

N.J. Dept. of Institutions and Agencies.

Division of Welfare.

Bureau of Assistance.

MANUAL OF ADMINISTRATION, vo. 4.(Part 2800)

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

CHAPTER 2800

SOCIAL SERVICES

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*Not yet developed for Manual

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Part II
2800

The Individual and Public Assistance
Social Services - Public Assistance

2800. Social Services

2801. Social Services in Public Assistance, as Provided by County Welfare Boards

.1 Legislative Background

The Public Welfare Amendments of 1962 (P.L.87-543) represented a major milestone in the development and extension of social services as a basic function of public assistance programs.

The concept of social services to individuals on public assistance is not new. The amendments of 1956 gave this concept specific meaning and the legislative base for its implementation, by declaring:

"It is the purpose of this title ... to promote the well-being of the nation by encouraging the States to place greater emphasis on helping to strengthen family life and helping needy families and individuals attain the maximum economic and personal independence of which they are capable."

The 1962 amendments gave full endorsement to these objectives of strengthened family life and increased capacity for self-support and self-care, at the same time emphasizing services for the purpose of preventing or reducing dependency and promoting social rehabilitation. They further emphasized the agency's responsibility to each dependent child in evaluating the home conditions under which the child lives, and the child's specific needs.

The 1967 amendments give additional emphasis to services for self-support, employment, or training for employment, of parents in AFDC with necessary safeguards for the care of the children.

They provide for a broader scope of services than those designated by the 1962 amendments. They provide for the separation of functions of eligibility determination and services. Such separation will enable service staff, including para-professionals and supplemented by volunteers, to give full time to service activities; authorize the use of special units and auxiliary services, such as day care and homemaker services.

With the separation of functions, the county agency has an opportunity to assign service staff in a way that will achieve maximum results for the service program, and will increase the availability of services to all who need them. This will be accomplished through the agency program and through coordination with other community agencies.

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2802. Program Purpose and Objectives

.1 Program Purpose

[A primary purpose of the service amendments is to stimulate the development and extension of services in the public assistance program, designed so as to help families and individuals to attain and/or maintain self-sufficiency and to function as useful and productive members of the community, to the fullest of their capacities.

.2 Program Objectives

- a. Strengthening family life-this means sustaining and increasing the ability of parents to carry their parental responsibilities in the care, protection, and support of their children; and to sustain and increase the capacities of children to carry their appropriate role in total family life, to the end that children may have a home life conducive to healthy physical, emotional and social growth and development.

Strengthening family life relates to the family as a unit and to the role that each member plays within the family. The role that parents play and their personal needs and interests are basic considerations in services to strengthen family life.

Families have the right and the responsibility to provide for adequate health care, education and vocational training for their children, and children have the right to look to their parents for such care.

- b. Self-support - this means the economic capacity to provide partially or fully an adequate standard of living for oneself and for dependent members of the family. The aim of services directed toward this objective is to assist the individual to maintain or develop his skills and capacities and to use them for stable employment that is financially and personally rewarding. In aid to families with dependent children this objective must be compatible with the maintenance of continuing parental care and protection or to provide for adequate child care in the absence of the parent.

[While self-support is not a major program emphasis for the aged, services are provided to older people who desire such help and to young persons to assist them in preparing for employment.

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2802. Program Purpose and Objectives (Cont'd)

- .2 c. Self-care - this means the personal ability to meet any or all of the normal demands of every day life without continuing help from others. The aim is to assist the individual to use his full capacities for his own care, and to maintain participation in family life and relationships within the community.
- d. Rehabilitation - in the public assistance program rehabilitation is a broad concept concerned with overcoming personal and social handicaps, as well as physical or mental disabilities. The objective of rehabilitation services is to enable the individual to realize his optimum capacities for stable personal, social and family functioning, including self-support and self-care; to arrest further loss of functioning and to further increase or develop his capacities. When used in this sense, rehabilitation usually requires a range of services involving social, health, educational and vocational rehabilitation and the cooperation and collaboration of several professions and agencies.

In the public assistance agency, social services are directed toward helping clients: (1) mobilize their interests and energies for rehabilitation; (2) deal with personal or family problems that are barriers to rehabilitation; (3) arrange for and use medical care as may be indicated (e.g., physical restoration, psychiatric or other mental health services); and (4) when indicated, arrange for and use employment counselling, guidance, education or vocational training, training and demonstration in the use of needed auxiliary devices and placement services.

For many persons rehabilitation for self-support may be a long-term objective with initial services directed towards immediate considerations that must be dealt with as preliminary obstacles to an ultimate goal: e. g., mothers with children requiring care and supervision; teen-agers whose age, level of emotional maturity or lack of vocational preparation make immediate employment inadvisable or impossible; persons with multiple personal and family handicaps and low motivation.

2803. Background Information Concerning Social Services

Because human problems cover a wide range of situations and needs and people differ in their capacity to use help, the agency must be prepared to make available a variety of services through both its own facilities and those of other community resources. [For background information describing services commonly required, see Attachment A, filed immediately following sub-section 2809.]

2804. Requirements for the Provision and Implementation of Services

.1 Basic Requirements

- a. Social Services - each county welfare board is responsible for making available to applicants and recipients, in accordance with their needs and problems, the full scope of agency services under all programs including MAA and Medical Assistance (Medicaid).
- b. The Service Plan (See 2806.) - each county welfare board shall assure that a service plan be made:
 - 1) in the ADC program - on all cases, and that it include a service plan for the family and an individualized plan for each child.
 - 2) in the adult programs - on all cases, except for MAA and Medical Assistance only cases.
- c. Services at Intake - available services shall be made known to applicants.

"Intake" in this context covers the period from the date of application to final disposition.

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2804. Requirements for the Provision and Implementation of Services (Cont'd)

- .1 d. Coordination with child welfare services - each county welfare board shall effect coordination between the program of Assistance for Dependent Children and the programs administered by the Bureau of Children's Services [See 2807. and 2880.].

.2 Special Requirements

- a. Community resources - county and State agencies shall assume leadership in seeking assurance that community resources and services needed by ADC children, in the interest of their health, education and general welfare, will be made available to them as to other children in the community. This principle will apply whether the resources in question are public or voluntary; nationally administered, State administered or supervised, or locally organized and maintained, and:

- 1) when such services, presumably available, cannot be secured for a needy child, the worker shall be responsible for bringing this information, through proper channels, to the agency administration for such interagency exploration as may be deemed appropriate; and
- 2) when needed services are unavailable, or inadequate, in scope, variety, or quantity to meet the needs of ADC children, the agency must be prepared to make this situation known to local planning bodies and to work closely with them, and to help establish such planning groups in communities where they do not now exist, to the end that the needed services will be made available.

Agency leadership shall be similarly assumed in connection with the adult programs, in furthering and securing the use of community services to assist the individual client with his problem and to promote the general welfare.

- b. Maximum use of related agencies - in order to provide clients with services required by their individual needs, the county welfare boards should effect maximum utilization of other State and local public and voluntary agencies whose activities are similar or related to the public assistance programs. With respect to the following agencies, the providing of services shall be in the manner specified by existing cooperative agreements or operating instructions:

Bureau of Children's Services - Manual of Administration,
Sections 2807. and 2883.;

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2804. Requirements for the Provision and Implementation of Services (Cont'd)

- .2 b. Division of Employment Security - Manual of Administration, Section 2830.; and
- [New Jersey Rehabilitation Commission - Manual of Administration Section 2870.
- c. Plans for the selective use and training of staff - in order to provide effective services, county welfare boards should plan, insofar as it is administratively feasible, to assign cases presenting service needs to staff members best qualified to provide such services, or should take steps necessary for the gradual development of such planning. This will necessitate an all-out effort to recruit more professionally trained staff at both casework and supervisory levels; to provide in-service training in the methods and skills required for providing social services, with primary attention to such training for case supervisors; and to give more encouragement to staff to take advantage of the existing provisions for professional education in the Public Assistance Staff Development Program, Ruling II, Part III.
- d. Special methods in metropolitan areas - in order to deal constructively with problems resulting from social and economic factors present in heavily populated areas, the county welfare boards should employ special methods or arrangements whereby service needs can be identified and met. Although susceptible to use elsewhere, the following methods are of particular value in metropolitan areas:
- 1) assignment of staff members to special tasks such as:
 - a) location of deserting fathers in an attempt to effect their return and their assumption of support;
 - b) establishing paternity and helping putative fathers to accept their responsibilities;
 - c) making inquiry and evaluation of fraud or suspected fraud, in an effort to clarify and confirm the facts in the situation.
 - 2) special units for services to clients in nursing homes;
 - 3) special units for services to clients in boarding homes;
 - 4) casework demonstration projects with small case loads, with emphasis on preventative and rehabilitative services;

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2804. Requirements for the Provision and Implementation of Services (Cont'd)

- .2 d. 5) interagency projects for promoting rehabilitation services for welfare clients;
- 6) joint planning with local boards of education for adult classes for persons (including welfare clients) who are illiterate;
- 7) multi-agency, community-based projects for residents of public housing units, directed towards knowledge, methods, and skills in home management, child care, consumer education, and other aspects of home and community living;
- 8) field instruction units for students of graduate schools of social work.
- e. Progress reports - will be made as requested by the Department of Health, Education, and Welfare.

2805. Guides to the Identification of Needs and Problems to be Served and the Services to be Provided

In the schedule that follows there is presented for the various categories of assistance, a series of case classifications based on over-all major problem areas. Each such classification in turn delineates suggested services appropriate to the problem.

This schedule will serve as a guide in the identification and matching of identified problems and services. Whenever the circumstances of a case present one or more of these problem situations, the county welfare board is obligated to plan for and offer the related social services. The client may refuse such services unless they are mandatory by State law or federal regulation, such as protective services for children and evaluation for referral for WIN program. (See Attachment A page 2, 3.)

PROBLEMS AND RELATED SOCIAL SERVICES IN PUBLIC ASSISTANCE

PART I - FAMILIES AND CHILDREN IN ADC

<u>Case Classification by Problem</u>	<u>Scope of Services</u>
A. <u>Unmarried parents and their children with specified problems</u>	
Problems involving:	Service to help such families and their children in:
1. children whose status under State Law is not clarified	1. securing needed medical services including pre-natal, confinement and postnatal medical care for the mother and child
2. legal questions affecting rights of mother and child	2. planning for the future of the mother and child
3. unmarried mothers with first child	3. learning about child care and training if child remains with the mother or planning in respect to placement elsewhere
4. repeated out of wedlock children	4. improving environmental conditions seriously contributing to illegitimacy
5. out of wedlock pregnancies	5. securing legal advice regarding problems affecting the rights of the mother and child
6. conditions that foster illegitimacy	6. using the services of specialized agency and community resources in respect to serious problems or needs, e.g., the unmarried mother with her first child
7. relationship with father	7. advising the availability of family planning services
	8. counseling father

Part I - Continued

Case Classification by Problem

Scope of Services

B. Families disrupted by desertion or impending desertion

Problems involving:

1. repeated desertions or desertion in past year
2. interest in maintaining ties or reconciliation with absent parent
- [
3. remaining parent overburdened by dual responsibility or family seriously affected by loss of the absent parent
4. newly reconciled parents and other families with stresses threatening desertion
5. families deserted by the mother

Service to help such families and their children in:

1. maintaining ties or effecting reconciliation with the deserting parent
- [
2. coping with problems in recent desertion
3. carrying out the dual responsibilities of remaining parent
4. dealing with the serious problems of children resulting from loss of the parent
5. dealing with stresses conducive to desertion
6. obtaining and using specialized agency and community resources in respect to serious problems, e.g., marital conflicts of young couples, repeated desertions, adjustments of newly reconciled parents, children's behavior problems or overburdening resulting from loss of the parent and emotional disturbance of the remaining parent

PART I - Continued

Case Classification by Problem

Scope of Services

C. Families with adults or older youth with potentials for self-support

Adults whose age, physical condition and home responsibilities indicate the possibility of immediate or potential self-support in whole or in part, e.g.

1. father who is unemployed or has limited earnings
2. disabled adult with employment skills or requiring vocational training and/or placement
3. parent(s) or older children with employment skills or needing preparation or training to enter employment market
4. mother working full or part-time with problems in arranging satisfactory care for children, or with multiple burdens from employment and home-making

Service to help such individuals in:

1. evaluating their potentials for self-support
2. securing assessment of employment skills and opportunities
3. obtaining necessary medical services
4. making use of appropriate community resources to obtain training opportunities
5. securing and maintaining appropriate employment
6. assisting working mothers in planning for and securing appropriate child care
7. relieving the multi-burdens resulting from employment
8. referral to WIN program

PART I - Continued

Case Classification by Problem

Scope of Services

D. Children in need of protection

Children in present danger who are:

1. neglected, abused, delinquent
2. physically or emotionally deprived because of disorganized family life and continued money mismanagement
3. without supervision and guidance necessary for normal development

Service to assist the parent and, when appropriate, the child in:

1. improving home conditions including management of financial resources and assuming responsibility for care and guidance of their children
2. using community resources
3. arranging substitute care as needed for children who are seriously neglected and endangered by lack of parental care, until such time as the home conditions are improved
4. arranging, as needed, for the use of specialized agency and community resources in respect to serious problems or needs
5. reducing conflict and stress within the family which may lead to neglect or abuse of children
6. obtaining necessary health services

PART I - Continued

Case Classification by Problem

Scope of Services

E. Children with special problems

Problems involving:

1. children who are ill, handicapped or in poor physical condition and without medical care or health protection, in need of special educational opportunities and guidance to make full use of their intellectual capacities, have emotional problems handicapping their social adjustment and development
2. adolescents in need of opportunities and guidance to continue formal education
3. out-of-school and out- of-work older teenagers in need of planning for continued formal education or for employment

Service to assist the parent and, when appropriate, the child in:

1. securing and using medical resources, including clinical, psychological and psychiatric services
2. securing and assisting in working out plans for day care of children, as appropriate
3. securing and assisting in use of educational opportunities
4. assisting older teenagers in evaluating their interests and potentials for self-support and in preparing for and obtaining self-support
5. using the services of specialized agencies and other community resources
6. referral to WIN program and supportive services in cooperation with DES

PART I - CONTINUED

Case Classification by Problem

Scope of Services

F. Families with serious problems in family functioning

Families in which the level of functioning or dis-functioning seriously impairs family life and threatens the future of children, who are:

1. without a place to live in, living in seriously overcrowded or squalid surroundings or without home furnishings sufficient to permit family life
2. disorganized because of mother's illness, depression, ignorance, indifference, lack of homemaking skills
3. seriously disadvantaged by long-term dependency
4. socially isolated or in conflict with community or under stress because of breakdown or problem behavior of a parent

Service to and in behalf of such families in:

1. overcoming deficiencies in home management and money management
2. reducing conflict and stress disruptive of family life
3. stimulating and supporting cooperative effort among family members in improving family life
4. identifying need for medical services and using such services
5. advising of the availability of family planning services

PART I - (Cont'd)

Case Classification by Problem

Scope of Services

G. Families with problems in money management

Families in which mismanagement of available income consistently creates hardship for family members or others to whom the family is financially obligated, and who are:

1. repeatedly without money or food because of inability to plan expenditures or due to immature, compulsive or unwise spending
2. repeatedly pressured by accumulated needs or emergencies
3. threatened with eviction or cut-off of utilities due to indifference or inexperience in regard to financial obligations, or
4. exploited in money matters because of illiteracy, physical or mental condition or serious behavior problem of parent

Service to and in behalf of such families in:

1. providing help with family budgeting and purchasing
2. meeting financial obligations and debt management
3. dealing with accumulated needs and emergencies
4. preventing immature, compulsive or unwise spending
5. preventing exploitation by others in respect to money payment, and
6. using protective devices, as appropriate, for families with impaired capacity for money management due to physical or mental conditions

PART I - Continued

Case Classification by Problem

Scope of Services

H. Families disrupted by absence of parent for reasons other than desertion

Problems involving:

Service to and in behalf of such families in:

1. families with parent absent from home because of estrangement, separation or divorce, incarceration, in hospital or other institution
2. families estranged within past year
3. newly reconciled parents and others with stresses conducive to estrangement
4. cases with potentials for support from absent parents
5. families indicating interest in maintaining ties or effecting reconciliation with absent parent
6. remaining parent or older child overburdened by dual responsibility, or parent or children seriously affected by loss of absent parent
7. families in which mother is absent from home

1. maintaining ties or encouraging reconciliation with absent parent
2. assisting with current problems related to estrangement, separation or divorce
3. obtaining support from absent parent
4. assisting with problems related to incarceration or extended hospitalization
5. assisting with the overburdening responsibilities for remaining parent or older child
6. assisting family during mother's absence from the home

PROBLEMS AND RELATED SOCIAL SERVICES IN PUBLIC ASSISTANCE

PART II - OAA, DA, AB AND ADULTS IN ADC

Case Classification by Problem

Scope of Services

A. Aged and disabled individuals in need of protection

Persons who because of physical or mental limitations are:

1. unable to act in their own behalf
2. seriously limited in the management of their affairs
3. neglected or exploited
4. living in unsafe or hazardous conditions

Service to and in behalf of such persons in:

1. enlisting participation of relatives, friends and other resources in needed planning and protection
2. securing and maintaining safe living conditions
3. improving personal, home and money management
4. securing and using needed medical services and, when indicated, assisting in arranging for group care in medical or social care facilities
5. securing legal services and protection, including assistance to guardians and aid in the restoration of legal rights

PART II - Continued

Case Classification by Problem	Scope of Services
<u>B. Aged and disabled individuals requiring services to remain in or return to their own homes or communities</u>	
Persons with physical and mental conditions who:	Service to and in behalf of such persons in:
<ol style="list-style-type: none">1. require special care at home to avoid unnecessary placement in institutions, or2. are able to return to own home or community if special care is arranged and needed services are available	<ol style="list-style-type: none">1. planning for needed adjustments and management in own home2. planning for appropriate living arrangements3. enlisting interest and aid of relatives, friends and other resources4. securing needed medical services in own home5. securing institutional care as needed6. planning for return to own home or community
<u>C. Blind and other disabled individuals with potentials for self-support in whole or in part</u>	
Disabled persons:	Service to help such individuals in exploring interests and potentials for self-support and in:
<ol style="list-style-type: none">1. whose condition indicates the possibility of immediate self-support2. who have not had a previous evaluation of their self-support potential, or3. who have a good employment history and a strong desire for independence	<ol style="list-style-type: none">1. assisting with personal or family problems deterring self-support2. assessing of health condition, employment skills and employment potentials3. securing and using needed medical care4. when indicated, securing training opportunities and securing and maintaining appropriate employment aids essential to travel and employment

PART II - Continued

Case Classification by Problem

Scope of Services

D. Adults with potentials for self-care

Aged, sick, blind or disabled persons with any of the following specified problems related to physical or mental impairment:

1. living quarters, furnishings or equipment unsuited to adult's physical or mental condition
2. inability to perform household tasks or activities of daily living
3. inability to obtain or use medical resources
4. lack of mobility for maintenance of contacts with friends, relatives or for community participation

Service for such adults in:

1. making needed adjustments in living arrangements and home management
2. enlisting the interests and services of relatives and volunteer
3. meeting daily needs of personal care
4. securing and using medical resources
5. providing opportunities for using and developing skills or special interests

E. Adults who are isolated or estranged from family

Adults separated from relatives or living in isolated situations:

1. without means of communication or of maintaining participation in community life
2. with little or no contact with adult children
3. with strained family relationships or lack of family participation in planning for and meeting the needs of the adult

Service for such adults in:

1. enlisting and maintaining interest of family members
2. encouraging communication and visiting
3. enlisting participation of family members in planning to meet current and predictable needs

PART III - ALL CATEGORIES

Services for All Applicants

Services include:

1. service plan
2. short-term counselling and referral services, as may be indicated
3. any of the services listed on preceding pages (1-11) appropriate to the needs of the applicant

The purpose is to provide:

1. early identification and study of the potentials for:
 - a. improved family and individual functioning, and
 - b. reducing or eliminating dependency for new applicants at the earliest possible opportunity
2. immediate steps for bringing to bear on the situation the full resources of the agency and the community

2806 The Service Plan

The service plan is both a method and a process for acquiring and organizing information pertaining to the client's situation and needs. People may come to the public assistance agency for concrete services in addition to financial assistance, such as help in locating employment, need for more adequate housing, special services for children, etc. They may have problems in various aspects of living. They may be harassed and their own resources depleted. They may have feelings of desperation, even though these are hidden by various kinds of behavior.

.1 Purpose of the Service Plan

The service plan serves the following purposes:

- 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 service plan with clients that is helpful to them and is realistic in terms of their individual capacities and resources available.

.2 Setting and Process

If the service plan is to serve its purpose, it is important that certain minimum conditions are present, such as: privacy, an atmosphere of confidentiality, and the freedom of worker and client to communicate with each other. It is equally important that this worker-client relationship be guided so as to generate a feeling of trust and confidence whereby the worker may gain some understanding of the client and his situation. Being interested in the client, conveying this interest by explaining the reasons for needing to understand and maintaining this quality of interest throughout the exploratory process will help to maintain a good relationship. In general, the worker will recognize the client's strengths, will appreciate his efforts to improve his situation and will support his self-esteem.

Part II The Individual and Public Assistance
2800 Social Services - Public Assistance

2805. Requirements for the Provision and Implementation of Services (Cont'd)

- .2 d. 5) interagency projects for promoting rehabilitation services for welfare clients;
- 6) joint planning with local boards of education for adult classes for persons (including welfare clients) who are illiterate;
- 7) multi-agency, community-based projects for residents of public housing units, directed towards knowledge, methods, and skills in home management, child care, consumer education, and other aspects of home and community living;
- 8) field instruction units for students of graduate schools of social work.
- e. Progress reports - will be made as requested by the Department of Health, Education, and Welfare on the uses made of increased Federal funds.

2806. Guides to the Identification of Needs and Problems to be Served and the Services to be Provided

In the schedule that follows there is presented for the various categories of assistance, a series of case classifications based on over-all major problem areas. Each such classification in turn delineates:

the specific needs and problems of clients for which services must be provided, and

the defined services appropriate thereto.

This schedule will serve as a guide in the identification and matching of defined problems and services. Whenever the circumstances of a case present one or more of these problem situations, the county welfare board is obligated to plan for and provide the related social services.

PROBLEMS AND RELATED SOCIAL SERVICES IN PUBLIC ASSISTANCE

PART I - FAMILIES AND CHILDREN IN ADC

Case Classification by Problem	Scope of Defined Services
<u>A. Unmarried parents and their children with specified problems</u>	
Problems involving:	Service to help such families and their children in:
<ol style="list-style-type: none">1. children whose status under State Law is not clarified2. legal questions affecting rights of mother and child3. support from the absent parent not explored4. unmarried mothers with first child5. repeated out of wedlock children6. out of wedlock pregnancies7. conditions that foster illegitimacy8. relationship with father	<ol style="list-style-type: none">1. securing needed medical services including prenatal, confinement and post-natal medical care for the mother and child2. planning for the future of the mother and child3. learning about child care and training if child remains with the mother or planning in respect to placement elsewhere4. improving environmental conditions seriously contributing to illegitimacy5. securing legal advice regarding problems affecting the rights of the mother and child6. using the services of specialized agency and community resources in respect to serious problems or needs, e.g., the unmarried mother with her first child7. establishing paternity and securing support8. counseling father

PART I = CONTINUED

Case Classification by Problem

Scope of Defined Services

B. Families disrupted by desertion or impending desertion

Problems involving:

1. repeated desertions or desertion in past year
2. interest in maintaining ties or reconciliation with absent parent
3. support potentials from absent parent
4. remaining parent overburdened by dual responsibility or family seriously affected by loss of the absent parent
5. newly reconciled parents and other families with stresses threatening desertion
6. families deserted by the mother

Service to help such families and their children in:

1. maintaining ties or effecting reconciliation with the deserting parent
2. obtaining support from the absent parent
3. coping with problems in recent desertion
4. carrying out the dual responsibilities of remaining parent
5. dealing with the serious problems of children resulting from loss of the parent
6. dealing with stresses conducive to desertion
7. obtaining and using specialized agency and community resources in respect to serious problems, e.g., marital conflicts of young couples, repeated desertions, adjustments of newly reconciled parents, children's behavior problems or overburdening resulting from loss of the parent, and emotional disturbance of the remaining parent

PART I - Continued

Case Classification by Problem	Scope of Defined Services	
<u>C. Families with adults or older youth with potentials for self-support</u>		
Adults whose age, physical condition and home responsibilities indicate the possibility of immediate or potential self-support in whole or in part, e.g.	Service to help such individuals in:	
<ul style="list-style-type: none">1. father who is unemployed or has limited earnings2. disabled adult with employment skills or requiring vocational training and/or placement3. parent(s) or older children with employment skills or needing preparation or training to enter employment market4. mother working full or part-time with problems in arranging satisfactory care for children, or with multiple burdens from employment and home-making	<ul style="list-style-type: none">1. evaluating their potentials for self-support2. securing assessment of employment skills and opportunities3. obtaining necessary medical services4. making use of appropriate community resources to obtain training opportunities5. securing and maintaining appropriate employment6. assisting working mothers in planning for and securing appropriate child care7. relieving the multi-burdens resulting from employment8. referral to WIN program	
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PART I - Continued

Case Classification by Problem

Scope of Defined Services

D. Children in need of protection

Children in present danger who are:

1. neglected, abused, delinquent
2. physically or emotionally deprived because of disorganized family life and continued money mismanagement
3. without supervision and guidance necessary for normal development

Service to assist the parent and, when appropriate, the child in:

1. improving home conditions including management of financial resources and assuming responsibility for care and guidance of their children
2. using community resources
3. arranging substitute care as needed for children who are seriously neglected and endangered by lack of parental care, until such time as the home conditions are improved
4. arranging, as needed, for the use of specialized agency and community resources in respect to serious problems or needs
5. reducing conflict and stress within the family which may lead to neglect or abuse of children
6. obtaining necessary health services

PART I - Continued

Case Classification by Problem

Scope of Defined Services

E. Children with special problems

Problems involving:

1. children who are ill, handicapped or in poor physical condition and without medical care or health protection, in need of special educational opportunities and guidance to make full use of their intellectual capacities, have emotional problems handicapping their social adjustment and development
2. adolescents in need of opportunities and guidance to continue formal education
3. out-of-school and out- of-work older teenagers in need of planning for continued formal education or for employment

Service to assist the parent and, when appropriate, the child in:

1. securing and using medical resources, including clinical, psychological and psychiatric services
2. securing and assisting in working out plans for day care of children, as appropriate
3. securing and assisting in use of educational opportunities
4. assisting older teenagers in evaluating their interests and potentials for self-support and in preparing for and obtaining self-support
5. using the services of specialized agencies and other community resources
6. referral to WIN program and supportive services in cooperation with DES

PART I - CONTINUED

Case Classification by Problem

Scope of Defined Services

F. Families with serious problems in family functioning

Families in which the level of functioning or dis-functioning seriously impairs family life and threatens the future of children, who are:

1. without a place to live in, living in seriously overcrowded or squalid surroundings or without home furnishings sufficient to permit family life
2. disorganized because of mother's illness, depression, ignorance, indifference, lack of homemaking skills
3. seriously disadvantaged by long-term dependency
4. socially isolated or in conflict with community or under stress because of breakdown or problem behavior of a parent

Service to and in behalf of such families in:

1. overcoming deficiencies in home management and money management
2. reducing conflict and stress disruptive of family life
3. stimulating and supporting cooperative effort among family members in improving family life
4. identifying need for medical services and using such services

PART I - CONTINUED

Case Classification by Problem

Scope of Defined Services

G. Families with problems in money management

Families in which mismanagement of available income consistently creates hardship for family members or others to whom the family is financially obligated, and who are:

1. repeatedly without money or food because of inability to plan expenditures or due to immature, compulsive or unwise spending
2. repeatedly pressured by accumulated needs or emergencies
3. threatened with eviction or cut-off of utilities due to indifference or inexperience in regard to financial obligations, or
4. exploited in money matters because of illiteracy, physical or mental condition or serious behavior problem of parent

Service to and in behalf of such families in:

1. providing help with family budgeting and purchasing
2. meeting financial obligations and debt management
3. dealing with accumulated needs and emergencies
4. preventing immature, compulsive or unwise spending
5. preventing exploitation by others in respect to money payment, and
6. using protective devices, as appropriate, for families with impaired capacity for money management due to physical or mental conditions

2806. The Service Plan (Cont'd)

- .3 General Guides to the Use of the Service Plan Outline - within the framework of the worker-client relationship, the worker initiates the service plan by obtaining pertinent facts, both objective and subjective, about the individual or family and his (their) situation and needs, and by assembling and interrelating these facts so as to highlight:
- a. the nature of the problem(s) and the specific factors that constitute the core of the difficulty as presented by client;
 - b. the persons involved, their feelings and reactions with respect to the problem and their ability to cope with it;
 - c. identification of other service needs by worker.
 - d. assessment with client of service needs.

With this purpose in mind, the outlines should be used flexibly and with selectivity, in accordance with the nature of the specific problem. 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.

As the service plan is an on-going process during service contacts, the worker assigned responsibility for the provisional services, will review and evaluate changes in the family or individual situation and the implication of these changes for further case planning; or the worker may develop new insights with respect to the situation and the meaning it has for the persons involved. When such developments occur, a supplemental statement summarizing these changes and/or this new understanding, and properly up-dated, shall be added to the service plan. In any event, the service plan shall be reviewed and up-dated annually.

2806. The Service Plan (Cont'd)

.4 Factors Applicable to ADC

- a. The outline provided in 2806.9 shall be used in making a service plan as required in ADC using those elements of the outline which are relevant to the particular case situation. Parts V, VII and VIII of the outline must be included in every study reflecting consideration of all relevant information required by the service plan outline.
- b. In making an individualized study and service plan for each child the purpose should be to determine those children who are, or are likely to become, in need of protection (see 2805., Part I, D); and those with other specified needs or problems (see 2805., Part I, E).
- c. Criteria for use in the evaluation of inadequate care of children, and in the determination of an appropriate plan of action, are provided in Attachment B, "Guides to the Determination of Problems and Strengths in Various Aspects of Family and Community Living".
- d. In making the service plan, and during subsequent period of contacts with family, current knowledge must be maintained as to the home conditions and needs of each dependent child. Sources of such knowledge include:
 - 1) direct observation by the worker of the home and of the children;
 - 2) discussion with parents related to the age, health, and stage of development of each child and his particular needs; and
 - 3) discussion with relatives or others in the community who properly have knowledge and concern as to conditions in the home and the well-being of the children with parent's consent.

2806. The Service Plan (Cont'd)

.5 Factors Applicable to Adult Programs

The outline provided in 2806.10 shall be used in making a service plan as required in the adult programs. The plan should account for those elements of the outline which are relevant to the particular case situation. Parts VI and VII of the outline must be included.

.6 For "Guides to the Determination of Problems and Strengths in Various Aspects of Family and Community Living", see Attachment B.

.7 Recording of Services - it is anticipated that the service plan will, be incorporated in and become part of the on-going case record. As the services included in the plan are actually provided, these too shall be recorded, and as it becomes possible to evaluate the effects of these services in terms of the objectives originally established, such evaluation shall be added.

.8 Termination of Services - when the need for service no longer exists, or when the client no longer requests certain services, the service shall be terminated and the action taken and the reason therefore shall be recorded.

.9 OUTLINE FOR THE SERVICE PLAN IN ADC CASES

- I. Identifying information - case name and number; family composition listing individual members; their birthdates and relationship to the head of the household.
- II. Presenting problem that applicant or recipient brings to the agency; the major aspects of the problem as he sees it; how he feels about it, and additional problems as identified by the worker.
- III. Parental status identified in terms of: unmarried parent; impending desertion; absence of parent by desertion, death, divorce, separation, incarceration, estrangement, or institutionalization; both parents in home - individualization of parents, family relationships, interests, attitude toward children.

2806. The Service Plan (Cont'd)

.9 OUTLINE FOR THE SERVICE PLAN IN ADC CASES (CONT'D.)

IV. Social situation as it relates to absence of a parent in terms of:

family stability;

interest in maintaining family ties or reconciliation;

[in cases of unmarried parent this would include steps to establish paternity; attitude toward father; effect of dual responsibility carried by remaining parent for care of the children.

V. For each child, a brief statement as to:

appearance, characteristic behavior and other personality traits;

relationship with parent(s) and with brothers and sisters;

school attended and grade: attitude toward school, whether he attends regularly, is in the proper grade for his age, does acceptable work, has special abilities, or has any special problem in relation to school;

for the adolescent attending school: his interest in continuing education and/or career planning; if he is out of school: his plans for employment or special training, or his outlook for the future; (2286.3)

ability to get along with other children in school and in the neighborhood; for the adolescent: his involvement with friends, hobbies, and activities and interests outside the home;

special notation on the child or adolescent who is, or is likely to become in need of protection, or who has any specific needs or problems that require attention;

[health status: for those under treatment for physical or emotional conditions, the nature of the illness or disability and how it affects the child's functioning; adequacy of medical care; for those not receiving but apparently in need of medical care, including preventive and/or rehabilitative services: the child's attitude toward his condition; family's awareness of the health problem

2806. The Service Plan (Cont'd.)

.9 ●OUTLINE FOR THE SERVICE PLAN IN ADC CASES (Cont'd.)

- V. participation in household tasks (age permitting), nature and extent of duties performed;
- employment outside the home: extent and nature of such employment;
- supervising and guidance received from parent;
- [abilities and potentials that should be strengthened.

VI. Family functioning - a brief statement, as to:

[home environment - general atmosphere of the home: tense and unfriendly, relaxed and pleasant, or otherwise, cultural background

housing and housekeeping - adequacy as to: location, space and repairs; bathing, heating, laundry and similar facilities; basic housekeeping equipment and other furnishings; capacity for orderly management of home;

money management - ability to budget expenditures; if there are debts, the circumstances under which they were contracted and plans for repayment; evidence of exploitation by others and possible reasons therefore (e.g., physical or mental condition of parent, illiteracy, etc.);

[health of parent(s) - if under care for physical or mental health, the nature of the condition and how it affects the individual's functioning; adequacy of medical care if not under medical care, any evidence of need for such care;

employment of mother - if employed - extent of work and plans for care of children during her absence; if not employed - interest in obtaining work; evaluation of potential for employment or training for employment; (See 2286.2)

employment of father - if employed - evaluation of work history and earning potential; if unemployed - evaluation of employment potential, plan for employment; (See 2286.1; 2281.4 and .5)

[relatives and friends - as potential source of emotional and/or social support, and/or other services, availability to help in emergency situations or on an ongoing basis.

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2806. The Service Plan (Cont'd.)

.9 OUTLINE FOR THE SERVICE PLAN IN ADC CASES (Cont'd.)

VII. Evaluation of family situation - based on the facts given above, the ways in which they are related to each other, the meaning they have for client and family, and their implications for treatment, summarize briefly:

[the nature of the problem(s), its impact on client and family and what it means to them as evaluated by worker and client;

what the client would like to do about the problem; evaluation of the strengths and capacities within the family for coping with it;

services potentially available through relatives and other interested individuals; through the agency, and other community resources;

[assessment of need for short or long term services.

