLOWING FOR ALL OF THE CHILDREN LIVING IN YOUR HOME WHO HAVE GRANDPARENTS LIVING OUTSIDE YOUR HOME.

GRANDPARENT'S NAME(S)	ADDRESS	AGE

9. LIST THE NAME(S) OF YOUR CHILD(REN) LIVING OUTSIDE YOUR HOME.

CHILD'S NAME(S)	ADDRESS	AGE

10. DO YOU WANT TO TALK TO A REPRESENTATIVE OF THE COUNTY WELFARE BOARD ABOUT: (CHECK THE BOXES THAT APPLY)

- () JOB TRAINING
- () EMPLOYMENT
- () EDUCATION
- () LEGAL SERVICES
- () OTHER FINANCIAL PROBLEMS (STATE WHAT) _____
- () OTHER FAMILY OR PERSONAL PROBLEMS (STATE WHAT) _____
- () MONEY MANAGEMENT
- () FAMILY
- () HOUSING
- () YOUR CHILDREN
- () HOME MANAGEMENT
- () MEDICAL, DENTAL OR EYE CARE
- () FOOD STAMPS
- () NONE

PLEASE READ CAREFULLY BEFORE SIGNING

WE UNDERSTAND THAT WE MUST GIVE CERTAIN INFORMATION TO THE COUNTY WELFARE BOARD TO RECEIVE PUBLIC ASSISTANCE; THAT THE COUNTY WELFARE BOARD MAY HELP TO GET THIS INFORMATION; AND THAT THE ANSWERS WE GIVE ON THIS FORM MAY BE INVESTIGATED BY THE COUNTY WELFARE BOARD OR THE STATE DIVISION OF PUBLIC WELFARE; THAT A REVIEW OF OUR CASE BY A REPRESENTATIVE OF THE STATE DIVISION MAY BE MADE TO DETERMINE OUR CONTINUING ELIGIBILITY FOR ASSISTANCE. WE UNDERSTAND THE INFORMATION OBTAINED WILL BE USED ONLY FOR PURPOSES OF ESTABLISHING OUR ELIGIBILITY FOR ASSISTANCE. WE HAVE GIVEN, AND WILL CONTINUE TO GIVE, COMPLETE AND ACCURATE INFORMATION, WITHIN OUR KNOWLEDGE, TO THE COUNTY WELFARE BOARD. WE WILL ALSO GET, OR HELP TO GET, NEW DOCUMENTS OR INFORMATION WHEN REQUESTED BY THE COUNTY WELFARE BOARD. WE UNDERSTAND THAT ANY INFORMATION WE GIVE WILL BE USED ONLY IN CONNECTION WITH OUR APPLICATION FOR PUBLIC ASSISTANCE.

WE ALSO UNDERSTAND THAT IT IS OUR DUTY TO REPORT IMMEDIATELY TO THE COUNTY WELFARE BOARD ANY CHANGE IN LIVING CONDITIONS, FAMILY SITUATION, OR RECEIPT OF MONEY FROM ANY SOURCE.

WE UNDERSTAND THAT THE AMOUNTS OF CONTINUED ASSISTANCE, IF ANY, RECEIVED BY US SHALL CONSTITUTE A DEBT TO THE STATE OF NEW JERSEY. THIS IS REQUIRED BY THE PROVISIONS OF THE ASSISTANCE TO THE FAMILIES OF THE WORKING POOR ACT. AS A RESULT OF THE PROVISIONS OF THAT ACT, WE HEREBY RENEW OUR PROMISE TO REPAY ALL ASSISTANCE GRANTED TO OR ON BEHALF OF OUR FAMILY TO THE STATE OF NEW JERSEY OR ITS DESIGNATED AGENT. WE WILL MAKE THE REPAYMENT FROM THE MONIES WE MAY RECEIVE IN THE FUTURE, EITHER EARNED OR UNEARNED, AND FROM THE MONIES WE EXPECT TO RECEIVE FROM _____

(NAME OR NAMES)

(NAME OR NAMES)

BECAUSE OF _____

(DESCRIBE CIRCUMSTANCES)

WE HEREBY AGREE, AND ALSO AUTHORIZE AND DIRECT OUR ATTORNEY, IF ANY, TO FURNISH FULL AND COMPLETE INFORMATION TO THE _____ COUNTY WELFARE DEPARTMENT AS TO THE ABOVE CLAIM OR OTHER ACTION. WE AGREE TO KEEP THE WELFARE BOARD INFORMED OF ANY PROPOSED SETTLEMENT OF THE CLAIM OR OTHER ACTION. WE AGREE NOT TO DISPOSE OF ANY MONIES REALIZED FROM SUCH CLAIM OR OTHER ACTION WITHOUT THE PRIOR CONSENT AND APPROVAL OF THE WELFARE BOARD.

WE ARE FULLY AWARE OF THE CONTENTS OF THIS APPLICATION. WE KNOW THAT MAKING FALSE STATEMENTS, FAILING TO GIVE NECESSARY INFORMATION, CAUSING OTHERS TO HOLD BACK INFORMATION, OR FAILING TO LET THE WELFARE BOARD KNOW OF ANY CHANGES IN OUR CIRCUMSTANCES, IS AGAINST THE LAW AND MAY SUBJECT US TO PROSECUTION. WE ARE FULLY AWARE THAT IF WE ARE NOT SATISFIED WITH ANY ACTION OR LACK OF ACTION BY THE COUNTY WELFARE BOARD, WE HAVE THE RIGHT TO A FAIR HEARING. WE ARE AWARE THAT IN ACCORDANCE WITH THE CIVIL RIGHTS ACT OF 1964, NO PERSON SEEKING OR RECEIVING PUBLIC ASSISTANCE SHALL BE SUBJECTED TO DISCRIMINATION BECAUSE OF RACE, COLOR OR NATIONAL ORIGIN.

(SIGNATURE OF APPLICANT-HUSBAND) (DATE)

(SIGNATURE OF APPLICANT-WIFE) (DATE)

(SIGNATURE OF PERSON, IF ANY, WHO HELPED YOU WITH THIS APPLICATION)

(ADDRESS OF PERSON, IF ANY, WHO HELPED YOU WITH THIS APPLICATION)

(ZIP CODE)

SUMMARY REPORT

NAME _____

REGISTRATION NO. _____

COMPANION CASE NO. _____

Date

PART V -- DETERMINATION OF CALCULATED EARNED INCOME FROM EMPLOYMENT		MONTHLY	
		INITIAL ELIGIBILITY (ADC ONLY)	DETERMINATION OF GRANT
ALL PROGRAMS EXCEPT AFWP			
1. GROSS EARNINGS			
2. IF SELF EMPLOYED, ENTER COST OF PRODUCING INCOME			
3. ADJUSTED GROSS EARNINGS (1 MINUS 2)			
4. DISREGARD (IDENTIFY)			
5. SUB-TOTAL (3 MINUS 4)			
6. OTHER DEDUCTIONS: MANDATORY PAYROLL DEDUCTIONS			
EXPENSES OF EMPLOYMENT			
COST OF CHILD CARE			
OTHER (IDENTIFY)			
TOTAL OTHER DEDUCTIONS			
7. CALCULATED EARNED INCOME			
AFWP PROGRAM ONLY			
1. GROSS EARNINGS			
2. IF SELF EMPLOYED, ENTER COST OF EARNING INCOME HERE			
3. ADJUSTED GROSS EARNINGS (1 MINUS 2)			
4. INITIAL DISREGARD			
5. SUB-TOTAL (3 MINUS 4)			
6. DISREGARD (1/3 OF 5)			
7. CALCULATED EARNED INCOME			

PART VI -- DETERMINATION OF INITIAL ELIGIBILITY (ADC AND AFWP ONLY)	
I N C O M E	PUBLIC ASSISTANCE ALLOWANCE
RSDI	SCHEDULE I
CALCULATED EARNED INCOME	SCHEDULE II
OTHER INCOME (IDENTIFY)	TOTAL ALLOWANCE
	MINUS TOTAL INCOME
TOTAL INCOME	ADJUSTED ALLOWANCE

PART VIII -- COMMENTS:

PART VII -- VENDOR PAYMENTS			
DATE	PURPOSE	VENDOR	AMOUNT

EVALUATION OF CAPACITY OF LEGALLY RESPONSIBLE RELATIVES TO SUPPORT

<p>A.</p> <p>Case Number _____</p> <p>Client's Name _____</p> <p>Name of Legally Responsible Relative _____</p> <p>Relationship _____</p>	<p>B. LRR'S ADDRESS</p> <p>(1) _____</p> <p>(2) _____</p> <p>(3) _____</p> <p>(4) _____</p>
--------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------

C. MARITAL STATUS AND INCOMES

	(1)	(2)	(3)	(4)
Single				
Married but no separate income				
Married and both husband and wife have incomes				
Married and both husband and wife are LRR's of the client				

D. SOURCE OF LRR'S INCOME

	(1)	(2)	(3)	(4)
Recipient of public assistance				
Dependent on another person				
Pension benefits, etc. (identify)				
Employed				
Self-employed				

E. ORDERS OF SUPPORT: LRR is under court order of support?

(a) YES NO ; YES NO ; YES NO ; YES NO

(b) IF "YES", COMPLETE:

	(1)	(2)	(3)	(4)
Month and year ordered				
Monthly amount of support order	\$	\$	\$	\$
Availability-amount	\$	\$	\$	\$
If other person, identify name and relationship				

F. TYPE OF CONTACT:

(1) Letter Visit Tel.; (2) Letter Visit Tel.; (3) Letter Visit Tel.; (4) Letter Visit Tel.