VIII. Recommended plan - with respect to the family problems noted above, and in order of priority for action, enter:

[objectives; services recommended and resources that might be used; and expectation as to client's understanding and readiness to accept and cooperate in the service plan, and

2806. The Service Plan (Cont'd)

.9

OUTLINE FOR THE SERVICE PLAN IN ADC CASES (CONT'D)

VIII. for each child in the family, an individual statement as to:
the objective sought; and the method to be used.

If the recommendation for a child or for the family is "no service for the present", client should be advised of the availability of services should need arise.

.10

OUTLINE FOR THE SERVICE PLAN IN ADULT PROGRAMS

- I. Identifying information - case name and number
- II. Presenting problem that applicant or recipient brings to the agency; the major aspects of the problem as he sees it; how he feels about it.
- III. Social situation:
 - marital status;
 - educational background;
 - health status - if under care for problems of physical or mental health, the nature of the illness or disability and how it affects the individual's functioning; adequacy of medical care if not receiving but in need of medical care, including preventive and/or rehabilitative services, the individual's attitude toward his condition;
 - employment status: for client who is potentially employable, his work skills, interests and possibilities.
- IV. Living arrangements - indicate whether living alone, in rooming or boarding facility, or other special arrangement; if living with family, list other family members and relationship to client; and
 - suitability in terms of specific needs and functional limitations of the aged or handicapped person; adequacy as to: location in relation to transportation and shopping facilities, state of repairs, flights of stairs to be climbed, bathing, heating, laundry and similar facilities; basic housekeeping equipment and other furnishings; capacity for orderly management; etc.

2806 The Service Plan (Cont'd.)

.10

OUTLINE FOR THE SERVICE PLAN IN ADULT PROGRAMS (CONT'D.)

- IV. for the aged or handicapped person living alone, or in a residential setting, or in a family group providing general care: opportunity for friendly communication, for participation in group activities, and for involvement in "living", need for other arrangements for client's protection;
- [money management: ability to budget expenditures; if there are debts, the circumstances under which they were contracted and plans for repayment; evidence of exploitation by others and possible reasons therefore (e.g. physical or mental condition, illiteracy, etc.);
- V. [Family and social relationships - relatives and friends as potential source of emotional and/or social support; availability for aid in emergencies.
- Interests and activities; community contacts.
- VI. Evaluation - based on the facts given above, the ways in which they are related to each other, the meaning they have for client, and their implications for treatment, summarize briefly:
- [the nature of the problem(s); how it affects the client and his pattern of living and what it means to him;
- what the client would like to do about the problem; evaluation of his strengths and capacities for coping with it;
- [evaluation of need for protective services or services for self care;
- services potentially available through relatives and other interested individuals; through the agency and other community resources.
- VII. [Recommended plan of treatment - with respect to the situations noted above, and in order of priority for action, enter:
- [treatment goals; services planned for achieving these goals and resources that might be used; and expectation as to client's understanding and readiness to accept and cooperate in the treatment plan.

PART III - ALL CATEGORIES

Services at Intake for All Applicants (Application Process)

Services at intake include:

1. initial social study
2. short-term counselling and referral services, as may be indicated*
3. any of the "defined services" listed on preceding pages (1-11) appropriate to the needs of the applicant

The purpose is to provide:

1. early identification and study of the potentials for:
 - a. improved family and individual functioning, and
 - b. reducing or eliminating dependency for new applicants at the earliest possible opportunity
2. immediate steps for bringing to bear on the situation the full resources of the agency and the community

* Services to cases classified as "Inquiries" not to be included in claiming or reporting for "defined services"

2807. The Social Study

The social study is part of the casework process and is developed through the worker-client relationship. People come to the public assistance agency for financial assistance and other concrete services, such as help in locating employment, need for more adequate housing, special services for children, etc. They have reality problems in various aspects of living. Their own efforts to find a solution for their difficulties have failed. They are harassed and their own resources are depleted. They have feelings of desperation, even though these may be hidden by various kinds of behavior. Chances are they are in the midst of a crisis situation in which they are experiencing excessive pressure. Psychologically the person is saying to the worker (agency), "I have an urgent need. I ask your help".

This coming together of client and caseworker around the client's problem constitutes the beginning of the casework process. It is at this point that the worker undertakes the social study. This is done through a process of exploration, and through this process a relationship between client and worker is established.

- .1 Purpose of the Social Study is to determine the nature of the client's problem, to identify service needs, and to formulate a plan of treatment designed to enable the client to work towards the resolution of his problem.

In this connection it should be remembered that a service should not be regarded as an end in itself but rather as a means toward achieving the desired goal.

- .2 Setting and Process - if the social study is to serve its purpose, it is important that agency and worker assure certain minimum conditions such as: privacy, an atmosphere of confidentiality, and the freedom of worker and client to communicate with each other. It is equally important that this worker-client relationship be guided so as to generate a feeling of trust and confidence whereby the worker may gain some understanding of the client and his situation. Being interested in the client, conveying this interest by explaining the reasons for needing to understand and maintaining this quality of interest throughout the exploratory process will help to maintain a good working relationship. In general, the worker will recognize the client's strengths, will appreciate his efforts to improve his situation and will support his self-esteem.

2807. The Social Study (Cont'd)

- .3 General Guides to the Use of the Social Study Outline - within the framework of the worker-client relationship, the worker initiates the social study by obtaining pertinent facts, both objective and subjective, about the individual or family under study and his (their) situation and needs, and by assembling and interrelating these facts so as to highlight:
- a. the nature of the problem and the specific factors that constitute the core of the difficulty as presented by client;
 - b. the "defined" problems identified during the social study process; (see 2806., pgs. 1-12)
 - c. the persons involved, their feelings and reactions with respect to the problem and their ability to cope with it, in other words, to make such persons "come alive."

With this purpose in mind, the social study outlines should be used flexibly and with selectivity, in accordance with the nature of the specific problem. 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.

As the social study is an on-going process which continues throughout the worker-client relationship the worker will, at the time of eligibility re-determination and at such other times as may be indicated, review and evaluate changes in the family or individual situation and the implication of these changes for further case planning; or the worker may develop new insights with respect to the situation and the meaning it has for the persons involved. When such developments occur, a supplemental statement summarizing these changes and/or this new understanding, and properly updated, shall be added to the original social study. This new material shall be recorded in accordance with appropriate headings taken from the social study outline including, when necessary, a revised evaluation and plan of treatment.

Thus, through the social study it is possible to ascertain and clarify the facts of the situation as the worker understands it, as it is seen and felt by the client, and as it changes over a period of time.

2807. The Social Study (Cont'd.)

.4 Factors Applicable to ADC

a. The outline provided in 2807.9 shall be used in making a social study as required in ADC. The study should account for those elements of the outline which are relevant to the particular case situation, and in receiving cases this may be done either by inclusion in the study or by reference to material already in the case record. Parts VII and VIII of the outline must be included in every study reflecting consideration of all relevant information required by the social study outline.

b. In making an individualized study and social plan for each child the purpose should be to determine those children who are, or are likely to become, in need of protection (see 2806., Part I, D); and those with other specified needs or problems (see 2806., Part I, E).

c. Criteria for use in the evaluation of inadequate care of children, and in the determination of an appropriate plan of action, are provided in Attachment B, "Guides to the Determination of Problems and Strengths in Various Aspects of Family and Community Living".

d. In making the social study, and during the subsequent period of eligibility, current knowledge must be maintained as to the home conditions and needs of each dependent child. Sources of such knowledge include:

- 1) direct observation by the worker of the home and of the children;
- 2) discussion with parents related to the age and stage of development of each child and his particular needs; and
- 3) discussion with relatives or others in the community who properly have knowledge and concern as to conditions in the home and the well-being of the children.

Currency of knowledge will be enhanced by home visits made with at least the minimum of frequency required by Section 2612. of the Manual of Administration.

2807. The Social Study (Cont'd.)

.5 Factors Applicable to Adult Programs

The outline provided in 2807.10 shall be used in making a social study as required in the adult programs. The study should account for those elements of the outline which are relevant to the particular case situation, and in receiving cases this may be done by inclusion in the study or by reference to material in the case record. Parts V and VI of the outline must be included in every study reflecting consideration of all relevant information required by the social study outline.

.6 For "Guides to the Determination of Problems and Strengths in Various Aspects of Family and Community Living", see Attachment B.

.7 Recording of Services - it is anticipated that the Social Study will, in one way or another, be incorporated in and become part of the on-going case record. As the services included in the Recommended Plan of Treatment are actually provided, these too shall be recorded, and as it becomes possible to evaluate the effects of these services in terms of the objectives originally established, such evaluation shall be added.

.8 Termination of Services - when the need for service no longer exists, or when, after careful consideration, it appears that a sufficient period of time has elapsed and that further continuation of service is of no avail, the service shall be terminated and the action taken and the reason therefor shall be recorded.

.9 OUTLINE FOR THE SOCIAL STUDY OF ADC CASES

I. Identifying information - case name and number; family composition listing individual members; their birthdates and relationship to the head of the household.

II. Presenting problem that applicant or recipient brings to the agency; the major aspects of the problem as he sees it; how he feels about it.

III. Parental status identified in terms of: unmarried parent; desertion or impending desertion; absence of parent for other reasons (death, divorce, separation, incarceration, estrangement, or institutionalization); or incapacitated parent; unemployment of parent(s); or insufficient income of parents.

2807. The Social Study (Cont'd.)

.9 OUTLINE FOR THE SOCIAL STUDY OF ADC CASES (CONT'D.)

IV. Social situation as it relates to absence of a parent in terms of:
family stability;

interest in maintaining family ties or reconciliation;

support (in cases of unmarried parent this would include steps to establish paternity as well as exploration of support); and

effect of dual responsibility carried by remaining parent for care of the children.

V. For each child, a brief statement as to:

appearance, characteristic behavior and other personality traits;

relationship with parent(s) and with brothers and sisters;

school attended and grade: attitude toward school, whether he attends regularly, is in the proper grade for his age, does acceptable work, has special abilities, or has any special problem in relation to school;

for the adolescent attending school: his interest in continuing education and/or career planning; if he is out of school: his plans for employment or special training, or his outlook for the future; (2286.3)

ability to get along with other children in school and in the neighborhood; for the adolescent: his involvement with friends, hobbies, and activities and interests outside the home;

special notation on the child or adolescent who is, or is likely to become in need of protection, or who has any specific needs or problems that require attention;

health status: for those under treatment for physical or emotional conditions, the nature of the illness or disability and how it affects the child's functioning; for those not receiving but apparently in need of medical care, including preventive and/or rehabilitative services: the child's attitude toward his condition;

2807. The Social Study (Cont'd.)

.9 OUTLINE FOR THE SOCIAL STUDY OF ADC CASES (CONT'D.)

V. participation in household tasks (age permitting), nature and extent of duties performed;

employment outside the home: extent and nature of such employment;

supervising and guidance received from parent.

VI. Family functioning - a brief statement, as to:

general atmosphere of the home: tense and unfriendly, relaxed and pleasant, or otherwise, cultural background;

money management: ability to budget expenditures; if there are debts, the circumstances under which they were contracted and plans for repayment; evidence of exploitation by others and possible reasons therefore (e.g. physical or mental condition or parent, illiteracy, etc.);

housing and housekeeping - adequacy as to: location, space and repairs; bathing, heating, laundry and similar facilities; basic housekeeping equipment and other furnishings; capacity for orderly management of home;

health of parent(s); if under care for physical or mental health, the nature of the condition and how it affects the individual's functioning; if not under medical care, any evidence of need for such care;

employment of mother: if employed - extent of work and plans for care of children during her absence; if not employed - interest in obtaining work; evaluation of potential for employment or training for employment; (See 2286.2)

employment of father: if employed - evaluation of work history and earning potential; if unemployed - evaluation of employment potential, plan for employment; (See 2286.1; 2281.4 and.5)

relatives and friends as potential source of emotional and/or financial support, and/or other services.

2807. The Social Study (Cont'd.)

.9 OUTLINE FOR THE SOCIAL STUDY OF ADC CASES (CONT'D.)

VII. Evaluation of family situation - based on the facts given above, the ways in which they are related to each other, the meaning they have for client and family, and their implications for treatment, **summarize** briefly:

the nature of the problem(s), how it manifests itself and how it came about; its impact on client and family and what it means to them as evaluated by worker and client;

[what the client would like to do about the problem; evaluation of the strengths and capacities within the family for coping with it;

services potentially available through relatives and other interested individuals; through the agency, and other community resources.

for each child in the family, a brief summary of:

the problems and needs identified under V above, the implications of these findings for the future of the child, and the abilities and potentialities of the child that should be protected and further strengthened.

VIII. Recommended plan - with respect to the family problem noted above, and in order of priority for action, enter:

[objectives; services recommended and resources that might be used; and expectation as to client's understanding and readiness to accept and cooperate in the treatment plan, and

2807. Coordination between Public Assistance and Child Welfare Services

Coordination between the programs of Assistance for Dependent Children and child welfare services (as contemplated by Titles IV and V of the Federal Social Security Act), so far as this concerns social services to families and children, is established by the Statement of Understanding and related materials set forth in Section 2880. of the Division of Public Welfare Manual of Administration.

In support and supplementation of plan for providing social services, further coordination of the programs of public assistance and child welfare services is achieved by:

- a. the single organizational unit established in the Division of Public Welfare;
- b. joint program planning and policy development under direction of the chief executive officer of the single organizational unit;
- c. joint training sessions for staffs of the Bureaus of the Division of Public Welfare and the County Welfare Boards, under the leadership of staff consultants of these agencies; and
- d. joint community planning by the State agencies, and the county welfare boards and district offices, for the purpose of identifying gaps in services and resources, establishing priorities of service, and giving leadership in regard to unmet needs. Such community planning also contemplates local participation with related community agencies and organizations through structured activities.

2808. Accounting for and Recording of Social Services Provided

- .1 Form PA-22 (continue use temporarily as administrative control over provisions of services pending further revisions).

Form PA-22, Record of Services (See Appendix IV), shall be prepared for all recipient cases in all programs, except MA, MAA and Cuban Refugee program.

a. Purposes of Form PA-22

Form PA-22 currently serves the following purposes:

- 1) to provide a summary record and index of the provision of services for prescribed Federal reports and periodic audits by both the Division of Public Welfare and the Federal Government;
- 2) to provide a summary record of social services activity for supervisory review and evaluation.

b. Completion of Form PA-22 (For the present, disregard instructions on reverse side of form).

- 1) Prepare a form for each public assistance case as required above. Fill in the identifying information as to case name, case number, date of opening and, for ADC cases, the number of eligible children in the family.
- 2) Enter the date opposite (Service Plan) Completed.

2808. Accounting for and Recording of Social Services Provided (Cont'd)

- .1 b. 3) Leave "classification" and "reclassification" blank.
- 4) For each case classified as having a social problem enter date (in column headed "Date Problem Identified") opposite the major problem area applicable in a given situation. (See Manual of Administration 2805. pgs. 1-12)
- 5) Problems will be identified during the service plan process initially and on a continuing basis. As they are so identified, enter date after the major problem area which is applicable.
- 6) The caseworker will check (x) the month in which a service is provided. Each check mark must be supported by an appropriate entry in the case record giving the nature and purpose of the service.

2808. Accounting for and Recording of Social Services Provided (Cont'd)

.2 Form PA-22b

Form PA-22b, Record of Services for Applicants, (See Appendix IVA) shall be prepared for applicant cases in all categorical programs.

a. Purpose of Form PA-22b

- 1) To provide a summary record and index of the provision of services at Intake. (2805., page 12)
- 2) To provide a summary record of the "objectives" of services provided which will supply information needed for statistical report.

2809. Communication between Income Maintenance Section and Service Sections

When a client tells a worker in the Income Maintenance Section of a need for services, that worker is responsible for transmitting such a request to the Service Section. Similarly, when the service worker receives information from the recipient or other sources that indicate a possible change in eligibility or extent of need, the service worker is responsible for transmitting such information to the Income Maintenance Section for evaluation and decision. The service worker should advise the client of this requirement.

Effective and prompt communication between the Sections will be an important factor in achieving the objectives inherent in the separation of functions of eligibility determination and services.

Information to another Section should be in writing or by telephone, followed by a written confirmation.

In addition to a specific request by or information obtained from clients, communication between the Sections shall be made for such situations as:

1. changes in residence, size of family and living arrangements,
2. observation by eligibility worker, of obvious need for service or crisis situation,

or

observation by service worker of changes affecting eligibility factors,

3. information from a relative or community (other agency) affecting status of case.

2809. Accounting for and Recording of Social Services Provided (Cont'd)

- .1 b. 3) Under "Classification," indicate whether a defined social problem(s) has or has not been identified and the date of such determination. The terms, "Classification" and "Reclassification," as used here, refer only to the determination of whether or not a defined social problem(s) has been identified in a particular case. The reclassification item will be used only when a particular case changes to or from a "defined social problem identified" classification. Problems related to the determination of eligibility and provision of financial assistance are not to be considered defined social problems.
- 4) For each case classified as having a defined social problem enter date (in column headed "Date Problem Identified") opposite the major problem area applicable in a given situation. (See Manual of Administration 2806. pgs. 1-12)
- 5) Problems will be identified during the social study process initially and on a continuing basis. As they are so identified, enter date after the major problem area which is applicable. If the problem area identified pertains to a case which has not been classified as "defined social problem(s) identified," the status will be changed accordingly.
- 6) The caseworker will check (x) the month in which a service is provided. Each check mark must be supported by an appropriate entry in the case record giving the nature and purpose of the service. The letters "DS" will be entered in the margin of the case record next to the description of the service(s) provided. No case should be reported as having received a defined service unless and until a social study has been completed for such case.
- 7) Although a case may be claimed for purposes of Federal participation, when one service is provided during a quarter, all defined services provided during a particular quarter should be entered in order to serve the other purposes of the form.
- 8) While the redetermination process includes a review of the social service needs of a case, with updating of the social study, such review is not automatically countable as a provision of defined services. If, in the course of redetermination, a problem is identified and a defined social service is provided, this action will be recorded and counted on the PA-22 as indicated above.

Part II The Individual and Public Assistance
2800 Social Services - Public Assistance

2809. Accounting for and Recording of Social Services Provided (Cont'd)

.2 Form PA-22b

Form PA-22b, Record of Services for Applicants, (See Appendix IVA) shall be prepared for applicant cases in all categorical programs.

a. Purpose of Form PA-22b

- 1) To provide a summary record and index of the provision of services at Intake.

[Services provided at Intake are countable for additional Federal participation provided the services given are of the nature described in Manual of Administration 2806., page 12. Intake services include all such services provided to applicants during the application process whether provided by "Intake" worker in office or by field worker.

- 2) To provide a summary record of the "objectives" of services provided which will supply information needed for statistical report.

B. Methods of Service (Cont'd)

5. a. 4) the services must be State-wide, or the need served must be recognized as a State-wide responsibility with assurance for the progressive extension of the service to all areas of the State where there is demonstrated need;
- 5) there is provision for supervisory review and reevaluation of the need for and suitability of the service in each case.

b. Specific complementary services include:

1) Homemaker service - Homemaker service is a specialized service which complements the casework service of the agency for the purpose of maintaining, strengthening, improving and safeguarding the home when family life or family functioning is threatened. Homemaker service may be provided to current recipients of public assistance. The homemaker is not a domestic servant, nor a substitute for a registered or practical nurse. Homemaker service will be used in those situations in which the regular homemaker (usually the mother or mother person) is absent, ill, or unable to perform part or all of her usual duties because of other demands or lack of capacity, including lack of knowledge and skill. Homemaker service may also be used to assist aged, chronically ill and disabled persons to remain in or return to their own homes through help in home management, shopping and personal service. (Personal service is defined as a service to the ill or disabled person, such as assistance with bathing, dressing, ambulation and exercise, under medical supervision.) The homemaker may also assist the nurse, physical therapist, or family member in helping the aged and the disabled family member to improve capacity for self-care and independent living. Conditions specified for this service are:

a) the homemakers will not be used to provide casework or other professional services but, in accordance with the agency casework plan, will assist in the care of children, aged or disabled persons, in the maintenance and daily management of the home and household routines, and, where indicated, in the training of family members in appropriate methods of home management and child care. The latter function will not be undertaken except with the cooperation and planning of the caseworker and other appropriate agency staff.

Where neglect or abuse of children is suspected or known to be a problem, or where protective service for older persons is needed, the homemaker may be used to assist the family and the caseworker to explore and clarify the problem, thus assisting the agency in determining if the home situation could be improved, or whether the agency should consider alternative methods, care and protection.

B. Methods of Service (Cont'd)

5. b. 1) b) a homemaker may be available from the service operated by a County Welfare Board.

When there is not a homemaker service operated by the County Welfare Board, or an appropriate homemaker is not available from such service, or a home-health aide is required, arrangements for a homemaker or home-health aide should be made with a Community Homemaker Service Agency.

c) the homemaker service operated by the County Welfare Board shall be supervised and directed by a Homemaker Service Supervisor. (Casework Supervisor)

d) in the service operated by the County Welfare Board, the homemaker will be recruited and employed as a staff member under the Merit System, subject to a health examination. Homemakers will be selected on the basis of interviews with the Homemaker Service Supervisor, and serve a probationary period not to exceed 3 months. The County Welfare Board will provide initial and continuing training for the homemakers in accordance with the prescribed content of the State training plan.

e) agency operated homemaker service will be available in some County Welfare Boards and extended progressively as need is demonstrated. Where homemaker service is not an agency operated service, funds for such service shall be included in the grant of the family or individual to purchase such service from the community operated homemaker agency. Each County Welfare Board will designate a Homemaker Service Coordinator (Casework Supervisor) to coordinate the activities, knowledge, training and use of Homemaker Service with casework staff and to act as liaison with the community operated Homemaker Service Agencies.

f) the "Handbook for Homemaker Service" gives in detail, background information, implementation, guidelines for operating a service in a County Welfare Board as well as guidelines for the use of homemaker services from community agencies.

- 2) Social group work services - this method utilizes the group as the medium through which the individual learns to cope with his problems, grows and develops his capacities for more adequate social and personal functioning. The specific condition for this service requires that:

services be directed by professionally trained social group workers or by other social work staff with training and experience in the use of group work methods.

B. Methods of Service (Cont'd.)

5. b. 3) Volunteer services - services are provided to individuals and groups by volunteers under the direction and supervision of paid professional staff to complement the service provided by paid agency staff. Volunteers perform a variety of specific activities as defined by the agency. The specific conditions are:
- a) distinction is made between the role and function of volunteers and those of paid agency staff;
 - b) volunteers function as agency staff and are supervised by the agency;
 - c) there are plans for the recruitment and training of volunteers.
- 4) Foster family care for adults - is a service to adults in need of social care in a family setting. Foster families serve as an extension of agency resources and are assisted by the agency to provide the care and attention needed by individual adults. The specific conditions are:
- a) there are standards for the selection of such homes and the homes used are approved by the State agency in accordance with such standards;
 - b) there is a plan for the recruitment and study of such homes;
 - c) foster family care is used only when appropriate and desired by the individual adult, and with his participation in the selection of the home in which he will live;
 - d) foster family homes are not used for persons requiring care in a medical or psychiatric facility, except for temporary periods pending arrangements for appropriate care.
- 5) "Special Services" for self-care and for self-support - special services are often needed to help the person develop, improve, and/or restore his capacities for self-care and self-support. The specific conditions are that:
- a) "special services" for self-care include training in personal care, home management, and development of skills; the technical skills used in providing these services are defined for the various classifications of personnel used: e.g., therapists, teachers, group workers, caseworkers, etc.; "special

B. Methods of Service (Cont'd.)

5. b. 5) a) (Cont'd.) services" for self-support include vocational and employment counselling and, if indicated, use of sheltered workshops to develop or test ability and readiness to undertake employment, vocational counselling and training, job location and placement; the special skills used in providing these services are defined for the various classifications of personnel used, e.g., vocational and employment counsellors, job finders, teachers;

b) above services should ordinarily be obtained from other public agencies, if clients are eligible for same, in the manner and within the limitations prescribed by State policy.

State of New Jersey

DEPARTMENT OF INSTITUTIONS AND AGENCIES BUREAU OF ASSISTANCE

ADMINISTRATIVE OFFICES
129 EAST HANOVER STREET
TRENTON, NEW JERSEY

TELEPHONE
AREA CODE 609



ADDRESS REPLY TO:
STATE OF NEW JERSEY
BUREAU OF ASSISTANCE
P. O. BOX 1627
TRENTON, NEW JERSEY 08625

August 15, 1966

Circular Letter No. 224

TO COUNTY WELFARE BOARDS

Subject: "Special Age-72 Benefits" (Interim Instructions)
(Manual of Administration 2820.)

Conditions of Eligibility

Public Law 89-368 establishes under section 228 of Title II of the Federal Social Security Act a new program known as "Special Age-72 Benefits," effective October 1, 1966. This program covers individuals not otherwise eligible for OASDI who

1. are 72 years of age or over;
2. are residents of the United States;
3. are citizens of, or aliens having five years continuous residence in, the United States; and
4. are not concurrently receiving public assistance through OAA, AB, DA or ADC.

An otherwise eligible individual attaining age 72 before 1968 will be entitled to Special Age-72 Benefits regardless of quarters of coverage.

Amount of Benefits

Special Age-72 Benefits provide \$35 per month for each eligible individual. In case a husband and wife living together are both individually entitled, the husband's benefit is \$35 and the wife's is \$17.50 per month.

The special benefit payment for any individual will be reduced by the amount of any governmental pension payment to which he is entitled, whether applied for or not. It will not be reduced by the amount of workmen's compensation payment or compensation payment by the Veterans Administration for service-connected disability or death.

When an individual is covered for Supplementary Medical Insurance, the monthly premium will be deducted from the Special Age-72 Benefit. In such case, the monthly cash benefit payment for the individual would be \$32. In the case of

a husband and wife both covered for SMI, the total monthly cash benefit payment would be \$46.50.

Choice by Public Assistance Recipient

As indicated above, an individual cannot receive both public assistance (OAA, AB, DA, ADC) and the Special Age-72 Benefit during the same month. However, if the monthly amount of the public assistance payment is less than the monthly amount of the special benefit, it may be advantageous for the individual(s) to request termination of public assistance in order to qualify for the special benefits. In addition to the amount of assistance, consideration must also be given to other factors such as the loss of entitlement to those vendor payments for health care which are supplementary to the assistance payment.

The purpose of the interim instructions which follow is to enable the exercise of free choice by any public assistance recipient who may be advantaged by applying for the Special Age-72 Benefit. (Although not subject to these instructions, consideration should be given to a choice by new applicants for assistance who may be similarly advantaged.)

Action by Social Security Administration

The SSA is assuming responsibility for direct contact with individuals who appear potentially eligible for Special Age-72 Benefits, and for whom there is no "buy-in" agreement for Supplementary Medical Insurance. The results of this policy in New Jersey are as follows:

1. SSA will possibly be contacting some individuals who are receiving AB, DA or ADC. Procedures of SSA are intended to reveal the public assistance status and enable proper choice of continuing assistance or receiving the special benefits. However, each CWB may identify such individuals for the purpose of interview, or filing a Form PA-20, or both.
2. SSA is initially assuming that an OAA recipient would not be advantaged by applying for the Special Age-72 Benefits. Action by the CWB, as outlined below, is necessary to protect the interests of those OAA recipients for whom this assumption is not valid.
3. SSA district offices will not have information as to individuals for whom OAA was terminated (for reasons other than death) and who were therefore removed from the "buy-in" group after May 31, 1966. Action by the CWB, as outlined below, is necessary so that SSA will contact such individuals who may be eligible for the Special Age-72 Benefits.

Action by CWB

For the purposes indicated above, each CWB will take the following actions:

1. Identify from the OAA assistance register or payroll those recipients whose monthly grants are less than \$35 per month for an individual, or less than a total of \$52.50 for a husband and wife.
2. Eliminate all such individuals who are OASDI beneficiaries, and make separate listings of the remainder who (1) will attain age 72 on or before November 1, 1966, and (2) will attain age 72 after November 1, 1966 but on or before January 1, 1967. (In the case of a husband and wife living together, do not list either spouse unless both are individually eligible for OAA.)
3. Interview each OAA recipient on these listings to explain their entitlement to Special Age-72 Benefits. It must be emphasized that public assistance would be terminated, that they will not be eligible for CWB medical vendor payments except as they may qualify for MAA, and that the special benefits would be reduced by the amount of any governmental pension payments being received.
4. If an individual wishes to apply for the Special Age-72 Benefits, and will attain age 72 before November 1, 1966, have him complete SSA Form 1555, "Statement of Person Applying for the Special Age-72 or over Monthly Benefit." (Forms available from the SSA district offices.)
5. If an individual wishes to apply for the special benefits, and will attain age 72 after November 1, 1966 but on or before January 1, 1967, refer him to the SSA district office to make application.
6. Submit to the appropriate SSA district office by September 1, 1966 a listing of those persons who wish to receive the Special Age-72 Benefits and who will attain age 72 on or before November 1, 1966. The following information is to be included:
 - a. name
 - b. address
 - c. birth date (if between 72 and 74, how verified)
 - d. public assistance recipient number
 - e. social security account and claim numbers (if

August 15, 1966

- 4 -

widow, add name and social security account number, if available, of deceased spouse)

- f. termination date of public assistance (show as November 1, 1966 and take action accordingly.)

Attach to this listing the Forms 1555 for each individual listed. SSA advises that the first special benefit payments will be made on November 3, 1966.

7. Submit to the appropriate SSA district office by September 1, 1966 a similar but separate listing of those persons who wish to receive Special Age-72 Benefits and who will attain age 72 after November 1, 1966 but on or before January 1, 1967. Show as the termination date of public assistance the first of the month following the month in which the individual will attain age 72, but take action only to suspend payment of assistance pending verification that Special Age-72 Benefits have been allowed. Attach to this listing a Form PA-20 for each individual listed.
8. Submit to the appropriate SSA district office a listing of individuals whose OAA was terminated (for reason other than death) after May 31, 1966, including prospective terminations as of September 1, 1966.

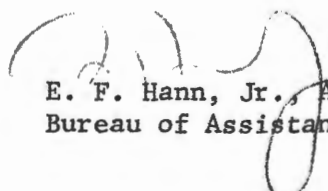
Liaison with SSA

The above procedures were developed through conference with SSA representatives, and SSA district offices will be prepared to afford cooperation as necessary to accomplish the required reporting. It can be anticipated that the district offices may request opportunity to discuss this new benefits program with the CWB.

Permanent Instructions

Manual material concerning Special Age-72 Benefits, with permanent instructions for case review and referral, is being developed. Pending issue, this Circular Letter should be filed as supplement to Manual of Administration, section 2820.

Very truly yours,


E. F. Hann, Jr., Acting Chief
Bureau of Assistance

EFH:e

Approved
Irving J. Engelman, Director
Division of Public Welfare

State of New Jersey

DEPARTMENT OF INSTITUTIONS AND AGENCIES BUREAU OF ASSISTANCE

ADMINISTRATIVE OFFICES

STATE OFFICE BUILDING
SECOND FLOOR
135 WEST HANOVER STREET
TRENTON, NEW JERSEY



ADDRESS REPLY TO:
STATE OF NEW JERSEY
BUREAU OF ASSISTANCE
P. O. BOX 1627
TRENTON 25, NEW JERSEY

July 14, 1961

To: County Welfare Directors

Re: Social Security Amendments of 1961 (OASDI) [Man. of Adm. 2820.]

Attached is one copy of a pamphlet issued by the Social Security Administration which sets forth the significant amendments affecting the OASDI program. Sufficient copies of this letter are being sent for distribution to staff.

It is recommended that you arrange immediately to secure copies of the pamphlet for your casework staff from the District Office serving your area. The current supply is ample, but it is anticipated that it may shortly be exhausted.

It is important that staff become familiar with these changes as soon as possible since changes in benefit amounts will occur for many recipients, and other amendments will render some recipients eligible for the first time.

It is not anticipated that there will be conversion tables for any of the changes in benefits. You will observe that the changes will be made automatically for persons in classes described in item 3, and most of those in item 2. However, persons whose eligibility status or benefit amount may be affected by the amendments described in 1, 4 and 7, and certain widows who are also retired workers as shown in item 2, will need to be alerted to consult the appropriate District Office.

Since the automatic increases in benefits are effective August 1, 1961 and will appear on checks received about September 3, it will be necessary to complete a prompt review of need for adjustment in assistance grants prior to issuance at the end of September for all beneficiaries of OASDI whose payments are affected.

Dear Mr. [Name],

I am writing to you regarding the [Topic].

The [Topic] is currently being reviewed.

We are sorry that we cannot provide a more definitive answer at this time.

Thank you for your patience and understanding.

Sincerely,
[Name]

[Address]

[City, State, Zip]

[Phone Number]

[Additional Information]

In respect to the eligibility of retired men at age 62, the same principle set forth in Manual section 2823 in respect to women will be applicable.

The Bureau plans an early release of Manual sub-chapter 2820 revised to incorporate both the 1960 and 1961 amendments. In the meantime, it is suggested that ~~this~~ letter be filed in 2820.

Very truly yours,

E. F. Hann, Jr.
E. F. Hann, Jr., Chief
Bureau of Assistance

Approved:

Irving Engelman, Director
Division of Welfare

File in Manual of Administration 2820.

State of New Jersey

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DEPARTMENT OF INSTITUTIONS AND AGENCIES
BUREAU OF ASSISTANCE

ADMINISTRATIVE OFFICES
STATE OFFICE BUILDING
SECOND FLOOR
135 WEST HANOVER STREET
TRENTON, NEW JERSEY



ADDRESS REPLY TO:
STATE OF NEW JERSEY
BUREAU OF ASSISTANCE
P. O. BOX 1627
TRENTON 25, NEW JERSEY

August 8, 1961

TO: COUNTY WELFARE BOARDS

RE: ADDITIONAL INFORMATION AND CONVERSION TABLES FOR INCREASES
IN OASDI BENEFIT PAYMENTS [Man. of Adm. 2820.]

In our letter of July 14, 1961 we advised you that there would not be Conversion Tables for the increases in OASDI Benefit Payments. We have just received State Letter No. 497 providing three tables, copies of which are attached.

Portions of the State Letter which will be helpful to you are quoted below:

"The 1961 amendments to the Social Security Act (1) increase the benefits of some groups of current OASDI beneficiaries and (2) broaden eligibility for OASDI to new groups of individuals. Public assistance recipients will be affected by both sets of changes, and public assistance agencies should take prompt action to insure that all recipients who are eligible for the broadened benefits obtain them without unnecessary delay.

Increased Benefits for Current OASDI Beneficiaries

These increases go into effect automatically with the August payment which will be received early in September. Beneficiaries need not apply for the increase. Two types of increase will occur:

1. An increase in the minimum benefit from \$33 to \$40 a month for both old-age and disability benefits for:
 - a. Male worker only;
 - b. Female worker only (first entitled after 65 or receiving disability benefit)
 - c. A worker's sole survivor.
2. An increase of 10% in the benefit of an aged widow, an aged widower or an aged parent of a worker.