DATE:

Mo. _____ Yr. _____	Mo. _____ Yr. _____	Mo. _____ Yr. _____	Mo. _____ Yr. _____
---------------------	---------------------	---------------------	---------------------

G. (a) NO CONTACT

(1) <input type="checkbox"/>	(2) <input type="checkbox"/>	(3) <input type="checkbox"/>	(4) <input type="checkbox"/>
------------------------------	------------------------------	------------------------------	------------------------------

(b) REASON FOR NO CONTACT

(1) _____

(2) _____

(3) _____

(4) _____

H. LRR'S PLACE OF EMPLOYMENT:

- (1) _____
- (2) _____
- (3) _____
- (4) _____

I. INCOME OF LRR:

Evaluation date (mo./yr.)		(1)	(2)	(3)	(4)
Method used to verify income of LRR:	Pay Stubs				
	Income Tax				
	Other (identify)				

J. EVALUATION:

	(1)	(2)	(3)	(4)
a) Month and year				
b) Schedule used				
c) LRR family size				
d) Monthly income	\$	\$	\$	\$
Less deductions for				
e) extraordinary expenses	\$	\$	\$	\$
f) Adjusted income	\$	\$	\$	\$
Capacity to support				
g) (from schedule)				
Less monetary value of				
h) current support contributions	\$	\$	\$	\$
i) Amount considered available	\$	\$	\$	\$

K. OTHER COMMENTS:

L. CASEWORKER'S SIGNATURE:

- (1) _____
- (2) _____

- (3) _____
- (4) _____

INTER-AGENCY REFERRAL

TO: _____ Case No. _____ (if assigned)

FROM: _____

Mr. ; Mrs. ; Miss _____

now residing at _____

has applied to this agency for:

financial assistance

advice or service (specify) _____

is receiving:

financial assistance in the amount of \$ _____ for _____ (period covered)

service, other than financial assistance, from this agency (specify) _____

The referred person is interested in the program(s) of your agency and informs us

he plans to call at your office, in person, on or before _____ (date)

he is unable to call, in person, at your office.

Reply Requested: No ; Yes .

Information known to this agency will be made available to you upon request.

Remarks: _____

Name and Title of Agency Representative: _____

(Referring agency completes form above this line.)

(REPLYING AGENCY COMPLETES FORM BELOW THIS LINE. IF APPLICATION HAS BEEN FILED BUT DISPOSITION IS NOT KNOWN, REPLY RE PRESENT STATUS AND REPORT FINAL DISPOSITION LATER.)

To _____ Date _____ Your Case No. _____ (if assigned)

From _____ Case No. _____ (if assigned)

Re: Mr. ; Mrs. ; Miss _____

Application:

Client did not contact agency.

No application filed. Give reason under "Remarks" below.

Application filed _____ (date). Specify type of public assistance or service requested under "Remarks," below.

Present status:

Application filed on date shown above. Final decision pending.

Eligible as of _____ (date)

Ineligible as of _____ (date). Give reason under "Remarks," below.

Remarks: _____

Date: _____ (Name and Title of Agency Representative)

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3800.

Other Responsibilities

3800. OTHER RESPONSIBILITIES

3810. NOTICE OF COUNTY WELFARE BOARD DECISION

.1 Legal Requirements

The law requires that the county welfare board shall notify applicants promptly of any decision in writing. Accordingly, all applicants for and recipients of assistance shall receive written notice of every agency decision which relates to eligibility, or the disposition of the application, or a change in the amount of the assistance payment. This includes any decision which is made by executive authority of the director of welfare, any decision made initially by the welfare board, or any change made by formal board action with respect to a previous executive decision.

In addition, applicants who voluntarily withdraw their application shall receive written confirmation that their request for withdrawal has been officially recognized by the agency.

3811. Notice to Clients

All notification of agency decisions shall state in clear, simple and concise language the date, the nature of and the reason for the decision. When enclosures are sent with the notification, specific mention of this fact shall be made.

.1 Approved Applications

a. Initial Payment

Notification to applicants whose eligibility has been determined and to whom initial payment is being issued shall include the following:

- 1) A statement of the agency's determinations as to eligibility and amount of assistance;
- 2) An explanation of the amount of assistance, the manner of payment, and the period for which the payment(s) is (are) planned to meet the recipient's requirements;
- 3) A statement that
 - a) Changes in the recipient's finances or other circumstances will require reconsideration of eligibility, and that
 - b) Assistance may be affected accordingly;

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Other Responsibilities

3811. Notice to Clients (Cont'd)

- .1 a. 4) a statement that the recipients will receive notification of any decision affecting their future eligibility or amount of assistance.

b. Initial Payment Deferred

Notification to applicants who are found eligible but for whom initial payment is not to be issued until a later date shall include the following:

- 1) a statement of the agency's determination as to eligibility;
- 2) an explanation of the amount of assistance, the manner of payment, the approximate date of the initial payment, and the reason for deferring initial payment to such date;
- 3) A statement that
 - a) changes in the recipient's finances or other circumstances will require a reconsideration of eligibility; and that
 - b) assistance may be affected accordingly;
- 4) a statement that the recipients will receive notification of any decision affecting future eligibility or amount of assistance.

c. Change in County Residence

Notification to recipients whose application was approved following change of customary place of abode from another county shall include:

- 1) a statement that the recipients were found to be residents of this county for purposes of assistance; and
- 2) therefore, future determinations of eligibility and future payments of assistance will be made by this county welfare board rather than by the welfare board of the county of previous residence.

.2 Denials

Notification to applicants who have been denied shall include the following:

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3800. Other Responsibilities

3811. Notice to Clients (Cont'd)

- .2 a. a statement of the explicit reason for ineligibility; and
b. advice concerning the applicants' right to reapply whenever they believe that circumstances have changed in such a way that the stated reasons for ineligibility no longer exist.

.3 Adjustments in Grant

a. Increases in Amount of Assistance Payment

Notification to recipients whose grant has been or is being increased, whether for a specified or indefinite period, shall include the following:

- 1) a statement of the amounts of both previous and new grants;
- 2) an explanation of the reason for the increase;
- 3) an identification of the payment with which the increase will take effect;
- 4) an explanation of the period of time, whether specified (such as one or more months) or indefinite, during which the increased amount will apply.

b. Reductions in Amount of Regular Assistance Payment

- 1) Notice of Intention to Reduce Amount of Regular Assistance Payment

Recipients of assistance are entitled, prior to reduction of any regular amount of assistance previously granted for monthly payment for an unspecified period, to be afforded:

- a) Timely notice in fact and confirmed in writing, and in no case less than ten (10) days before the date on which the recipients would otherwise expect to receive the next regular payment, setting forth the specific reason(s) for the decision to reduce the amount of such regular payments, including the citation to any statutory provisions or official regulations pertinent thereto, and stating the proposed effective date of reduction which shall be not less than ten (10) days from the day of notice.

Part III

3800

Other Responsibilities

3811. Notice to Clients (Cont'd)

- .3 b. 1) b) Notice that they will be afforded an opportunity to be heard before the effective date of reduction, which informs how to make such request, and which allows reasonable opportunity to exercise such a right prior to the effective date of reduction. The recipients shall be allowed not less than three (3) working days after receiving notice to inform the county welfare board, whether by visit, by telephone or in writing, that they wish to be heard.
- c) The exercise of such opportunity to be heard before personnel of the agency other than the recipients' particular worker, or supervisor, which shall mean an opportunity to state and discuss the case with some one or more staff or Board members of the local agency occupying positions superior to that of the worker and the supervisor.
- d) The right at such hearing to appear in person and to be informed of the reasons, and the nature and sources of any supporting evidence, upon which the proposed reduction of assistance is based; the right to present any proofs or witnesses as to issues of facts; and the right to be represented by an attorney, and/or to be accompanied by friends.
- e) A notice in writing, subsequent to any such hearing, explaining the reasons for the reduction of assistance payments if the resulting decision is to so reduce, and re-informing the recipients of the right to a Fair Hearing in a proceeding before the Division of Public Welfare, Department of Institutions and Agencies.
- f) The elements of notice and hearing prior to reduction thus specified are not to be construed as affording recipients a right to a pre-reduction proceeding that will be identical with or embrace all of the formal or structural elements of the statutory "Fair Hearing" which is otherwise afforded to recipients after reduction of assistance has occurred.

2) Notice of Reduction of Assistance

Notification to recipients, the amount of whose regular assistance payment has been reduced, shall include:

- a) a statement of the reason(s) for reduction;
- b) a statement of the date that the first assistance payment in the reduced amount has been or will be issued;

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Other Responsibilities

3811. Notice to Clients (Cont'd)

- .3 b. 2) c) a statement of the right to file a request for a Fair Hearing.

.4 Continuances Without Adjustment (Optional)

When the welfare board, at its option, sends notification to a recipient whose eligibility has been reconsidered formally for continuance without change in assistance, the notification shall include a statement that:

- a. eligibility for assistance continues; and
- b. the amount of assistance,

.5 Closings

a. Notice of Intention to Terminate Assistance

Recipients of assistance are entitled, prior to the termination of any regular amount of assistance previously granted for monthly payment for an indeterminate period, to be afforded:

- 1) Timely notice in fact and confirmed in writing, and in no case less than ten (10) days before the date on which the individual would otherwise reasonably expect to receive the next regular payment, setting forth the specific reasons(s) for the decision to terminate assistance payments, including the citation to any statutory provisions or official regulations pertinent thereto, and stating the proposed effective date of termination which shall be not less than ten (10) days from the day of notice.
- 2) Notice that they will be afforded an opportunity to be heard before the effective date of termination, which informs how to make such request, and which allows reasonable opportunity to exercise such right prior to the effective date of termination. The recipients shall be allowed not less than three (3) working days after receiving notice to inform the county welfare board, whether by visit, by telephone or in writing, that they wish to be heard.
- 3) The exercise of such opportunity to be heard before personnel of the agency other than the recipients' worker, or supervisor, shall mean an opportunity to state and discuss the case with some one or more staff or Board members of the local agency occupying positions superior to that of the worker and the worker's supervisor.

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Other Responsibilities

3811. Notice to Clients (Cont'd)

- .5 a. 4) The right at such hearing to appear and to be informed of the reasons, and the nature and sources of any supporting evidence, upon which the proposed termination of assistance is based; the right to present any proofs or witnesses as to issues of facts; and the right to be represented by an attorney, and/or to be accompanied by friends.
- 5) A notice in writing, subsequent to any such hearing, explaining the reasons for the termination of assistance payments if the resulting decision is to so terminate, and re-informing the recipients of the right to a Fair Hearing in a proceeding before the Division of Public Welfare, Department of Institutions and Agencies.
- 6) The elements of notice and hearing prior to termination thus specified are not to be construed as affording recipients a right to pre-termination proceeding that will be identical with or embrace all of the formal or structural elements of the statutory "Fair Hearing" which is otherwise afforded to recipients after termination of assistance has in fact occurred.

b. Notice of Termination of Assistance

- 1) Notification to recipients for whom assistance payments have been terminated shall include:
- a) a statement of the reason(s) for termination
 - b) a statement of the date of the last assistance payment that has been or will be issued,
 - c) a statement of the clients' right to reapply
 - d) a statement of the right to file a request for a Fair Hearing, and
 - e) where known assets are involved, pertinent advice concerning the future handling and disposition of assets, or a statement that another notification will be sent within sixty days which will give the amount of assistance received from the county welfare board together with pertinent advice concerning the future management and ultimate disposition of known assets.

Part III

3800. Other Responsibilities

3811. Notice to Clients (Cont'd)

.6 Withdrawals

While withdrawal by applicants does not require board decision, the agency should officially recognize the action through written notification. Such a notification shall include:

- a. a statement that the decision to withdraw the application has been recognized and recorded by the agency and that no further action is being taken, and
- b. a statement that the applicant has the right to reapply at any time.

.7 Dismissals

Notification to a person whose application is dismissed because of change in customary place of abode to another county during the application process shall include:

- a. an explanation of the reason for dismissal;
- b. a statement that if in need they may make application to the CWB of the county in which he is living.

.8 Other Notification

The above instructions relate only to those written notifications which are intended to make known to the applicants or recipients a conclusive agency decision concerning eligibility, the disposition of the application, or the amount of the assistance payment. It is recognized that it frequently becomes necessary for the director to make administrative decisions which are tentative, alternative, or prospective in character, and to communicate such decisions to applicants or recipients. Examples are:

- a. a letter to applicants or recipients requesting their decision on a stated issue, and indicating how the agency decision will be or may be affected.
- b. a letter to applicants or recipients informing them that a certain recommendation for decision will be presented to the board at a stated meeting, and affording opportunity to show cause why such recommendation is unwarranted or to take action which would warrant a change in the recommendation;

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Other Responsibilities

3811. Notice to Clients (Cont'd)

- .8 c. a letter to recipients informing them that payment has been temporarily suspended or withheld for stated cause, and advising what further action is necessary in relation to a final decision;
- d. any notification of the character referred to in 3122.3 in respect to reason for delay in prompt disposition.

.9 Transmittal of Notification

- a. Written notification of applications approved by the director of welfare (for initial payment) shall accompany such payment.
- b. Written notification of all other approved applications, and of denials, dismissals and closings shall be transmitted within five working days of the decision.
- c. Notifications of adjustments in grants, or approvals of continuance of assistance without change in grant (optional), shall be sent not later than the date of issue of the appropriate checks and may accompany such checks.
- d. Written confirmation of withdrawn applications shall be transmitted within five working days of the applicant's request for withdrawal.

3812. Notice to Interested Agency

In any case initially referred by, or known to be receiving assistance or service from a public or private health or welfare agency, notice of disposition of the case shall be sent to such agency in the following manner.

.1 No Application Filed

If after thorough interpretation of the categorical assistance program for which the persons were referred, it was stated they do not wish to apply, notice of such fact shall be sent to the interested agency, including the reason if known.

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3800

Other Responsibilities

3812. Notice to Interested Agency (Cont'd)

.2 Approved Applications

If an application for categorical assistance is approved, notice to the interested agency shall be sent whenever possible in advance of the first payment of assistance, giving the date of such payment, and in any event no later than the date of such payment.

.3 Applications Denied, Dismissed or Withdrawn

If the application is denied, dismissed, or withdrawn, the interested agency shall be notified and advised of the reason.

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Other Responsibilities

3820. COMPLAINTS, APPEALS AND FAIR HEARINGS

A statement of general policy and procedure on complaints, appeals and fair hearings, which is binding on the Division of Public Welfare and all county welfare boards, is set forth in Appendix III to this chapter (Complaints, Appeals and Fair Hearings, with attachments).

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Other Responsibilities

3830. SAFEGUARDING INFORMATION

3831. State Policy and Procedures

This statement of policy and procedure on safeguarding information is binding on all members, officers or employees of any county welfare board.

3832. Basic Principles

No member, officer or employee of the county welfare board shall produce or disclose any confidential information to any person, except as authorized below.

.1 Information Considered Confidential

- a. Names and addresses, including lists;
- b. Information contained in application, reports of investigation, reports of medical examinations, correspondence, and other records concerning the condition or circumstances of any person from whom or about whom information is obtained, and including all such information whether or not it is recorded;
- c. Records of evaluation of such information.
EXCEPTION - Information may be released upon request from State or Federal agencies lawfully charged with the administration of public welfare functions or services.

.2 Disclosure of Information on Individuals

The director of the county welfare board is authorized to release, subject to the consent of the individual concerned, relevant and necessary information in such manner as the director may prescribe in the following circumstances:

- a. for clearances on applications and cases with social service agencies, banks, Bureau of Vital Statistics, insurance companies, etc.;
- b. to procure a service or benefit for the client; and
- c. whenever the client waives confidentiality, but only to the extent authorized by the waiver.

Part III

3800

Other Responsibilities

3833. Release of Information for Purposes Other Than the Administration of Public Assistance

.1 The release of any confidential information or records available to the county welfare board or testimony as to confidential matters by any member of its staff in connection with any proceeding, including any judicial or quasi-judicial proceeding, for purposes not directly connected with the administration of public assistance shall be accomplished in the following manner.

- a. The persons or records, or both, shall not appear or be produced except in response to a subpoena legally issued.
- b. No records shall be produced unless specifically called for by the subpoena, and no records shall be produced beyond the terms of the subpoena.
- c. Immediately upon the receipt of any such subpoena, notification shall be given to the Division of Public Welfare.
- d. Upon being called to testify or produce agency records before a judicial officer under whose authority the subpoena has been issued, the officer or employee of the county welfare board personally or through counsel as provided, shall make a statement substantially as follows:

"Under the terms of the Federal Social Security Act, information concerning applicants and recipients of assistance must be restricted to purposes directly connected with the administration of assistance. The authorities of the Federal Government have advised that this includes a requirement of non-disclosure of such information in response to subpoena. If a disclosure is made of this information either by personal testimony or by production of records, this is considered non-conformance with Federal requirements and may subject the State to loss of Federal financial participation in the assistance program."

.2 In no instance is it intended that any officer or employee of the agency shall place himself in contempt of court through refusal to follow the orders of a court. However, the above action shall be taken in all instances, and a report of the results shall be entered in the case record and forwarded immediately to the Division of Public Welfare.

Part III

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Other Responsibilities

3852. Support Orders (Contd.)

.3 a. 3) Payment through the probation department to the CWB.

a) This method is the most effective to assure the client regular and uninterrupted payments.

b) As approved by the Administrative Office of the Courts, where the utilization of this plan is indicated, the following procedure shall immediately be implemented: (See 3800. Appendix II, Attachment #1)

(1) Adjust the grant to meet the full assistance allowances of the recipient disregarding the amount of the court order.

(2) In situations where the existing court order requires payments to be made to the dependent person, the case shall be returned to the Court with a recommendation and petition that the order be amended to direct payment of support to the Probation Department.

(3) The client will execute in duplicate the "Authorization to Remit Support Payments to County Welfare Boards", PA-10F. (See Appendix II, Attachment #2) The original is to be retained by the Probation Department while the county welfare board will keep the copy for its records.

(4) The county welfare board and the Probation Department will jointly develop whatever controls and procedures are necessary to ensure that the support payments will be routinely forwarded to the county welfare board.

(5) The county welfare board will maintain such controls as are necessary to:

(a) Keep a record of and properly credit the payments received through support orders on each case and

(b) Advise the Probation Department when a case is closed or a significant difference in the frequency and/or amount of support payments in a particular case occurs.

(For policy in respect to Support Orders as a Resource see Financial Assistance Manual.)

Part III

3800

Other Responsibilities

3852. Support Orders (Contd.)

.4 Services of Legal Staff

- a. The advice of welfare board legal staff should be sought in respect to legal procedures.
- b. Legal representation of the welfare board in court procedures is a function of welfare board legal staff.

3853. Report of Criminal Offenses to Law Enforcement Authorities

.1 Introduction

Applications or investigations for redetermination of eligibility may on occasion present indications to the county welfare board that a crime may have been committed. Allegations of the suspected commission of a crime may also be made known to the county welfare board through various other sources, e.g., phone calls, written communications, verbal communications from individuals, etc. In such instances, the county welfare board may be under a legal obligation to report the situation to the appropriate law enforcement agency.

.2 Nature of Offenses Which Must be Reported

- a. The section of the New Jersey statutes defining offenses which must be reported under penalty of the law is Title 2A:97-2, Concealment of Crimes, which provides that:

"Any person having knowledge of the actual commission within the jurisdiction of this state of arson, manslaughter, murder, or of any high misdemeanor, who conceals and does not, as soon as may be, disclose and make known the same to a judge, magistrate, prosecutor or police authority, is guilty of a misdemeanor."

- b. Other crimes which constitute high misdemeanors and which must therefore be reported although not specifically named in the statute, include atrocious assault and battery, carnal abuse, incest and rape.

In addition, in order to afford legal protection to children, certain other crimes must also be reported to the proper authorities. These include but are not limited to: debauching or impairing the morals of a child under 16, assault and battery on a child, and contributing to the delinquency of a child.

Part III

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Other Responsibilities

3853. Report of Criminal Offenses to Law Enforcement Authorities

- .2 b. The existence of a condition of pregnancy in an unmarried child under the age of 16 is per se conclusive evidence that a crime (statutory rape) has been committed by an offending male person. Each such instance shall therefore, regardless of any other circumstances, be reported.