Either the 10% increase under item 2 or the increase to \$40 under item 1c will always apply to cases in which the payment covers a single beneficiary. Where the payment covers more than one beneficiary

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increases will also occur when one of the beneficiaries is a widow or widower or only one parent survives. For cases falling under items 1 and 2 above, we are enclosing tables (Tables 1 and 2) to enable you to determine the amount of the benefit change. We cannot supply tables covering increases in benefits for payments which include more than one beneficiary. The amount of increase, if any, will have to be obtained in these cases directly from the recipient, or if this is not possible, from the BOASI district office.

Individuals Newly Eligible for Benefits in August 1961

The insured status requirement has been reduced so that a worker will be insured if he has one quarter of coverage for each year elapsing after 1950 up to the year of death or attainment of retirement age, but in any event there must be a minimum of 6 quarters of coverage.

A second group who become eligible are men aged 62 to 65 who accept benefits at a reduced rate. Widowers and dependent fathers may now qualify for unreduced benefits at age 62.

Public assistance agencies should plan to screen their caseloads at once to identify those who should be referred to the BOASI district office under the broadened eligibility rule of "1 quarter in 4" of coverage described above. The screening should be planned so as to identify the following groups:

1. Recipients who have had some work history in covered employment who may never have been referred to BOASI.
2. Survivors (widows, widowers, and children) of deceased individuals with some work history in covered employment who may never have been referred to BOASI.
3. Recipients (workers or survivors of workers) who have some work history and were previously found ineligible by BOASI because of insufficient quarters of coverage.

Referral to BOASI of public assistance recipients coming within these groups will also reach those who became newly eligible under the provisions of the 1960 amendments which, you recall, liberalized the insured status requirement to 1 out of 3 quarters of coverage. To date the number qualifying under the "1 quarter in 3" provision has fallen far short of the original estimates. In addition, we call to your attention that this group may lose retroactive benefits for some months if claims are not filed by October 1961."

As provided in our letter of July 14, 1961, adjustments in assistance payments for which you have information as to the amount of increase in OASDI benefits (i.e. those for which Tables are provided) should be made on checks released to clients at the end of September.

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In respect to these and to those persons for whom it will be necessary to obtain specific information as to the amount of benefit increase, either from the client or from OASDI District Offices, we have been advised that the Federal Bureau will expect the adjustment of assistance grants not later than in the November payment.

In consideration of the time that may elapse before all adjustments can be computed, a notice should be given to the clients through a "stuffer" included with the assistance checks mailed at the end of August reading as follows:

"IMPORTANT NOTICE

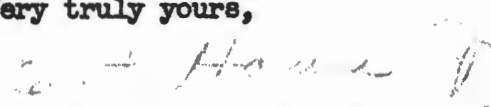
"Recent amendments to the Federal Social Security Act mean that some persons will be getting a larger amount of money from social security, and that other persons will now be able to get social security payments if they make an application for them.

"If you or any member of your household receives an increase in the amount of social security, or receives a new award of social security, or files an application for social security for the first time, or files a reapplication for social security after a previous rejection, it is your duty to report such facts immediately to the county welfare board. This may be done by informing your caseworker or by writing or telephoning to this office.

"IF YOU DO NOT DO THIS PROMPTLY, IT MAY AFFECT YOUR ELIGIBILITY FOR FURTHER ASSISTANCE AND MAY MAKE YOU SUBJECT TO OTHER PENALTIES."

It is recommended that this letter be filed temporarily as a part of Manual sub-chapter 2820.

Very truly yours,


E. F. Hann, Jr., Chief
Bureau of Assistance

EFH-MEC

Approved
Irving Engelman, Director
Division of Welfare

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Social Security Amendments of 1961

TABLES FOR INCREASED BENEFITS

Table 1.--Widow aged 62 or over, widower aged 65 or over, parent aged 62 or over.

Previous benefit	Increased benefit	Amount of increase	Previous benefit	Increased benefit	Amount of increase
\$33.00	\$40.00	\$7.00	\$53.30	\$58.60	\$5.30
33.80	40.00	6.20	54.00	59.40	5.40
34.50	40.00	5.50	54.80	60.30	5.50
35.30	40.00	4.70	55.50	61.10	5.60
36.00	40.00	4.00	56.30	61.90	5.60
36.80	40.50	3.70	57.00	62.70	5.70
37.50	41.30	3.80	57.80	63.60	5.80
38.30	42.10	3.80	58.50	64.40	5.90
39.00	42.90	3.90	59.30	65.20	5.90
39.80	43.80	4.00	60.00	66.00	6.00
40.50	44.60	4.10	60.80	66.90	6.10
41.30	45.40	4.10	61.50	67.70	6.20
42.00	46.20	4.20	62.30	68.50	6.20
42.80	47.10	4.30	63.00	69.30	6.30
43.50	47.90	4.40	63.80	70.20	6.40
44.30	48.70	4.40	64.50	71.00	6.50
45.00	49.50	4.50	65.30	71.80	6.50
45.80	50.40	4.60	66.00	72.60	6.60
46.50	51.20	4.70	66.80	73.50	6.70
47.30	52.00	4.70	67.50	74.30	6.80
48.00	52.80	4.80	68.30	75.10	6.80
48.80	53.70	4.90	69.00	75.90	6.90
49.50	54.50	5.00	69.80	76.80	7.00
50.30	55.30	5.00	70.50	77.60	7.10
51.00	56.10	5.10	71.30	78.40	7.10
51.80	57.00	5.20	72.00	79.20	7.20
52.50	57.80	5.30	72.80	80.10	7.30

Social Security Amendments of 1961

TABLES FOR INCREASED BENEFITS

Table 1. (Continued)—Widow aged 62 or over, widower aged 65 or over, parent aged 62 or over—Continued

Previous benefit	Increased benefit	Amount of increase	Previous benefit	Increased benefit	Amount of increase
\$73.50	\$80.90	\$7.40	\$84.80	\$93.30	\$8.50
74.30	81.70	7.40	85.50	94.10	8.60
75.00	82.50	7.50	86.30	94.90	8.60
75.80	83.40	7.60	87.00	95.70	8.70
76.50	84.20	7.70	87.80	96.60	8.80
77.30	85.00	7.70	88.50	97.40	8.90
78.00	85.80	7.80	89.30	98.20	8.90
78.80	86.70	7.90	90.00	99.00	9.00
79.50	87.50	8.00	90.80	99.90	9.10
80.30	88.30	8.00	91.50	100.70	9.20
81.00	89.10	8.10	92.30	101.50	9.20
81.80	90.00	8.20	93.00	102.30	9.30
82.50	90.80	8.30	93.80	103.20	9.40
83.30	91.60	8.30	94.50	104.00	9.50
84.00	92.40	8.40	95.30	104.80	9.50

Social Security Amendments of 1961

TABLES FOR INCREASED BENEFITS

Table 2.—Minimum Benefit for Male Worker Only, Female Worker Only (First Entitled After Age 65 or Receiving Disability Benefit), or One Child Only.

Previous benefit	Increased benefit.	Amount of increase
33.00	40.00	7.00
33.80	40.00	6.20
34.00	40.00	6.00
34.50	40.00	5.50
35.00	40.00	5.00
35.30	40.00	4.70
36.00	40.00	4.00
36.80	40.00	3.20
37.00	40.00	3.00
37.50	40.00	2.50
38.00	40.00	2.00
38.30	40.00	1.70
39.00	40.00	1.00
39.80	40.00	.20

Part II

The Individual and Public Assistance

The Individual and Public Assistance
Social Services - Old Age, Survivors and Disability Insurance

OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

This sub-chapter is applicable in ADC.
See 2859, ADC Insert, for special procedures in requesting the name and address of the employer of a deserting parent.

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Part II

The Individual and Public Assistance

2800 Social Services - Old Age, Survivors and Disability Insurance

2820. OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

This sub-chapter is applicable in ADC.

See 2829, ADC Insert, for special procedures in requesting the name and address of the employer of a deserting parent.

Part II

The Individual and Public Assistance

2800

Social Services - Retirement, Survivors and Disability Insurance

2820. [RETIREMENT, SURVIVORS, AND DISABILITY INSURANCE

This sub-chapter is applicable in ADC.

[See 2828., ADC Insert, for methods of establishing entitlement of an illegitimate child to RSDI benefits; see 2829., ADC Insert, for special procedures in requesting the name and address of the employer of a deserting parent.

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance

2820. [RETIREMENT, SURVIVORS AND DISABILITY INSURANCE

[Retirement, Survivors and Disability Insurance (RSDI) is a Federal program administered by the Social Security Administration (SSA) which provides protection to workers and their families against loss or [stoppage of earnings resulting from retirement at age 62 or older, death and disability. The possibility of entitlement of Social Security Benefits must be explored with every applicant and recipient.

In practical effect, substantially all workers and self-employed persons, including military servicemen, are now protected by Social Security coverage or are under another governmental retirement system [(Civil Service or Railroad Retirement).

Since Social Security benefits are an available resource, a recipient or applicant who has potential eligibility for such benefits, even at a "reduced" rate, shall be expected to apply for them. The only exception is in 2022. (Special "Age-72" benefits).

A copy of the Social Security Handbook is available in every CWB office for more detailed information.

2821. [Persons Entitled to RSDI Benefits

An individual may receive benefits on the basis of his own wage record, the wage record of his spouse (living or deceased), the wage record of a deceased child, or, in the case of minor children, the wage record of parents (living or deceased).

In adult cases the complete work history of the client and spouse should be obtained, including the work history of a deceased spouse, and of a deceased son or daughter who contributed to the client's support.

- .1 Retired insured wage earner or self-employed person, aged 62 or over, (Individuals retiring before age 65 will have a lifetime reduction in their benefit on a sliding scale according to point of application between 62 and 65 years.)
- .2 Disabled insured workers, under age 65 who have had at least 5 years covered employment during the 10 years before the beginning date of [disability and who are fully insured, and whose disability is expected to last for at least 12 months or is expected to result in death.
 - a. Payments are no longer limited to persons with "permanent" disabilities, i.e. one which was expected to continue for a long indefinite period. Even if recovery and return to work is expected, eligibility may exist if disability is severe.

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance

2821. [Persons Entitled to RSDI Benefits (continued)

- .2
 - b. "Disability" is defined as a degree of impairment which makes the individual unable to do any substantial work for which he is qualified by age, experience and education.
 - c. Eligibility does not exist until an individual has been disabled for 6 full calendar months.
 - d. On Form PA-8, Record of Action, the Medical Review Team will request that the CWB assist the client in applying for RSDI benefits if and when appropriate.
 - e. It is now possible to change to disability benefits if an individual who is receiving a reduced retirement benefit becomes disabled before reaching 65 and disability monthly benefit would be larger than current retirement benefit.
- .3 Blind insured workers under age 65 when
 - a. they became blind before age 24 and have social security credit for 1-1/2 years of work in the 3 years before blindness, or
 - b. they became blind before age 31, and have social security credits for half of the time after 21 and before blindness, or
 - c. they are 55 years of age or older, have credit for 5 years of work in the 10 year period before blindness, are not engaged in substantial gainful work, and they are unable to perform work comparable to the work they did before they became blind.
- .4 Young workers under age 31 when
 - a. they became disabled before age 31, and have social security credits for half of the time after age 21 and before becoming disabled, or
 - b. they became disabled before age 24, and have social security credits for 1-1/2 years of work in the 3 years before becoming disabled.
- .5 The wife (in some cases a divorced wife) of a retired or disabled insured worker if she is age 62 or over, or regardless of age if entitled child is in her care. (Wives claiming benefits between 62 and 65 who do not have an eligible child present will have a lifetime reduction of benefits on a sliding scale.)

Part II The Individual and Public Assistance
2800. [Social Services - Retirement, Survivors and Disability Insurance

2821. [Persons Entitled to RSDI Benefits (continued)

- .6 The husband of a retired or disabled woman worker entitled to benefit, provided he is 62 or older and was dependent upon his wife at the time she became eligible for benefits or became disabled.
- .7 The widow of an insured worker if she is age 60 or older, or regardless of age when entitled child is in her care. (Widows claiming benefits between 62 and 65 receive the full amount regardless of age.)
- .8 The widower of an insured woman worker provided he is 62 or older, and was dependent upon his wife at the time she became eligible for benefits or died.
- .9 The children of an individual receiving retirement or disability benefits or who dies insured provided
 - a. dependent child is under 18; or between 18 and 22, and a full-time student
 - b. dependent child who became severely disabled before reaching age 18.
- .10 Others
 - a. Parents (aged 62 or over) of a deceased insured worker, who were dependent on the worker at the time of his death, regardless of whether there are other eligible survivors
 - b. Certain other persons are eligible for benefits under specific circumstances. These may be determined by referring to the Social Security Handbook.

2822. Special Age-72 Benefits

Under certain conditions persons aged 72 or over who have heretofore had few quarter-year periods or social security coverage are now eligible for cash benefits

.1 Social Security Coverage Requirements

People aged 72 before 1968 can qualify for payments under the new provision without any social security coverage. Beginning in 1968, a person must have a minimum of three quarters of coverage for each year from 1966 to the year he becomes 72 in order to qualify for benefits.

Part II **The Individual and Public Assistance**
2800 **Social Services - Retirement, Survivors and Disability Insurance**

2822. Special Age-72 Benefits (continued)

.1 (continued)

Quarters of Social Security Coverage Required for . . .				
Year	Men (at age 72)		Women (at age 72)	
	Regular Provision	New Provision	Transitional or Regular Provision	New Provision
1966	8	None	5 - 6	None
1967	9	None	6	None
1968	10	3	7	3
1969	11	6	8	6
1970	12	9	9	*
1971	13	12	10	
1972	14	*		

* Becomes ineffective, since it would require as many quarters of coverage as the regular insured status provisions.

.2 Conditions of Eligibility

This program covers individuals not otherwise eligible for RSDI who

- a. are 72 years of age or over;
- b. are residents of the United States;
- c. are citizens of, or aliens permanently admitted to United States having five years continuous residence in, the United States; and
- d. are not concurrently receiving a money payment through OAA, AB, DA, or ADC; however, medical vendor payments made in behalf of an individual will not affect this benefit.

.3 Amount of Benefit

- a. Special Age-72 Benefits provide \$58.00 per month for each eligible individual. In case a husband and wife living together are both individually entitled, the husband's benefit is \$58.00 and the wife's is \$29.00.

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance]

2822. Special Age-72 Benefits (continued)

- .5 c. 1) b) applicants for public assistance who would find the "Special Age-72 Benefits" more advantageous than public assistance; and
- c) Special Age-72 social security beneficiaries who apply and are approved for public assistance.
- 2) complete the SSA Form-1610 for each public assistance recipient or approval applicant so identified and
- 3) forward the completed SSA-1610 to the appropriate Social Security office.
- d. The Social Security district office will
- 1) for each public assistance recipient or applicant reported, accept an application for "Special Age-72 Benefits" or discontinue "Special Age-72 Benefits" and notify the local CWB of the results.
- 2) notify CWB of the self-application for "Special Age-72 Benefits" by any person identified as a public assistance recipient.

2823. Suspension of Benefits

The law provides that a beneficiary, whether a wage earner or self-employed, may earn as much as \$1680 a year without any suspension of benefits. However, no matter how much is earned in a year, a beneficiary can draw his monthly benefit payment for any month in which he neither earns wages of more than \$140 nor renders substantial services in self-employment.

All beneficiaries age 72 or over may draw benefits regardless of the amount of their current earnings.

2824. Trial Work Period for Disability Benefits

Since 1960 the law has provided a trial work period of 9 months as an incentive for beneficiaries who return to work although not medically recovered. However, when a beneficiary whose recovery is contemplated returns to work, it may be an indication of possible medical recovery justifying an investigation of whether or not he has in fact recovered before he has worked for the established 9 months' trial period.

Part II The Individual and Public Assistance
2800 Social Services - Retirement, Survivors and Disability Insurance

2825. Procedures for Filing Claims and Securing Information

The following procedures are to be observed by CWB in respect to clients.

.1 Form SSA-1610 [For sample form see 2800 Appendix]

Form SSA-1610, Social Security - Public Assistance Agency Information Request and Report, printed and distributed by the Social Security Administration, is available from the State Division.

- a. As a general rule, the Social Security Administration will not honor oral requests for benefit information or other material in file. All requests will be made by using the subject form. The form SSA-1610 should be used only after all other sources of information have been explored and it has been determined that the required information is not available from these other sources. It should be remembered that beneficiaries who have a suffix T. or M. after their social security number are not receiving cash benefits from the Social Security Administration but are covered by the Medicare program. Great reliance will be put on the use of the BENDEX system. The proper use of the BENDEX will reduce considerably the number of information requests sent to the Social Security Administration district offices and must be examined prior to the sending of the form. Social Security Administration district offices have been instructed to return form SSA-1610 which should have been handled by BENDEX. They will return the request with the comment to obtain the information from BENDEX.
- b. There will be occasions when the county welfare boards will not be able to match BENDEX data received from Social Security against its own records and will not be able to resolve the discrepancy. In these situations, county welfare boards are justified in seeking the help of the Social Security Administration district offices in a manner that has been previously arranged by the district manager and the county welfare board director. Instructions for proper completion of form SSA-1610 by welfare personnel is contained on the reverse of the third part of the snap out form. This provides a convenient and handy reference and is printed lightly so that entries which are made in items nine and ten will show over the printed instructions on the welfare board's copy of the form.
- c. The blanket request for benefit data has been removed from the form SSA-1610. It has now been replaced with check blocks which will be used to show definitely what the welfare board is requesting. Supplemental or unusual requests are made in items nine or ten. The Social Security Administration district office will respond to the welfare department's request in section four

Part II The Individual and Public Assistance
2800 Social Services - Retirement, Survivors and Disability Insurance

2825. Procedures for Filing Claims and Securing Information (continued)

- .1 c. (continued)
as it pertains to the primary claimant named in item three. If similar data is required for other family members, the names of these individuals will be listed in item ten and block "D" will be checked in item four.
- d. Item five of the form SSA-1610 is to be used by Public Assistance Agencies to report changes in the status of an individual which may affect the payment of special age 72 benefits or to respond to a Social Security Administration request for confirmation of public assistance status. It is very important that county welfare boards be alert to reporting this information voluntarily to the Social Security Administration to avoid erroneous payments being made to the beneficiary.
- e. Item seven of the form SSA-1610 is for use of the Social Security Administration to request welfare status information for age 72 cases. If a full report beyond that contained in item 5 is necessary, the request will be outlined in item 9 of the form.
- f. It is very important that the instructions regarding the use of the form SSA-1610 be followed strictly. Injudicious use will result in processing delays and also in inadequate information being supplied.
- g. Form SSA-1610 will be completed in triplicate and two copies mailed to the appropriate District Office of the Social Security Administration, the third copy being retained on file until return of one copy by the District Office with the status report.
- h. Form SSA-1610 is not to be given to the individual to take to a District Office except in rare instances when it appears that immediate filing of application is necessary because of a possible loss of retroactive benefits. Full retroactive benefits on a disability claim can be paid only if the application is filed not later than 18 months after the onset of disability. In an RSDI claim a person may be entitled to benefits retroactively for as many as 12 months before the month in which his application was filed. He is entitled to benefits beginning with the first month in the retroactive period in which he met all the requirements for entitlement to benefits except for the filing of an application

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance

2825. Procedures for Filing Claims and Securing Information (continued)

.2 Selection for Referral for Benefit

Form SSA-1610 will be used

- [a. As a "lead" referral for RSDI to determine entitlement when an applicant for or recipient of public assistance is within three months of age 65.
- b. As a referral for application for benefits by a woman and/or a disabled individual under appropriate sections of the Social Security Act.
- [c. As an inquiry to secure information as to RSDI benefit status where such information is not available from the recipient,
[or on the BENDEX.
- d. As an inquiry form to secure or verify SSA account or claim numbers.
- e. As a correction form, to clarify information in SSA files about a recipient.

.3 District Office Procedures

a. Pending claims

When the Form SSA-1610 referral is in respect to an application for benefits or benefit status information, the District Office will, if the claim is pending, acknowledge receipt of the referral by returning one copy, retaining the second copy for completion when the claim is adjudicated.

b. New Applications

- [If the District Office has no record of a prior claim or recent inquiry, the referral will initiate processing a claim. If the client is obviously ineligible for benefits, the District Office will fill in the necessary information on the SSA-1610 and return both copies to the CWB. If the client appears to be entitled to RSDI benefits, the District Office will develop the claim, and send a copy of the request form to CWB that a claim is being developed. When the case is adjudicated by the District Office, the original request form will be completed and returned to CWB.

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance

2825. Procedures for Filing Claims and Securing Information (continued)

.3 c. Client Failing to File

If the client is apparently entitled and does not file a claim, the District Office will return both copies of SSA-1610 to the CWB with a full statement of why a claim has not been filed. In such cases the caseworker shall interview the client to ascertain why he failed to keep the appointment, interpret the provisions and possible benefits, and assist him if necessary, in filing his application. Continued refusal to apply for benefits renders an individual ineligible for assistance.

d. Follow-ups and Re-referrals

[In cases where the District Office has not sent a "status report" to CWB within 60 days for regular Retirement or Survivors cases or within 120 days for Disability Benefit cases, a follow-up referral may be sent by resubmitting one copy of the form with sufficient information to identify the original request.

There is also the possibility that cases previously adjudicated as not eligible, may subsequently be determined as insured.

2826. Release of Information by Welfare Boards

When the Social Security Administration requests information to assist in determining an applicant's eligibility for any benefits, the CWB is authorized to release such information from its records in accord with the principles stated in 2930.

a. Social data

[When social data is requested, such data may be provided to RSDI in summary form.

b. Medical information

When requested, exact copies of reports, abstracts of hospital or clinic records, etc. shall be provided since this information will be used by professional medical personnel in determining disability status for disability benefits.

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance]

2827. Lump-Sum Death Benefits

- .1 A lump-sum death payment may be made on the social security account of a worker who dies either fully or currently insured. The lump-sum payment may be as much as three times the worker's primary insurance amount, but in no case can it be more than \$255.
- .2 Application for the lump-sum death payment must be filed within the 2 year period ending ordinarily with the second anniversary of the insured person's death. This filing period may be extended under specified conditions.
- .3 [For additional information and procedures in respect to RSDI Lump-sum Death Benefits see 2580.

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Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance

2828. Entitlement of Illegitimate Child

[An illegitimate child may be entitled to RSDI benefits based on the earnings record of the natural mother or natural father subject to the following conditions and proofs.

.1 Benefits Based upon Earnings Record of Mother

[In New Jersey an illegitimate child has the requisite status for entitlement to RSDI benefits based upon the earnings record of the mother without meeting any special requirements beyond proof of the relationship.

.2 Benefits Based Upon Earnings Record of Father

[In New Jersey an illegitimate child may be entitled to RSDI benefits based upon the earnings record of the natural father under the following circumstances:

- a. when the wage earner is the natural father and marries the mother so that the child is thereby legitimated; or
- b. when the wage earner has acknowledged in writing that the child is his son or daughter; or
- c. when the wage earner has been determined to be the father under the provisions of Revised Statutes, Title 9, chapters 16 or 17; or
- d. when the wage earner has been ordered to contribute to the support of the child on the basis of a determination that such child is his son or daughter; or
- e. when there is satisfactory evidence of paternity and the natural father was living with or contributing to the support of the child.

.3 Time Requirements Affecting Evidence of Entitlement

a. To provide acceptable proof supporting a child's entitlement to benefits the circumstances specified in 2828.2 c. or d. must have occurred.

- 1) not less than one year before the time the father became entitled to Retirement benefits or attained age 65, whichever is earlier; or
- 2) before the beginning of the father's most recent period of disability on which his claim for disability benefits is based; or

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance]

2828. Entitlement of Illegitimate Child (Cont'd)

.3 a. 3) before the natural father's death.

b. To provide acceptable proof supporting a child's entitlement to benefits under the circumstances specified in 2828.2 e., there must be satisfactory evidence of paternity, and the fact that the father was living with the child or contributing to the child's support must be established as of the time

- [
- 1) the natural father became entitled to Retirement benefits or attained age 65, whichever is earlier; or
 - 2) the natural father's most recent period of disability began; or
 - 3) the natural father died.

.4 Other Conditions Affecting Evidence of Entitlement

a. An acknowledgment in writing (see 2828.2 b.) need not be in any special form, but must identify the child in question and further identify such child as the son or daughter of the wage earner. Examples of an acceptable written statement are an income tax return, a serviceman's application for allotment, a will, an application for insurance, or a letter. The written statement should be signed by the wage earner, but an unsigned statement may have value if there is evidence that it was prepared by the wage earner.

b. An adjudication of paternity or an order of support (see 2828.2 c. or d.) must identify the child in question and further identify such child as the son or daughter of the wage earner. The amount directed to be paid for the support of the child, or whether support payments are actually made is immaterial.

c. Although a written acknowledgment, an adjudication of paternity, or an order of support may not satisfy the time requirements specified in 2828.3 a., any of such may be considered evidence of paternity (see 2828.2 e.) if the wage earner was living with the child or contributing to the child's support as of the times specified in 2828.3 b.

Part II The Individual and Public Assistance
2800 Social Services - Retirement, Survivors and Disability Insurance

2829. Disclosure of Whereabouts of Deserting Parents (ADC Only)

The Internal Revenue Service is authorized and directed to release from its records, information as to the most recent address of a parent. In all cases, this information must be requested by the Division of Public Welfare.

.1 Conditions Affecting Request for Information

Requests for the information specified above will be honored only when the following conditions are met:

- a. all sources reasonably available to CWB in attempting to locate the deserting parent have been used without success;
- b. there is an outstanding court order for support on which payment is not being made or a petition for such an order has been filed; and
- c. the child is being provided assistance under the ADC program.

.2 Internal Revenue Service Procedures

- a. Internal Revenue Service will clear the State's inquiries every fourth week of the calendar year.
- b. IRS information will be current for inquiries processed shortly after April 15 of each year, then progressively build up to a 12 month time lag.
- c. IRS replies will give the home address of the deserting parent at the time last income tax was filed.

.3 CWB Procedure

- a. CWB is to complete in duplicate, Form PA-21B (2800 Appendix III C.)
- [b. The social security number of the deserting parent must be included. If not available, it will be necessary to query the Social Security Administration on Form PA-21A (2800. Appendix III-B) to obtain it.
- c. One copy of completed Form PA-21B is to be mailed to the Bureau of Business Services on a daily basis.

.4 Request to Social Security Administration

- Requests from Public Assistance Agency, ADC only, (Form PA-21A) will be completed in triplicate with the original and one copy mailed to the [Social Security Administration, Bureau of Data Processing, Baltimore, Maryland, Zip Code 21235, under the following special conditions:
- a. when there is no outstanding court order or petition for such order filed;
 - b. when CWB is unable to locate the individual at the address provided by IRS.

Part II The Individual and Public Assistance
2800 [Social Services - Retirement, Survivors and Disability Insurance

2829. Disclosure of Whereabouts of Deserting Parents

The Social Security Administration is authorized and directed to release from its records information as to the most recent address of a parent and/or the address of the most recent employer appearing in such records. In all cases this information must be requested by a county welfare board, or by a court of competent jurisdiction through a county welfare board.

.1 Conditions Affecting Request for Information

Requests for the information specified above will be honored only when the county welfare board certifies that the following conditions are met:

- a. The parent is under court order to support and maintain his or her child or children;
- b. the child or children are applicants for or recipients of public assistance;
- c. the child or children are in destitute or necessitous circumstances;
- d. the request is for the purpose of obtaining support for the child or children and the information will be used only for that purpose; and
- e. the county welfare board has without success attempted to locate the parent through all other reasonably available sources.

.2 Procedure

- a. A request for information from the Social Security Administration should not be made until the deserting parent has been missing at least 8 months, and only when the county welfare board has not received reliable information (not indirect reports or rumors) from other sources concerning the deserting parent's whereabouts at any time during the last 8 months.
- b. The request must provide sufficient information to identify the proper Social Security Administration number and contain the required certification that the conditions outlined in 2829.1 are met.

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2800 [Social Services - Retirement, Survivors and Disability Insurance

2829. Disclosure of Whereabouts of Deserting Parents (Cont'd)

- .2 c. The request will be completed in triplicate, with the original and one copy mailed to the Social Security Administration, Bureau of Data Processing, Baltimore, Maryland, Zip Code 21235. (Requests shall be made on Form PA-21, Request from Public Assistance Agency, supplies of which may be purchased from the Bureau of State Use Industries through normal procedure.)
- d. A certified copy of the court order must accompany each request. Unless there is evidence to the contrary, it will be assumed that the order is currently in full force and effect.

Part II The Individual and Public Assistance
2800 Social Services - Division of Employment Security

2830. 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.

The Division maintains 36 local offices and provides itinerant services at necessary points, which vary from time to time with economic conditions, on specified days or during specified seasons of the year. Assistance agencies can obtain copies of a published list of the local and itinerant offices from the Division of Employment Security, 28 West State Street, Trenton 8, New Jersey.

2831. Unemployment Insurance and Temporary Disability Benefits

.1 Eligibility for Benefits; Applications

It is essential that CWB staffs familiarize themselves with the general rules of eligibility for receipt of Unemployment Insurance and Temporary Disability Benefits, payment provisions and duration of weekly payments for persons who have been engaged in "covered" employment.

Claims for Unemployment Insurance Benefits are filed at the appropriate local office of the State Employment Service.

Temporary Disability Benefits are provided under two plans. Some employers operate a Private Plan covered by private insurance companies. Other employers participate in the public or State Plan for Temporary Disability Benefits.

Claims under a Private Plan are normally filed with the person's employer.

Claims for Temporary Disability Benefits under State Plan are filed with the Disability Insurance Service, Division of Employment Security, 20 West Front Street, Trenton 10, New Jersey. The local Employment Offices do not administer nor have any records relating to the Temporary Disability Benefits program.

Forms for filing claims under the State Temporary Disability Benefits program may be obtained from employers, physicians, Unions, and the local Employment Offices.

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2831. Unemployment Insurance and Temporary Disability Benefits (Cont'd)

.2 Eligibility for Assistance in Relation to Benefits

a. Refusal to Apply for Benefits

A person who appears to be eligible for either Unemployment Insurance or Temporary Disability Benefits and who refuses or neglects to apply for such benefits is ineligible to receive assistance.

b. Assistance Pending Receipt of Benefits; Continued Assistance

In the determination of eligibility for assistance, or continued assistance, Unemployment Insurance and Temporary Disability Benefits shall be considered as a resource in accordance with the provisions of Chapter 400 of the Budget Manual.

.3 Verification of Status of Claim

a. Unemployment Insurance

1) Information Available from Client

A claimant for Unemployment Insurance Benefits receives an "Applicant Identification Card" (Form NJES 506) indicating that he has filed a claim for benefits and the date of the claim. This card also shows the successive dates the claimant must report to the local office.

As soon as possible thereafter, if he has the required minimum earnings and weeks of employment during the base period, he will receive Form BC-3, "Notice to Claimant of Benefit Determination," which indicates the number of weeks and amount of benefits to which he may be entitled if he meets all eligibility requirements. If he does not have minimum base period requirements, he will receive Form BC-5, "Notice to Claimant of Invalid Claim for Unemployment Benefits."

If the claimant to whom Form BC-3 has been issued is found ineligible or disqualified, he is given Form BC-26B, "Notice to Claimant of Nonmonetary Determination," showing the duration of the ineligibility or disqualification.

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Social Services - Division of Employment Security

2831. Unemployment Insurance and Temporary Disability Benefits (Contd.)

.3 a. 1) (Contd.)

If the person does not possess Form BC-5 or Form BC-26B and if he has not exhausted his benefits for the current benefit year, it should be assumed that he is receiving, or is entitled to receive Unemployment Insurance benefits; or that the potential payment of benefits has been delayed because the claim is pending further investigation.

It should be possible for the agency to secure from the client all the necessary information about his eligibility for and receipt of unemployment insurance benefits.

2) Inquiry to Local Office, New Jersey State Employment Service

In those instances however when a client cannot provide the information and fails in his efforts to secure it himself, or when there is reason to believe that the client is furnishing inaccurate or incomplete information, the agency may address an inquiry in writing to the appropriate local office of the New Jersey State Employment Service. Requests must be limited to specific information relating to the client's eligibility for benefits or the status of his claim. Routine requests for such information shall not be made.

No requests shall be addressed directly to the State Office of the Division of Employment Security regarding Unemployment Insurance benefits.

b. Temporary Disability Benefits

Unlike claimants for Unemployment Insurance benefits, persons who have filed for Temporary Disability are not provided with proof of application for benefits.

1) Inquire First of Client

It is the responsibility of the client to notify the agency of the status of his claim for benefits. The agency shall inquire from him whether he is covered under Private Plan or State Plan. If the client has not notified the agency of action on his claim and it is time to issue a second assistance payment, the agency shall make further inquiry of him before releasing the payment, and shall take steps appropriate to the situation; i.e., make direct inquiry as in 2), below, adjust payment, etc.

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2831. Unemployment Insurance and Temporary Disability Benefits (Contd.)

.3 b. 2) Direct Inquiry on Private Plan and State Plan

If the client has not received payment, or notice of ineligibility for benefits, a direct inquiry in writing shall be sent to the employer if the claim has been filed under Private Plan, or, if under State Plan, to the Superintendent, Disability Insurance Service, Division of Employment Security, 20 West Front Street, Trenton 10, N.J., concerning the status of the claim. In such instances assistance shall be continued until receipt of a reply, and further action taken upon receipt of a reply, appropriate to the nature of the reply.

Inquiries shall not be made on a routine basis, and no inquiries concerning Temporary Disability Benefits are to be sent to the local offices of the Employment Service.

2832. 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. In addition, the local offices know of many job openings throughout the State and even in other nearby States. While not all employers register job openings with the New Jersey State Employment Service, the available jobs cover a wide variety of occupations, including professional, skilled, semi-skilled and unskilled labor, clerical, sales and service occupations.

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. Special attention is given to assist older workers to locate suitable employment. Information secured from registrants in an employment interview is kept on file. As job openings are received for which an individual appears qualified, he is notified where to apply for the job.

Part II The Individual and Public Assistance
2800 Social Services - Division of Employment Security

2832. State Employment Service (Contd.)

.1 c. Employment Counselling and Testing Service

An additional service offered by the New Jersey State Employment Service is that of counselling with persons and testing for occupational skills of persons with disabilities or other problems which affect employability. Many persons are helped through this special service to secure full time or limited employment which they can do in spite of handicapping conditions.

.2 Assistance Policy on Registration for Employment

a. General Policy

An important principle of public assistance is to encourage and assist all needy persons to become as self-sufficient as possible within the limits of their physical and mental capacities. The CWB shall become familiar with and make full use of the services offered by the New Jersey State Employment Service in helping assistance clients who are able to work to find suitable employment.

b. Policy in Old Age Assistance

Persons applying for or already receiving OAA who are able-bodied or who express an interest in securing employment, should be encouraged to register with the appropriate local office of the New Jersey State Employment Service. While job opportunities for this age group may be limited, the Employment Service will make a special effort to place older persons by counselling with them and by encouraging employers to give them an opportunity to demonstrate their value on a job. However, failure to register for employment shall not be a bar to the receipt of OAA by otherwise eligible persons.