3853.3 Procedures

When the county welfare board becomes informed of facts that would indicate that one of the above mentioned crimes has been or may have been committed, or receives a direct allegation in any form, written or verbal or anonymous, that such a crime has been committed, it shall proceed as follows:

- a. The director shall in collaboration with Counsel review whatever facts and circumstances are immediately available in order to determine whether there is suspicion that a crime was committed.
- b. If it appears that a crime has been committed, the director shall, after consultation with Counsel, report the matter to the county prosecutor, or to a local police department or to the State Police if so directed by the Office of the Prosecutor.
- c. Where a direct allegation charging commission of a crime has been made by an identified person, such, person shall be advised of his responsibility to report this information to the proper authorities.
- d. Employees of the county welfare board shall cooperate fully with any subsequent investigation initiated by the law enforcement agency within the limits of the policy and regulations of the Division of Public Welfare. A county welfare board staff member may sign a written complaint only upon a written request from the law enforcement agency and provided his information of the facts to be stated in such complaint is based upon his own personal knowledge and belief.

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3800. Other Responsibilities

3860. NONDISCRIMINATION IN PUBLIC ASSISTANCE PROGRAMS

3861. Federal Policy

Title VI of the Civil Rights Act of 1964 (Public Law 88-352) prohibits discrimination on the ground of race, color or national origin in the administration of any program for which Federal funds are received. Strict compliance with the provision of this Act and any regulations based thereon is required as a condition of eligibility to receive Federal funds for assistance programs administered through the county welfare boards.

3862. State Policy and Regulations

Based upon the Federal law cited above, and acting pursuant to authority delegated by the State Board of Control, the Commissioner of the Department of Institutions and Agencies has issued Administrative Order 3:04, Discrimination in Federally-Aided Programs. This Administrative Order establishes the policies and procedures necessary to ensure that in the administration of public assistance programs there shall be no practices which are discriminatory on the basis of race, color, or national origin.

.1 Extent of Prohibited Discriminatory Practices

- a. These prohibited discriminatory practices extend to all county welfare board offices.
- b. They extend to services purchased or otherwise obtained by the county welfare board from other agencies, organizations, and institutions for beneficiaries of the program, and to the treatment of clients in facilities in which such services are provided.
 - 1) In case of medical emergencies the county welfare board is authorized to utilize the services of any medical institution for the duration of the emergency, even though such institution refuses or fails to comply with the requirements prohibiting discriminatory actions. Both the following conditions must exist:
 - a) The emergency must be such that the immediate provision of services or other benefits to an individual is necessary to prevent his death or serious impairment of his health; and
 - b) Such services or other benefits are not readily available from any other medical institution.

Part III

3800. Other Responsibilities

3863. Procedures Affecting County Welfare Boards

.1 Notification to Vendors

The CWB shall establish procedures to ensure that all vendors currently providing services to their clients, other than medical services, will receive a copy of Form WD-1 on an annual basis.

.2 Information to Staff

The county welfare board shall inform all staff members of their obligations in regard to Title VI of the Civil Rights Act of 1964. This shall be accomplished by:

- a. furnishing each staff member who has not received such a statement, a copy of Form WD-1B, A Statement Concerning Obligation of Personnel of Public Welfare Agencies under the Civil Rights Act of 1964, immediately after the effective date of this regulation;
- b. furnishing each new employee a copy of Form WD-1B.
- c. inclusion of all relevant material in any manuals or other documents developed by the county welfare board for dissemination in the same manner as other agency policies; and
- d. discussion at orientation and training sessions.

.3 Information to Applicants and Recipients

All persons seeking or receiving public assistance administered by the county welfare board shall be informed of Title VI of the Civil Rights Act of 1964. This shall be accomplished by the county welfare board in the following manner:

- a. by mailing to each recipient who had not received such a statement, Form WD-1C, A Statement Concerning Nondiscrimination in Programs of Public Assistance and Welfare Services; and
- b. by supplying Form WD-1C at the time of intake, to individuals seeking such assistance.

.4 Complaint Procedure

- a. All persons seeking or receiving public assistance shall be afforded an opportunity to file a complaint alleging discrimination on the ground of race, color or national origin. Such complaints may be filed directly with the Regional Director, U.S. Department of Health,

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Other Responsibilities

3863. Procedures Affecting County Welfare Boards (Cont'd)

- .4
- a. Education and Welfare, Federal Building, 26 Federal Plaza, New York, New York 10007, or with the Director, Division of Public Welfare, Department of Institutions and Agencies, P. O. Box 1627, Trenton, New Jersey 08625.
 - b. In any instance where a complaint is filed with a State of local agency, it shall be forwarded immediately to the Director, Division of Public Welfare. The Director, Division of Public Welfare, upon receipt of any such complaint, will take whatever action he deems appropriate to the situation. This action may include but is not limited to, the securing of reports from whatever sources may have knowledge pertinent to the situation; and referral to the Division on Civil Rights of the New Jersey Department of Law and Public Safety, for investigation, evaluation, and recommendations by that agency.
 - c. The county welfare boards shall afford full cooperation in the investigation of complaints of discrimination as may be requested by the Federal Department of Health, Education and Welfare; the Director, State Division of Public Welfare; and the Division of Civil Rights, New Jersey Department of Labor and Public Safety.
 - d. The Director, Division of Public Welfare, shall be responsible for all final determinations as to whether or not the fact of discrimination has been established and all final decisions as to the disposition of the complaint.
 - e. Each county welfare board shall comply with the decision of the Director State Division of Public Welfare, on any complaint of discrimination, including the imposition of disciplinary action as found necessary and reasonable in the case of a staff member.

.5 Forms

It is the responsibility of the county welfare board to reproduce sufficient quantities of the above-mentioned forms (i.e., WD-1, Obligation of Vendors Under The Civil Rights Act of 1964, WD-1B. A Statement Concerning Obligation of Personnel and Public Welfare Agencies Under the Civil Rights Act of 1964, WD-1C. A Statement Concerning Nondiscrimination in Programs of Public Assistance and Welfare Services) to meet its needs for continuing compliance with the requirements of this section.

(See 3800. Appendix I, Attachments #1, #2, #3.

A STATEMENT
CONCERNING OBLIGATIONS OF VENDORS
UNDER THE CIVIL RIGHTS ACT OF 1964

For the purposes of this statement, the term "vendor" means an individual, agency, institution or organization in New Jersey participating in public welfare programs through contractual or other arrangements whereby care or services are provided to individuals for which payment is received directly from the public welfare agencies administering such programs. The public welfare programs concerned are those administered by or under the supervision of the Division of Public Welfare.

Under the provisions of the Civil Rights Act of 1964, no person seeking or receiving public assistance and welfare services shall be subjected to discrimination because of race, color or national origin. This protection against discrimination means that a vendor, as defined above, shall not on the ground of race, color or national origin:

1. deny an individual seeking or receiving public assistance and welfare services any care or services normally provided by the vendor in the course of conducting his business or profession;
2. provide such care or services to such individual in a different manner than they are normally provided to others;
3. subject such individual to segregation or separate treatment in any matter related to his receipt of such care or services;
4. restrict such individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving such care or services; or
5. treat such individual differently from others in determining whether and to what extent he should receive such care and services.

If, after due inquiry and opportunity to be heard, the Director, Division of Public Welfare, determines that a vendor is practicing discrimination on the ground of race, color or national origin, the public welfare agencies will be directed to withhold further payments to such vendor until otherwise authorized.

A STATEMENT CONCERNING OBLIGATIONS OF PERSONNEL
OF PUBLIC WELFARE AGENCIES
UNDER THE CIVIL RIGHTS ACT OF 1964

Under the provisions of Federal law (Civil Rights Act of 1964) no person seeking or receiving public assistance and welfare services shall be subjected to discrimination because of race, color or national origin. In New Jersey this law applies to any financial assistance and welfare services provided by or under the supervision of the Division of Public Welfare.

This protection against discrimination means that a staff member of the Division of Public Welfare or of any agency under its cognizance, as listed above, shall not on the ground of race, color or national origin take or participate in any action to:

1. deny an individual any aid, care or services provided under the programs;
2. provide any aid, care or services to an individual which are different, or are provided in a different manner, from that provided to others under the programs;
3. subject an individual to segregation or separate treatment in any matter related to his receipt of any aid, care or services provided under the programs;
4. restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving aid, care or services provided under the programs;
5. treat an individual differently from others in determining whether he satisfies any eligibility or other requirement or condition which individuals must meet in order to receive any aid, care or services provided under the programs; or
6. deny any individual an opportunity to participate in the programs through the provision of services or otherwise, or afford him an opportunity to do so which is different from that afforded others under the programs (including the opportunity to participate in the program as an employee where the primary objective of the Federal financial assistance to the program is to provide employment, including a program under which the employment is provided to reduce unemployment).

If, after due inquiry and opportunity to be heard, the employing agency, with the concurrence of the Director, Division of Public Welfare, determines that a staff member has practiced discrimination on the ground of race, color or national origin, such staff member shall be subject to disciplinary action

A STATEMENT
CONCERNING NON-DISCRIMINATION IN PROGRAMS
OF PUBLIC ASSISTANCE AND WELFARE SERVICES

Under the provisions of Federal law (Civil Rights Act of 1964) no person seeking or receiving public assistance and welfare services shall be subjected to discrimination because of race, color or national origin. In New Jersey this law applies to any financial assistance and welfare services provided by or under the supervision of the Division of Public Welfare.

This protection against discrimination means that these agencies, directly or through arrangements with other organizations participating in the programs, shall not on the ground of race, color or national origin:

1. deny an individual any aid, care or services provided under the programs;
2. provide any aid, care or services to an individual which are different, or are provided in a different manner, from that provided to others under the programs;
3. subject an individual to segregation or separate treatment in any matter related to his receipt of any aid, care or services provided under the programs;
4. restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving aid, care or services provided under the programs;
5. treat an individual differently from others in determining whether he satisfies any eligibility or other requirements or condition which individuals must meet in order to receive any aid, care or services provided under the programs; or
6. deny any individual an opportunity to participate in the programs through the provision of services or otherwise, or afford him an opportunity to do so which is different from that afforded others under the programs (including the opportunity to participate in the program as an employee where the primary objective of the Federal financial assistance to the program is to provide employment, including a program under which the employment is provided to reduce unemployment).

When any person seeking or receiving public assistance and welfare services believes he has been subjected to discrimination because of his race, color or national origin, he may file a complaint concerning this. The complaint should be in writing and describe the circumstances. It may be sent to the Director, Division of Public Welfare, P.O. Box 1627, Trenton, New Jersey; or to the Regional Commissioner, Federal Department of Health, Education and Welfare, 26 Federal Plaza, New York, New York 10007.

When a complaint is received an investigation will be made of the circumstances. If it is found that there was discrimination on the ground of race, color or national origin, proper action will be taken to correct the situation.

C O P Y

ADMINISTRATIVE OFFICE OF THE COURTS

Edward B. McConnell
Administrative Director
F. Lovell Bixby
Consultant on Probation

State House Annex
Trenton
New Jersey

April 21, 1967

MEMORANDUM TO: Juvenile and Domestic Relations Court
Judges and Chief Probation Officers

RE: Payment of Support to Welfare Authorities

The problem of coordinating payments under court orders for the support of dependents with public assistance grants to the same beneficiaries has been a thorny one.

In theory, the court makes a support order based on the father's ability to pay and the welfare boards supplement this by a grant which brings the two sources of income to the determined needs of the mother and children.

In practice, however, the situation is complicated by the fact that support payments under court orders are irregular both as to amount and frequency. If the public assistance authorities assume that the court-ordered support will be forthcoming, the families often endure severe hardship. On the other hand, if the original grant has to be constantly amended or supplemented, a major bookkeeping problem is created for the assistance office.

One way in which the situation can be met is to have the probation departments forward support payments directly to the welfare agency under a waiver executed by the beneficiary. Under this plan the assistance grant can be made and maintained according to the determined needs of the family and the monies received under the court order are treated as a refund of assistance paid.

There seems to be no legal barrier to the adoption of this system in New Jersey since an assignment can be made under N.J.S.A. 44:10-4 (a) authorizing the payment of collections of support orders directly from a probation department to a county welfare board. A sample form for such an assignment is attached herewith.

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You may be interested to know that the plan outlined above is recommended by the Bureau of Family Services of the Welfare Administration, United States Department of Health, Education, and Welfare. Effective July 1, 1967, the Federal agency is requiring that the public assistance program guarantee regular payment of full budget allowances to beneficiary families without diminution based on a presumption that court-ordered support will be available.

signed
Edward B. McConnell

cc Assignment Judges

C O P Y

ADMINISTRATIVE OFFICE OF THE COURTS

Edward B. McConnell
Administrative Director

State House Annex
Trenton
New Jersey

April 9, 1968

MEMORANDUM TO: Chief Probation Officers

RE: Payment of Support to Welfare Authorities
in Chancery Division Cases

Will you please implement in Chancery Division alimony and support cases the same procedure that has been followed in Juvenile and Domestic Relations Court cases since my memorandum to you of April 21, 1967. For your information I am enclosing a copy of a memorandum that I am sending out today to all judges sitting in matrimonial matters in the Chancery Division. Your wholehearted cooperation in implementing this program will be appreciated. If you have any questions or problems, please advise Mr. Hopkins of this office.

S/ Edward B. McConnell

Enc.

cc: Assignment Judges
County Court Judges

AUTHORIZATION TO REMIT SUPPORT PAYMENTS TO
COUNTY WELFARE BOARD

I, _____, OF _____,
(NAME) (ADDRESS)

IN CONSIDERATION OF RECEIVING ASSISTANCE FOR MYSELF AND MY CHILDREN IN ACCORDANCE WITH NEW JERSEY
REVISED STATUTES, TITLE 44, CHAPTER 10, 4(A) DO HEREBY PROMISE TO REPAY THE COUNTY WELFARE BOARD,
TO THE EXTENT OF ANY ASSISTANCE SO GRANTED, FROM THE SOURCE HEREINAFTER STATED. FOR THE PURPOSE
OF REPAYMENT OF SUCH ASSISTANCE THE _____ COUNTY PROBATION DEPARTMENT IS HEREBY
AUTHORIZED TO PAY DIRECTLY TO THE _____ COUNTY WELFARE BOARD, DURING THE PERIOD I RECEIVE
ASSISTANCE, ALL FUNDS WHICH ARE ANTICIPATED BY VIRTUE OF AN ORDER OF SUPPORT AGAINST _____

_____ ENTERED BY THE _____
(NAME) (NAME OF COURT)

I HAVE BEEN INFORMED BY _____, A REPRESENTATIVE OF THE COUNTY WELFARE
(NAME)
BOARD, THAT BY SIGNING THIS AUTHORIZATION I WILL HEREAFTER RECEIVE ON A REGULAR BASIS, THE FULL
AMOUNT OF PUBLIC ASSISTANCE TO WHICH I MY BE ENTITLED, WITHOUT ANY DEDUCTION OF THE AMOUNT WHICH
THE COURT HAS ORDERED MY _____ TO PAY TO THE PROBATION DEPARTMENT. I HAVE
SIGNED THIS AUTHORIZATION RELYING ON SUCH INFORMATION.

(WITNESS)

(SIGNATURE OF CLIENT)

(DATE)

(NAME OF CLIENT) (PRINT OR TYPE)

TO: _____ PROBATION DEPARTMENT

PROBATION
DEPARTMENT NUMBER _____

FROM: _____ COUNTY WELFARE BOARD

COUNTY WELFARE BOARD
CASE NUMBER _____

MAKE TWO COPIES

ORIGINAL: PROBATION DEPARTMENT

CARBON: CASE RECORD

STATEMENT OF POLICY AND PROCEDURES
ON
COMPLAINTS, APPEALS AND FAIR HEARINGS

Statement of Law

Federal Law--Requirements of the Social Security Act include the following:

Old Age Assistance and Medical Assistance for the Aged--Title I, section 2 (a) (4) reads:

"A State plan for old age assistance and medical assistance for the aged must provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for assistance under the plan is denied or is not acted upon with reasonable promptness"

Aid to Dependent Children--Title IV, section 402 (a) (4) reads:

"A State plan for aid and services to needy families with children must provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for aid to families with dependent children is denied or is not acted upon with reasonable promptness"

Aid to the Blind--Title X, section 1002 (a) (4) reads:

"A State plan for aid to the blind must provide for granting an opportunity for a fair hearing before the State agency to an individual whose claim for aid to the blind is denied or is not acted upon with reasonable promptness"

Aid to the Permanently and Totally Disabled--Title XIV, section 1402 (a) (4) reads:

"A State plan for aid to the permanently and totally disabled must.... provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for aid to the permanently and totally disabled is denied or is not acted upon with reasonable promptness"

State Law--Provisions of the New Jersey statutes include the following:

Revised Statutes, Title 44, chapter 7, section 44:7-18 provided:

"..... where an application is not acted upon by the county welfare board within thirty days after the filing of the application, or the application is denied, or the grant is deemed inadequate, either by the State division or by the applicant, the State division may review

Complaints, Appeals and Fair Hearings (Cont'd)

the case in its discretion or the applicant may appeal to the State division by filing a petition with the division setting forth the facts in full as to the necessity of such assistance. Whereupon a representative of the State division shall hold a fair hearing on the appeal, and if the appeal is sustained by the State division the payments of assistance in the amount determined by the State division must be paid by said county welfare board as herein provided."

Interpretation

Federal Interpretation--The Welfare Administration, Bureau of Family Services has promulgated* the following general interpretation of the provisions of the Federal Act:

"The claimant's freedom to request a hearing, whenever he believes that proper consideration has not been given to all the circumstances surrounding his claim, is a fundamental right and is not to be limited or interfered with in any way. It is essential that the claimant be given a reasonable period in which to appeal an agency action. A request for a hearing is defined as any clear expression (oral or written, by a letter or on special forms) by the claimant (or person acting for him, such as his legal representative, relative or friend) to the effect that he wants an opportunity to present his case to a higher authority. Agency action or failure to act, which gives rise to a right to a hearing, includes: agency decisions regarding eligibility for assistance, whether on initial determination or subsequent determination; agency decisions regarding amount of assistance (including a change in payments), whether money payments or vendor payments; agency decisions relating to the manner or form of payment, (e.g., a decision to make a restricted payment, or a protective payment, even though made in accordance with State policy, and even though no Federal financial participation is claimed) and conditions of payment, including work requirements; denial of opportunity to make application or reapplication for assistance; undue delay in reaching a decision on eligibility or in making a payment; refusal to consider a request for or undue delay in making an adjustment in payment; and suspension or discontinuance of assistance in whole or in part. The claimant may question the agency's interpretation of the law, and the reasonableness and equitableness of the policies promulgated under the law, if he is aggrieved by their application to his situation.

"Effective complaint and adjustment procedures, by means of which corrective action may be easily requested and readily obtained without need for hearing, are important. The local office may amend or reverse its decision at any time, but after a hearing has been requested, local adjustment procedures cannot be allowed to interfere in any way with the hearing process.

* Handbook of Public Assistance Administration, section 6000, 7/9/65

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"Only the claimant can withdraw his request for a hearing. In such case, a written withdrawal will be obtained and a report of the circumstances leading to it will be made to the State agency by the local agency or person receiving the withdrawal.

"Since under the Federal act and the State plan, every aggrieved claimant is entitled to the opportunity for a hearing, the agency may not deny or dismiss a request for a hearing except where it has been abandoned by the claimant. A request for a hearing may be considered abandoned if neither the claimant nor his representative appears at the time and place agreed upon for the hearing, and if, within a reasonable time after the mailing of an inquiry as to whether he wishes any further action taken on his request for a hearing, no reply is received by either the local or State agency."