An OAA client who is registered for employment does not automatically become ineligible for assistance by reason of such registration or by reason of securing employment, and may continue to receive assistance in accordance with need, unless and until his earnings (together with any other resources) are sufficient to meet need or he becomes ineligible for some reason unrelated to need.

Part II The Individual and Public Assistance
2800 Social Services - Division of Employment Security

2832. State Employment Service (Contd.)

.2 c. Policy in Disability Assistance

1) Bureau Recommendation

When, in the opinion of the Medical Service Section of the Bureau, an applicant for or recipient of DA has sufficient physical and mental capacity to seek employment, the CWB will be directed to refer such client to the appropriate office of the New Jersey State Employment Service for counselling and placement.

2) Referral Procedure

The CWB will prepare duplicate copies of Form NJES-570, Agency Introduction Card. [Obtain stock supply from Employment Office.]

One card will be given to the client; the other will be mailed to the appropriate Employment Office together with specified data from the medical record. This data will enable the Employment Office to conduct an employment counselling interview with the client, and in most instances to evaluate his capacity for work without further medical examination.

3) Procedure Following Interview

Following the interview, the Employment Office will advise CWB whether or not it has accepted a registration for employment from the client. In some instances the Employment Office may also send a copy of its evaluation of the client's capacity for work. Any such evaluation report shall be included with material submitted to the Medical Service Section at any subsequent review of the case by the Bureau.

4) Refusal of Client to Accept Referral or Employment

When a DA client (applicant or recipient) refuses to act on the referral recommendation or to accept a job offered to him following registration, the facts in the case shall be reported back to the Medical Service Section for further consideration under the "refusal policy." [See 2234.6.]

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The Individual and Public Assistance
Social Services - Division of Employment Security

2832. State Employment Service (Contd.)

.2 c. 5) Effect of Employment on Continuing Eligibility

A DA client who is registered for employment does not automatically become ineligible for assistance by reason of securing employment. He may continue to receive assistance, in accordance with need, until there has been a specific determination by the Medical Service Section that he is no longer permanently and totally disabled, or unless and until his earnings (together with any other resources) are sufficient to meet need, or he becomes ineligible for some reason unrelated to need. [See 2235.5 for policy on Employment.]

.3 Registration Procedure

a. Register at Local Office

A person registers for employment by going in person to the local office of the New Jersey State Employment Service covering the area in which he lives.

b. Validity Period of Applications for Work

Applications for work are maintained active for a period of 60 days but it is advisable for the person to inquire about possible job openings at frequent intervals, and he should report to the local office whenever called at the time indicated. If the person has not secured work by the end of the 60 days he must renew his registration.

c. 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.

Part II The Individual and Public Assistance
2800 Social Services - Division of Employment Security

2832. State Employment Service (Contd.)

.4 Verification of Registration

a. Verification Available from Client

The person who registers for employment is given a card (Form NJES - 506) showing the date of his registration. The agency may ask the client to show this card as verification that he has registered for employment.

b. Inquiry to Local Office of New Jersey State Employment Service

In those instances when a client cannot provide information about referral to jobs, or when there is reason to believe that the client is furnishing inaccurate or incomplete information, the agency may address an inquiry in writing to the appropriate local office of the New Jersey State Employment Service. Requests must be limited to specific information regarding referrals for employment. The New Jersey State Employment Service is not in a position to answer questions about the client's possibility of securing employment, nor will that agency furnish data about wages, etc.

Routine inquiries for information regarding registration and referral for employment shall not be made.

Part II The Individual and Public Assistance
2800 Social Services - Division of Employment Security

2830. DIVISION OF EMPLOYMENT SECURITY

2836. Temporary Extended Unemployment Compensation (TEC)

.1 Federal and State Legislation

Legislation has been passed at both Federal and State levels to provide for extension of Unemployment Compensation to claimants who, since June 30, 1960, have exhausted or who will exhaust the regular benefits for which they are eligible. This is a temporary program which terminates June 30, 1962.

The following information should be made available to persons in assistance households who may be eligible, or who inquire about TEC. A helpful leaflet may be secured from the Employment Service offices.

.2 Qualifications for TEC

A person may be eligible for TEC if he meets the following conditions:

- a. He is unemployed.
- b. He had previously established eligibility for unemployment compensation and, after June 30, 1960, he exhausted those benefits.
- c. He does not have available benefit rights under any State or any other federal unemployment compensation law.
- d. He complies with the requirements of the Employment Service office for registration and reporting.
- e. He is able and available for work.
- f. He is making an active search for work.
- g. He is not disqualified from receiving benefits for any reason.

.3 Exhaustion of Benefits

Generally, an individual has exhausted his unemployment insurance benefits when he has received the maximum amount of benefits allowable to him in his benefit year, or when his benefit year expires before he has drawn all his benefits.

TEC will pay extended benefits to eligible claimants who exhausted their benefits between June 30, 1960 and April 8, 1961, and to those whose benefits become exhausted prior to April 1, 1962. Benefits may be paid for any week of unemployment, which begins on or before June 30, 1962, provided an initial claim was filed before April 1, 1962.

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2800 Social Services - Division of Employment Security

2836. Temporary Extended Unemployment Compensation (TEC) (Contd.)

.4 Filing Claim for TEC

Generally, a TEC claim is filed in the same manner and in the same local office as the individual's regular unemployment insurance claim.

Local Employment Service offices will start taking claims on Monday, April 10, 1961. These offices will be open evenings for the first three weeks of operation of the new program. TEC claims will be taken only at night during this period, and claimants should, if possible, call to file their claims on the evening of their regular reporting day.

Claimants will lose no benefit rights by waiting to report on their regular reporting day during the first week of operations. During that week, regardless of the day of filing, credit will be given for all periods of unemployment beginning on April 8. TEC benefits cannot be paid for any periods of unemployment before this date. On TEC claims the serving of a waiting week is not required.

If the individual last exhausted his benefits in some other state and that state has a TEC program, he may file interstate claims for additional benefits at the Employment Service office nearest his residence.

.5 Amount of Payments Under TEC

An eligible individual may receive 50 percent of the total benefit amount on the exhausted claim.

.6 Appeal Rights

Under the TEC program, the individual has the same rights of appeal as under the State unemployment compensation law. Appeals are made through the local Employment Service office or directly to the Appeal Tribunal, Division of Employment Security, Trenton 25, New Jersey.

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Part II The Individual and Public Assistance
2800 Social Services - Veterans Administration - (Temporary)

2840. VETERANS ADMINISTRATION (TEMPORARY)

This sub-chapter is applicable in ADC.

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The Individual and Public Assistance
Social Services - Veterans Administration

2840. VETERANS ADMINISTRATION

The Veterans Administration operates the Federal program of benefit payments and health and welfare services to veterans, to certain of their dependents, and to their survivors under certain conditions. To be eligible for these benefits and services the veteran, serving in either war or peacetime service, must have been released with other than a dishonorable discharge.

2841. Effect of Eligibility for Veterans Benefits on Eligibility for Public Assistance

Veterans benefits are a resource for an increasing number of public assistance clients, and shall be carefully explored in the process of determining need.

In the case of a person who is a veteran (or a dependent or survivor of a veteran) and presumptively eligible for any form of veterans benefits, compensation or pension, it shall be required as a condition of eligibility for public assistance that application for such benefits, etc. be made and fully processed as a resource.

2842. Information Concerning Eligibility for Benefits and Services

The details of all benefits and services are clearly outlined in a Fact Sheet IS-1, entitled "Federal Benefits for Veterans and Dependents" issued January 1962 by the Veterans Administration.

Sufficient copies of the VA Fact Sheet have been provided to the CWB to enable each case work supervisor to have one as a resource for his group of caseworkers.

The Fact Sheet may be consulted whenever there is some indication that a member of a public assistance family may be eligible for benefits or services, or that a person already receiving benefits is in need of a service which he may be able to receive through the Veterans Administration.

The New Jersey Division of Veterans Services, Department of Conservation and Economic Development, maintains service Stations which provide State-wide coverage. Persons seeking information or wishing to file for Veterans benefits or services may be referred to the nearest service Station for advice and help.

The county welfare boards also receive each month a publication of the Division of Veterans Services which provides information about changes in the law, interpretation and advice to Veterans on various aspects of the Veterans Administration operations, and activities of interest to New Jersey's veterans.

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Part II

The Individual and Public Assistance

2800 Social Services - Social Service Exchange

2850. SOCIAL SERVICE EXCHANGE

Applies in ADC.

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The Individual and Public Assistance

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Social Services - Social Service Exchange

2850. PRELIMINARY STATEMENT

At present, numerous confidential exchanges called either social service exchanges or central indexes are serving the various health and welfare agencies of New Jersey.

While it is recognized that the applicant and/or recipient is the primary source of information, the confidential exchange is also recognized by the Bureau of Assistance as a community resource which may be utilized by the CWB to supplement or clarify the information received from the individual or to provide other cooperating agencies with pertinent information.

2851. Definition of Social Service Exchange

The social service exchange or central index is that community resource which maintains a confidential registry or index of social case records of member agencies. It enables agencies to exchange information and to develop cooperative services.

2852. Purpose of Social Service Exchange

Since its inception during the 1870's, the social service exchange has had as its general purpose service to other social agencies in order that they might coordinate their social work resources more effectively, and also avoid confusion and duplication of service in working with a particular individual and/or his family unit.

These purposes are realized through the maintenance of a central file in which are registered the names, addresses, and certain other identifying information of individuals and/or families known to social agencies that are members of the exchange. One of the chief functions of the exchange is to report the presence or absence of a case record to an inquiring member agency.

2853. Standards for Social Service Exchange

.1 Determination of Value to An Agency

Before becoming a member of a social service exchange, an agency determines whether the exchange will be useful to it.

An exchange, to be useful to an agency, must:

- a. Operate under the standards of efficiency, ethics, and the like established by the Association of Social Service Exchanges of New Jersey;
- b. Operate at least throughout the county; and
- c. Have the majority of significant health and welfare agencies as actively participating members.

2854. Responsibilities of Member Agencies

As soon as an agency becomes a member agency of a social service exchange, it enters into a relationship in which it must assume definite responsibilities.

.1 Written Statement of Policy and Procedure

It is the responsibility of an agency to develop, put in writing, and use policy and procedure relative to the exchange. Such policy and procedure shall specify:

- a. The type of case it expects to register;
- b. When it will register a case;
- c. The general plan of follow-up, re-registration, cancellation, and protection of information; and
- d. The policy toward inter-agency relationships.

.2 General Responsibilities of an Agency

It is the responsibility of an agency to:

- a. Take an active interest in the policy and management of the exchange;
- b. Register consistently and promptly in accordance with the policy and procedure established by the agency;
- c. Give as complete information as required;
- d. Respect the confidentiality of information secured from other agencies;
- e. Insure that staff members understand the function of the exchange, and the policy and procedure of the agency on the use of the exchange.

2855. Procedure on Use of Social Service Exchange

When a CWB becomes a member of a social service exchange, the following procedures shall be established.

.1 Selecting Cases for Registration

The agency shall be selective in registering cases with the exchange to the extent of registering only those cases for which an application form has been prepared.

2800 Social Services - Social Service Exchange

2855. Procedure on Use of Social Service Exchange (Contd.)

.2 Timing Registrations

Cases shall be registered at the point that an investigation is undertaken.

.3 Providing Additional Data

The agency shall have a plan for providing the exchange with additional identifying information on currently registered cases. Data on change of address are especially important.

.4 Re-registering Active Cases

Active cases shall be re-registered for continuous notification service in accordance with the plan provided by a particular exchange. Generally a definite period of time, such as two years, must be considered in re-registering cases.

.5 Cancelling Registrations

The fact that a case has been inactive any given number of years should not be the sole basis for cancellation. Dates shall be considered in relation to the content of the record.

Cancellation of useless registrations is essential to both the exchange and the agency because it prevents the expensive accumulation of unnecessary exchange records and because it saves time in replying to inquiries on which no significant information is available.

Case records should be reviewed for cancellation on receipt of a request from another agency for information and at the point of closing.

Cases which have been registered with an exchange shall be cancelled when:

- a. Case records have been destroyed or otherwise have become unavailable;
- b. The agency record does not contain sufficient data to be of value to another agency.

.6 Filing Social Service Clearance or Notification Slips

Social service clearance and/or notification slips returned to the agency from the exchange shall be filed in each case record.

.7 Record of Registrations

The agency shall keep a record of the number of registrations as a basis for auditing and approving bills submitted by the exchange.

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Social Services - Social Service Exchange

2856. Securing Information from Other Agencies

It is expected that the CWB will contact the agencies registered on a case when it is considered that the information may be directly related to its responsibility for the case.

The CWB shall clearly indicate what it wants to know about the case registered by another agency, and why the information is important. This makes it possible for the agency contacted to select pertinent information. It also helps agencies to interpret and clarify their respective functions.

2857. Method for Follow-Up of Registration

These methods are used to follow-up registrations:

- a. Telephone communication. This method may be used when essential information is needed at once.
- b. Written requests for information. This method is preferable because the request and reply become part of the case record.
- c. Inter-agency conference. This may be the best method when extensive cooperative planning between agencies is required.

2858. Reporting to Inquiring Agencies

The agency shall operate within certain specifications on the release of confidential information to inquiring agencies. [See 2930, Safeguarding Information.] ¹

2859. Passing on Information

It is accepted practice that no agency passes on information received from another agency to a third agency. It is assumed that member agencies of the social service exchanges used by public assistance agencies will follow this practice.

¹ Until issued see Ruling No. 20

Part II The Individual and Public Assistance
2800 Social Services - Agreement of Cooperation with Rehabilitation Commission

2870. NEW JERSEY REHABILITATION COMMISSION

The policy and procedures of this sub-chapter apply in ADC.

Part II The Individual and Public Assistance
2800 Social Services - Agreement of Cooperation with Rehabilitation Commission

2870. NEW JERSEY REHABILITATION COMMISSION

To promote effective inter-agency cooperation the Division of Public Welfare and the Rehabilitation Commission formulated an "Agreement of Cooperation" and a "Supplementary Statement to the Agreement of Cooperation."

2871. The Agreement of Cooperation

The Agreement of Cooperation states: "It shall be the joint and common purpose of the two agencies to work together to improve and coordinate the services within the function of each agency to the end that all needy, disabled and handicapped residents of the State shall be afforded the opportunity to reach the highest possible level of self-dependence through the cure, correction or amelioration of their disabling condition." It agrees to the points set forth to achieve this purpose and gives general understanding of both agencies' functions, including the client's right of Appeal and Fair Hearing. See 2800 Appendix V for a copy of the Agreement of Cooperation.

2872. Supplementary Statement to the Agreement of Cooperation

The Supplementary Statement which has been incorporated in the Manual of Administration as 2800 Appendix V-A gives the detailed policy and procedure agreed upon for joint service when categorical assistance clients require such service.

Part II The Individual and Public Assistance
2800 Social Services - Bureau of Children's Services

2880. [BUREAU OF CHILDREN'S SERVICES

2881. Administrative Structure

The Bureau of Children's Services is an administrative unit within the Division of Public Welfare, State Department of Institutions and Agencies, and operates from a central administrative office in Trenton. Child Welfare services are available through eighteen district offices strategically located throughout the State.

2882. Services and Programs

The statutory authority establishing the Bureau of Children's Services, providing for its functions and responsibilities, and outlining the policies and standards within which these are to be carried out, is contained in Title 30, Chapter 4C of the Revised Statutes. The effect of statutory provisions is that any problem of any child whose welfare is endangered may be brought to the attention of BCS by any interested agency or person including the child himself.

Services are available to any child under 21 without any durational residence requirement so long as the child is in New Jersey when the services are initiated. Services may also be provided on behalf of an unborn child when the prospective mother is in New Jersey.

.1 [Social Services to Children in Their Own Homes (Care Program)

Casework services are offered in relation to behavior problems, emotional adjustment, inter-family relationships, neglect, abuse or exploitation.

These services include the use of appropriate community resources. The primary objective of child welfare services is to strengthen family life and to promote the well-being of children through services to help parents carry out their responsibilities as far as possible. When this objective cannot be accomplished because of the illness, inadequacy or loss of the parent or person having custody of the child, and the welfare of the child is endangered, BCS has authority to arrange for placement of the child. Placement may be made with the consent of the parent, or person responsible for the child, or it may be made as a result of court authority.

Part II The Individual and Public Assistance
2800 Social Services - Bureau of Children's Services

2882. Services and Programs (Cont'd)

.2 Foster Family Care

Foster home placement is a fundamental service offered by the agency. Whenever the circumstances of a child are such that his needs cannot be adequately met in his own home, the BCS may effect his placement in a foster home or in an appropriate institution if such care is deemed essential for him.

The BCS has the responsibility for approval of all foster homes in accordance with established standards.

.3 Guardianship

This program is designed to afford protection for a child by transferring full control over the child's person and property to the BCS. Guardianship can only be effected by an order of commitment entered by the Juvenile and Domestic Relations Court.

Upon commitment to Guardianship, the BCS becomes responsible for the maintenance and support of the child when placement is made in a foster home or appropriate institution.

When a child no longer needs the agency's services (and in any event, when he reaches age 21) he may be discharged from Guardianship by the BCS without further court action. Discharge is usually made to some adult who is willing and able to provide a suitable home, but if the child is old enough and sufficiently mature and stable for such independence, he may be discharged without placing responsibility upon an adult.

Whenever the situation is such that the child will receive proper care and protection, BCS may return him to his own family prior to discharge from Guardianship for a period of supervised adjustment. When it appears that the plan meets the child's needs discharge is made to the parent or other relative with whom the child lives.

.4 Protective Services

BCS offers protective services on behalf of children who are neglected, abused, abandoned, exploited, or cruelly treated. The core of the program, which is geared to keeping the child in his own home if at all possible, is social service to the parents, recognizing that parental neglect may be a symptom of emotional disturbance, unhappiness, or deprivation on the part of the parent. Its focus is preventive, rehabilitative and non-punitive and is geared to alleviating the causative factors. Its purpose is to safeguard the welfare of the child.

Part II The Individual and Public Assistance
2800 Social Services - Bureau of Children's Services

2882. Services and Programs (Cont'd)

.4 (Cont'd)

Legal authority enables BCS to investigate oral as well as written complaints. If a family refuses to permit an investigation of a complaint of mistreatment or neglect of children, or impedes this investigation, or refuses to agree to service when the investigation reveals that help is needed by a child or children, the BCS can seek a court order authorizing the agency to continue in the situation despite the family's opposition.

.5 Adoptions

The BCS is an "approved agency" within the terms of the New Jersey Adoption Law. Consequently, permanent planning for children committed to Guardianship may result in adoption placement. In addition, BCS offers service to New Jersey residents who are interested in interstate and inter-country adoptions.

The BCS is approved to act, upon assignment by the courts, to perform certain investigatory and supervisory functions in connection with adoption proceedings in situations where the child has been placed in the home without approved adoption agency sponsorship.

The BCS is responsible for approving all agencies, both in and out of New Jersey, wishing to place children for adoption in New Jersey; and for establishing standards on the basis of which such approvals are given.

.6 Services to Unmarried Mothers

BCS is authorized to offer service on behalf of an unborn child of an unwed prospective mother. Service includes consultation, counseling, referral to other appropriate resources, and expenditure of funds for board, lodging, clothing, medical, dental and hospital care.

.7 Parole Supervision

The BCS has parole supervision duties for children under age 14 released from the State Home for Boys, the State Home for Girls and New Jersey Training School at Skillman. In consultation with the Division of Correction and Parole, BCS also accepts for supervision certain children between ages 14 and 16.

.8 Services on Behalf of Out of State Agencies

At the request of out of State agencies (both public and private), the BCS provides a visiting, investigating and reporting service concerned with children not under supervision of BCS. Since family needs frequently cross state lines, there is mutual cooperation among the agencies so that adequate social plans can be made for children and families needing service.

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2882. Services and Programs (Cont'd)

.9 Runaway Children

A runaway child is a child under age 18 who, without the consent of his parents, guardian or other person acting in loco parentis, or agency responsible for his care and custody, leaves his home or other place of abode in New Jersey and goes to another state.

The BCS administers Federal funds available through the U.S. Children's Bureau to defray the cost of returning a runaway child to New Jersey and/or temporary maintenance in the other state under certain conditions. The funds are available to other public and private agencies, courts, probation departments, State and local law enforcement agencies, and the Bureau of Parole.

.10 Workmen's Compensation Awards

When a Workmen's Compensation award is to be made to a minor child who has no adequate guardian, the State Department of Labor and Industry, through the Workmen's Compensation Division, may empower the BCS to receive and administer these funds on behalf of the child. However, there is no transfer of the child's personal guardianship to the State, and the BCS has no responsibility for supervision of the child beyond determining the current maintenance needs which must be paid from the award.

.11 Inspections

BCS has the responsibility to inspect annually all private sectarian and nonsectarian institutions for dependent, neglected, predelinquent, and emotionally disturbed children and all public children's shelters. It may also inspect and consult with selected out of State institutions.

.12 WIN Program

BCS has responsibility for planning for adequate child care for the children of parent(s) who are referred to the WIN program.

Child care is provided directly by the agency; is purchased from independent day care centers; or is provided in agency day care centers, day care homes or through in-home care.

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2883. Relationships Between the Bureau of Children's Services District Offices and the County Welfare Boards

[.1 General Principles

a. Family situations affecting the care and protection of children are varied and complex, calling for the fullest possible agency cooperation for their solution. Pre-referral consultation, case conferences, and frequent exchanges of information are essential for effective service and coordination of services within the functions of each agency. Adherence to the principle of confidentiality does not preclude the sharing of information between BCS and CWB.

[b. The CWB shall first use its own resources in an endeavor to alleviate those social problems affecting the family and children. This may include counseling toward the end that the assistance recipient will make a voluntary application to BCS for specialized services.

c. Except in urgent situations, CWB shall initiate requests for service from BCS through case conference or case discussion prior to any action leading to formal application for services to be provided by BCS. The purpose of such preliminary contact will be to review information available to the respective agencies in order to determine the most effective action to be taken, including referral to other community agencies.

Following such case conference or case discussion, the public assistance agency will determine whether a request for service from BCS should be initiated.

[In an emergent situation, where the welfare of the child is believed to be endangered, prompt referral shall be made by CWB with a follow-up summary provided to BCS as soon as possible. Such summary shall include the reason for referral and pertinent information known to CWB.

[d. BCS will promptly investigate all complaints of neglect or abuse.

e. When a request for service from the BCS is made by CWB, BCS will be responsible for the entire follow-up activity, including protective services where the circumstances indicate a need for such service. Such responsibility shall continue until BCS advises the public assistance agency in writing that a problem requiring BCS service does not exist or no longer exists, or until the court in a protective service action has ruled that such service by BCS is not warranted.

2883. Relationships Between the Bureau of Children's Services District Offices and the County Welfare Boards (cont'd)

- .1
- f. Each agency will designate a supervisory person(s) to act as liaison for referrals between the agencies to assure that referrals are appropriate and to expedite the exchange of information and case consultation.
 - g. When a disagreement or misunderstanding regarding a policy or procedure between BCS and a CWB cannot be resolved by consultation between the two agencies through supervisory liaison, the problem shall be referred to the administrative staff of CWB and the District Office of BCS. If the matter cannot be resolved at this level then it shall be referred to the Division of Public Welfare.
 - h. BCS may accept for supervision children who are living with unrelated persons (or related persons other than parent or parent person as defined for ADC) and may make maintenance payments to these persons as foster parents if it is in the best interests of the children to remain in such homes.

When BCS knows of a needy child who is living with a relative who may be eligible to receive ADC, a referral shall be made to CWB. The CWB will make a determination of eligibility of the family for assistance under that program. If the application is denied, the CWB shall notify BCS of the reason.

The principle of presumptive eligibility or the simplified method of application requires that when immediate need is apparent, the statements of the applicant, if otherwise credible, are to be accepted as sufficient basis for the issuance of an initial grant of assistance and for continuing grants of assistance until found ineligible. Any requirement for the submission of additional evidence by the applicant to support his statements prior to the issuance of a grant of assistance, if there is no demonstrable reason for doubting the validity of his statements, is incompatible with this principle.

There may be instances in which the relationship of the child to the parent or parent person cannot be established during the validation period of three months following the granting of assistance on the basis of presumptive eligibility or those cases within the Quality Control sample in CWB's using the simplified method of application. Such cases may be referred back to BCS for consideration of the home as a foster home. However, such a referral to BCS shall not be made unless the array of sources for verification of relationship set forth in 2280.3 and 2200 Appendix I have been considered by CWB.

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2883. Relationships Between the Bureau of Children's Services District Offices
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.1 h. (Cont.)

When BCS has information which will be helpful in the verification of relationship, such information should be made available to CWB.

When a disagreement occurs between the two agencies concerning the relationship of the child as it affects his eligibility for ADC, procedure found in g. above shall be followed.

i. BCS will, at the request of the CWB, offer the following services:

- 1) Consultation on child welfare problems on a planned basis for children who are under the supervision of the public assistance agency.
- 2) Specialized casework services to children who will continue to receive financial assistance from CWB. Since such service will be focused on strengthening the family unit, it will be given only in situations where both agencies mutually agree that such specialized casework services are necessary so that the children may, so far as practical, remain in their own homes.

.2 Emergency Placement by County Welfare Board

a. [When because of an emergency situation CWB must arrange for placement of a child, every effort shall be made to place with a relative who, if need exists, will be eligible to receive ADC payments on behalf of the child, provided that such placement will assure adequate care and protection for the child. (This will include situations where the parent(s) has been convicted of improper parental care, and the Court concurs in a temporary placement under ADC by the county welfare board.)

b. When the only plan which can be made promptly is placement with a relative or nonrelative not eligible to receive ADC payments except as a temporary payee, then CWB must report its action in writing to BCS within twenty-four hours as required by law (R.S. 30:4C-24).

- 1) [In respect to situations in b. above, the law calls for placement in a foster home approved by BCS. It is recognized that in emergency situations this is not always feasible. Therefore, homes used for emergency placements shall be considered to have the approval of BCS for a period not to exceed 30 days.

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2883. Relationships Between the Bureau of Children's Services District Offices
and the County Welfare Boards (Cont'd)

.2 b. 1) (Cont'd)

In addition, BCS will, upon request, evaluate a potential foster home located by a public assistance agency. If satisfactory to BCS, the home will be approved for six months and will then be a placement resource for the public assistance agency in subsequent emergency situations. At the end of each six month period BCS will reevaluate the home at the request of the public assistance agency precedent to renewing approval.

2) The report to BCS of all placements of children in homes other than with relatives eligible to receive ADC payments, shall be in writing, and shall contain pertinent facts leading to the placement to include:

- a) the name, sex, race and age of the child;
- b) the reasons for the placement;
- c) name and address and relationship to child, if any, of the individual caring for the child;
- d) brief description of the present placement and any special problem which will require immediate attention;
- e) the name and address of parent(s) or parent person(s) previously responsible for the child;
- f) whether the plan is temporary (less than two months) or that a long term plan must be made.

c. [In any case where placement described above may extend beyond two months or a permanent plan for the child is needed, CWB shall apply for service from BCS or arrange for an interested person to file an application. Planning for the continuing care of the child will be carried out by CWB service worker until responsibility is accepted by BCS.

- 1) If following evaluation of the child's requirements and of the temporary foster home, BCS approves the home, the placement may continue pending acceptance of responsibility by BCS. If BCS cannot approve the home, that agency will aid the public assistance agency in securing a more adequate placement.

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2883. Relationships Between the Bureau of Children's Services District Offices
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.2 c. 2) Whether the child continues in his own home or a temporary placement has been made by CWB, BCS will accept financial responsibility for the child's maintenance not later than two months following the month in which the request for service was filed, whether or not BCS has been able to arrange for a permanent placement. The CWB will have authority to provide assistance for the child's maintenance until notified of acceptance of financial responsibility by BCS, or for two months subsequent to the month in which the request for service was filed, whichever is earlier.

a) An instance may arise where placement of a child who is a recipient of public assistance is made without the knowledge of the public assistance agency and a request for service is subsequently made to BCS. If the placement is mutually acceptable to both agencies at least for a temporary period, CWB will have authority to continue assistance as provided in the preceding paragraph.

d. Temporary Placement in Institution for Shelter Care

When in an emergency situation a public assistance agency cannot effect a placement as contemplated by paragraphs a. and b., the child may be placed in an institution for temporary shelter care.

1) The superintendent or other chief executive officer of the institution shall be designated temporary payee. (See 2285.4)

2) The initial period of such placement shall not exceed thirty days. When it appears that the only available plan for an ADC child is through foster home placement by BCS, a prompt referral shall be made to BCS by CWB.

3) BCS will give priority of consideration to such a referral in an effort to effect an adequate foster home placement within the thirty-day period following placement in institutional shelter care.

4) If BCS determines that adequate foster home placement cannot be made within the initial thirty-day period, a written request shall be made to CWB to continue the child in institutional care, with payment through ADC for a continued period not to exceed thirty days. Concurrently, a copy of this request shall be sent to the institution. The CWB will then be authorized to continue ADC for institutional shelter care up to a maximum of sixty days from the initiation of the institutional placement.

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2883. Relationships Between the Bureau of Children's Services District Offices
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- .2 d. 5) If during the sixty-day period an alternate plan develops whereby care of a child may be continued through ADC, the referral to BCS will be withdrawn.
- 6) [In the absence of an alternate plan, BCS will accept supervisory and financial responsibility for the child not later than sixty days following the initial placement of the child in institutional shelter care, whether or not BCS has been able to arrange for a permanent placement.
- 7) As an aid to CWB, BCS will make available a list of approved private child care institutions in New Jersey which will accept placements of children for temporary care when no other plan is immediately feasible.

.3 [Guardianship (See 2955. - Petition for Guardianship)

- a. [When a petition for Guardianship has been initiated for a child who is a recipient of public assistance, BCS will accept financial responsibility for the child as of the date of the Order of Commitment provided the child is in placement outside the home. However, when the child has been placed in a temporary foster home by CWB, the CWB will have authority to continue assistance until notified of acceptance of responsibility by BCS, or for two months subsequent to the month in which the petition for Guardianship was filed, whichever is earlier.
- If the child remains in his own home (with parent(s) or parent person(s)) CWB will continue to provide financial assistance.
- b. [In the event that such a petition for Guardianship has been filed, problems of responsibility for providing continuing assistance to the child over an extended period pending final disposition on the petition by the court can be avoided by the petitioner making application for an Interlocutory Order of Commitment. This procedure is also recommended where BCS needs to assume immediate responsibility for and custody of the child (2955.4) when the welfare of the child is endangered and immediate placement outside the home is essential.
- c. There will be situations when in the best interest of a child BCS wishes to return the child to his family. When the family is receiving public assistance, or may need public assistance if the child is returned, BCS, through the liaison supervisor shall consult with the CWB prior to affecting return. The objective of the discussion shall be to decide:

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2883. Relationships Between the Bureau of Children's Services District Offices and the County Welfare Boards (Cont'd)

- .3 c. 1) whether the child should be returned;
- 2) whether any form of public assistance will be required and available for the support of the child; and
- 3) if to be returned, whether it will be necessary for BCS to continue the child under its supervision for a period of adjustment. [If such a need is indicated, the role of the respective service workers shall be clarified.
- [If return is effected, BCS will normally continue its relationship with the child for only one or two months, but this may be extended upon request of CWB showing need for continuation of such service.

.4 Parole Supervision by BCS

There will also be situations in which a child is paroled to BCS from a correctional institution. If such child is to return to his family who are recipients of public assistance, or there appears to be eligibility for public assistance, there shall be consultation with the public assistance agency prior to return of the child. In this situation, however, BCS must retain responsibility for supervision of the child until termination of the parole period. There shall be periodic inter-agency consultation on such cases, and prompt notification on major changes such as case closing for lack of eligibility for public assistance, decision to remove paroled child from the home, discharge from parole, etc.

.5 WIN Program (Work Incentive)

- a. CWB's participating in the WIN program refer appropriate ADC recipients to the Division of Employment Security (DES) of the New Jersey Department of Labor and Industry so that they may receive training and become gainfully employed. Before the parent can be referred to DES, it is necessary for an adequate child care plan to be formulated for the children. (Circular Letters 547 and 677)
- b. BCS has responsibility for planning for adequate child care. This is a specialized service; child care is purchased from independent day care centers or is provided in the agency's day care centers, day care homes or through in-home care.
- c. Services, other than Day Care, required by the ADC family remain the responsibility of the CWB.

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2883. Relationships Between the Bureau of Children's Services District Offices and the County Welfare Boards (Cont'd)

.6 Requests to Return Unattached Child to New Jersey

- a. An "unattached child" shall be understood to refer to any person under age 21 who is presently in another state and unaccompanied by a natural or adoptive parent or spouse.
- b. Requests from public and private agencies in other states to return an unattached child to New Jersey relate to
 - 1) children who may be reunited with a parent(s) or other relatives now residing in New Jersey,
 - 2) children whose parents or others with whom they left this State are no longer available to care for them,
 - 3) children born in another state who are without parents or others to care for them, and for whom plans are being considered for care in New Jersey.
- c. The general policy shall be that BCS will be primarily responsible for developing and carrying out the plan for the return of a child to New Jersey unless the child is a member of an ADC recipient family.
 - 1) Normally such requests from out of State agencies are directed to BCS. However, in the event that CWB receives such a request for a child who is not a member of an ADC recipient family, CWB shall transmit the original inquiry together with a statement of any available information to the BCS, Central Office.
 - 2) When during its investigation BCS finds evidence that return of the child to a parent or relative may involve application for public assistance, then BCS will consult with the appropriate public assistance agency regarding the plan and eligibility for assistance.
 - 3) In some cases BCS may find the child has a relative in New Jersey who is unable to care for the child, or whom BCS cannot recommend as a suitable person. If, however, BCS believes that it is a good social plan to have the child live near the relative, request for service may be accepted from the relative after the child returns to New Jersey from the out of State agency, or from the child himself and a foster home placement arranged.

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2883. Relationships Between the Bureau of Children's Services District Offices and the County Welfare Boards (Cont'd)

- .6 d. [The CWB shall be responsible for planning for the return of a child who is a member of an ADC recipient family.

1) Request Received by BCS (Central or District Office)

[When BCS routes to CWB a request initially received by BCS, CWB shall take prompt action to evaluate the situation. If it is determined that the child should return to his family, CWB shall negotiate directly with the referring out of State agency, giving assurance that the child will be eligible to receive ADC as soon as returned, and asking for details of travel plans.

[Appropriate adjustment of the ADC grant shall coincide with the date of return. It will be expected that the out of state agency will provide the cost of transportation.

[If CWB determines that it is not a good social plan for the child to return to the ADC family, a summary of the reasons for the decision together with copies of the correspondence shall be forwarded to the Division for referral to BCS.

2) CWB Receives Request

When CWB receives the request from out of State regarding return of a child who is a member of an ADC recipient family, CWB shall promptly investigate the situation and follow the same procedures as in 1) above.

3) Division Receives Request

In the event that the State Division receives a request to return a child, and it can be determined from Division files or by telephone clearance with a CWB that the child is a member of an ADC recipient family, the Division will acknowledge the request and route the correspondence to CWB for processing as in a. above.

All other requests will be referred directly to BCS.