State Interpretation--The Department of Institutions and Agencies recognizes and adopts the above Federal interpretation as to the extent to which the right of fair hearing should be available, and finds that the provisions of State law authorize the promulgation by the Department of rules, regulations and procedures sufficient to satisfy the requirements of the Federal Act and the cited interpretation thereof.

Definitions

For purposes of this statement of policy and procedure, the following terms shall be understood as here defined:

- applicant - a person applying for assistance for himself or on behalf of a child or children.
- recipient - a person receiving assistance.
- client - a person who is, or is seeking the opportunity to become, an applicant or recipient, including: an applicant who is awaiting the agency's decision, a recipient whose assistance payment has been suspended or withheld, or a person still considering himself entitled to assistance although his application has been denied or withdrawn or his payment discontinued.
- complaint - any clear expression, oral or written, by any person, to the effect that he is dissatisfied with the action or lack of action on the part of the agency in the handling of any client, with the procedure applied in such handling, or with the decisions or results thereof.
- appeal - a combined complaint and request for fair hearing made by a client or his authorized representative.

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- request for fair hearing - any clear expression (oral or written, by letter or otherwise) by a client or his authorized representative, to the effect that he wishes to go beyond the usual procedure for adjusting complaints, and that he wishes an opportunity to present his case to the ultimate State authority in the administrative organization; the specific wording of such a request is immaterial.
- fair hearing - an orderly, readily available proceeding before an impartial official of the Department of Institutions and Agencies, in which a dissatisfied client or his authorized representative may present his case with the help of witnesses to show why action or inaction in his case should be corrected by the Department.
- local office - the office of the county welfare board.

Right to Fair Hearing

It is declared to be the right of every client to request a fair hearing, and to be afforded the opportunity for such a hearing, in the manner established in these regulations.

Notification of Right to Fair Hearing

A statement in simple language informing the applicant of his right of appeal and fair hearing, shall be included on or annexed to the official form of application for assistance and each applicant shall receive an authentic copy of his executed application form, with attachments if any, to be retained in his own possession. This procedure shall constitute the mandatory and effective method by which every client is informed in writing of his right to a fair hearing on any action or failure to act by the agency with respect to his situation.

Apart from the official notification of right of fair hearing thus appearing on or annexed to the application form, it is desired that every applicant should, at the time of first contact with the local office or agent thereof, receive a copy of the statement "Your Right to a Fair Hearing." (See 3800. Appendix III, Attachment #1.)

A copy of the statement "Your Right to a Fair Hearing" shall be furnished to any client at any time upon his request; should be furnished to any client at the time of any adverse action on his claim and may be furnished to any client or any other person at any time.

Complaints and Adjustment Procedure

Complaints and other requests for review of action taken on applications and

Complaints, Appeals and Fair Hearings (Cont'd)

grants will not be considered appeals unless and until there is a request for a fair hearing. (See "Definitions.")

Prompt and courteous attention will be given to all such complaints and requests for review, whether they are directed to the local office, or to the State Division of Public Welfare. All complaints received by mail shall be acknowledged promptly, and suitable review and adjustment steps shall be promptly initiated. Oral complaints shall be incorporated in the case record and thereafter handled in the same manner as written complaints.

Local efforts to effect an adjustment may be made through further field contacts, office interviews with the supervisor, consultation with the appropriate State Field Representative, affording the complainant an opportunity to appear before the Welfare Board, etc.

After all steps have been taken for local adjustment, the client (and the complainant, if other than the client) shall be notified of the decision made as to the complaint. If the client is still dissatisfied with the decision, he shall be advised again of the right to appeal and request a fair hearing and how he may so proceed.

Procedure for Initiating Fair Hearings

An appeal making request for a fair hearing should be in writing and should be addressed to the State Division of Public Welfare or to the Department of Institutions and Agencies. However, appeals clearly making requests for fair hearing when expressed orally shall be reduced to a written record, and such appeals, when made to the local office, shall be promptly transmitted to the State Division of Public Welfare.

No special form of statement or manner of expression is required as long as it sets forth the position of the client, including the reasons for the appeal. The local office shall, when requested, assist the client in preparing the appeal in order to expedite the proceedings.

Upon receipt of any appeal, the Director of Public Welfare will make a record thereof and promptly initiate arrangements for the conduct of a fair hearing. The Director of Public Welfare will send an acknowledgement of the appeal to the client, along with a copy of the statement entitled "How a Fair Hearing is Conducted" (PA-708) (Attachment #2).

Time Limitations on Hearing Appeals

If the appeal relates to an agency action or lack of action that occurred more than three months prior to the date of the appeal, and unless extraordinary and extenuating circumstances warrant an extension of time, the person shall be considered ineligible for a fair hearing. The client, in such circumstances, shall be advised of his entitlement to make reapplication to the County Welfare Board for assistance or request reconsideration of whatever is involved in his com-

Complaints, Appeals and Fair Hearings (Cont'd)

plaint. He shall also be informed of his subsequent right to appeal for a fair hearing, within three months, if he is dissatisfied with the action or lack of action that results from his reapplication or reconsideration request.

Disposition of Appeals Through Withdrawal or Abandonment

The filing of an appeal shall not of itself preclude continued effort to accomplish corrective action or interpretation by the State Division of Public Welfare and/or local office through informal adjustment procedures as described above. The local office, or the Bureau of Medical Affairs in appropriate cases, may amend or reverse its decision at any time before a hearing, or the client may have his dissatisfaction clarified through explanation or interpretation at any time before a hearing. It shall be the policy to accomplish disposition of complaints through direct informal and personal relationship with the client wherever possible. However, every client has a right to a fair hearing if he desires it, and once he has made a clear request for such a hearing, the disposition of his appeal through the hearing process shall continue to be available to him, and the hearing shall not be delayed or cancelled, without his consent, solely by reason of informal adjustment procedures meanwhile initiated.

If as the result of satisfactory adjustment or for any other reason, the client desires that a hearing shall be discontinued or cancelled, his request to that effect shall be obtained in writing. A request for a hearing will be considered abandoned if neither the client nor his representative appears at the time and place established for the hearing and if, within ten days after the mailing of an inquiry by the State Division of Public Welfare as to whether he wishes any further action taken on his request for a hearing, no reply is received.

Time, Place and Notice of Fair Hearing

The fair hearing shall be held at a time, date and place reasonably convenient for the client and other essential parties, but in any event, within thirty days of the receipt of the appeal. The hearing may be postponed at the request of the client, or with his assent, for a period not exceeding thirty days. The local office concerned will make such arrangements as are proper and necessary to enable the client to attend the hearing without expense of transportation.

The State Division of Public Welfare will give all parties concerned at least one week's notice in writing of the time, date and place to appear for the hearing.

Hearing Officer

All fair hearings will be conducted by direction of the Commissioner of Institutions and Agencies who may designate the Director of Public Welfare and/or his representative to conduct the hearing. The hearing officer will not have been involved, in any way, with the action being appealed.

The term "hearing officer" refers to the person(s) conducting the hearing.

Complaints, Appeals and Fair Hearings (Cont'd)

Appellant's Right to be Represented and to Review Evidence

Only those persons will be admitted to the hearing whose testimony and presence are necessary to a full and fair determination, but the client may exercise a right to be assisted in his presentation by a relative or friend, or to be legally represented by a lawyer of his choosing. The hearing officer will employ all reasonable and available means to secure attendance of persons who may assist the client in the presentation of his case. However, funds will not be made available either through the county welfare board or the State Division of Public Welfare for legal fees or other expense incident to preparing for or attending the hearing.

Accessibility of Records

The client and/or his legal representative will be given opportunity, upon request, to examine, prior to hearing and/or at the hearing, all documents and records, or parts thereof, which are used as evidence at the hearings. Such material shall be made available, upon request, prior to the hearing but not prior to notification by this Division of the date a hearing is scheduled. In addition, the Welfare Board, at its discretion, may make such material available for the purpose of facilitating adjustment on an informal basis of the matters in question, following acknowledgement by this Division of request for hearing. Such review does not accord a right to examine client's entire file.

Conduct of Fair Hearing

The fair hearing shall in all respects be informal and conducted in an atmosphere conducive to the full development of facts, but shall be subject to the requirements of due process. Formal rules of evidence will not be applied and an effort will be made to conduct the hearing in such manner that all parties will feel free and able to present all relevant aspects of the situation. All parties will be given opportunity to offer evidence and to question witnesses.

At the beginning of the hearing the client will be given the opportunity of making a statement of the situation as he sees it. The hearing officer will then state the point(s) at issue, subject to amendment or correction by the client or any of the other parties concerned.

The hearing will be concerned only with such facts as are relevant to the point(s) at issue, but the circumstances may be considered both as they existed at the time of request for hearing and at the time of hearing. If it develops that the real issue differs from that on which the request for hearing was based, then the hearing will not abate but the real point(s) at issue will be considered, subject to adjournment as may be necessary for proper development of the new questions presented.

When the hearing involves medical issues, a medical assessment other than that of the person or persons involved in making the original decision may be obtained and made a part of the record if the hearing officer or the appellant considers

Complaints, Appeals and Fair Hearings (Cont'd)

it necessary.

At any time during the proceedings the hearing officer, at his discretion, may declare an adjournment or adjournments. The total of all adjournments shall not exceed forty days, unless a greater extension of time is requested by the client and approved by the hearing officer.

Report of Hearing and Official Record

An official report will be prepared by the hearing officer summarizing who appeared and what transpired at the hearing and his evaluation of testimony and comments on conflicting statements. A copy of such report will be incorporated in or attached to each copy of decision when rendered and forwarded to the parties concerned. Such report of the hearing, and all papers, requests, or exhibits filed in the proceeding, and the decision as rendered, will constitute the official and complete record of the fair hearing.

An official and complete record of each fair hearing will be maintained in the files of the State office for at least one year after the date decision is rendered. During this one year period, an appellant or his legal representative may review, upon appointment, all or any part of the official and complete record of his fair hearing.