4) Municipal Director Receives Request

[The municipal welfare departments will route all such requests to the State Division for disposition.

2883. Relationships Between the Bureau of Children's Services District Offices and the County Welfare Boards (Cont'd)

.7 [Request to Return Runaway ADC Child

- a. In the event that CWB receives a request to return a runaway who is an ADC recipient child, there shall be prompt investigation to determine the suitability of a plan to return the child to his own home. If the plan is deemed suitable CWB will complete arrangements for return with the out of State agency.
- b. If return of the child to the ADC home is not considered a good social plan, CWB shall arrange an alternate plan (e.g., placement with a relative or temporary foster home) following the same policy and procedure provided in 2883.2 for a child being removed from an ADC home.
- c. In relation to return of a child under situations described in a. and b. above, CWB shall assume that the out of State agency will pay transportation costs. In the event that the out of State agency refuses to pay such cost, CWB may apply to the District Office of [BCS for Federal funds. If approved, the check for the estimated cost of transportation will be issued by BCS to the payee agreed upon as part of the plan for the return.
- d. Any such request received initially by CWB for a child who is not a member of an ADC recipient family shall be referred to BCS in the [same manner as for an "unattached child" in .6 above.

.8 [Referrals Between BCS and CWB

- a. [When either agency is referring an adult or child(ren) known to them for a program or service of the other agency, the referral will be made by telephone or personal consultation in accord with the principles stated in 2883.1 c. and f.
- b. [Certain special procedures are provided in 2115. for referral of a child for DA by BCS.
- c. Where a simple referral is to be made of a person not previously known to CWB, and who is not eligible or does not wish to apply for ADC, Form PA-14, Inter-agency Referral, shall be completed in duplicate. One copy will be given to the person to present to BCS, the second will be filed with the record of the inquiry. In such referrals CWB should check "No" after "Reply Requested."

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2883. Relationships Between the Bureau of Children's Services District Offices and the County Welfare Boards (Cont'd)

- .8 c. (Cont'd)
- [Similarly, when referral by BCS results from an inquiry in a District Office of BCS, and it is obvious that the individual is seeking categorical assistance, BCS will complete Form PA-14, Inter-Agency Referral, for the individual to present to CWB. In such referrals BCS will normally check "No" after "Reply Requested."

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2884. Procedures for CWB

.1 Use of Pre-referral Consultation and Case Conferences

- a. The CWB shall use this service freely and fully in regard to any problem concerned with the care and protection of children which arises in course of processing an application for ADC, in an active ADC case, or for persons who request help with problems involving children even though no application for ADC is registered.
- b. Normally a telephone call to the appropriate District Office to discuss the situation briefly and where indicated to make an appointment for the client, will suffice. In many instances BCS will be able to advise of sources of help through private agencies in the community.
- c. In more serious situations the policy outlined in 2883. b. and c. shall be observed.
- d. Where a simple referral is to be made of a person not previously known to CWB, and who is not eligible or does not wish to apply for ADC, Form PA-14, Inter-agency Referral, shall be completed in duplicate. One copy will be given to the person to present to BCS, the second will be filed with the record of the inquiry. In such referrals CWB should check "No" after "Reply Requested."

.2 Care Program

In general there will be two classes of cases in which referral for Care may be appropriate: (1) when upon evaluation of the "family life" factor it is determined that the home is not providing adequate care and protection for the child, (see 2282. and 2633.), and (2) where due to an emergency situation in the home it is necessary to make a new plan for the child, (see 2884.3 below).

.3 Emergency Foster-home Placements

- a. The procedures in 2883. e. and f. shall be observed.
- b. If the placement is expected to be for less than two months due to the temporary absence from the home of the parent or parent person, the provisions of 2285. and 2551. regarding a temporary payee shall apply. When the temporary nature of the placement has been reported (as required by law) the BCS will assume that no action need be taken to plan for supervision of the child.

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2884. Procedures for CWB (Cont'd.)

- .3 c. In any case where the placement will or may extend beyond two months action shall be initiated toward filing an application for Care.
- d. The report to BCS of all placements of children in homes other than with relatives eligible to receive ADC payments, shall be by letter, and shall contain a brief summary of the facts leading to the placement to include:
- 1) The name, sex, race and age of the child.
 - 2) Name and address and relationship to child, if any, of the individual caring for the child.
 - 3) Brief description of the present placement and any special problem which will require immediate attention.
 - 4) The name and address of parent(s) or parent person(s) previously responsible for the child, and his (their) relationship to him.
 - 5) Present whereabouts of such parent(s) or parent person(s).
 - 6) The reasons for the placement.
 - 7) Whether the plan is temporary (less than two months) or that a long term plan must be made.

.4 Petition for Guardianship

Refer to 2955.

2885. Requests to Return Unattached Child to New Jersey

.1 Introduction

- a. An "unattached child" shall be understood to refer to any person under age 21 who is presently in another state and unaccompanied by a natural or adoptive parent or spouse.

2885. Requests to Return Unattached Child to New Jersey (Cont'd.)

- .1 b. Requests from public and private agencies in other states to return an unattached child to New Jersey relate to
- 1) children who may be reunited with a parent(s) or other relatives now residing in New Jersey,
 - 2) children whose parents or others with whom they left this State are no longer available to care for them,
 - 3) children born in another state who are without parents or others to care for them, and for whom plans are being considered for care in New Jersey.
- .2 BCS Has Primary Responsibility
- a. The general policy shall be that BCS will be primarily responsible for developing and carrying out the plan for the return of a child to New Jersey unless the child is a member of an ADC recipient family.
 - b. Normally such requests from out-of-State agencies are directed to the BCS (in accord with instructions in the American Public Welfare Directory). However, in the event that CWB receives such a request for a child who is not a member of an ADC recipient family, CWB shall transmit the original inquiry together with a summary statement of any available information to the Division of Inter-Agency Services, Bureau of Children's Services, P.O. Box 510, Trenton, N. J. 08625. CWB is not expected to make any investigation of the facts, nor to enter into correspondence or other negotiations with individuals or agencies out-of-State prior to the referral to BCS.
 - c. Refer to 2883. m. for processing procedures.
- .3 When Child is Member of ADC Family
- a. Request Received by BCS (Central or District Office)
- When the BCS routes to CWB a request initially received by BCS and determined to be for a child who is a member of an ADC family, CWB shall take prompt action to evaluate the situation. If it is determined that the child should return to his family CWB shall negotiate directly with the referring out-of-State agency, giving assurance that the child will be eligible to receive ADC as soon as returned, and asking for details of travel plans.

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2885. Requests to Return Unattached Child to New Jersey (Cont'd)

- .3 a. (Cont'd) Appropriate adjustment of the ADC grant shall coincide with the date of return, and in accordance with 2520. ADC Insert. It will be expected that the out-of-State agency will provide the cost of transportation.

If CWB determines that it is not a good social plan for the child to return to the ADC family, a summary of the reasons for the decision together with copies of the correspondence shall be forwarded to the Division for referral to BCS.

b. CWB Receives Request

When CWB receives the request from out-of-State regarding return of a child who is a member of an ADC recipient family, CWB shall promptly investigate the situation and follow the same procedures as in a. above.

c. Division Receives Request

In the event that the State Division receives a request to return a child, and it can be determined from Division files or by telephone clearance with a CWB that the child is a member of an ADC recipient family, the Division will acknowledge the request and route the correspondence to CWB for processing as in a. above.

All other requests will be referred directly to BCS.

d. Municipal Director Receives Request

The municipal welfare departments have been instructed to route all such requests to the State Division for disposition.

2886. Request to Return Runaway ADC Child

- a. In the event that CWB receives a request to return a runaway who is an ADC recipient child, there shall be prompt investigation to determine the suitability of a plan to return the child to his own home. If the plan is deemed suitable CWB will complete arrangements for return with the out-of-State agency.

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2886. Request to Return Runaway ADC Child (Cont'd.)

b. If return of the child to the ADC home is not considered a good social plan, CWB shall arrange an alternate plan (e.g., placement with a relative or temporary foster home) following the same policy and procedure provided in 2883. e. for a child being removed from an ADC home.

c. In relation to return of a child under situations described in a. and b. above CWB shall assume that the out-of-State agency will pay transportation costs. In the event that the out-of-State agency refuses to pay such cost CWB may apply to the District Office of BCS for Federal funds. BCS will require completion of their Form BCS 25-13, and a social history summary. If approved, the check for the estimated cost of transportation will be issued by the Division of Finance of BCS to the payee agreed upon as part of the plan for the return.

d. Any such request received initially by CWB for a child who is not a member of an ADC recipient family shall be referred to BCS in the same manner as for an "unattached child."

[Refer to 2882.9 for details on Runaway Children]

2887. Referrals by BCS to CWB

a. When BCS is referring an adult or child known to them through a program or service of that agency the referral will be made by telephone or personal consultation in accord with the principles stated in the Statement of Understanding.

b. Certain special procedures are provided in 2115. and 2235.3 c. for referral of a child under Care or Guardianship to apply for DA.

c. When referral by BCS results from a simple inquiry in a District Office of BCS, and it is obvious that the individual is seeking categorical assistance, BCS will complete Form PA-14, Inter-Agency Referral, for the individual to present to CWB. In such referrals BCS will normally check "No" after "Reply Requested."

Part II The Individual and Public Assistance
2800 Social Services-Municipal Welfare Departments (General Assistance)

2890. 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.

The law provides for State Aid, under certain conditions, to reimburse a municipality for 75% of assistance expenditures. Municipalities receiving State Aid assume the obligation to administer General Assistance in accordance with the regulations and standards issued by the State Division of Public Welfare.

.2 "Need" Only Eligibility Requirement in General Assistance

Economic need is the only eligibility requirement for 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.

.3 The Factor of Legal Settlement

In addition to Title 44, Chapter 8 of the Revised Statutes, General Public Assistance Act, the administration of General Assistance is subject to Title 44, Chapter 8A, Legal Settlement Law, in respect to determination of financial responsibility for each assistance case. A person's eligibility for General Assistance, if he is in need, is not conditioned on his having "legal settlement" in New Jersey or in any municipality thereof. "Legal settlement" is determined for two purposes:

- a. To establish whether the municipality where the client is living is ultimately responsible for the cost of the assistance paid to him, or whether another municipality is to be billed by the municipality serving the client; or

Part II The Individual and Public Assistance
2800 Social Services-Municipal Welfare Departments (General Assistance)

2890. MUNICIPAL WELFARE DEPARTMENTS (GENERAL ASSISTANCE) (Cont'd)

.4 Responsibility of Municipal Director of Welfare

The municipal director of welfare has the responsibility of exploring the applicant's resources and possible means of support. This includes inquiry into whether the applicant may be eligible or potentially eligible for a form of categorical assistance. Such cases will be promptly referred to CWB for immediate financial assistance, if required.

.5 Methods for Providing General Assistance

The local assistance board with the approval of the governing body is permitted to determine the method by which General Assistance shall be provided. Various methods are currently used by municipalities - cash, in the form of check, payable to the client for his total needs; a combination of cash payment to client, and vendor payments for certain items; or, voucher payments (relief orders) to both clients and vendors.

.6 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 Categorical Assistance Budget Manual.

Part II The Individual and Public Assistance
2800 Social Services - Municipal Welfare Departments (General Assistance)

2891. 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 categorical assistance clients and members of their immediate families of the availability of General Assistance and where and how to apply, in the following situations:

- a. During an initial interview, the person does not file an application because it appears that he cannot qualify for categorical assistance, but he states he is in economic need;
- b. An application for categorical assistance was filed and it has been determined that the applicant is not eligible, but he appears to be in need and is not currently receiving General Assistance;
- c. A recipient becomes ineligible for continued categorical assistance for some technical reason even though he continues to be in need. However, a recipient who becomes ineligible for categorical assistance because of refusal to comply with a program requirement is not eligible for General Assistance and should not be referred to a municipal welfare department.
- 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 client's assistance budget.

.2 Method of Referral

- a. Direct referrals to municipal welfare departments shall be made by use of Form PA-14, Interagency Referral. A sample copy of Form PA-14 appears as 2700 Appendix V. The form is available on order from the Bureau of State Use.
- b. If the person(s) being referred is an applicant for or recipient of categorical assistance, or a member of such a client's immediate family, prepare Form PA-14 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 for CWB files and follow-up control as necessary.

[Consult Directory of local agencies issued by State Division to identify appropriate municipal welfare department or other official responsible for welfare.]

Part II The Individual and Public Assistance
2800 Social Services - Municipal Welfare Departments (General Assistance)

2891. Referral by County Welfare Board to Municipal Welfare Department (Cont'd.)

- .2 c. When the person wishing to apply for General Assistance is other than an applicant, recipient, or member of the immediate family, CWB shall instruct the person how and where to apply for General Assistance, but shall not make formal referral by use of Form PA-14. (See 2111.1 and 2113.1 f. for policy.)

2892. Responsibility of Municipal Welfare Department Receiving Referral

The municipal welfare department will complete the "tear sheet" portion of the PA-14 as appropriate to the situation and return it to CWB.

2893. 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 consideration.

2894. Referrals to County Welfare Board from Municipal Welfare Departments

.1 Method of Referral

When municipal welfare department make referrals of clients to the county welfare board to apply for categorical assistance, Form PA-14 will be used.

.2 Responsibility of County Welfare Board Receiving Referral

- a. Upon receipt of a referral, CWB shall complete the "tear sheet" portion of the PA-14 as appropriate to the situation and return it to the referring municipal welfare department within two weeks (10 working days), whether or not an application for categorical assistance has been filed.

- b. When the referral results in an application, CWB shall, as promptly as possible, notify the municipal welfare department of the disposition of the application according to the provisions of 2912, Notice to Interested Agency.

APPENDIX SECTION

CHAPTER 2800
SOCIAL SERVICES

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(1)

DIRECTORY OF DISTRICT OFFICES OF OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

	<u>SERVICING OFFICE</u>	<u>ADDRESS</u>
<u>ATLANTIC COUNTY</u>		
All	Atlantic City	Old Post Office Building Pacific and Pennsylvania Avenues
<u>BERGEN COUNTY</u>		
Carlstadt	Passaic	63 Grove Street
East Rutherford		
Garfield		
Hasbrouck Heights		
Lodi		
Lyndhurst		
North Arlington		
Rutherford		
Wallington		
Wood-Ridge		
Allendale	Paterson	52 Church Street
East Paterson		
Fair Lawn		
Franklin Lakes		
Glen Rock		
Hohokus		
Mahwah		
Midland Park		
Oakland		
Ramsey		
Ridgewood		
Saddle River		
Walckwick		
Wyckoff		
All Others	Hackensack	50 Main Street
<u>BURLINGTON COUNTY</u>		
Green Bank	Atlantic City	Old Post Office Building Pacific and Pennsylvania Avenues
Lower Bank		
New Gretna		
Beverly	Bristol, Pa.	1502 Farragut Avenue
Birmingham		
Bridgeboro		
Browns Mills		
Burlington		
Chatsworth		
Columbus		

DIRECTORY OF DISTRICT OFFICES OF OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

<u>SERVICING OFFICE</u>	<u>ADDRESS</u>
<u>BURLINGTON COUNTY</u> (continued)	
Cookstown	Bristol, Pa. 1502 Farragut Avenue
Delanco	
Edgewater Park	
Evansville	
Florence	
Fort Dix	
Hainesport	
Hartford	
Jobstown	
Juliustown	
Levittown (Willingboro)	
Lumberton	
Masonville	
Medford	
Mount Holly	
New Lisbon	
Pemberton	
Rancocas	
Riverside	
Roebing	
Smithville	
Vincentown	
Whitesbog	
Wrightstown	
Bordentown	Trenton 437 East State Street
Crosswicks	
Fieldsboro	
All Others	Camden 415 Federal Street
<u>CAMDEN COUNTY</u>	
All	Camden 415 Federal Street
<u>CAPE MAY COUNTY</u>	
All	Atlantic City Old Post Office Building Pacific and Pennsylvania Avenues
<u>CUMBERLAND COUNTY</u>	
All	Bridgeton 100 North Pearl Street

DIRECTORY OF DISTRICT OFFICES OF OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

<u>SERVICING OFFICE</u>	<u>ADDRESS</u>
<u>ESSEX COUNTY</u>	
East Orange	19 South Harrison Street
Livingston	
Orange	
West Orange	
Irvington	1071 Springfield Avenue
Maplewood	
Milburn	
Newark (Zip Code 07106)	
Short Hills	
South Orange	
Newark	1016 Broad Street
Belleville	
Nutley	
All Others	622 Bloomfield Avenue
<u>GLOUCESTER COUNTY</u>	
All	415 Federal Street
<u>HUDSON COUNTY</u>	
All	900 Bergen Avenue
<u>HUNTERDON COUNTY</u>	
Baptistown	437 East State Street
Flemington	
Frenchtown	
Lambertville	
Ringoes	
Rosemont	
Sand Brook	
Sergeantsville	
Stockton	
Three Bridges	
Treasure Island	
All Others	204 Northampton Street
<u>MERCER COUNTY</u>	
All	437 East State Street

DIRECTORY OF DISTRICT OFFICES OF OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

	<u>SERVICING OFFICE</u>	<u>ADDRESS</u>
<u>MIDDLESEX COUNTY</u>		
Avenel	Perth Amboy	93 Smith Street
Barber		
Carteret		
Cliffwood Beach		
Colonia		
Fords		
Hopelawn		
Iselin		
Keasbey		
Lawrence Harbor		
Parlin		
Perth Amboy		
Fort Reading		
Sayreville		
Sewaren		
South Amboy		
Woodbridge		
All Others	New Brunswick	167 New Street
<u>MONMOUTH COUNTY</u>		
Belford	Perth Amboy	93 Smith Street
Cliffwood		
Hazlet		
Keansburg		
Keyport		
Leonardo		
Matawan		
Middletown		
Morganville		
New Monmouth		
Port Monmouth		
Union Beach		
Wickatunk		
All Others	Asbury Park	2nd Floor, Charms Building 611 Heck Street
<u>MORRIS COUNTY</u>		
All	Morristown	136 South Street

DIRECTORY OF DISTRICT OFFICES OF OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

	<u>SERVICING OFFICE</u>	<u>ADDRESS</u>
<u>PASSAIC COUNTY</u>		
Clifton	Passaic	Post Office Building
Great Norch		
Passaic		
All Others	Paterson	245 Market Street
<u>SALERT COUNTY</u>		
All	Bridgeton	100 North Pearl Street
<u>SOMERSET COUNTY</u>		
North Plainfield	Elizabeth	268 North Broad Street
Watchung		
Basking Ridge	Morristown	17 South Street
Bedminster		
Bernardsville		
Far Hills		
Gladstone		
Lyons		
Peapack		
All Others	New Brunswick	75 Paterson Street
<u>SUSSEX COUNTY</u>		
All	Morristown	17 South Street
<u>UNION COUNTY</u>		
All	Elizabeth	286 N. Broad Street
<u>WARREN COUNTY</u>		
All	Easton, Pa.	204 Northampton Street

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**REQUEST FOR FEDERAL OLD-AGE AND SURVIVORS INSURANCE
AND FOR NONMEDICAL DISABILITY INFORMATION**

Date

TO:

FROM:

District Manager
Social Security Administration

The individual(s) shown (or representative payee) is unable to produce a copy of an award certificate or disallowance letter from the Social Security Administration with reference to an application for benefits under Title II of the Social Security Act, as amended.

It is requested that information available from your records, regarding the entitlement of the individuals listed, be furnished this office. The information requested is required for use in determining our claimant's eligibility. The information will be used only for the purpose stated and will not be disclosed to any other organization or individual, except in accordance with regulations or instructions of the Social Security Administration or as provided in the administration of the approved State Public Assistance plan.

(Signature and Title)

1. <input type="checkbox"/> Request for benefit information	2. <input type="checkbox"/> This Agency has in its files authorization from the claimant to obtain OASDI information. Please furnish quarters of coverage information.
---	--

3. Wage Earner: Name Address	Social Security Account No.
---------------------------------	-----------------------------

4. Wage Earner's Birthdate	Date of Death
----------------------------	---------------

5. If the wage earner's account number is unknown, complete items A. through E.

A. Place of Birth	B. Sex	C. Race
D. Father's Name	E. Mother's Maiden Name	

6. CLAIMANT'S Name, Address, and Relationship to the wage earner.

7. Give the wage earner's work during the last 12 months or prior period if work unreported: (If he worked for himself, write "Self-employed.")

Name and Address of Employer	Work Began		Work Ended	
	Month	Year	Month	Year

8. Did the wage earner serve in the Armed Forces of the United States after September 7, 1939? Yes No
If yes, give approximate dates _____

9. Did the wage earner work in the railroad industry after 1936? Yes No

10. If the requested information relates to a disability benefit give the date the disability began. _____

11. If this request is a follow-up or resubmittal, check the appropriate block and show the date of the prior request:
 Follow-up Resubmittal Date _____

**DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
SOCIAL SECURITY ADMINISTRATION
BUREAU OF OLD-AGE AND SURVIVORS INSURANCE**

Date: _____

Re: _____

The records of the Social Security Administration disclose the following:

1. Monthly Benefits Awarded

Name of Claimant	Type of Benefit	Date of Birth	Month of Entitlement	Monthly Benefit	Lump Sum	Initial Payment	First Check Due (Est.)

2. No Application Filed

3. Application in Process of Development

4. Application Disallowed (See Below) Date _____

5. Wage Earner Not Insured _____

Remarks _____

District Manager

REQUEST FROM PUBLIC ASSISTANCE AGENCY
 (OAA, DA, AB AND MAA PROGRAMS)

SOCIAL SECURITY ADMINISTRATION Bureau of Data Processing and Accounts Baltimore, Maryland, 21235	JOB CODE
--	----------

I certify that a court order has been issued against the person identified herein to provide for the support and maintenance of his child or children, who are in destitute circumstances and are applicants for or recipients of benefits payable under Title I, X, XIV, or XIX of the Social Security Act or under a State or local public assistance program. Enclosed is a certified copy of the order. Please furnish the person's most recent address or the address of the latest employer who reported wages for him. We have attempted without success to locate the person from all sources reasonably available. This information is being requested and will be used only for the purpose of obtaining the support and maintenance ordered by the Court.

NAME OF AGENCY	SIGNATURE OF REQUESTER	
ADDRESS OF AGENCY	TITLE	DATE

PLEASE CHECK:
 CHILD IS APPLICANT FOR ASSISTANCE UNDER GRANT-IN-AID PROGRAM OTHER PROGRAMS

SOCIAL SECURITY RECORDS ARE CONFIDENTIAL. UNDER THE LAW, PERSONS USING THE REQUESTED INFORMATION FOR PURPOSES OTHER THAN OBTAINING SUPPORT AND MAINTENANCE CAN BE PROSECUTED.

REQUESTER: Please complete items 1 through 8 below:

1. NAME OF PERSON	2. SOCIAL SECURITY ACCOUNT NUMBER
3. DATE OF BIRTH (Month, day, year)	4. PLACE OF BIRTH
5. FATHER'S NAME	6. MOTHER'S MAIDEN NAME
7. LAST KNOWN HOME ADDRESS	8. NAME AND ADDRESS OF LAST KNOWN EMPLOYER
DATE OF RESIDENCE	DATE EMPLOYED

SOCIAL SECURITY ADMINISTRATION REPORT

ADDRESS (If AN holder is claimant)

EIN	MB & UNIT NO.	NAME AND ADDRESS OF EMPLOYER
EST. No.	LAST QUARTER	
EIN	MB & UNIT NO.	NAME AND ADDRESS OF EMPLOYER
CLERK NO.	DATE	

Enter Name and Address of Requesting Agency

INSTRUCTIONS FOR COMPLETION OF FORM PA-21 "REQUEST FOR NAME AND ADDRESS OF EMPLOYER
IN ADC CASE"

- Item 1 - Show full name of the deserting parent. Use separate forms for each if more than one deserting parent is involved in a single ADC case.
- Item 2 - Provide social security number of the deserting parent about whom information is requested.
- Item 3 - Give date of birth of the deserting parent, specifying the month, day and year.
- Item 4 - Give place of birth, specifying city, county and State. If born out of U.S.A. give country and place of birth.
- Item 5 - Enter full name of the father of the deserting parent. This is particularly essential when social security account number is not ascertainable or there is uncertainty about the accuracy of the account number given.
- Item 6 - Enter the maiden name of the mother of the deserting parent. This is essential for same reasons given for item 5.
- Item 7 - Show full information about last known address, giving house number, street, city and State, or the specifics about a rural address. Enter date of such address.

Social Security Administration Report - This part of the report will be completed by BOASI. The abbreviated headings, EIN, MB. & UNIT NO., EST.NO. AND LAST QTR. are for BOASI identification use in the process of tracing the information on the last employer. The section, Name and Address of Employer, will be filled in by BOASI. There are two such sections since, in some instances, the deserting parent has more than one employer. BOASI will use the section on Remarks to supply corrected or additional information, e.g., correct social security number or correct full name of the deserting parent.

Addresses on Form - Fill in address of the appropriate BOASI District Office in the address block in upper left hand side of the form. Upon completion of the form fold so that request can be sent in a window envelope. Insert name and address of the county welfare board in the address block in lower left hand corner so the BOASI may upon entering its information, fold and return in a window envelope.

Title and Date - Enter the title of the staff member who is to sign the form and enter the date on which the Form is completed.

Signature - The staff member responsible for making the request shall sign full name in ink.

1. The first part of the document is a list of names and addresses.

2. The second part of the document is a list of names and addresses.

3. The third part of the document is a list of names and addresses.

4. The fourth part of the document is a list of names and addresses.

5. The fifth part of the document is a list of names and addresses.

6. The sixth part of the document is a list of names and addresses.

7. The seventh part of the document is a list of names and addresses.

8. The eighth part of the document is a list of names and addresses.

9. The ninth part of the document is a list of names and addresses.

10. The tenth part of the document is a list of names and addresses.

11. The eleventh part of the document is a list of names and addresses.

12. The twelfth part of the document is a list of names and addresses.

13. The thirteenth part of the document is a list of names and addresses.

14. The fourteenth part of the document is a list of names and addresses.

15. The fifteenth part of the document is a list of names and addresses.

16. The sixteenth part of the document is a list of names and addresses.

17. The seventeenth part of the document is a list of names and addresses.

18. The eighteenth part of the document is a list of names and addresses.

REQUEST FROM PUBLIC ASSISTANCE AGENCY
(ADC PROGRAM ONLY)

SOCIAL SECURITY ADMINISTRATION
BUREAU OF DATA PROCESSING AND
ACCOUNTS
BALTIMORE, MARYLAND 21235

A child of the individual identified herein whose whereabouts are unknown is eligible for aid to families with dependent children. Please furnish the address of the latest employer who reported wages for him, if earnings have been reported for a period after the date shown in item 7 as the date of the last known address. This information is not otherwise available and is necessary for use in the administration of Title IV of the Social Security Act. Such information will not be disclosed except for this purpose.

Signature of Requesting Individual

(Title) (Date)

(Name and address of agency to which information will be sent)

- 1. -----
(Name of Parent)
- 2. -----
(Social Security Account Number)
- 3. -----
(Date of Birth) Month Day Year
- 4. -----
(Place of Birth) City County State
- 5. -----
(Father's Name)
- 6. -----
(Mother's Maiden Name)
- 7. -----
(Last Known Address and Date of Same)

Social Security Administration Report	
EIN	M.B. & Unit No.
Est. No.	Last Qtr.
Name and Address of Employer	
EIN	M.B. & Unit No.
Name and Address of Employer	

Remarks:
Clerk No. ----- Date -----

REQUEST TO THE U.S. INTERNAL REVENUE SERVICE FOR
INFORMATION CONCERNING DESERTING ADC PARENTS

TO: Bureau of Business Services, Division of Public Welfare

FROM: _____ CWB

We have used without success all sources reasonably available to us in attempting to locate the deserting, noncontributing parent. This parent is currently under court order to contribute, or a petition has been filed for an order for support of his or her child or children. This parent's child or children are receiving assistance under the ADC program.

(1-3) Agency Code 0 3 1

(4-12) Social Security

Account Number _____
of Deserting Parent

(13-15) Project Code Number 7 1 9

(16-18) CWB No. 0 _ _

(19-23) Case No. _____

Name of Deserting Parent _____
Last Name First Name MI

Name of Recipient _____
Last Name First Name MI

Date _____ Signature _____

INSTRUCTIONS

Form PA-21B is to be used by the county welfare boards to secure the assistance of the U.S. Internal Revenue Service in locating deserting ADC parents. This form will be used only: (1) when all reasonable efforts to locate the deserting parents have failed; (2) when there is an outstanding court order for support on which payment is not being made, or a petition for such an order has been filed; and (3) when the child or children are receiving Assistance for Dependent Children. For a discussion of the policy relating to this procedure, see Manual of Administration 2829.

Two copies of this form are needed. One copy is to be mailed daily to the Bureau of Business Services. The other copy is to be used as a tickler which will be set two months from the date of mailing. When the information is received from the State Bureau regarding the deserting parent, the tickler copy of Form PA-21B and the information shall be filed in the case record.

(1- 3) Agency Code: The code number assigned to New Jersey is pre-printed on the form.

(4-12) Social Security Account Number: Enter the social security account number of the deserting parent.

(13-15) Project Code: The project code assigned by IRS is pre-printed on the form.

(16-18) CWB No:

CWB Numbers

001 Atlantic	008 Gloucester	015 Ocean
002 Bergen	009 Hudson	016 Passaic
003 Burlington	010 Hunterdon	017 Salem
004 Camden	011 Mercer	018 Somerset
005 Cape May	012 Middlesex	019 Sussex
006 Cumberland	013 Monmouth	020 Union
007 Essex	014 Morris	021 Warren

(19-23) Case Number: Enter the number assigned to the case. Omit county and program designation. Precede the number by zeros, if necessary, to complete 5 digit number. For example 1 2 3 4 would be entered as 0 1 2 3 4.

The County Welfare Board Director or his duly authorized representative will sign and date the form before it is mailed to the Bureau of Business Services.

RECORD OF CLASSIFICATION AND SERVICES FOR RECIPIENT CASES

Case Name _____ Case Number (s) _____

Date Case Opened -----	Classification: Defined Social Problem(s) Identified? <input type="checkbox"/> Yes (Date) _____ <input type="checkbox"/> No (Date) _____
Number of Eligible Children in Family -----	
Social Study Completed (Date) -----	Reclassification: Defined Social Problem(s) Identified? <input type="checkbox"/> Yes (Date) _____ <input type="checkbox"/> No (Date) _____
Date Case Closed -----	Reclassification: Defined Social Problem(s) Identified? <input type="checkbox"/> Yes (Date) _____ <input type="checkbox"/> No (Date) _____

MAJOR PROBLEM AREAS	Date Problem Identified	Fiscal Year _____ Defined Social Services Provided (Check Month)											
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
A. Families and Children in ADC													
Unmarried Parents and Their Children with Specified Problems													
Families Disrupted by Desertion or Impending Desertion													
Families with Adults or Older Youths with Potentials for Self-Support													
Children in Need of Protection													
Children with Special Problems													
Families with Serious Problems in Family Functioning													
Families with Problems in Money Management													
Families Disrupted by Absence of Parent for Reasons other than Desertion													
B. OAA, DA, AB, MAA, and ADULTS in ADC													
Aged and Disabled Individuals in Need of Protection													
Aged and Disabled Individuals Requiring Services to Remain in or Return to Their Own Homes or Communities													
Blind and Other Disabled Individuals with Potentials for Self-Support in Whole or in Part													
Adults with Potentials for Self-Care													
Adults Who Are Isolated or Estranged from Family													
C. Social Study													
Social Study (Check Month study is completed)													

Caseworker's Name _____

(INSTRUCTIONS ON REVERSE SIDE)

RECORD OF CLASSIFICATION AND SERVICES FOR RECIPIENT CASES

I N S T R U C T I O N S

1. Prepare a form for each public assistance case in accordance with Manual of Administration 2809. Fill in the identifying information as to case name, case number, date of opening and, for ADC cases, the number of eligible children in the family.
2. Enter the date opposite "Social Study Completed." Completion of a social study may be counted as the provision of a defined social service AND ENTERED UNDER ITEM C. SOCIAL STUDY.
3. Under "Classification," indicate whether a **defined social problem(s)** has or has not been identified and the date of such determination. The terms, "Classification" and "Reclassification," as used here, refer only to the determination of whether or not a defined social problem(s) has been identified in a particular case. The reclassification item will be used only when a particular case changes to or from a "defined social problem identified" classification. Problems related to the determination of eligibility and providing of financial assistance are **not** to be considered defined social problems.
4. For each case classified as **having a defined social problem**, enter date (in column headed "Date Problem Identified") opposite the major problem area applicable in a given situation. (See Manual of Administration 2806. Pgs. 1-12).
5. Problems will be identified during the social study process initially and on a continuing basis. As they are so identified, enter date after the major problem area which is applicable. If the problem area identified pertains to a case which has not been classified as "**defined social problem(s) identified**," the status will be changed accordingly.
6. The caseworker will check (x) the month in which a service is provided. Each check mark must be supported by an appropriate entry in the case record giving the nature and purpose of the service. The letters "DS" will be entered in the margin of the case record next to the description of the service(s) provided. **No recipient case should be reported as having received a defined service unless and until a social study has been completed for such case.**
7. Although a case may be claimed for purposes of Federal participation when one service is provided during a quarter, all defined services provided during a particular quarter should be entered in order to serve the other purposes of the form.
8. While the redetermination process includes a review of the social service needs of a case, with updating of the social study, such review is not automatically countable as a provision of defined services. If, in the course of the redetermination, a problem is identified and a defined social service is provided, this action will be recorded and counted on the PA-22 as indicated above.

RECORD OF SERVICES FOR APPLICANT CASES (INTAKE)

Case Name _____ Case Number(s) _____																	
	Last	First	M. I.														
Date of Application _____						Date of Disposition _____											
Number of Eligible Children in Family (ADC Only) _____						Disposition Action (Circle One):											
			Approved			Denied			Withdrawn			Dismissed					
SERVICE ACTIVITY						Fiscal Year _____ Services Provided (Check Month)											
						July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
<u>A. Services Provided</u>																	
1. Referral																	
2. Short Term Service																	
3. Other Defined Service																	
<u>B. Objective of Service Provided</u>																	
1. Educational or Vocational Training																	
2. Health Care																	
3. Improved Financial Functioning																	
4. Maintaining Family Life & Improving Family Functioning																	
5. Maintaining or Improving Social Relationships, and Participation in Community Life																	
6. Maintaining Home																	
7. Protection of Children																	
8. Protective Service for Adults																	
9. Returning Persons to Home or Community From Institutional Care																	
O. Self-Care Services																	
X. Self-Support Services																	
Y. Other																	
Caseworker's Name _____						(INSTRUCTIONS ON REVERSE SIDE)											

RECORD OF SERVICES FOR APPLICANT CASES (INTAKE)

I N S T R U C T I O N S

1. Prepare a form for each applicant case in accordance with Manual of Administration 2803.2c and 2809.2. Fill in identifying information in heading.
2. Whenever a service is provided during the application process, enter a check (x) under Section A in the month in which the service is provided on the line which identifies the appropriate area of service.
3. Under Section B enter a check (x) opposite the appropriate objective(s) toward which the service is directed. A particular service may have more than one objective. For example, a referral may have both health and self-support objectives. Similarly, several services may be provided with only one objective, such as protection of children.
4. Each check mark entered under Section A will be supported by an appropriate entry in the case record.