Decision on Fair Hearing

A Decision based on the evidence produced at the hearing will be rendered in writing with reasonable promptness. The official standard for reasonable promptness will be within sixty days of the date of the receipt of the appeal unless delay in the proceedings has been occasioned by (1) failure of the client to appear at a scheduled hearing, or (2) request of the client for excessive adjournment. The Decision will represent the determination of a Decisional Panel consisting of the Hearing Officer, the Director of Public Welfare or his designated alternate, and the Commissioner of Institutions and Agencies or his designated alternate. The Decision shall be mandatory and binding upon all parties concerned, but is subject to appeal to the Superior Court, Appellate Division.

Every Decision shall be so written as to set forth in summary form the material issue or issues in question, the principal and relevant facts developed at the hearing, the pertinent provisions in law and in agency policy, and the reasons upon which the Decision is based. A Decision requiring action by the local agency may apply either prospectively with regard to future action by the agency or retroactively to the date an incorrect action was taken. If the Decision results from mutual agreement of the parties at the hearing, it shall be so stated.

Copies of the Decision will be forwarded simultaneously to the client, his legal representative, if any, and to the local office responsible for carrying out the Decision. The copy to the client shall be accompanied by notice of his right to

Complaints, Appeals and Fair Hearings (Cont'd)

inspect the official and complete record at any reasonable time, and of his right to judicial review.

The State Division of Public Welfare will arrange publication of summary editions of all Decisions, edited by deletions to insure confidentiality, which will be forwarded to each county welfare board and will be available for inspection at the welfare board, upon request by the public.

The State Division of Public Welfare will take such steps as may be necessary to assure that the Decision has been carried out. Corrective or remedial measures ordered by a hearing Decision, which by their nature are capable of being so implemented, will be implemented by the welfare board within a thirty day period after receipt of the Decision. The Director of the State Division of Public Welfare will be assured by designated Divisional staff unit(s) that the Decision has been implemented within the required time period.

YOUR RIGHT TO A FAIR HEARING

If you are a person seeking or receiving assistance and you are dissatisfied with any action or lack of action by the county welfare board, you have a right to ask for a fair hearing.

Some of the reasons why people request fair hearings are: (1) agency delays in accepting or reaching decisions on assistance applications; (2) a person believes that the amount of assistance he receives is incorrect or is not sufficient to meet his needs; (3) a person believes that a suspension of his assistance is not reasonable; (4) a person thinks that he is eligible for assistance and should receive it although his application has been denied or his assistance payment has been discontinued; and (5) a person is dissatisfied because his assistance is being given to someone else to control or spend for him.

It is important for you to remember that a fair hearing must be requested within a reasonable time. Usually a fair hearing request must be made within ninety days of the action or lack of action about which you are dissatisfied .

If it is reasonably possible, the county welfare board is expected to complete action within thirty days on applications for Assistance for the Blind, Assistance for Dependent Children, Medical Assistance for the Aged, and Old Age Assistance, and within sixty days in Disability Assistance. If you are an applicant for assistance under any of these programs except Disability Assistance, you are entitled to receive notice on or before the end of thirty days of the final action taken on your application or be given an explanation if a further delay is unavoidable. If you are an applicant for Disability Assistance, you are entitled to the same notice or explanation on or before the end of sixty days.

A fair hearing is only one of the ways or methods used to review complaints. When the fair hearing method is used, the Commissioner of Institutions and Agencies or his representative reviews the complaint. If you request a fair hearing, arrangements are made for a suitable time and place for holding the hearing. You and other persons, including your witnesses or representatives, if any, and representatives of the county and state assistance agencies, participate in the hearing to provide information and answer questions needed to reach a decision. The fair hearing decision is binding on all parties concerned but may be appealed to the New Jersey Superior Court, Appellate Division.

You can request a fair hearing by writing or calling your county welfare board or by addressing a request to the Department of Institutions and Agencies, Division of Public Welfare, P. O. Box 1627, Trenton, New Jersey 08625.

You do not have to request a fair hearing in order to receive prompt consideration and review of your complaint by the county welfare board or by the State Division of Public Welfare. The county welfare board and the State Division of Public Welfare are required to promptly review any requests you make to them for an informal review of your complaint and to do everything possible within the laws and regulations to adjust your complaint in a simple and informal manner without requiring

that you file a fair hearing request and participate in a more formal hearing. All you have to do to get prompt attention and an informal review of a complaint is to ask for it at the county welfare board either by letter or verbally or you can write directly to the State Division of Public Welfare, Box 1627, Trenton, New Jersey 08625.

You, as a person seeking or receiving assistance, have a free choice to request either (1) an informal review of your complaint by the county welfare board or State Public Welfare Division or (2) a formal review by the Commissioner of Institutions and Agencies or his representative in a fair hearing. If you choose to ask for an informal review of your complaint by the county welfare board or the State Division of Public Welfare and the result of the review should be unsatisfactory, you still have the right to then request a fair hearing.

State of New Jersey
Department of Institutions and Agencies
Division of Public Welfare

HOW A FAIR HEARING IS CONDUCTED

You, as a client either seeking or receiving assistance, have said that you are not satisfied with what has been done for you by the county welfare board. In that case the New Jersey Law says you have a right to a fair hearing so that your complaint can be considered. This information is being given to you so that you will know what will take place at the hearing, and then you can be prepared to tell your story at the hearing in the best way.

1. The hearing will be held by a person representing the State Commissioner of Institutions and Agencies who has the authority to decide what is right and fair for you and see that it is done.
2. If you feel you need help in order to tell your story in the best way, you may have someone to advise you or to speak for you at the hearing. This person may be a lawyer, a relative, or a friend.
3. When the hearing starts you will be asked to say what your complaint is and what you think should be done. This may be discussed by the other persons who are there, and then the person holding the hearing will say just what will be considered at the rest of the hearing. You will have a right to correct this if you think it does not clearly state your complaint. It is important that you understand what this is, because it is the only thing that the person holding the hearing will let anyone talk about.
4. It may be that some things have changed between the time you first made your complaint and the day the hearing is held. The person holding the hearing will want to know what these changes are, because they may be important in deciding what is right and fair.
5. If there are other persons who know something that will help you tell your story, you may have them come to the hearing as witnesses for you. The county welfare board will help you as much as they can in getting those persons to come to the hearing.
6. Only persons who have something to do with your complaint will be allowed to come to the hearing. Whatever is said there will be confidential, so you need not be afraid to say anything you believe will help tell the true story.
7. You and your witnesses may be asked questions by the person holding the hearing or by other persons there. Also, you will be allowed to ask questions of any other persons who may speak. If there are any papers read at the hearing or given to the person holding the hearing, you will be allowed to read them yourself or have someone read them to you.

8. For some reason it may be necessary for the person holding the hearing to adjourn or postpone it. This does not mean that the hearing is finished but only that it will be continued on some later day. You may ask for the hearing to be adjourned or postponed until a later day if you think it will help you tell your story in a better way.
9. If you should change your mind about a fair hearing, just write to the county welfare board and tell them so. If you do not do this you will be expected to come to the hearing. If you are sick or if for some other reason you cannot come on the day when the hearing is to be held, let the county welfare board know so that it can be put off until some later day. If the other persons who are called to the hearing should come, and you do not come without giving any excuse, it will be thought you are not interested in having your complaint heard.
10. When the hearing is finished, the person who has been holding it will say so. That person will then decide what is right and fair in your case, and within thirty days, you will be told in writing what is going to be done.
11. Remember that the person who is holding the hearing is interested in every true thing that will help decide what should be done for you. There is no special way you should say anything and there are no special rules you will have to know as long as you are orderly and helpful. The person who is holding the hearing will try to help you in every way.

T A B L E O F C O N T E N T S

CHAPTER 3900

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3900

Social Services

3900. SOCIAL SERVICES

3910. GENERAL RESPONSIBILITIES

Social Security Amendments provide for the separation of functions of income maintenance and services. With the separation of functions, agencies now have the opportunity to assign staff in a way that will increase the availability of services to all who need them.

Social services are those activities which the agency provides to enable an individual, a family, or a group of individuals to attain the maximum economic and personal independence of which they are capable.

- a. The services provided must be made known to the community at large and directly to applicants, recipients, and former and potential recipients.
- b. Services are to be based on the individual's need and interest for help with his problems, respecting his rights of freedom of choice in accepting such services except in referral for employment or training, and where conditions may require protective services.

Part III
3900

Social Services

3920. THE SERVICE PLAN

The Service Plan is both a method and process for acquiring and organizing information pertaining to the client's situations and needs. Such plan shall be developed within 90 days of the date of eligibility for each active case.

.1 Purpose of the Service Plan

- a. To identify immediate and long-term problems and evaluate the possibility of improvement through social services.
- b. To assess capacities and strengths for meeting problems.
- c. To secure pertinent social information.
- d. To formulate a program of services that is helpful and realistic.
- e. To collect data for research and statistical purposes.

.2 General Guides to the Use of the Service Plan Outline

The Social Service staff member in conjunction with the client should emphasize the following:

- a. The nature of the problem(s) and the reasons behind the problem(s).
- b. The persons involved, their feelings, reactions, and ability to cope with the problem.
- c. Assessment with client of service needs.

.3 Use and Review

- a. The outline should be used flexibly and with selectivity. Only those facts should be recorded that have relevance to the particular situation under study and that contribute to the worker's understanding of it.
- b. The service plan is an on-going process and when pertinent changes occur, a supplemental statement shall be added to the service plan. In any event, the service plan shall be reviewed and updated annually.

Part III

3900

Social Services

3924. Communication between Income Maintenance Section and Service Sections

When either section is in receipt of information pertinent to the operation of the other section, the information shall be transmitted promptly in writing.

3930. EXAMPLES OF SOCIAL SERVICES THAT CAN BE PROVIDED

.1 Initial Services

- a. Providing information regarding services.
- b. Making preliminary study of all persons requesting service
- c. Providing short-term service.
- d. Refer to Income Maintenance Section or other agency when indicated.

.2 Services that will help members of families toward self-sufficiency and/or training and employment that leads to stability of employment.

- a. Assess with client strengths, limitations, handicaps, needs, goals, in the following areas: health, social and emotional functioning, educational, vocational.
- b. Identify current potential for employment.
- c. Provide service with respect to problems limiting employment.
- d. Make appropriate referral, employer or employment service, rehabilitation, vocational education, or other training, community services, etc.
- e. If needed, determine with family best plan for dependents, locate or develop facility or service needed, re-assess plan for individuals as changes are needed.

.3 Services to enable families to obtain adequate living conditions.

- a. Help family consider needed changes.
- b. Provide help and support to the family to improve housing conditions, needed household items, or furniture.
- c. Provide help, support, or training in improvement and maintaining home.

Part III

3900

Social Services

3930. EXAMPLES OF SOCIAL SERVICES THAT CAN BE PROVIDED (Contd)

.4 Services to maintain or supplement family functioning.

a. Services to relieve stress and provide supports when there is family disruption due to absence of a family member, disablement, behavior disorders, drug problem, alcoholism, and death.

- 1) Casework and counseling guidance
- 2) Referral for legal, medical, mental health, spiritual services.
- 3) Home services.
- 4) Services through peer associations, volunteers, group activities, recreation, and other organizations.
- 5) Day Care

b. Services to help family living.

- 1) Family planning and family life education.
- 2) Assisting family members to understand their roles, needs, and capacities.
- 3) Guidance in child care and rearing.
- 4) Guidance and training in homemaking and household management.
- 5) Consumer education and money management.

c. Services to develop potential

- 1) Services to assist children to obtain education and training in accordance with their capacities.
- 2) Services to other family members to provide opportunities for continuing education and training.

.5 Protective Services for Children

a. Assessing strengths and limitation with family to determine what is needed in order to insure adequate care and safety.

- 1) Identification as to needs, deficiencies, and desires to improve conditions.

Part III

3900

Social Services

3920. THE SERVICE PLAN (Contd)

.4 Recording of Services

The service plan will become part of the on-going case record and as services are actually provided, these too, shall be recorded as well as those services that were not provided.

.5 Termination of Services

When the need for service no longer exists, or when the family no longer wants certain services, the service shall be terminated and the action taken with the reasons for it recorded.

3921. Outline of the Service Plan

It is suggested that CWB's use the following outline for the Service Plan.

I. Identifying information - case name and number.

II. Presenting problem that applicant or recipient bring to the agency.

III. Social situation.

a. Educational background.

b. Health status.

c. Employment status - work skills, interests and possibilities.

1) Record Employment Security registration number.

IV. Living arrangements.

a. Indicate other family members and relationship to recipients.

b. Suitability and adequacy of living arrangements.

c. The ability of the family in terms of money management.

V. Family and social relationships - relatives and friends as potential resources.

Part III

3900

Social Services

3921. Outline of the Service Plan (Contd)

VI. Evaluation

- a. Nature of the problem(s), how it affects the child or adult.
- b. What the family would like to do about the problem and whether or not they have the ability to resolve the problem.
- c. Evaluation of need for protective services.
- d. Services that might be available through relatives, agency, or other community resources.

VII. Recommended Plan of Resolving Problem(s).

- a. Goals; services for achieving these goals and resources that shall be used.
- b. Expectations as to the family's readiness and ability to work towards the goals.

3922. Social Service Objectives

- .1 Strengthening Family Life - means sustaining and increasing the ability of parents and children to carry out their respective roles so that home life may be more conducive to physical well-being, emotional health, and social development.
- .2 Self Support - the services directed toward assisting the individual to provide an adequate standard of living for the family.
- .3 Self care - this means the services directed to an individual to achieve the personal ability to meet the normal demands of everyday life.
- .4 Rehabilitation - services to overcome personal and social handicaps, as well as physical or mental disabilities.

3923. Functions of the Social Service Staff

- .1 Identify with the family major problems and unmet needs.
- .2 Determine how services can be best provided either through the social service staff, or other community agencies.
- .3 Assist the client to take an active part in securing needed services.
- .4 Initiate and assist in planning and developing resources that are needed to meet client needs.

Part III

3900

Social Services

3930. EXAMPLES OF SOCIAL SERVICES THAT CAN BE PROVIDED (Contd)

- .5
 - 2) Making clear the nature of the problem and what is unsafe, unacceptable to community, and must be changed or improved (lack of supervision, abandonment, abuse, neglect, exploitation, incapacity, or isolation).
 - 3) Provide service that will help develop or restore capacity.
 - 4) Provide support-for example: aide, worker, home service worker, guardian, or referral for placement.
 - b. Deal with stress if placement must be made.
 - c. Referral for legal action when necessary.
 - d. Services to restore or re-establish home or assist in the adjustment for the return of a child to his home.
- .6 Child Welfare Services
- a. General - Specialized child welfare services, such as adoption, foster care, parole supervision of youths under 16, day care, protection to children, planning for unmarried parents, group care, counseling, are functions of the Bureau of Children's Services, and where indicated referral to BCS should take place.
 - b. Cooperation with Juvenile Courts.
 - 1) Cooperate with BCS in initiating referrals to juvenile courts as needed for protective services, dependency and neglect, parental abuse.
 - 2) Accept referrals from courts.
- .7 Services for Blind
- a. Referral of all blind persons to the Commission for the Blind and Visually Impaired.
- .8 Community Centered Services.
- a. Make efforts to identify and become known to representatives of the community.
 - b. Develop channels for effective communication.
 - c. Take leadership or assist in development of neighborhood or community projects and programs for improvement.

Part III

3900 Social Services

3940. COLLATERAL RESOURCES - OTHER AGENCIES

3941. Division of Employment Security

The Division of Employment Security within the State Department of Labor and Industry is responsible for the administration of the Unemployment Insurance and Temporary Disability Benefits programs, and for the operation of the State Employment Service.

Agencies can obtain copies of a published list of the local and itinerant offices from the Division of Employment Security, 8 East Hanover Street, Trenton, New Jersey.

3942. State Employment Service

.1 Types of Service Available

a. Employment Information and Registration Service

The local offices of the State Employment Service have information about many local job opportunities.

b. Placement Service

An important two-fold function of the New Jersey State Employment Service is to help unemployed persons who register for work to find a job suitable to their training and experience, and at the same time to help employers to fill job openings by referring persons who appear to meet the qualifications of specific jobs.

c. Employment Counseling and Testing Services

An additional service offered by the New Jersey State Employment Service is that of counseling with persons and testing for occupational skills of persons with disabilities or other problems which affect employability.

d. Unemployment Insurance Claimants Automatically Registered

Persons who have filed claim for Unemployment Insurance Benefits are automatically registered for employment. Registration for these persons is continued by the New Jersey State Employment Service until the person secures employment or until the end of the benefit payment period. If the person has not secured employment by the end of his benefit payment period, it is necessary for him to renew registration for employment in order to continue to receive referrals for job openings for which he may be qualified.

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3942. State Employment Service (Contd.)

.2 Verification of Registration

a. Verification Available from Recipient(s)

The recipient(s) who registers for employment is given a card (Form NJES 506) showing the date of his registration. The agency shall ask the recipient(s) to show this card as verification that he has registered for employment and record the number thereof.

3943. Municipal Welfare Departments (General Assistance)

.1 Administrative Structure

In New Jersey the administration of General Assistance is a municipal responsibility. The term "municipality" includes city, borough, township, town and village. It is the legal responsibility of the municipal governing body to appoint a local assistance board, which in turn is responsible for appointing a director of welfare to be its chief executive officer in the administration of General Assistance.

The State Division of Public Welfare, Department of Institutions and Agencies, is the State agency responsible for the supervision of the General Assistance Program, and for the administration of State Aid to municipalities for public assistance.

.2 Eligibility Requirement in General Assistance

According to law every needy person residing in this State, who is not otherwise provided for under the laws of the State, is entitled to receive General Assistance.

The father's knowing refusal to comply with the requirements of any other assistance program of this State shall render the family ineligible for General Assistance. As to other family members who knowingly refuse to comply with the requirements of any other assistance program of this State, such individual shall be rendered ineligible for General Assistance.

.3 Standards for General Assistance

The standards established by the State Division in State-aided municipalities, and which are also issued to non-State-aided municipalities are not identical with the standards in the FAM.

Part III

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Social Services

3944. Referral by County Welfare Board to Municipal Welfare Department

.1 When to Refer for General Assistance

It is the responsibility of CWB staff to inform families of the availability of General Assistance and where and how to apply in the following situations:

- a. During an initial interview, the applicants do not file an application because it appears that they cannot qualify for assistance administered through the CWB, but they state they are in economic need;
- b. An application for such assistance was filed and it has been determined that the applicants are not eligible, but appear to be in need and are not currently receiving General Assistance;
- c. A recipient becomes ineligible for continued assistance for some technical reason even though he continues to be in need.
Exception (See 3943.2)
- d. Members of an applicant's or recipient's immediate family lack resources to meet their share of expenses in the household and are not themselves eligible for categorical assistance, and are not includable in the family's assistance payment.

.2 Method of Referral

- a. Direct referrals to municipal welfare departments shall be made by use of Form PA-14, Interagency Referral.
- b. Form PA-14 shall be prepared in triplicate. One copy shall be given to the client or person to present to the municipal welfare official in the municipality where he is currently living; one copy shall be mailed directly to the municipal welfare official; the third copy shall be retained by CWB files and follow-up control as necessary.

.3 Review by State Division of Public Welfare

If CWB is in disagreement with the disposition of an application for General Assistance by a person referred directly to a municipal welfare department, and the issues are not resolved by conference between the agencies concerned at the local level, a written statement of the relevant facts may be submitted to the Division for review and appropriate action.

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Social Services

3945. Referrals to County Welfare Board from Municipal Welfare Departments

.1 Method of Referral

When a municipal welfare department refers a person to the county welfare board for assistance, Form PA-14 will be used.

.2 Responsibility of County Welfare Board Receiving Referral

- a. When the referral results in an application, CWB shall, as promptly as possible, notify the municipal welfare department of the disposition of the application.

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