AGREEMENT OF COOPERATION
between
The New Jersey Rehabilitation Commission,
Department of Labor and Industry
and
The Division of Public Welfare,
Department of Institutions and Agencies

PURPOSE

It shall be the joint and common purpose of the two agencies to work together to improve and coordinate the services within the function of each agency to the end that all needy, disabled and handicapped residents of the State shall be afforded the opportunity to reach the highest possible level of self-dependence through the cure, correction or amelioration of their disabling conditions.

In order to achieve this common purpose the New Jersey Rehabilitation Commission and the Division of Public Welfare agree to:

1. Clearly identify the specific responsibilities of each agency in respect to providing to eligible persons maintenance costs, social and related services, so that there is at all times a mutual understanding in planning for the utilization of services for the individual clients, and in order that there shall be no duplication of the assistance, goods or services to be provided.
2. Mutually recognize and give full consideration to the standards established by each agency for the determination of economic need of clients, and each agency to make copies of such standards available to the other.
3. Jointly develop procedures for inter-agency referral and follow-up of clients applying for assistance or services.
4. Provide for the initial and continuing exchange of information pertinent to the planning for and progress of an individual client, through written reports, exchange of case record material, including all medical reports, and joint case conferences between agency staffs (i.e. appropriate public welfare agency and district office of Commission.)
5. Develop and carry out plans for joint staff training to equip staff with knowledge and increased understanding of the functions, policy and procedures of the two agencies in achieving the common goal of rehabilitation of disabled, needy persons.

Agreement of Cooperation (Cont'd)

6. Protect the rights of the individual clients and the mutual interest of the respective agencies by adherence to the principle of confidentiality of information by:
 - a. Securing the written consent of the client prior to the release of any information for publication, and
 - b. Review and approval by both agencies of any publicity releases, involving identification of clients known to both agencies, or the functions and operations of the other agency in relation to identified clients, prior to release for publication.
7. Advise and confer with each other when contemplated or accomplished changes in the policy, procedure or laws governing the respective programs have direct or indirect bearing on the provision of assistance or services to disabled needy persons, or on the eligibility of persons for the services of either agency.
8. The designation by each agency of one or more State staff member(s) who shall be responsible for maintaining a close working relationship between the two agencies; who shall have responsibility for the continuing review and evaluation of the effectiveness of the operation of this cooperative agreement.

AGENCY FUNCTIONS - GENERAL UNDERSTANDING

Rehabilitation Commission

By law the Rehabilitation Commission is responsible for providing vocational rehabilitation services to any physically or mentally handicapped individual, excepting blind persons under the care of the State Commission for the Blind and Visually Impaired, the deaf persons under the care of the Marie H. Katzenbach School for the Deaf, and persons who, in the judgment of the Commission, are not feasible for vocational rehabilitation services. The law defines a "handicapped individual" as

"...any individual who is under a physical or mental disability which constitutes a substantial handicap to employment, but which is of such a nature that vocational rehabilitation services may reasonably be expected to render him fit to engage in a gainful occupation, including a gainful occupation which is more consistent with his capacities and abilities."

"'Handicapped individual' also means any individual who has a physical or mental disability which constitutes a substantial handicap to employment for whom vocational rehabilitation services are necessary for purposes of the determination of a rehabilitation potential."

Agreement of Cooperation (Cont'd)

The law further defines "gainful occupation" as including

"....employment in the competitive market; practice of a profession; self-employment, homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; and home industries or other gainful homebound work."

The law authorizes the Commission "To cooperate with and utilize the services of the State agency or agencies administering the State's Public Assistance program... and other public and private agencies providing services related to vocational rehabilitation."

The Commission is responsible for determination of the eligibility of persons for vocational rehabilitation and of the nature and scope of the rehabilitation services to be provided; and such responsibility will not be delegated to any other agency or individual not of the Commissioner's staff.

Division of Public Welfare

The Division of Public Welfare has been designated as the Departmental unit charged with the administrative supervision of the several public assistance programs, including Old Age Assistance, Disability Assistance, Medical Assistance for the Aged, Assistance for the Blind, Assistance for Dependent Children, Assistance to Families of the Working Poor, Cuban Refugee Assistance, General Assistance, and other public assistance programs and services related thereto, the varied programs referred to collectively as Child Welfare Services and the varied services provided by the Commission for the Blind and Visually Impaired for the blind and near blind persons.

The Division of Public Welfare is responsible for seeing that the State, county and municipal units which administer the several programs, provide assistance and service with respect to related problems to all eligible persons on an equitable basis. Implicit in these responsibilities is a duty to assist persons to obtain services not within the scope of the public welfare agency programs from other resources and facilities available to the community.

The Division of Public Welfare, through its administering units, is responsible for the determination of the eligibility of persons for public assistance and welfare services; and such responsibility will not be delegated to any other agency or individual not of the staffs of the Division of Welfare or its administering units.

CLIENTS RIGHT OF APPEAL AND HEARING

Rehabilitation Commission

By law any individual applying for or receiving vocational rehabilitation services who is aggrieved by any action or inaction of the Commission is entitled to a hearing by the Commission in accordance with regulations established by the Commission.

Agreement of Cooperation (Cont'd)

Division of Public Welfare

The laws governing Old Age Assistance, Disability Assistance, Assistance for the Blind, Assistance for Dependent Children, Medical Assistance for the Aged and Assistance to Families of the Working Poor, provide that any applicant for or recipient of assistance who is dissatisfied with the decision made by or the inaction of the administering agency has the right of appeal and fair hearing. Specific regulations have been established to carry out the Department's responsibility in this area.

In General Assistance, State regulations charge the local assistance boards with responsibility for review and action on written complaints submitted to them by dissatisfied applicants and recipients.

.....

The New Jersey Rehabilitation Commission and the Division of Public Welfare, Department of Institutions and Agencies, having revised this agreement and the necessary supplementary instructions covering operational details of policy and procedure filed as part of the original agreement executed June 1956, and such revision having been mutually agreed upon and approved, are filed as part of this agreement.

It is further agreed by the New Jersey Rehabilitation Commission and the Division of Public Welfare, Department of Institutions and Agencies, that this cooperative agreement and any jointly developed or mutually agreed upon written instructions on specific policy and procedure, are subject to joint review for revision or amendment upon the request of either agency.

Date: February 15, 1972

S/ Arthur J. Sinclair

Arthur J. Sinclair
Director, Rehabilitation Commission
New Jersey Department of Labor and
Industry

March 15, 1972

S/ Irving J. Engelman

Irving J. Engelman
Director, Division of Public Welfare
New Jersey Department of Institutions
and Agencies

Supplementary Statement to Agreement of Cooperation Between
New Jersey Rehabilitation Commission and the Division of Public Welfare

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Supplementary Statement
to
AGREEMENT OF COOPERATION
between
The New Jersey Rehabilitation Commission,
Department of Labor and Industry
and
The Division of Public Welfare,
Department of Institutions and Agencies

INTRODUCTION

The common objective of vocational rehabilitation and public welfare is to help disabled clients to reach the highest possible level of self-help and economic independence. By working together, public welfare and rehabilitation agencies can increase their effectiveness in serving clients.

The effectiveness of inter-agency cooperation depends largely on the people who do the agencies' work. To work together constructively they must know each other, must have general knowledge of the basic functions of the respective agencies, and must have instructions regarding the policy and procedures agreed upon by the several agencies to correlate assistance and services.

This statement sets forth the operational detail of policy and procedure necessary to provide effective joint service to needy disabled clients in fulfillment of the terms of the Agreement of Cooperation, and shall be mandatory upon the several agencies.

DEFINITION OF TERMS

As used in this Statement the following terms shall be understood to mean:

Commission - The New Jersey Rehabilitation Commission

Counselor - A Rehabilitation Counselor of the Commission

Public Welfare Agency - County Welfare Boards, District Offices of the Bureau of Children's Services, Municipal Welfare Departments

[Staff Member - Any official representative of a public welfare agency who has knowledge of the client and direct or indirect responsibility for the case; e.g., caseworker, supervisor, deputy director or welfare director in any county welfare board, district office of the Bureau of Children's Services, or municipal welfare department.

[Public Assistance - Old Age Assistance (OAA), Disability Assistance (DA), Medical Assistance for the Aged (MAA), Assistance for the Blind (AB), Assistance for Dependent Children (ADC), Assistance to Families of the Working Poor (AFWP), Cuban Refugee Assistance (CRA), and General Assistance (GA).

Supplementary Statement to Agreement of Cooperation (Cont'd)

Client - A general term referring to an applicant for or recipient of economic assistance or services from a public welfare agency or the Commission

A. PROVISIONS TO ASSURE NO DUPLICATION OF ASSISTANCE AND SERVICES

In order to assure that there shall be no duplication of funds, goods or services in providing for the maintenance and medical care needs of public welfare clients who are accepted for rehabilitation services by the Commission, it shall be understood that:

1. Determination of Economic Need

Eligibility for public welfare assistance or services in respect to economic need will be determined by the standards provided in the Financial Assistance Manual of the Division of Public Welfare for applicants for and recipients of Old Age Assistance, Disability Assistance, Assistance for Dependent Children, Assistance for the Blind, Medical Assistance for the Aged, Assistance to Families of the Working Poor, and Cuban Refugee Assistance; by regulations of the Bureau of Children's Services in the Protective Services, Guardianship or Care programs, and by Municipal Aid Regulations of the Division of Public Welfare for applicants for and recipients of General Assistance.

Determination that an individual, who is accepted for rehabilitation services by the Commission, is eligible to have the costs of such services defrayed by the Commission shall be based on Part III, Chapter 1, Section 5 (A), "Economic Need" of the Manual, "Policies and Procedures - New Jersey Rehabilitation Commission."

2. Allocation of Responsibility for Costs

The allocation of responsibility for costs as between the Commission and the public welfare agency shall be based on the following general principles:

Public welfare will provide funds for basic essentials of living to persons who qualify under State standards as defined by the Department of Institutions and Agencies, and the Rehabilitation Commission will provide, through their own agency or cooperative agreement with other agencies, for all other costs essential to the rehabilitation plan of individuals under State rehabilitation policies.

It is necessary, however, to particularize responsibility in relation to certain specific situations and conditions.

Supplementary Statement to Agreement of Cooperation (Cont'd)

3. RESPONSIBILITY FOR COSTS (OTHER THAN MEDICAL)

A. Welfare Client Continues to Live in Customary Shelter Arrangement

When a welfare client continues to live in his customary shelter arrangement (i.e., own or rented home, with relatives, or in a boarding home arrangement) while receiving rehabilitation services from the Commission, responsibility for costs shall be as follows:

- 1) The public welfare agency shall provide for all items of maintenance (basic requirements) for which the client is eligible by agency standards, and any authorized special service needs (FAM 410) not directly resulting from the costs of rehabilitation services.
- 2) When a client must leave his home to go to treatment or training facilities, medical or vocational examinations, counseling interviews, etc., the Commission shall be responsible for any transportation costs and any other special requirements that arise because of the nature of the rehabilitation program for the particular client (e.g., restaurant meals while attending school or training center).

B. Client Placed in Institutional Facility by Commission

When, as part of the rehabilitation program, the Commission arranges for the client to be an inpatient or resident trainee in a medical or special rehabilitation facility for treatment and/or training,

- 1) The Commission shall be responsible, whether through its own services or through cooperative arrangements with other agencies, for all costs of client's board, care, medical services and training, and any necessary transportation costs to the facility upon admission and from the facility upon discharge.
- 2) The public welfare agency shall provide for personal incidentals, clothing, and any other authorized special service needs (FAM 410) for which the client is eligible under Agency regulations while living away from his customary home for a temporary period.

C. Mutual Determination of Responsibility Necessary

In respect to the situations described in A and B, the individual responsibilities of the two agencies concerned must be mutually determined in each case because of the variety of arrangements which will occur. Clients may have special needs in certain circumstances in which agency responsibility must be specifically determined.

Supplementary Statement to Agreement of Cooperation (Cont'd)

C. Mutual Determination of Responsibility Necessary (Cont'd)

A written statement covering the determination of responsibility for all basic and special needs shall be prepared by each agency and filed in the case record.

Any changes in the plan of responsibility should be promptly reported to and discussed with the other agency or agencies concerned.

4. RESPONSIBILITY FOR MEDICAL CARE COSTS

a. Diagnosis and Physical Restoration

The Commission shall be responsible for all costs related to medical and vocational evaluation incident to determination of eligibility for vocational rehabilitation, and all indicated physical restorative measures including medical treatment, prosthetics, appliances, etc., in accordance with regulations of the Commission.

It is understood that in discharging such responsibility the Commission will rely on and take into account the extent to which such costs may be indemnified by the Medicaid program or other health insurance programs for which the individual has eligibility.

b. Temporary and Acute Illness or Condition

When, subsequent to acceptance for rehabilitation services, a client becomes ill or develops a condition requiring medical care in addition to the services necessary to the rehabilitation program, the Commission shall evaluate the effect of the illness on client's rehabilitation program. If the Commission decides that the illness or condition is transitory and that the program may be continued, then responsibility for the additional medical care shall be assumed as follows:

- 1) When the public welfare agency is making allowances for any maintenance needs, then the costs of the temporary illness or condition shall be met in accordance with such client's eligibility under the Medicaid program.

Supplementary Statement to Agreement of Cooperation (Cont'd)

- [
- 2) When the Municipal Welfare Department is making allowances for maintenance needs through the General Assistance program, then the costs of the temporary illness or condition may be met by that agency.
 - 3) If the client requires such care for more than 30 days the Commission shall reevaluate the situation and decide whether
 - a) The client should continue in active status on the rehabilitation program or
 - b) The program should be temporarily suspended and the public welfare agency requested to assume total responsibility during convalescence of the client, or
 - c) The rehabilitation services should be terminated and the case closed.

c. Mutual Determination of Responsibility Necessary

The agencies concerned should confer as frequently as necessary and commit to writing the plan of respective responsibility for medical care costs both initially and when need for additional costs arise.

B. REFERRAL PROCEDURES

1) Public Welfare Referrals to Commission

a. Interpretation to Client

Whenever it appears to a public welfare agency that a client may be eligible for rehabilitation services and that referral should be made, the plan shall be discussed with the client prior to referral. He shall be informed in general terms of the opportunities offered through the Commission.

The public welfare agency has a responsibility to help the client understand and react positively to referral, and to assist him as necessary in follow-up arrangements. Careful preparation of the client is of major importance in relation to his motivation to do something constructive about his problem. It is particularly important when the client is seriously disabled or has become discouraged after a long period of incapacitation.

Supplementary Statement to Agreement of Cooperation (Cont'd)

The client shall be given the Commission's information pamphlet(s) as part of his preparation for the referral. Welfare agencies shall obtain a stock supply of these pamphlets from the Commission.

b. Method of Referral (Form PA-13)

All referrals of public welfare clients to the Commission shall be made by use of Form PA-13 - Referral for Rehabilitation Services, accompanied by completed Form SR-5, Application for Vocational Rehabilitation.

The PA-13 form is available on order from the Bureau of State Use. The SR-5 form is available from the local offices of the Commission.

Samples of both forms are attached.

c. Where to Refer

Form PA-13 shall be sent to the District Office of the Commission serving the area in which the client lives. (See Directory attached.)

d. Source of Referrals to Commission by Program

In general, the public welfare agency currently providing assistance or services will be responsible for referrals to the Commission. It is necessary, however, to specifically allocate responsibility to cover situations where the client is known concurrently to more than one public welfare agency. The following procedures shall be observed:

1) General Assistance

The municipal welfare departments will be responsible for referral of disabled GA clients to the Commission for consideration of eligibility for rehabilitation services unless the client has been or is being referred to the county welfare board to apply for assistance.

2) Programs of the Bureau of Children's Services

The Bureau of Children's Services will refer to the Commission, disabled children who are under protective services, care or guardianship programs and who may be eligible for services from the Commission.

Supplementary Statement to Agreement of Cooperation (Cont'd)

Referral to the Commission shall be made regardless of whether the child has been known to the Crippled Children's Program, which may have made an earlier referral, in order that the Rehabilitation Commission will have current information regarding the status of the case with the Bureau of Children's Services and access to existing records.

3) Disability Assistance

[a) The county welfare boards shall be responsible for referral of appropriate applicants for or recipients of Disability Assistance regardless of whether DA is granted, denied or the application withdrawn.

[b) In any case in which an applicant being referred to the Commission is one who had been referred to a county welfare board for DA by another public welfare agency, the county welfare board shall transmit a copy of Form PA-13 to such agency as notice of the referral to the Commission.

c) Explanation of County Welfare Board Procedure

In DA applications the county welfare board must (in addition to establishing need, residence, etc.) submit to the Division of Public Welfare, Bureau of Medical Affairs, medical and social information for determination that the applicant is permanently and totally disabled. The Bureau of Medical Affairs makes this determination, makes recommendations regarding medical care, social problems, and for referrals to the Rehabilitation Commission and other community resources.

The findings and recommendations of the Bureau of Medical Affairs must be received by the county welfare board before official action is taken to grant or deny DA (except for situation described in e. below).

Supplementary Statement to Agreement of Cooperation (Cont'd)

There may be an occasional case in which the county welfare board questions the advisability of referral for rehabilitation services when recommended by the Bureau of Medical Affairs. When this occurs the welfare board will consult the Bureau of Medical Affairs prior to referral. Conversely, if this Bureau has not recommended referral for rehabilitation services for a client, the county welfare board may itself decide that referral is in order on the basis of staff opinion.

d) Cases Reviewed by Bureau of Medical Affairs

In making referrals to the Commission the county welfare board shall indicate on Form PA-13 under MAJOR DISABILITY whether the case has been "approved" or "disapproved" by the Bureau of Medical Affairs.

e) Cases Not Reviewed by Bureau of Medical Affairs

There will be some persons applying for DA whom the county welfare board wishes to refer for consideration for rehabilitation services whose applications have not been submitted to the Bureau of Medical Affairs. Such referrals will be limited to applications which are withdrawn, or in which it has been determined that the client is ineligible for reasons other than the disability factor (e.g., not in economic need, etc.) prior to submission of the record to the State Bureau.

In any such case the county welfare board shall note on the reverse of Form PA-13 that the disability factor has not been evaluated by the Bureau of Medical Affairs, and the reason for the withdrawal or denial of the application.

4) Assistance for Dependent Children

- a) The county welfare boards will be responsible for referral of incapacitated parent(s) (father and/or mother).

Supplementary Statement to Agreement of Cooperation (Cont'd)

If the parent is already receiving any type of Federal Disability Benefits, Disability Assistance, or Blind Assistance, this is considered conclusive evidence that "incapacity" exists. In all other applications in which eligibility for ADC is based on the incapacity of a parent, the county welfare board is required to submit medical and social information to the Bureau of Medical Affairs for determination that the parent is incapacitated. The same procedures are followed as in Disability Assistance.

- b) The county welfare boards will consider for referral a disabled child who may be eligible for services from the Commission. Eligibility for rehabilitation services should be considered on the basis of available medical evidence and plans made in advance for early referral in order to avoid unnecessary delay and assure continuity of service.

5) Old Age Assistance

The county welfare boards will refer to the Commission certain CAA, or MAA clients who appear to have potentiality for rehabilitation, or who have previously been known to the Commission and need further service, or who it is believed should be recommended for service.

2. Acknowledgement of Referrals by Commission; Application

Upon receipt of Form PA-13 the Commission will complete the acknowledgment section, detach and return it to the referring agency.

- [The District Supervisor or his designee shall have the referral recorded and an application will be secured from the referred person by mail or home visit. Upon failure of the client to return a mailed application within the time specified the counselor will inform the appropriate public
- [welfare staff member and request follow-up, keeping the referral in pending status.

3. Commission Referrals to Public Welfare Agencies

There will be instances in which disabled persons will apply to the Commission direct, or be referred by agencies or institutions other than public welfare agencies, and appear to be in need of public assistance or welfare services.

Supplementary Statement to Agreement of Cooperation (Cont'd)

a. Method of Referral (Form PA-14)

Referrals by the Commission to public welfare agencies shall be made by use of Form PA-14, Inter-Agency Referral. (See sample attached. Available on order from the Bureau of State Use.)

b. Referrals to County Welfare Boards

If the person appears to be in need of funds for maintenance for himself and/or his dependents and appears to be eligible for a form of public assistance administered by the CWB there shall be a referral for the appropriate public assistance program. The person shall be instructed how to apply to the appropriate agency.

c. Referral for General Assistance

If the person appears to be in need of funds for maintenance for himself and/or spouse (no minor children at home) and there does not appear to be any possibility whatever of eligibility for any form of financial assistance from the CWB, he shall be instructed how to apply to a municipal welfare department for General Assistance.

d. Referral for Child Welfare Services

In the event that the person applying to the Commission appears to be in need of welfare services for minor children in his or her care, but does not appear to be eligible for Assistance for Dependent Children or Assistance to Families of the Working Poor, referral shall be made to the appropriate District Office of the Bureau of Children's Services by use of the PA-14.

4. Acknowledgment of Referrals by Public Welfare Agencies

Upon receipt of Form PA-14 from the Commission, the public welfare agency shall note whether the client plans to come to the office or whether a plan should be made to visit him at home.

If the client does not communicate with the Agency by the indicated date, the tear sheet portion of Form PA-14 shall be completed as appropriate and returned to the District Office of the Commission which sent the referral.

Supplementary Statement to Agreement of Cooperation (Cont'd)

If the client is to be seen at home, the tear sheet shall not be completed until after the interview.

If there is insufficient space to record the necessary explanation of status of application, the reverse of tear sheet may be used.

C. FOLLOW-UP AND EXCHANGE OF INFORMATION

Introductory Statement

When an individual is a client of two or more agencies, the staff members who work with him must work together. Unless they know each other's plans, their individual efforts may be wasted or they may even work at cross purposes. There must be free sharing of information and joint planning to spare the client unnecessary repetition, to reduce duplication of agency work, and to prevent unnecessary expenditures of agency funds and time in securing data already available in Agency records. There must be prompt and consistent follow-up by the agencies throughout the rehabilitation period to foster and maintain the client's confidence in the program and in himself; and to prevent further aggravation of his disabilities.

1. Agency Relationships following Referral to Commission

A. General Explanation

Following registration and acknowledgment of a referral from a public welfare agency on PA-13 and assignment to a Rehabilitation Counselor, the Commission's working relationship will be with the agency which is currently providing assistance or services to the client. The Counselor will, of course, wish to consult any agency which has known the client and has information which will be pertinent to the application for rehabilitation services.

However, there will be frequent instances in which the client is receiving assistance or services from one agency while his application is pending determination of eligibility for another assistance program. For example:

A recipient of General Assistance has been referred to the county welfare board for Disability Assistance, which in turn refers the client to the Commission subsequent to evaluation by the Bureau of Medical Affairs but prior to granting Disability Assistance because other aspects of eligibility have not been fully determined.

Supplementary Statement to Agreement of Cooperation (Cont'd)

In this situation the Counselor will need to work with and secure information from both the municipal welfare department and the county welfare board because it may be assumed that the client will shortly receive Disability Assistance.

On the other hand, if an applicant for Disability Assistance has been determined to be ineligible, but is nevertheless referred by the county welfare board for consideration of eligibility for rehabilitation services, the referral Form PA-13 will indicate any other agency from which the client is receiving assistance or service, or to which he has been referred to apply for assistance or services. In such instance the Counselor will initially need to confer with the county welfare board which will have current medical and social information. However, the continuing relationship for planning, for correlating assistance and services will be with the assisting agency (i.e., municipal welfare department or Bureau of Children's Services).

b. Counselor-Agency Consultation

1) Initial

Following assignment, the Counselor will promptly telephone or write to the appropriate public welfare agency or agencies, and will, insofar as practical, arrange for consultation with a staff member prior to his initial interview with the client. In all cases the Counselor shall ascertain whether the medical information on file with the public welfare agency(s) is adequate for the purpose of determining the client's eligibility for rehabilitation services prior to requiring re-examination.

Consultation with the Agency Staff Member will cover:

- a) The client's social situation.
- b) His attitude toward his disability and the referral for rehabilitation services.
- c) Review of pertinent medical and social information in the case record and request for copies of selected reports.
- d) Clear understanding of the responsibility each is to carry if the client is accepted for rehabilitation.

Supplementary Statement to Agreement of Cooperation (Cont'd)

[The Counselor and staff member will wish to consider whether a joint interview with the client in the office or home is indicated or advisable either initially or at a later date. A three-way interview may give the discouraged or timid client the support he needs to take a constructive step from dependency toward rehabilitation. It provides an opportunity to clarify for the client the functions of the two agencies in helping him and what his responsibility will be in relation to each.

2) Follow-up

[The Counselor and staff member will consult each other freely and as frequently as necessary throughout the period of joint service to the client to assure that the most effective methods are being used, for continuous mutual evaluation of the client's progress and for consideration of change of plan when indicated.

c. Notification and Reports

There shall be free access to the information on file with the Commission and the public welfare agencies upon the request of either. The minimum requirements for formal notification and reporting are as follows:

1) Commission to Public Welfare Agency

The Commission shall notify the appropriate welfare agency(s) of:

- a) Receipt of referral (by returning tear sheet on Form PA-13)
- b) Decision regarding acceptance or rejection of the client for services, change of case status and progress reports on active cases as follows:

Accepted Cases

In accepted cases the notification shall include:

- 1) The beginning date of responsibility for services.
- 2) The specific items of maintenance, medical and other service costs for which the Commission accepts responsibility.
- 3) A brief statement of the plan for treatment and/or training for the client; and the approximate length of time necessary to complete the plan.

Supplementary Statement to Agreement of Cooperation (Cont'd)

Rejected Cases

In rejected cases the notification shall

- 1) explain the basis for rejection;
- 2) recommend other available sources of service which might be used to help the client with his problem; and
- 3) include any medical findings or recommendations pertinent to the client's continuing medical (including psychiatric) care.

Notification on rejected cases shall be sent to the Agency currently providing assistance or services, and to any agency with which there is a pending application for assistance or services, and to the Agency which initiated the referral if not referred by either of the aforementioned.

Upon receipt of notification of rejection of an applicant for vocational rehabilitation services, should any of the aforementioned agencies have pertinent information to further support the applicant's claim of eligibility for such services, that agency representative should immediately confer with the appropriate representative of the Commission.

Case Closings

Any change in case status including:

- 1) cases closed without completion of program, and summary statement of the reasons therefor; and
- 2) cases closed at completion of program and evaluation of the client's adjustment, and specific data on job placement, etc.

(In accord with the Commission's policy the case will not be closed following job placement for at least 30 days.)

Open (Active) Cases

In open (currently active) cases the Commission shall forward to the agency providing assistance, two copies of a progress report, at not less than six-month intervals, covering

Supplementary Statement to Agreement of Cooperation (Cont'd)

- 1) How the rehabilitation program is progressing.
- 2) Any program modifications which have been necessary.
- 3) An estimate of approximate date of completion of program.
- 4) Request for consultation with agency personnel for joint evaluation and further planning as indicated.

Job Placement Report

When a job placement is made by the Commission or obtained by the client, there shall be prompt notice to the public welfare agency giving

- 1) place of employment, type of work, wages or rate of pay, part-time or full-time employment, date of first pay, if known, and
- 2) an opinion as to client's probable adjustment and ability to continue in that job.

[(When a job placement is made by the Commission or obtained by the client, the Bureau of Medical Affairs will then determine medical eligibility for continued financial assistance. The Bureau will evaluate whether the employment is a "useful occupation" and whether the recipient is capable of "substantially gainful employment" in accordance with the criteria set forth in the Manual of Administration. When a recipient has been determined capable of unlimited employment, public assistance payment may continue for one month beyond the month in which such determination is made.)

[c) In respect to DA and ADC "incapacity" cases there may be occasions where the welfare board will need to secure a special progress report to submit to the Bureau of Medical Affairs at the time the record is submitted for reevaluation of eligibility. The Bureau requires current information (i.e., within three months). If the last written six months' progress report from the Commission is dated more than three months prior to the "review date" set by the Bureau, the county staff member should confer with the counselor by telephone to ascertain whether there has been any significant progress or change in the situation.

[Where there has been significant change, a new report will be requested from the Commission. Otherwise, the county staff member will send a copy of the last six months' progress report with notation of current contact with the Counselor, to the Bureau of Medical Affairs.

Supplementary Statement to Agreement of Cooperation (Cont'd)

2) Welfare Agency to Commission

Throughout the period that the two agencies are jointly working with the client the public welfare agency shall keep the Commission informed by written notice of

- a) receipt of referral from Commission (by returning tear sheet on Form PA-14); and
- b) decision on eligibility for public assistance or services when determination is made subsequent to return of tear sheet on Form PA-14, changes in case status, and reports on active cases as follows:

Approved Applications (Assistance Granted)

The date assistance payment or services started or will begin and the amount of any such payment.

Rejected Applications

In rejected (denied) applications the notification should include

- 1) the specific reason(s) for the client's ineligibility for public assistance or services; and
- 2) whether the client has been referred to another public or private agency.

Changes in Case Status

Any change in the status of an active case including

- 1) suspension of payments or services and reasons therefor; and
- 2) closing of case and reasons therefor, and referral to another public or private agency, if any.

Open (Active) Cases

Shall keep the Commission informed of

- 1) any change in policy, procedure or allowances which affect the case,
- 2) any significant change in client's social situation which affects the rehabilitation plan.

Supplementary Statement to Agreement of Cooperation (Cont'd)

D. STATE LIAISON REPRESENTATIVE

The State offices of the Rehabilitation Commission and the Division of Public Welfare, have appointed liaison representatives who will have responsibility for continuing review and evaluation of the effectiveness of the joint policy and procedure, for recommending changes to State agency executives, and for working out problems referred by local agencies.

In the event that there is a disagreement between a District office of the Commission and a public welfare agency regarding policy, procedure, or a case decision, the problem shall be referred to the respective State offices.

Likewise, when a local agency finds need for clarification of policy or procedure, or through experience observes that a prescribed procedure is not practical or effective, or can suggest an improved way of working together, the matter shall be reported to the respective State office for consideration by the liaison representatives.

E. PROGRAM FOR JOINT ORIENTATION AND STAFF TRAINING

Purpose

Activities shall be specifically planned to bring together at both the State and local level, the staff of the Rehabilitation Commission and of the several public welfare agencies for the purpose of increasing the understanding of the functions, goals and methods of the agencies in working together effectively to achieve the rehabilitation of disabled needy persons.

Content

The focus of such activities shall be on the basic philosophy and concept of using the services of public agencies to protect, conserve and develop human resources by recognizing the potential capacity of all individuals however handicapped.

Specific help should be given on effective methods of joint planning by staff and of working with handicapped persons. It is recommended that medical and medical-social work personnel be called on to provide staff with some insight into the effect of disease and disability on personality, the attitudes and reactions which may be considered normal in these persons, and how to help such a client focus on his residual strengths rather than on his incapacities.

Opportunity should be provided for staff to learn about the services available in related fields such as, employment counseling, homemaker service, public health services, psychology, and the various State affiliates of national health groups, etc.

Supplementary Statement to Agreement of Cooperation (Cont'd)

Except in its initial sessions the time devoted to joint staff training should not be used to instruct staff on specifics of the inter-agency procedures already provided in written form. Responsibility for instruction in this area should rest with the individual agencies. Questions and problems arising in local agencies should be referred to the respective State agencies, which, when necessary or advisable, will refer them to the appointed liaison representatives for discussion and recommended action.

Responsibility for Planning

Responsibility for planning joint orientation and training activities shall be delegated to the training staff of the Rehabilitation Commission, the Chief Training Officer of the Division of Public Welfare, the appropriate training staff of the Bureaus concerned within the Division of Public Welfare, and any other appropriate agency.

In addition, upon a local level, supervisory representatives of the agencies may arrange for joint training sessions subject to the approval of the respective agency executives or Training Supervisors.

CONFIDENTIAL
NEW JERSEY REHABILITATION COMMISSION
APPLICATION FOR VOCATIONAL REHABILITATION

AGENCY CODE 29	OFFICE LOCATION _____	OFFICE* CODE _____	COUNSELOR* CODE _____
----------------	-----------------------	--------------------	-----------------------

NOTE: This form may be submitted by the disabled person applying, or by a parent, guardian, individual or an agency.
INFORMATION PROVIDED WILL BE CONSIDERED CONFIDENTIAL.

Any individual dissatisfied with any decision by the agency is entitled to a hearing upon written request to the District Supervisor.

Pursuant to Title VI of the Civil Rights Act of 1964, no person in the United States will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Vocational Rehabilitation Program of the State of New Jersey on the grounds of race, color or national origin.

PLEASE PRINT CLEARLY

PERSONAL HISTORY			
*LAST NAME	*FIRST NAME	*MIDDLE INITIAL	*SOCIAL SECURITY NUMBER OF APPLICANT
ADDRESS—NUMBER AND STREET			*AGE
CITY			DATE OF BIRTH
COUNTY		*ZIP CODE	* (1) <input type="checkbox"/> MALE (2) <input type="checkbox"/> FEMALE
TELEPHONE NO.	*NO. OF DEPENDENTS	*HIGHEST GRADE OF SCHOOL COMPLETED	*COUNTY CODE
			Marital Status * (1) <input type="checkbox"/> MARRIED (4) <input type="checkbox"/> SEPARATED (2) <input type="checkbox"/> WIDOWED (5) <input type="checkbox"/> NEVER MARRIED (3) <input type="checkbox"/> DIVORCED (Y) <input type="checkbox"/> NOT AVAILABLE

Have you ever before applied to this agency? Yes No If so, when? _____

Where? _____

What is your disability? _____

DO NOT WRITE ON THIS LINE - FOR N.J. REHABILITATION COMMISSION USE ONLY	*DISABILITY CODE
---	------------------

Are you physically able to come to this office? Yes No Does your disability interfere with your working? Yes No

CHECK ONE OF THE FOLLOWING ONLY IF YOU HAVE EVER APPLIED FOR SOCIAL SECURITY DISABILITY INSURANCE

- * (1) You are now receiving Social Security Disability Benefits (3) Your application for benefits is still being considered
 (2) Your application for benefits was denied (4) You don't know how your application stands at this time
 (5) You once received Social Security Disability Benefits that have now stopped

*PLEASE CHECK IF (1) DISABLED CHILD OR (2) DISABLED WIDOW/WIDOWER AND ENTER THE SOCIAL SECURITY NUMBER AND NAME UNDER WHICH YOU ARE CLAIMING SOCIAL SECURITY DISABILITY INSURANCE BENEFITS.

*WAGE EARNER'S NAME- LAST	FIRST	MIDDLE INITIAL	*SOCIAL SECURITY NUMBER
---------------------------	-------	----------------	-------------------------

REFERRED BY:	*REFERRAL DATE	CODE
--------------	----------------	------

*SIGNATURE OF APPLICANT, GUARDIAN OR REFERRING AGENT	DATE SIGNED
--	-------------

Who may the counselor contact, if necessary, for assistance in providing service to this applicant?

NAME	AGE	RELATIONSHIP
ADDRESS		

HOME TELEPHONE NO.	BUSINESS TELEPHONE NO.
--------------------	------------------------

SURVEY INTERVIEW

TO BE COMPLETED BY NEW JERSEY REHABILITATION STAFF ONLY

DISABILITY INFORMATION:

How incurred: Date began _____ Origin _____

Other physical defects: _____

Appliances: (include, kind, date fitted, purchaser, and manufacturer) _____

PREVIOUS MEDICAL TREATMENT

HOSPITAL, CLINIC, DOCTOR	ADDRESS	CONDITIONS TREATED	DATES

EDUCATION

NAME OF LAST SCHOOL ATTENDED (GRADE OR HIGH SCHOOL OR COLLEGE)	MAJOR COURSES OF STUDY OR TRAINING

EMPLOYMENT EXPERIENCE

EMPLOYER	JOB	FROM	TO	REASON LEFT	SALARY

MEMBERS OF THE HOUSEHOLD

NAME	AGE	RELATIONSHIP	INCOME
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

COMMENTS

Based upon application, survey and other information on hand at this time, applicant appears to have a physical or mental disability which, as noted above, is a handicap to employment. I recommend further diagnosis and evaluation.

_____ Date

_____ Counselor's Signature

CONFIDENTIAL

NEW JERSEY REHABILITATION COMMISSION

APPLICATION FOR VOCATIONAL REHABILITATION

NOTE - This form may be submitted by the disabled person applying for service or by an individual or agency reporting the case. Information provided will be considered confidential by the Commission. Any individual dissatisfied with any action or disaction of the agency is entitled to a hearing upon written request to the District Supervisor.

Personal History (Please Print)

Name: _____ Telephone: _____

Address: _____ City: _____ County: _____
(If rural area, give directions as to how to locate)

Sex: _____ Age: _____ Single: _____ Married: _____ Other: _____

Education (Last grade attended:) _____

Have you ever applied to this agency before? _____ If so, when? _____
Where? _____

Social Security Number _____ - _____ - _____

What is your disability? _____

Are you physically able to come to this office? _____ Yes () _____ No ()

Does your disability interfere with your working? _____ Yes () _____ No ()

If not working, how long not employed? _____

This application must be signed and dated by the applicant or responsible guardian.

If referred by another individual or agency:

(Name of Person)

(Applicant's Signature)

(Address)

(Date)

(Agency)

(Reverse Side May be Used for Further Explanation)

SR-5 (Rev. 9-66)

Date: _____

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)

NEW JERSEY REHABILITATION COMMISSION OFFICES

ATLANTIC CITY DISTRICT

New Jersey Rehabilitation Commission
1601 Atlantic Avenue, 6th Floor
Atlantic City, New Jersey 08401
609-345-5965
(Atlantic, Cape May)

New Jersey Rehabilitation Commission
12 North Pearl Street
Bridgeton, New Jersey 08302
609-451-9093
(Cumberland, Salem)

CAMDEN DISTRICT

New Jersey Rehabilitation Commission
411 Broadway, First Floor
Camden, New Jersey 08103
609-966-2893 and 609-964-0088
(Camden)

New Jersey Rehabilitation Commission
673 High Street
Burlington, New Jersey 08016
609-387-0264
(Burlington)

New Jersey Rehabilitation Commission
79 Cooper Street
Woodbury, New Jersey 08096
609-848-5300
(Gloucester)

HACKENSACK DISTRICT

New Jersey Rehabilitation Commission
10 Banta Place
Hackensack, New Jersey 07601
(Bergen)
201-487-7890

New Jersey Rehabilitation Commission
895 Bergen Avenue
Jersey City, New Jersey 07306
(Hudson)
201-653-2350
201-653-2309

NEW BRUNSWICK DISTRICT

New Jersey Rehabilitation Commission
63 Morris Street
New Brunswick, New Jersey 08901
201-545-8120
(Middlesex)

New Jersey Rehabilitation Commission
1173 East Grand Street
Elizabeth, New Jersey 07208
201-351-5434
(Union)

New Jersey Rehabilitation Commission
1 East High Street
Somerville, New Jersey 08876
201-526-0550
(Somerset)

NEWARK DISTRICT

New Jersey Rehabilitation Commission
80 Mulberry Street, 2nd Floor
Newark, New Jersey 07102
(Essex - Newark)
201-648-3367
201-648-3445
201-648-3493

New Jersey Rehabilitation Commission
17-19 North Harrison Street
East Orange, New Jersey 07017
(Suburban Essex)
201-648-2882-83

PATERSON DISTRICT

New Jersey Rehabilitation Commission
370 Broadway
Paterson, New Jersey 07501
201-271-3050
(Passaic County - Passaic, Paterson, Clifton)

New Jersey Rehabilitation Commission
750 Hamburg Turnpike
Pompton Lakes, New Jersey 07442
201-835-8902
(Passaic)

PATERSON DISTRICT (Cont'd)

New Jersey Rehabilitation Commission
3 Schuyler Place
Morristown, New Jersey 07960
(Morris County)
201-539-3660

New Jersey Rehabilitation Commission
108 High Street
Hackettstown, New Jersey 07840
201-852-4110
(Sussex and Warren)

TRENTON DISTRICT

New Jersey Rehabilitation Commission
150 East State Street
Trenton, New Jersey 08625
609-292-2940
(Mercer, Hunterdon)

New Jersey Rehabilitation Commission
Eisner Building
54 Broad Street
Red Bank, New Jersey 07701
201-842-4700
(Monmouth County)

New Jersey Rehabilitation Commission
616 Washington Street
Toms River, New Jersey 08753
201-244-2020
(Ocean County)

WORKMEN'S COMPENSATION-REHAB. UNIT

Workmen's Compensation-Rehabilitation
Room 1203, Labor & Industry Building
John Fitch Plaza
Trenton, New Jersey 08625
609-292-2043
(South Jersey)

Workmen's Compensation-Rehabilitation
Room 218, 1100 Raymond Boulevard
Newark, New Jersey 07102
201-648-2367
(North Jersey)

MEMORANDUM FOR THE RECORD

On 10/10/2001, the following information was received from the [redacted] regarding the [redacted] case. The [redacted] advised that the [redacted] had been [redacted] and that the [redacted] was currently [redacted].

Background Information

The [redacted] was born on [redacted] and is currently residing at [redacted]. The [redacted] has been [redacted] since [redacted]. The [redacted] is currently [redacted] and is [redacted] with the [redacted].

The [redacted] is currently [redacted] and is [redacted] with the [redacted]. The [redacted] is currently [redacted] and is [redacted] with the [redacted].

Summary of Information Received

The [redacted] advised that the [redacted] had been [redacted] and that the [redacted] was currently [redacted]. The [redacted] advised that the [redacted] had been [redacted] and that the [redacted] was currently [redacted].

The [redacted] advised that the [redacted] had been [redacted] and that the [redacted] was currently [redacted]. The [redacted] advised that the [redacted] had been [redacted] and that the [redacted] was currently [redacted].

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Part II

The Individual and Public Assistance

Intentionally Deleted

Part II

The Individual and Public Assistance

2900 Other Responsibilities - Notice of County Welfare Board Decision

2910. NOTICE OF COUNTY WELFARE BOARD DECISION

This sub-chapter applies in ADC.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2910. NOTICE OF COUNTY WELFARE BOARD DECISION

.1 Legal Requirements

[The law requires that the county welfare board shall notify the applicant promptly of any decision in writing.

.2 Interpretation

For administrative purposes this means that each applicant and recipient (except, however, any individual who has died or who cannot be located) shall receive written notice of every agency decision which relates to his eligibility, or the disposition of his application, or a change in the amount of his assistance payment.

The term "agency decision" includes any decision made by executive authority of the director of welfare, as well as 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, any applicant who voluntarily withdraws his application shall receive written confirmation that his request for withdrawal has been officially recognized by the agency.

2911. Notice to Client

All notification of agency decisions shall state in clear, simple 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.

Since agency decisions vary with the type of situation under consideration, additional explanatory information as listed below shall be provided as a minimum. [See 2900 Appendix I for suggested form letters.]

.1 Approved Applications

a. Initial Payment

Notification to an applicant 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,

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2911. Notice to Client (Contd.)

- .1 a. 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 individual's requirements;
- 3) A statement that
- a) Changes in the individual's finances or other circumstances will require a reconsideration of his eligibility, and that
- b) His assistance may be affected accordingly;
- 4) A statement that the individual will receive notification of any decision affecting his future eligibility or amount of assistance.

b. Initial Payment Deferred

Notification to an applicant who is determined to be 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 individual's finances or other circumstances will require a reconsideration of his eligibility, and that
- b) His assistance may be affected accordingly;
- 4) A statement that the individual will receive notification of any decision affecting his future eligibility or amount of assistance.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2911. Notice to Client (Cont'd)

.1 b. Initial Payment Deferred

Notification to an applicant who is determined to be 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 individual's finances or other circumstances will require a reconsideration of his eligibility, and that
 - b) his assistance may be affected accordingly;
- 4) A statement that the individual will receive advance notification of at least 15 calendar days of any decision affecting his future eligibility or amount of assistance.

c. Change in County Residence

Notification to a recipient whose application has been approved following change of customary place of abode from another county shall include:

- 1) a statement that the individual has been found to be a resident 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.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2911. Notice to Client (Cont'd)

.2 [Denials (Disposition other than approvals or withdrawals)

[Notification is not necessary when death occurs before the application process is completed. Notification to an individual whose application has been denied for any reason other than death shall include the following:

- a. a statement of the explicit reason for ineligibility;
- [b. enclosure of a copy of the document entitled "Your Right to a Fair Hearing and Continued Assistance"; and
- c. advice concerning the individual's right to reapply whenever he believes that his 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 a recipient 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.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2911. Notice to Client (Cont'd)

.3 b. 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:

- 1) Timely notice, in fact and confirmed in writing, and in no case mailed less than 15 calendar days before the date on which the individual would otherwise reasonably expect to receive the next regular payment, setting forth the specific reason(s) for the decision to reduce the amount of such regular payments in accordance with the requirements of 2911. and stating the proposed effective date of reduction which shall be not less than 15 calendar days from the date of mailing of the notice.
- 2) Enclosure with such notice of a copy of the document entitled "Your Right to a Fair Hearing and Continued Assistance".
- 3) A statement advising him that he has the right to request a Fair Hearing before the State Division of Public Welfare.
- 4) A statement that he may have the right to continued assistance at an unreduced level if he requests a Fair Hearing within 15 calendar days of the mailing date of the notice of reduction, and there is presented an issue of fact or judgment.
- 5) A statement that he will be assisted by the local agency in the making of a request for Fair Hearing to the State Division of Public Welfare.
- 6) A statement that he has the right to have a conference at the local agency, whether or not he requests a Fair Hearing, and that at such conference he may appear by himself, with a friend or spokesman, or be represented by counsel. He must also be advised that such a conference is not a prerequisite to or substitute for a Fair Hearing and that it will not delay the scheduling of a Fair Hearing.
- 7) A statement that he may, when the issue presented is one of agency policy, be entitled to request to be heard in a group Fair Hearing with other similarly situated recipients.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2911. Notice to Client (Cont'd)

.3 c. Terminations

1) Notice of Intention to Terminate Amount of Regular Assistance Payment

Recipients of assistance are entitled, prior to termination (including suspension or any other total cessation of payment) of any regular amount of assistance (i.e. any grant of assistance which is not limited in time) to be afforded:

- a) Timely notice, in fact and confirmed in writing, and in no case mailed less than 15 calendar days before the date on which the individual would otherwise reasonably expect to receive the next regular payment, setting forth the specific reason(s) for the decision to terminate the amount of such regular payments in accordance with the requirements of 2911., and stating the proposed effective date of termination which shall be not less than 15 calendar days from the day of mailing of the notice.
- b) Enclosure with such notice of a copy of the document entitled "Your Right to a Fair Hearing and Continued Assistance.
- c) A statement advising him that he has the right to request a Fair Hearing before the State Division of Public Welfare.
- d) A statement that he may have the right to continued assistance at an unreduced level if he requests a Fair Hearing within 15 calendar days of the mailing date of the notice of termination, and there is presented an issue of fact or judgment.
- e) A statement that he will be assisted by the local agency in the making of a request for Fair Hearing to the State Division of Public Welfare.
- f) A statement that he has the right to have a conference at the local agency, whether or not he requests a Fair Hearing, and that at such conference he may appear by himself, with a friend or spokesman, or be represented by counsel. He must also be advised that such a conference is not prerequisite to or substitute for a Fair Hearing and that it will not delay the scheduling of a Fair Hearing.
- g) A statement that he may, when the issue is one of agency policy, be entitled to request to be heard in a group Fair Hearing with other similarly situated recipients.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2911. Notice to Client (Cont'd)

.4 Withdrawals

While withdrawal by an applicant does not require a Board decision, the agency should officially recognize the applicant's action through written notification. Such a notification shall include:

- a. A statement that the applicant's decision to withdraw his application has been recognized and recorded by the agency and that no further action is being taken on his application; and
- b. A statement that the applicant has the right to reapply at any time he believes that he is eligible.

.5 Dismissals

[Notification of disposition of the application is not required for an applicant in a single person case who has died. With regard to persons who cannot be located, notification shall be sent to the person's last known address.

.6 Other Notification

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

- a. a letter to an applicant or recipient requesting his decision on a stated issue, and indicating how a pending agency decision will be or may be affected by his decision;
- b. a letter to an applicant or recipient informing him that a certain recommendation for decision will be presented to the Board at a stated meeting, and affording him opportunity to show cause why such recommendations are unwarranted or to take action which would warrant a change in the recommendation;
- [c. any notification of the character referred to in 2103.3 in respect to reason for delay in prompt disposition as it relates to 2103.2(c) and (d) entitles an applicant to request a Fair Hearing.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2911. Notice to Client (Cont'd)

.7 Transmittal of Notification

- a. Written notification of application approved for initial payment shall be sent not later than the date of issue of the appropriate checks and may accompany such checks.
- b. Notification of upward 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.
- c. Written confirmation of withdrawn applications shall be transmitted within five working days of the applicant's request for withdrawal.

.8 Continuation of Assistance at an Unreduced Level

Upon receipt of a timely request for Fair Hearing, the State Agency shall direct the local agency to continue payment of financial or medical assistance at an unreduced level unless it determines that the issue is one of State Agency policy, and not one of fact or judgment relating to the individual case - including a question of whether the State Agency rules and regulations were correctly applied. In all cases the State Agency will promptly notify the complainant and the local agency of its determination whether financial or medical assistance will remain unreduced.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Notice of County Welfare Board Decision

2912. Notice to Interested Agency

In any case initially referred by, or known to be receiving assistance or service from a public 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 person was referred, he definitely states he does not wish to apply, notice of such fact shall be sent to the interested agency.

.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. Whenever the application is one in which the permanent and total disability factor has been reviewed, the interested agency shall also be advised of any recommendations of the Medical Review Team for medical care or social change for the client as given on Form PA-8.

.4 Applications for Persons Found Mentally Incompetent

In cases where the applicant has been determined to be incompetent to handle his assistance payment, and arrangements for payment through a legal guardian or authorized custodian (see 2560.) must be completed prior to initial payment, notice of the situation shall be sent to any agency currently providing maintenance assistance. Further notice shall be sent at the time of the first payment.

The following information is provided for your reference:

1. The total number of items is 100.

2. The total value is \$10,000.

3. The average value per item is \$100.

4. The standard deviation is \$20.

5. The variance is \$400.

6. The coefficient of variation is 0.2.

7. The skewness is 0.1.

8. The kurtosis is 0.05.

9. The distribution is approximately normal.

10. The data is centered around the mean.

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Part II The Individual and Public Assistance
2900 Other Responsibilities - Complaints, Fair Hearings and Judicial Appeals

2920. COMPLAINTS, FAIR HEARINGS, AND JUDICIAL APPEALS

The provisions of this section apply in ADC.

Part II The Individual and Public Assistance
2900 [Other Responsibilities - Complaints, Fair Hearings and Judicial Appeals

2920. [COMPLAINTS, FAIR HEARINGS AND JUDICIAL APPEALS

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

Part II The Individual and Public Assistance
2900 Other Responsibilities - Safeguarding Information

2930. SAFEGUARDING INFORMATION

2931. Federal Policy

The Federal Social Security Act requires that a State must provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of public assistance.

2932. State Policy and Procedures

A statement of general policy and procedure on safeguarding information which is binding on all members, officers or employees of any county welfare board has been prepared by the Division of Public Welfare. Copies of this statement have been transmitted to those public authorities and agencies which routinely have custody of or access to confidential records or lists of persons applying for or receiving public assistance and welfare services.

2933. Basic Principles

No member, officer or employee of the county welfare board shall produce or disclose any confidential information to any unauthorized 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.

.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;

Part II The Individual and Public Assistance
2900 Other Responsibilities - Safeguarding Information

2933. Basic Principles (Cont'd)

- .2
 - c. for audit purposes;
 - d. to authorized staff of the Division of Public Welfare and Department of Institutions and Agencies; and
 - e. whenever the client waives confidentiality, but only to the extent authorized by the waiver.

.3 Release of Lists of Names or Addresses

The furnishing of any list of names or addresses or both, for purposes not directly involved in the administration of the lawful duties of the welfare board, directly or indirectly, is specifically prohibited; but this shall not preclude furnishing information by list or otherwise to municipal departments of public welfare, or other municipal, State or Federal agencies lawfully charged with the administration of public welfare functions or services, for the purposes of such administration only, and therefore restricted to the area or class served by such agency.

2934. 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 person 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:

Part II The Individual and Public Assistance
2900 Other Responsibilities - Safeguarding Information

2934. Release of Information for Purposes Other Than the Administration of Public Assistance (Cont'd)

- .1 d. "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.

2935. Material Sent to Applicants or Recipients of Public Assistance

.1 Enclosures

All material, including that enclosed in envelopes containing checks, must be directly related to the administration of the public assistance program and must not have political implications.

- a. This material shall contain only the names of persons connected with the administration of the program and these persons shall not be identified other than in their official capacity with the State or local agency.
- b. Material having no direct connection with the operation of public assistance, such as "holiday" greetings, public service announcements, e.g., voting information, alien registration notices, etc., shall not be sent to applicants and recipients of public assistance.

.2 Other Material

Mailing of material directly related to the health and welfare of recipients is permitted. This would include, but is not limited to such announcements as tuberculosis examinations, availability of surplus foods and consumer protection information.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Safeguarding Information

2935. Material Sent to Applicants or Recipients of Public Assistance (Cont'd)

.3 Information Regarding Office of Economic Opportunity

Notices, whether enclosed in envelopes containing checks or directly mailed to the recipient, which provide information regarding Office of Economic Opportunity projects to families having individuals who might qualify for participation in Job Corp projects are interpreted as being directly related to the administration of public assistance. Such notices, must not, however, carry the implication that eligibility for public assistance is in any way dependent upon participation in the OEO programs.

2936. Disclosure of Records or Information for Formal Proceedings

Necessary pertinent information and records shall be released, as necessary, in the course of any fair hearing or in the course of any other formal proceeding provided for in Titles 30 and 44, New Jersey Statutes Annotated, and in the Federal Social Security Act.

2937. Release of Information for Statistical Purposes

Any statistical data or other information not relating to or not identified with any particular person may be released.

2938. Responsibility of the County Welfare Board Director

- .1 It is the responsibility of the county welfare board director to ensure that the regulations of this section will be observed by all members of his staff.
- .2 The county welfare board director must also take adequate measures to assure himself that any cooperating agency or person to whom information is made available as authorized herein, will preserve the confidential character of the information and will restrict its use to the legitimate purposes for which it is made available.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2950. LEGAL PROCEDURES

This sub-chapter is designed to provide official policy for legal procedures in which the county welfare board is directly involved; and to provide information concerning other legal procedures which it is important for CWB staff to understand as a basis for clear working relationships with certain other agencies and public officials.

Sections dealing with specific areas of legal action will be issued as developed. There will be no significance to the order of such sections.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2951. Fraudulent Receipt of Assistance

.1 Introduction

The development of policy and procedure governing the public assistance programs is based on the premise that persons applying for and receiving assistance have the same human strengths and weaknesses that are found in the general population, and that people are essentially honest. It is recognized, however, that there are persons of whom this cannot be said, and that some of these may be seeking or receiving public assistance.

To protect the assistance agency and the public it is essential to exercise appropriate controls against the opportunity to commit fraud. At the same time clearly defined policy and procedures are essential to assure protection of the rights of a person who might otherwise be accused of a fraudulent act without basis in fact, or without due consideration and careful evaluation of all the circumstances.

Basic to our legal system is the principle that a person is not deemed guilty of an offense until adequate evidence has been obtained to prove guilt. It follows, therefore, that in any receiving case, except as provided in the following paragraph, assistance should be continued to an otherwise eligible person, even though there is reason to suspect that fraud has been committed, while the facts are under review by the agency or the law enforcement authority. Federal financial participation may be claimed for payments in which assistance has been obtained through fraud provided it can be demonstrated that the county welfare board took prompt action upon discovery of the possibility of fraud in accordance with the conditions provided in 2602.2.

In many such situations, resolution of the question of possible fraud necessarily requires the cooperation of the recipient to protect his own interest; therefore, if the recipient fails or refuses to cooperate in the investigation, this would be grounds for suspending assistance pending resolution of the issue of possible fraud. In respect to an application for assistance, if during the investigation substantial evidence of fraud appears, this shall be deemed to affect eligibility, and disposition of the application shall be deferred pending resolution of the issue of possible fraud.

.2 Fraud as Defined by State Law

The sections of the New Jersey statutes defining fraudulent receipt of assistance are as follows:

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2951. Fraudulent Receipt of Assistance (Cont'd.)

.2 (Cont'd.)

Title 2A, Chapter 111 of the Revised Statutes (as amended by Chapter 76 Public Laws of 1962) provides:

"2A:111-2. Any person who, knowingly or designedly, by means of any false statement made orally or in writing, or by means of concealing or failing to disclose a material fact which it is his duty to reveal, obtains for himself or for any other person from any agency of the state or from any county or municipality, or from any agency of such county or municipality or from any private or charitable organization or association of any kind, under pretense that he is poor and needy or out of employment, any money, property or other thing of value, is guilty of a misdemeanor.

"2A:111-3. Any person who, by false representations with respect to ability to pay the usual and reasonable cost of medical or surgical treatment, or by concealing or failing to disclose a material fact which it is his duty to reveal, secures for himself or for any other person such medical or surgical treatment from any state, county, municipal or charitable hospital or institution, free or at reduced rates, or who by false representation as to income or other financial resources, or by concealing or failing to disclose a material fact which it is his duty to reveal, obtains for himself or for any other person from any agency of the state or from any county or municipality, or any agency of such county or municipality, financial or other assistance in any form, is guilty of a misdemeanor."

Title 44, Chapter 7 of the Revised Statutes provides:

"44:7-32. Any person who, by means of a false statement or false representation, or by impersonation or other fraudulent device, obtains or attempts to obtain, or aids or abets, any person to obtain funds under this chapter to which he is not entitled, or a larger amount of assistance than that to which he is justly entitled, or payment of any forfeited installment grant; or knowingly aids or abets in buying, or in any way disposing of, the property of an applicant without the consent of the county welfare board, shall be guilty of a misdemeanor and punished accordingly. If such person be himself an applicant or recipient of old age assistance [or of disability assistance or of assistance for dependent children], his application may be denied or his grant withdrawn, and future grants denied at the discretion of the board."

Part II

The Individual and Public Assistance

2900

Other Agency Responsibilities - Legal Procedures

2951. Fraudulent Receipt of Assistance (Cont'd.)

.3 Criteria for Identifying Cases of Possible Fraud

The purport of those statutory provisions is that fraud consists of obtaining or attempting to obtain payments of assistance to which an individual is not entitled by means of willful misrepresentation or by intentional concealment of a material fact. There are three basic elements that must be established:

- a. The misrepresentation or concealment must have been deliberate and done knowingly. Fraud does not exist if the misrepresentation or concealment is the result of an unintentional act, a misunderstanding or mental incompetency. Distinction must also be made between intent to defraud by the individual and omission, neglect or error by the agency's representatives in securing and recording information.
- b. The misrepresentation or concealment must have been undertaken for the express purpose of receiving or obtaining benefit from or attempting to receive or obtain benefit from a payment of assistance to which the individual was not entitled.
- c. If the misrepresentation or concealment, or attempt to misrepresent or conceal a material fact, had been known to the county welfare board, assistance would not have been granted or would have been granted in a lesser amount.

The evidence to establish these points must be factual and capable of being demonstrated in a court of law through the testimony of witnesses or by documentary evidence. Since fraud is subject to criminal action, it must be proved beyond a reasonable doubt.

.4 County Welfare Board Responsibility; Administrative Plan

a. Limitations of Responsibility

The role of the county welfare board is limited to responsibility for determining whether there is basis in fact for believing that fraud, as defined by the criminal statutes, may have been committed so that referral to the county prosecutor or other proper law enforcement official for legal action is justified. The action taken by the law enforcement official following referral determines what further legal action shall be pursued. Whether fraud has actually occurred is a question for the court.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2951. Fraudulent Receipt of Assistance (Cont'd.)

.4

b. Alternate Administrative Plans for Investigation

All administrative planning should be kept in balance, so that procedures to be employed when there is reason to suspect the possibility of fraud are consistent with legal rights of the individual(s) concerned, and do not outweigh overall administrative effort directed toward accomplishment of program objectives.

Each CWB shall develop an operational method to carry out its responsibility which is best suited to its administrative structure and to local conditions and resources. There must be clear allocation of duties and functions in the total process of investigation, reporting, evaluation, decision to refer, etc.

In respect to the function of investigation CWB may select one or a combination of the following plans:

1) Cooperative Arrangements with Other County Agencies

CWB may arrange for special investigation of cases of suspected fraud by another appropriate agency or official such as office of the county adjustor, the probation department or the office of the county prosecutor, without cost to CWB.

2) Special Staff Investigator

CWB may appoint to staff a "special investigator(s)" whose duty will be to give special attention to case situations involving suspicion of fraud (and other related situations requiring special investigating skills), to prepare the necessary reports, and to function in a liaison capacity for the director and welfare board to the law enforcement authorities. Such "special investigator(s)" will have no law enforcement authority, and not engage in activity which is properly the responsibility of the caseworker.

[Refer to Ruling No. 11, Part I for classification of position, job description, etc.]

3) Casework Staff Function

CWB may elect to have casework staff carry the responsibility for the necessary special investigation in instances of suspected fraud, relying upon consultation with CWB counsel for the technical aspects of establishing adequate evidence on which to base a decision.

2951. Fraudulent Receipt of Assistance (Cont'd.)

.4 b. 3) (Cont'd.)

Whatever administrative plan is adopted, there will be instances where discussion should be arranged with welfare board counsel and/or the county prosecutor's office as to the nature and conduct of the investigation.

CWB shall file with the State Bureau a detailed description of its administrative plan; and shall advise the Bureau of any subsequent proposed change in the plan before it becomes effective.

.5 Referral to Law Enforcement Authorities

When the investigation of any case of suspected fraud is completed, the director of the CWB, in consultation with counsel as required, shall be responsible for determining whether the matter should be referred to the county prosecutor or other proper law enforcement official. As far as possible any such referral should be initiated by conference, followed by a written statement as may be requested.

.6 Reports on Cases Involving Fraudulent Receipt of Assistance

In every case where the CWB initiates an investigation based upon a belief that fraud, as defined by the criminal statutes, has been committed, an initial report shall be forwarded to the Bureau of Assistance. This report should identify the case and set forth a summary of the information which provoked the investigation. When the investigation is completed, and a determination made as to the further action required, a supplementary report shall be sent to the Bureau summarizing the results of investigation and the action to be taken. If the investigation is initiated and completed within a reasonable period of time, the initial and supplementary reports may be combined. If the matter is presented for official action by the welfare board, an entry in the minutes giving the findings and decision will serve as the supplementary or combined report.

When a referral is made to the county prosecutor or other law enforcement official, a report shall be sent to the Bureau of the resulting action. If a decision is made not to prosecute, the report should set forth the reasons if they are known or can be determined. If prosecution is undertaken, the report should set forth all available information on the results of the trial and the nature of sentence if a conviction is entered.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2951. Fraudulent Receipt of Assistance (Cont'd.)

.7 Recovery of Assistance Paid

In every fraud case, in addition to any criminal prosecution, recovery should be sought of the assistance illegally obtained. The threat of prosecution should not be used as a means of effecting recovery; nor should the fact of a recovery affect the CWB decision concerning proper referral to the prosecutor. However, any recovery, or plan for recovery, should be reported to the prosecutor whenever such a referral has been made.

The provisions of the preceding paragraph are not intended to limit the responsibility and obligation of the CWB to seek recovery, through voluntary agreement or civil action, of funds improperly received by a client under circumstances other than fraud.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2952. Filiation Proceedings

Title 9, Chapter 17 of the Revised Statutes as amended by Public Laws of 1962 authorizes the county welfare boards to initiate proceedings to establish paternity and responsibility for support of a child born, or likely to be born, out of wedlock when such child is, or likely to become, a recipient of Assistance for Dependent Children.

(This authority does not obviate the use of the provisions of Title 9, Chapter 16 of the Revised Statutes under which the mother of the child can bring action and file a complaint in her own name to establish paternity and responsibility for support.)

.1 Effect on Eligibility for ADC

Title 9, Chapter 17 (R.S. 9:17-2) specifically provides "...that the initiation of proceedings under this Chapter shall in no wise be deemed a condition precedent nor a deterrant to the granting of assistance or relief under any law of this State to persons otherwise eligible therefor."

[See 2287. for basic policy on eligibility]

.2 Courts Having Jurisdiction

Such proceedings shall preferably be initiated in the county juvenile and domestic relations court, but may be initiated in a municipal court in accordance with local practice.

.3 Parties to the Action

a. A complaint under Title 9, Chapter 17 should be filed in the name of the CWB by the director or other duly authorized representative. The complaint will normally be filed against the reputed father as identified by the mother.

b. There may be cases where the mother refuses, or claims inability, to reveal the identity of the reputed father. In such cases a complaint may be filed naming the defendant as follows: "John Doe, reputed father of (name of child), said name John Doe being fictitious". Such a complaint must be accompanied by an Affidavit of Inquiry made by the CWB director or other duly authorized representative, stating the mother's refusal or inability to identify the reputed father, and that other diligent inquiry has failed to reveal the identity. The court can then hold an examination of the mother and may compel disclosure of the name of the reputed father.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2952. Filiation Proceedings (Cont'd.)

.4 Procedure

a. Normal procedure contemplates that after the complaint is filed, and an examination held as required for disclosure of identity of the reputed father, a warrant will issue against the reputed father so that when he is personally served he may be subject to the jurisdiction of the court. This is followed by a hearing where testimony is given by the parties, on the basis of which the court decides the issue of paternity.

b. If the court decides that the person charged is the father, an Order of Filiation is made which also specifies the support to be paid by the father for the maintenance of the child, and "...the sum to be paid for the sustenance of the mother during confinement." (R.S. 9:17-12)

c. There will be cases where the reputed father admits paternity and agrees that he will not contest the entry of an Order of Filiation. Such action can be encouraged by CWB interview with the reputed father before initiation of filiation proceedings. In such cases, with the cooperation of the court, the procedure may be simplified in that the issue of paternity and responsibility for support can be adjudicated without issuance of a warrant or formal hearing.

.5 Person or Agency to Receive Payment of Order

See 2320.7 for basic policy in respect to support orders.

Since the average period of continuing eligibility for ADC is relatively short it is recommended that Orders for Support be made payable to CWB only when no other arrangement is feasible or acceptable to the court.

Part II The Individual and Public Assistance
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2953. Desertion [Effective July 1, 1962]

.1 Statutory Provisions

In accordance with existing statutes, desertion not only provides a basis of eligibility for assistance for dependent children, but also subjects the deserter to legal action for enforcement of civil and criminal liabilities.

a. Eligibility for ADC

By definition in R.S. 44:10-1 a "dependent child" is one "deprived of parental support or care by reason of continued absence from the home of a parent". The term "continued absence from the home" includes desertion as outlined by administrative regulation.
(See 2281.2)

b. Legal Actions

In addition to providing the offended spouse with grounds for divorce or legal separation, several actions may be taken against the deserter to enforce the obligation to support or to impose penalties for the renunciation of familial duties.

1) Civil Actions

(a) Available to municipal welfare directors only:

R.S. 44:1-143 - complaint to enforce support in the juvenile and domestic relations court.

(b) Available to county welfare directors only:

R.S. 44:7-19 - under which when there is failure to comply with the order of the director certification may be made to the county court or the juvenile and domestic relations court.

(c) Available to both municipal and county welfare directors and other persons:

N.J.S. 2A:4-18 - complaint to enforce support in the juvenile domestic relations court.

N.J.S. 2A:4-30.1 et seq. - support proceedings may be brought against a deserter located in another state under the Uniform Reciprocal Support Act.

[See 2900 Appendix II for text of Act]

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2953. Desertion (Cont'd.)

.1 b. 2) Criminal Actions

(a) Available to municipal welfare directors only:

R.S. 44:1-147 - complaint may be brought to punish a deserter as a "disorderly person".

(b) Available to both municipal and county welfare directors and other persons:

N.J.S. 2A:170-4 - complaint may be brought by any person having knowledge of the facts to punish as a "disorderly person" an individual who "leaves or threatens to leave his family to become a public charge".

N.J.S. 2A:100-1 - complaint may be made against a "husband or father who deserts and wilfully neglects to provide for and maintain his wife and minor child or children".

N.J.S. 2A:100-2 et seq. - complaint may be made against a "husband who deserts or wilfully neglects or refuses to provide for the support and maintenance of his wife, in destitute or necessitous circumstances, or against a parent who similarly offends against" his or her "minor child or children". In this action the court may order support in lieu of fine or imprisonment.

.2 Definition and Interpretation

The term "desertion" is uniformly used to denote a wilful abandonment of a duty in violation of a legal or moral obligation. In the sense of the domestic relation, "desertion" is the act by which a person quits the society of the spouse or children, or either of them, and renounces duties owed to them.

Desertion is often considered only in terms of failure to provide support and maintenance, and legal processes are primarily directed toward enforcement of this duty. Although non-support is of particular significance in the administration of public assistance, desertion must properly be viewed as a failure to perform other duties owed to the family members so that they are deprived of care as well as support.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2953. Desertion (Cont'd.)

.3 Objectives and Responsibilities Related to Desertion

The basic effect of desertion is the disruption of the family; the results are social and financial dependency. Therefore, the primary goal in serving deserted families should be to effect reconciliation, and action to locate the absent parent should be undertaken with this objective. It is realized that in certain cases the causes of the desertion, and the length of absence, will limit the likelihood of reconciliation. In such situations efforts to induce resumption of financial support can reduce the need for public assistance, provide a possible means for subsequent renewal of parent-child relationships, and have a deterrent effect through discouraging future desertions by impressing on the deserter the need for him or her to maintain responsibility.

Since desertion is a matter of public concern, as expressed in the statutory provisions cited above, the processes for location of and treating with the deserter involve close cooperation between the public assistance and law enforcement agencies. This requires an understanding of respective functions and responsibilities, and a mutual appreciation of objectives.

a. Functions and Responsibilities of the Public Assistance Agency

- 1) Determining eligibility for assistance, and developing evidence that there has been a desertion in fact.
- 2) Developing and recording information which can be used in locating the deserter and effecting reconciliation or resumption of support. This includes the reasons for the desertion, the time and place it occurred, any contacts with the family or friends since the desertion, indications of possible whereabouts, dates and place of last known employment for purpose of OASDI clearance, etc.
- 3) Notifying the county prosecutor when the initial assistance payment is issued (See 2281.2c).
- 4) Initiating, or assisting the recipient to initiate, proper civil or criminal action as the circumstances indicate.
- 5) When legal action has been started, providing the law enforcement agency with relevant information concerning the deserter whenever it becomes available. This will include a reporting of any reconciliation effected, or any arrangement made for support by the deserter either voluntarily or by order of the county director.

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Other Agency Responsibilities - Legal Procedures

2953. Desertion (Cont'd.)

- .4
- b. Whenever the deserter's whereabouts is known or becomes known, and there are no factors which would negate the possibility of reconciliation or voluntary assumption of financial support, attempts should be made to accomplish this through case work processes. This may be undertaken by the CWB in New Jersey or through cooperating agencies in other States and jurisdictions.
 - c. If reconciliation or voluntary assumption of support cannot be accomplished, but the deserter's whereabouts is known, civil action should be taken in the juvenile and domestic relations court to secure an order of support. This would include action under the Uniform Reciprocal Support Act.
 - d. If the use of case work processes and civil action proves ineffective in securing support from the deserter, a criminal complaint of desertion or non-support should be made.
 - e. Civil and criminal actions may be initiated by the recipient (parent or parent person) or the county Welfare board.
 - f. Inquiries leading to information concerning the whereabouts of the deserter shall be made part of each visit with the recipient, and shall also be directed to collateral contacts whenever feasible. Full use should be made of the process for securing information from OASDI records (See 2829). Any information received should be forwarded to the proper law enforcement agency whenever civil or criminal proceedings have been initiated.
 - g. Action to effect reconciliation or secure support is directly related to the administration of assistance, and there is no violation of confidentiality if record information is shared with agencies and authorities cooperating in this activity.

.5 Optional Administrative Plan

Each CWB shall develop an operational method to carry out its responsibilities which is best suited to its administrative structure and to local conditions and resources. There must be clear allocation of duties and functions in the total process of investigation, reporting, evaluation, decision to initiate legal action, etc.

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2953. Desertion (Cont'd.)

.5 (Cont'd.)

The case worker will be responsible for obtaining and reporting information relevant to the desertion as an incident of case supervision, and for efforts to effect reconciliation and voluntary assumption of support when feasible through case work processes. When location of the deserter involves supplemental activity, the CWB may select one of the following plans; or a combination thereof:

a. Cooperative Arrangement with Other County Agencies

CWB may arrange for special investigation of cases of desertion by another appropriate agency or official such as office of the county adjuster, the probation department or the office of county prosecutor, without cost to CWB.

b. CWB may appoint to staff a "special investigator(s)" whose duty will be to give special attention to case situations involving desertion (and other related situations requiring special investigating skills), to prepare the necessary reports, and to function in a liaison capacity for the director and welfare board to the law enforcement authorities. Such "special investigator(s)" will have no law enforcement authority.

[Refer to Ruling No. 11, Part I for classification of position, job description, etc.] ¹

CWB shall file with the State Bureau a detailed description of its administrative plan; and shall advise the Bureau of any subsequent proposed change in the plan before it becomes effective.

.6 State Bureau Coordinator

A Bureau staff member will be designated to coordinate and supervise activities of the county welfare boards related to cases of desertion. These functions will include:

a. Reviewing records and reports to evaluate compliance with and effectiveness of policies and procedures.

b. Disseminating information on methods and practices for location of deserters.

¹ Until included in Ruling No. 11 consult Bureau of Assistance

2953. Desertion (Cont'd.)

- .6
- c. Conferring with appropriate CWB personnel on individual case situations.
 - d. Providing consultation on the development and continuity of relationships with law enforcement agencies.
 - e. Processing inter-state inquiries and reports referred to the Bureau.
 - f. Preparing periodic summaries of state-wide activities and accomplishments, and disseminating such information to county welfare boards when appropriate.
 - g. Assisting in the collection, maintenance and interpretation of records and statistics required for the conduct of the program.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2954. Support Orders

The provisions of this section apply in ADC.

The following additional points must be kept in mind in respect to ADC:

a. The presence of a step-parent in the home does not relieve either natural parent of duty to support a child.

b. An Order to Support can not be placed upon a reputed father of a child born out-of-wedlock either by the director of welfare or by the court until paternity has been judicially established.

[See 2287. and 2952.]

2954. Support Orders

.1 Legal Provisions

a. By law, (R.S. 44:7-19) the county director of welfare is authorized, after due investigation, to order a legally responsible relative to pay toward the support of an applicant for or recipient of assistance. (The Attorney General has ruled that although R.S. 44:7-19 provides for ameliorating or excusing the obligation of a child (but not of a spouse) when there was failure by the parent to support during the child's minority, the responsibility for making such a determination rests with the court itself and is not within the discretion of the director of welfare or of the welfare board). [See 2265.]

b. The law directs that upon failure of such relative to comply with the order, the director shall so certify in writing to the county court or to the court of juvenile and domestic relations of this county; whereupon such court may, after hearing, "order and adjudge the able relatives or other persons responsible for the support of such applicant to pay such sum or to deliver to the court or to the director of welfare such other pledge or guaranty as the circumstances may require in the discretion of the court for each such applicant."

c. R.S. 44:7-19 further provides that "The county welfare board may also bring appropriate action in any court of competent jurisdiction to recover any sum of money due for assistance given any person under this chapter against such person or against any other persons chargeable by law for the support of such person".

d. Where the relative from whom support is sought is a resident of another state and CWB is unsuccessful in securing information and/or voluntary contributions, commensurate with the evaluated capacity to support, either by direct correspondence or through an appropriate public assistance agency, the procedures provided in the Uniform Reciprocal Enforcement of Support Act, Revised Statutes 2A:4-30.1 to 30.23 shall be followed. See 2900 Appendix II for text of this Act.

e. There are additional statutes under which orders of support may be imposed by a municipal director of welfare, or by a court. See R.S. 44:1-140 and 141; 44:1-143 and 144; R.S. 9:16 and 9:17.

f. "Revision of the Rules Governing the Courts of the State of New Jersey", promulgated under the authority of the Chief Justice as of August 17, 1953, provides in Rule 6:5-4, subsection (a), as follows:

2954. Support Orders (Cont'd.)

- .1 f. "In an action for support brought by an assistance agency any support that may be directed to be paid shall, as near as practicable, conform to the standards of assistance established by or for the plaintiff agency".

.2 Non-compliance with Orders

a. Non-payment

When there is substantial evidence that a relative is failing to comply with the order of the director of welfare, the director shall follow the legal procedure as provided in .1 b., above. Where there is failure to comply with the order of a court, the circumstances shall be promptly reported to the probation department if the relative was placed on probation, or to the court which placed the order.

b. Irregular or Insufficient Payment

Where there is substantial evidence that a relative under order of the director or of a court, is making irregular payments, or payments in an amount less than ordered, the same procedures shall apply as in a., above.

c. Inability to Comply with Order

1) Where there is evidence that a relative is not able or no longer able to comply with the order of the director, there shall be prompt reevaluation of capacity to support, and the order shall be voided or the amount adjusted as appropriate.

2) Where such situation is found to exist in respect to a relative under court order to support, the terms of the order cannot be changed except by amendment by the court itself after review. A review by the court for this purpose can be initiated as follows:

a) Basically the defendant relative is responsible for bringing to the attention of the court any circumstances which make it impossible for him to comply with the terms of the order.

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2954. Support Orders (Cont'd)

.2 c. 2) b) The party filing the original complaint may bring the matter to the attention of the court for enforcement of the order at which time the defendant relative may present circumstances showing his inability to comply.

c) If in the judgment of CWB the situation justifies an amendment of the order the party filing the original complaint may bring the matter to the attention of the court with recommendations for such amendment.

.3 Persons or Agency to Receive Payment of Order

a. There are three possible general methods for the handling of court-ordered support payments: (1) There is the arrangement whereby payment of support is made directly to the dependent person; (2) There is the arrangement whereby payment is ordered to be made to the Probation Office and then remitted by that office to the client. (3) The method which will most effectively assure the client regular and uninterrupted payments, in the amount necessary to meet full budgeted requirements, is the procedure whereby support payments, through court authorization, are made to the Probation Department which in turn makes the payment over to the county welfare board, with the county welfare board continuing to meet the full need of the client through the assistance grant

b. In regard to authority for this arrangement, the Supreme Court Committee on the Juvenile and Domestic Relations Courts of the State of New Jersey has approved ". . . a recommended procedure under which support by a responsible relative - e.g., the father - ordered by the court, where the family is receiving public assistance from the county welfare board, would be made payable to the probation office and disbursed by it to the welfare board rather than to the recipient of assistance. The latter would execute a written authorization to the probation office to make such disbursement of moneys received on the support order . . ."

[The Administrative Office of the Courts has issued a bulletin letter to the Juvenile and Domestic Relations Court Judges, Chancery Division of the Superior Court and Chief Probation Officers advising them of this method which, when utilized, will ensure that the client's full budget allowances will be made available regardless of the possible irregularity or insufficiency of court-ordered payments. (See 2900. Appendix V and Appendix V, Attachment #1.)

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2954. Support Orders (continued)

.3

b. Where the utilization of this plan is indicated, the following procedure shall immediately be implemented:

- 1) Adjust the basic grant to meet the full budgetary requirements of the client (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 2900 Appendix V-A.) 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 2320. and Budget Manual 500 and 600.)

.4 Services of Counsel

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

2955. Petition for Guardianship

A petition for commitment of a child to Guardianship shall be initiated by the county welfare board only after preliminary consultation with the Bureau of Children's Services to review the facts and circumstances indicating the need for such action.

.1 Court Having Jurisdiction

A petition for Guardianship is filed with the Juvenile and Domestic Relations Court of the county where the child may be at the time of the filing of such petition. The form used for this purpose is available from the Clerk of the Court.

.2 Conditions Justifying Filing of Petition

A petition for Guardianship may be filed only when one of the following conditions exists as required by statute:

a. The parent(s), guardian, or person having custody and control of the child has been convicted of abuse, abandonment, neglect or cruelty under Chapter 6 of Title 9 of the Revised Statutes.

b. The child has been adjudged delinquent by a court of proper jurisdiction.

c. The best interests of the child already under the Care program of the BCS require that he be placed under guardianship. (Except in most unusual situations petitions in these cases will be filed by BCS).

d. The parent or guardian of a child, following the acceptance of the child in the BCS Care program or in the program of another authorized agency, has failed substantially and continuously, or repeatedly for a period of more than one year, to maintain contact with and plan for the future of the child, although physically and financially able to do so.

.3 Presentation of Evidence

Upon the filing of a petition for Guardianship the BCS will be required to make an investigation and report to the court. The CWB shall afford access to its case records for this purpose. However, the CWB as the petitioner will also be responsible for presenting evidence supporting the need for commitment.

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2900 Other Agency Responsibilities - Legal Procedures

2955. Petition for Guardianship (Cont'd.)

.4 Application for Interlocutory Order

In urgent situations it is recommended that CWB apply for the entry of an Interlocutory Order of Commitment so that BCS will have immediate responsibility for and custody of the child. (See 2883. 1.)

.5 Services of Counsel

Legal representation of CWB in guardianship proceedings is a proper function of welfare board counsel.

[For basic policy and procedure see 2883. and 2884.]

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2956. Report of Criminal Offenses to Law Enforcement Authorities

The provisions of this section apply in ADC.

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. (Refer to Section 2380. for procedures for referral to the Bureau of Children's Services.)

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.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2956. Report of Criminal Offenses to Law Enforcement Authorities

.1 Introduction

Investigation of new 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. (See 2951.5 for responsibility in regard to cases of suspected fraud.)

.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. [Refer to Circular Letter No. 663 for additional information identifying high misdemeanors.]

.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 personally, and 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 the director is satisfied that there is evidence to support an investigation as to whether a crime has been committed, he 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.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Legal Procedures

2956. Report of Criminal Offenses to Law Enforcement Authorities (Cont'd)

- .3 c. When a decision has been made to report the alleged or suspected commission of the crime, such report shall be made in written form to the appropriate law enforcement agency. 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. In these instances, the report of the county welfare board shall include a statement that the individual originally making the allegation had been informed of his responsibility to report this information to the appropriate law enforcement agency.
- d. 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.

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Federal Assistance Program for Cuban
Refugees

2900. FEDERAL ASSISTANCE PROGRAM FOR CUBAN REFUGEES

This Federal program was authorized because the Miami area which has the largest concentration of Cuban refugees is considered an impacted area. The program includes aid to public schools in Miami, health services, employment service, resettlement, welfare services to unaccompanied children and financial assistance.

Federal funds made available to meet the economic needs of Cubans who are resettled from Miami area by approved voluntary agencies are administered by established public welfare agencies of states which have agreed to participate in the program.

The State's plan for the comparable assistance program will be followed in receiving applications, determining eligibility, establishing the method and frequency of payments, visits and redeterminations of eligibility and providing social services. The standards used in determining the amount of the assistance grant will be in keeping with those used by the agency for the applicable program. All Cuban refugee families, including those not ceremonially married, which meet the criteria of the Assistance to Families of the Working Poor program, are to be budgeted in accordance with standards of that program. (See Financial Assistance Manual 116.)

2901. Determination of Eligibility

.1 Definition of Eligibility

By Federal definition an individual may be considered to be a Cuban refugee for purposes of the Cuban Refugee program if:

- a. he is a national of Cuba or resided in Cuba for five years prior to departure; and
- b. he came from Cuba to the United States in any manner other than entering with an immigration visa requiring an affidavit of support; and
- c. he is registered at the Cuban Refugee Emergency Center, Miami, Florida, and has a registration card issued by the Center (CREC 8-B); and
- d. he left Cuba on or after January 1, 1959 and has been resettled by an approved agency, or has been "self-resettled" (see 2901.4).

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2900 Other Agency Responsibilities - Federal Assistance Program for Cuban Refugees

2981. Determination of Eligibility (Cont'd)

.2 Cuban Entering the United States with Affidavit of Support

Cubans who enter the U.S. through another country with an immigration visa requiring an affidavit of support are not eligible for assistance under the Cuban Refugee program. Visas are issued only to those persons for whom an affidavit of support has been given by sponsors in this country who may be organizations as well as individuals.

However, Cubans who flee other countries entering the U.S. with non-immigrant visas or Cubans who manage to cross U.S. borders without any visa, and are subsequently "paroled" on indefinite stay by the Immigration Service, may be eligible for assistance under the program when they are registered at the Cuban Refugee Emergency Center.

Although an affidavit of support is by Federal regulation, a disqualification for assistance under the Cuban Refugee program, it does not disqualify needy Cubans for categorical assistance or for general assistance. However, it should be considered as a resource and inquiry made as to the ability of the person or agency, giving the affidavit, to provide for the needs of the applicant.

This policy applies to reopened as well as new applications. When reopening a case, determine whether any member of the family came with an affidavit of support. When date of departure from Cuba and date of arrival in this country are not in the original application, they shall be obtained.

Refugees entering the country on the basis of an affidavit of support may be registered at the refugee center solely for purposes of resettlement and transportation. However, the registration cards of such refugees are now being stamped "not eligible for financial assistance under the Cuban Refugee program at point of resettlement" or "transportation only".

.3 Registration

a. Initial Clearance of Registration at Cuban Refugee Emergency Center

When a Cuban refugee requests assistance, CWB shall register an application and clear with the Division by sending PA-50 or by telephone when immediate need exists. The case number and the following information shall be given: (See 2900 Appendix III for Clearance Form, PA-50.)

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Federal Assistance Program for Cuban Refugees

2981. Determination of Eligibility (Cont'd)

- .3 a. 1) Names and birth dates of all members of the family unit giving the head of the family first, as it appears on the card;

In Cuba, it is customary for a male, regardless of his marital status, and a single female to use the following pattern for their names,

(First Name)	(Middle Name)	(Last Name)
Baptismal Name	Paternal Family Name	Maternal Family Name
(Carmen)	(Rodriguez)	(Rivera)

A married female uses the following pattern,

(First Name)	(Middle Name)	(Last Name)
Baptismal Name	Paternal Family Name	Husband's Paternal Name
(Carmen)	(Rodriguez)	(de Garcia)
		(belonging to)

To conform to our system of family names, use the last name of a married woman and the middle name of the father or child as the last name;

- 2) Center file number on registration card, alien registration number;
- 3) Resettlement agency;
- 4) Resettlement date or date arrived from Miami;
- 5) Resettlement address or place;
- 6) Date left Cuba;
- 7) Date arrived Miami;
- 8) Present address;
- 9) If living with relative, the name and relationship;
If applicant is not registered and the relative is, give the latter's Center file number, agency and date of resettlement;
- 10) Contact with resettling agency and/or sponsor;

Part II The Individual and Public Assistance
2900 Other Agency Responsibilities - Federal Assistance Program for Cuban
Refugees

2981. Determination of Eligibility (Cont'd)

.3 a. 11) Other pertinent information.

Since the Division now gives immediate clearance when the refugee applies within 30 days of the date of his registration at the Cuban Refugee Center, it is essential that date of registration and number be accurately given by CWB.

b. Request for Registration of Unregistered Family Member

1) Persons who may be added to the registration

When a resettled Cuban refugee is receiving or applying for assistance, certain family members who are not registered at the Center may be added to his registration.

When refugees marry after they have been registered at the Center as single persons, the wife should be added to the husband's registration.

2) Summary

When an unregistered refugee is to be added to the registration of a recipient family, send to the Division a summary including the following information:

- a) Case name, number and file number;
- b) Full name, birth date and birthplace of a person to be registered;
- c) Date and place of entry to U.S.;
- d) Date of departure from Cuba or other country of birth;
- e) Family composition with full name of head of household if not given in a);
- f) Relationship to head of household;
- g) Marital status: date and place of marriage, prior separation or divorce; (If previously married, name of ex-spouse, Center file number when applicable.)

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2900 Other Agency Responsibilities - Federal Assistance Program for Cuban Refugees

2981. Determination of Eligibility (Cont'd)

- .3 b. [2) h) Immigration status and alien registration number;
i) Educational level; occupation.

In the case of an infant born to a receiving family, only items a) and b) of the summary are required.

- 3) Notice to CWB of Registration

CWB will be notified by the Division of the addition to the registration.

.4 Resettlement

a. By Approved Agency

- 1) The voluntary agencies engaged in resettlement (see below) will make resettlements on a planned basis so that the refugee will have a sponsor who will be responsible for his reception and for help in finding housing, obtaining employment, and adjusting to his new surroundings. A transition allowance is made by the Federal government to assist in this initial adjustment (see 2984.). As far as possible, sponsors also will assist resettled refugees in securing necessary furniture and housekeeping equipment and in maintaining themselves until income from employment or other sources is available to meet their needs.
- [2) It is assumed that there will be some resources available through sponsors and resettlement agencies, but they will differ in their ability to furnish assistance. They must be considered resources and as such must be contacted and the findings recorded in the case record. If total support is not available from such source, then resettled Cuban refugees are eligible for assistance through the Cuban Refugee program, to the extent that need is established.
- [3) The registration card issued by the Center usually has the initials of the agency involved and the date of and destination for resettlement. If not, this information should be secured from the refugee.
- 4) Approved voluntary agencies and their nearest offices are:
- a) Catholic Relief Services of the National Catholic Welfare Conference. Use local Catholic Charities when available, or Catholic Relief Services Resettlement Division, 350 5th Avenue, New York City, telephone 212-594-9300;

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2981. Determination of Eligibility (Cont'd)

- .4 a. 4) [b) Church World Services, Immigration Services Department,
475 Riverside Drive, New York City, telephone 212-870-2061;
c) International Rescue Committee, 386 Park Avenue South,
New York City, telephone 212-679-0010;
d) United Hebrew Immigration Aid Services, Inc., 425 Lafayette
Street, New York City, telephone 212-674-6800;
e) National Committee for Resettlement of Foreign Physicians, Inc.,
345 E. 46th Street, New York City, telephone 212-687-0520.

b. Self-Resettled

Subject to approval of the resettlement as indicated below, assistance may be authorized for needy Cuban refugees who are "self-resettled" (i.e., not resettled through one of the designated agencies listed above) provided they are registered with the Cuban Refugee Center in Miami. The following information shall be sent to the Division by CWB by PA-50 or summary:

- [1) Center file number on registration card; alien registration number;
2) Date left Cuba;
3) Date and place of arrival in U.S.;
4) Place(s) of self-resettlement, date of arrival and reason for going there;
5) Assistance received, place(s), dates;
6) Reason for this application.

Refer to 2983.1 when immediate assistance is indicated pending clearance.

c. Moved from Place of Previous Resettlement

When the refugee has moved to New Jersey from a place of previous resettlement in another state, the following alternate procedure shall be followed:

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2981. Determination of Eligibility (Cont'd)

.4 c. 1) Previously resettled to the New York City area

When a refugee who was resettled to the New York City area moves to New Jersey and applies for financial assistance under the Cuban Refugee program, in order to avoid duplication of assistance, CWB shall determine whether the move to New Jersey was effected with the knowledge of the sponsoring agency or the public assistance agency. When the move was so approved the CWB shall report this information when calling the Division for clearance.

When the move was made without a contact with the resettlement agency or public assistance agency, a summary shall be submitted as provided in 2) below.

2) Resettled out of the New York City area

When the refugee moves to New Jersey from a place of resettlement outside the New York City area, a summary shall be submitted to the Division including: normal clearance information on such refugee, information as to the reason for moving to New Jersey and leaving the place of resettlement, and information as available, concerning the assistance given and plans made by the resettling agency at place of resettlement.

[d. The CWB shall not authorize the return of any refugee to Florida.

.5 Eligibility of Family Unit

One case should include all needy eligible persons of any relationship living together as a family. The case name should be that of the normal head of the family.

Only registered and cleared members of the eligible unit are to be included in the assistance grant. If an unregistered member is to be added to the registration of a recipient refugee (see 2931.3 b.) he may be included in the family assistance unit after such addition.

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2981. Determination of Eligibility (Cont'd)

.6 Status of Head of Household Determines Eligibility of Family

When a Cuban refugee is married to a U.S. citizen, or citizen of another country, the nationality of the male spouse determines the eligibility of the family. Thus, a Cuban refugee woman who marries a U.S. citizen, or is married to a Cuban refugee who becomes a citizen, and the children born of the marriage, are ineligible for assistance under the Cuban Refugee program. The eligibility of children of a former marriage should be cleared with the Division.

Conversely, when the head of the household is a Cuban refugee, the family, including a non-Cuban spouse, is eligible for assistance under the program.

By Federal policy, this is in accordance with the principle that a married woman becomes the dependent of her husband while they are married and living together.

This policy applies in affidavit cases also. (See 2981.2) When the head of a household has entered the country with an affidavit of support, the family (spouse and children) of the refugee becomes ineligible for assistance under the Cuban Refugee program. This policy applies even when a spouse and child(ren) may have been previously registered at the Center and eligible for such assistance but are later joined by the head of the household who has entered the country under an affidavit of support.

.7 Cuban Refugee who Becomes U.S. Citizen Ineligible

A policy statement has been issued by the Federal agency with respect to the termination of eligibility status of Cubans who have become naturalized citizens; by Federal definition, the term "Cuban refugee" includes only individuals who are aliens.

Therefore, in new and reopened applications, and in periodic redeterminations of eligibility, attention shall be given to identifying refugees who have been in the country for five or more years in order to assure that refugees who have become citizens are not assisted under the Cuban Refugee program. (See 2989. for Permanent Resident Status.)

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2981. Determination of Eligibility (Cont'd)

.8 Special Eligibility Factors

a. Eligibility of Child Placed with Non-Relative

A child placed by his parents in the care and custody of a family or individual not related to him may, if he is registered in the Refugee Center and resettled by one of the authorized voluntary agencies, receive assistance under the Cuban Refugee program in one of the following ways:

- 1) When the head of the family or the individual is eligible, the child should be included in the eligible unit.
- 2) When the head of the family or the individual is not himself eligible, he may be payee for the child.

b. Eligibility of Unaccompanied Child Aged 19

A child receiving care under the Federal Children's Bureau program for unaccompanied Cuban refugee children (see 2987.1) is automatically cut off from this program when he reaches his 19th birthday and must apply under the Cuban Refugee program if in need. Although relatively few youths have been affected by this policy thus far, it now appears that a number of Cuban parents may not be able to reach this country before their children become 19. These youths may need a variety of social services to help them become responsible, self-directing and self-sustaining members of the community.

1) Responsibility of Supervising Agency

- a) When such a youth is in foster care or a children's institution with no immediate prospect of placement with his parents or relatives, and he is not able to support himself, the supervising agency (public or private) may initiate plans for an application for financial assistance through the Cuban Refugee program.
- b) The supervising agency should provide the county welfare board with all information necessary for processing the application and cooperate in continuing services, other than financial, as may be indicated. The children's agency will know the youth, his interests and his abilities, and can be of help to CWB in arriving at the plan which will be most appropriate for his needs. Whenever possible, the plan should enable him to continue satisfactory living arrangements.

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2981. Determination of Eligibility (Cont'd)

.8 b. 2) Responsibility of CWB

- a) Procedure shall be the same as for any applicant under the Cuban Refugee program. However, in clearing with the Division, the CWB shall submit information which verifies the youth's registration as an unaccompanied child, as provided by the supervising agency. This will be accepted as clearance of eligibility.
- b) Assistance may be continued for a 19 year old youth to complete high school or the semester in college during which he becomes 19. There can be no assistance given for college attendance beyond that semester. Effort should be made to secure scholarships that include subsistence, possibly through service organizations, community agencies or the supervising agency. Federal loans up to \$500 a semester are available through the college or university.

c. Eligibility of Registered Unaccompanied Child Joining Eligible Parents

When a registered unaccompanied child joins his parents who are applying for or receiving assistance under the Cuban Refugee program, he is eligible to be included in their grant when verification of his registration is received and reported to the Division.

The request to have his name added to the parents' registration shall include his birth date, unaccompanied child registration number, date of coming from Cuba, date and place of placement in foster home or institution, date he came to parents, date the parents' eligibility was cleared.

.9 Request for Social Information about Cuban Refugee Relatives in Florida

- a. All inter-agency inquiries for social information about Cuban refugees and their relatives who are or were living in Dade County are to be addressed to:

State of Florida
Department of Health and Rehabilitative Services
Division of Family Services
U. S. Cuban Refugee Assistance Program
127 N.W.-2nd Street
Miami, Florida 33128

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2981. Determination of Eligibility (Cont'd)

- .9 b. All similar inquiries for any other location in Florida are to be referred to:

[State of Florida
Department of Health and Rehabilitative Services
Division of Family Services
P.O. Box 2050
Jacksonville, Florida 32203

.10 Need

[CWB should consult with sponsors and/or the resettling agency as to possibility of any contributions when developing an assistance plan. The initial "transition allowance" (see 2984.) is to be considered an "available resource" only to the extent that it may reduce the need for additional financial assistance in becoming established in a new community. Need shall otherwise be determined according to the standards and budgeting methods provided in the Financial Assistance Manual, and in accordance with the appropriate categorical assistance program and the applicable budgeting procedure.

2982. Granting Assistance

.1 Initial Grant of Assistance

[After clearance, an initial grant shall be issued as promptly as possible when there is immediate need of assistance.

.2 Continuing Assistance

[Subsequent to the initial grant, the procedures established in Manual of Administration for categorical assistance programs shall be observed for continuing payments of assistance and redetermination of eligibility.

.3 Medical Care

Medical care available to Cuban refugees should be consistent with medical care available to other needy persons of the community in which the refugees are living. Where needy persons receive care without cost through community resources, such as clinics, efforts should be made to secure such care for Cuban refugees.

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2982. Granting Assistance (Cont'd)

.3 (Cont'd)

Medical care shall be provided according to the policy and procedure for the categorical programs.

Claims for health services for all persons receiving assistance under the Cuban Refugee program should be processed and paid in the same manner, and at the same rates, as those established for the New Jersey Health Services program (Medicaid).

2983. Related Services

Referral and information about other services available in the community should be offered to eligible Cuban refugees without regard to eligibility for financial assistance.

.1 Referral on Delayed Clearance

- a. When there will be a delay in clearance through the Division, and immediate need is indicated, the agency resettling and/or the sponsor should be contacted to determine their ability to support the refugee until clearance is received.
- b. If there is no other resource, including categorical assistance, to meet immediate need, referral shall be made to the municipal welfare department for General Assistance using Form PA-14 and noting thereon that referral is due to delayed clearance of eligibility for Cuban Refugee program.

.2 Refugees not Eligible for Federal Program

- a. Refugees who are determined to be ineligible for the Cuban Refugee program because they do not meet the eligibility requirements, who are in need, may have eligibility for a categorical program. If so, an application for the appropriate program shall be taken. When there is no eligibility for a categorical program, the case shall be referred to the municipal welfare department for assistance by use of the PA-14, giving the reason for referral.

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2984. Transition Allowances

When refugees are resettled, experience has demonstrated that it usually takes them from 45 to 60 days to find housing, obtain employment, and receive the first pay check. During this period there may be unusual expenses such as temporary living arrangements and restaurant meals until low cost housing can be located for someone without furniture and household equipment. In order to facilitate the resettlement of refugees, a transition allowance amounting to \$100 for a family and \$60 for a single person is made to refugees who are living in Miami and receiving financial assistance from the Florida Department of Public Welfare at the time of resettlement or refugees who are resettled directly from the Miami Airport or from Brownsville, Texas, immediately upon arrival in the United States. These refugees will receive only one transition allowance through the Cuban Refugee program.

Checks for the transition allowance are issued by the Miami Cuban Refugee Assistance office and sent by registered mail to the address designated by the refugee. From three to five days may elapse after resettlement from Miami or Brownsville before the check is mailed.

When the refugee has not received this check within ten days after resettlement, the worker should learn whether or not his present address is that to which he was resettled. When the resettlement address is not his present address he should be assisted, if necessary, in notifying the Cuban Refugee Assistance office that he changed his address and the check did not reach him. The CWB should not write to Miami for verification that the check has been sent.

In some instances refugees have had difficulty finding a bank or store willing to cash his check and may need assistance with this. His registration card and passport or immigration card should serve as identification for this purpose.

2985. Records and Forms

A separate record shall be established for each individual or family receiving assistance or services. For continuing cases, all changes in the status of each case and the dates on which changes occurred should be recorded.

.1 Registration of Application by CWB

The application shall be registered as stated in Manual of Administration subsection 2116. The registration number shall be the county designated letter followed by R or CR, as preferred, for Cuban Refugee program, and the next open number, beginning with 1.

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2985. Records and Forms (Cont'd)

.2 Registration Card PA-9

The registration card Form PA-9, shall be completed as for any categorical program. In addition, the title "Cuban Refugee program", and the Refugee registration file number shall be typed at the top of the card; and the names and birth dates of family members included in application shall be listed.

.3 Recording

The forms for the applicable categorical assistance programs shall be used and shall have the refugee's Center file number above the CWB registration number. The recording outline in use by CWB for other categorical programs may be used if the following information is included either in the forms or narrative:

- a. Data substantiating need and eligibility;
- b. Assistance or service given;
- c. Service plan, including:
 - 1) Education of each member of family and ability to speak and understand English;
 - 2) Employment history and special skills;
 - 3) Agency efforts to assist in finding employment;
 - 4) Impediments to self-support;
 - 5) Family strengths;
 - 6) Health of family members.

.4 Disposition of Case Records

Since the Cuban Refugee program is Federally financed, the case records are considered to be Federal records and, therefore, cannot be disposed of in the same manner that counties dispose of case records for inactive public assistance cases. The disposition of Federal records is under the jurisdiction of the National Archives and Records Service which has ruled that Cuban Refugee case records must be available for research and related purposes. Accordingly, Cuban Refugee case records for closed cases must be retained by the county until a Federal audit is completed.

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2986, Financing and Accounting

.1 Financing the Program

The cost of the Cuban Refugee program will be met from Federal funds on the basis of Federal reimbursement to states for financial assistance expenditures with respect to Cuban refugees under the conditions provided herein.

.2 Accounting and Control

A separate account will be maintained for this program in order that the transactions may be readily segregated from those of other programs. The account will reflect all disbursements of this program. Monthly statistics will be submitted to State Division.

2987. Special Services for Children

.1 Definition of "Unaccompanied Child"

When a Cuban child enters the United States with his parents, or in the company of relatives or friends with whom he will make his home, or pursuant to a plan to live with relatives or friends, such child may be supported by assistance through the Cuban Refugee program if all other elements of eligibility exist. When a Cuban child under the age of 19 enters the United States under any other circumstances, he is known as an "unaccompanied child."

A special program is provided under the supervision of the Federal Children's Bureau whereby funds are available for the foster care placement of unaccompanied Cuban children. This program is administered in cooperation with voluntary or public welfare agencies, referred to as "sponsoring agencies." Foster care placement may be made in family homes or in congregate living arrangements. In all such cases the child must be registered with the Florida Department of Public Welfare as an unaccompanied child.

There may be occasions where, for a variety of reasons, an alternative plan must be made for a Cuban child under the age of 19 who has been supported by assistance through the Cuban Refugee program. When such alternative plan requires foster care placement, either in a family home or congregate living, such child may also be considered an "unaccompanied child." In such situations the foster care placement may be effected through a voluntary or public child welfare agency with the cost of foster care being paid through funds provided by the Federal Children's Bureau.

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2987. Special Services for Children (Cont'd)

.1 (Cont'd)

The county welfare boards will normally not be concerned with any child who enters the United States as an unaccompanied child. However, county welfare boards who have been providing assistance under the Cuban Refugee program may be required to effect foster care plans for children whose change in circumstances necessitate this alternative. Such action by the county welfare boards should be accomplished through referral as indicated below.

.2 Referral to Sponsoring Agencies

Whenever a county welfare board is involved in effecting a foster care plan for a Cuban child, inquiries should be made as to whether such child had previously received service from a voluntary agency as a sponsoring agency. If such a sponsoring agency can be identified, reference should be made to that agency to effect the foster care plan.

.3 Referral to the Bureau of Children's Services

The Bureau of Children's Services does not act as a sponsoring agency, but is a referral resource for Cuban children under 19 who have been receiving assistance under the Cuban Refugee program but for whom a foster care plan must be effected. Reference to the Bureau of Children's Services should only be made when

- a. no previous sponsoring agency can be identified; or
- b. when a sponsoring agency, upon referral, has indicated its inability to assume responsibility for effecting a foster care plan.

When referral to the Bureau of Children's Services is a proper action, procedures should be followed as set forth in Manual of Administration Section 2880. Under the provisions of Section 2880., the Bureau of Children's Services is also available to provide counselling services for children who have special problems of adjustment although continued support will be provided through assistance under the Cuban Refugee program.

2988. Cuban Refugee Enlistees in Armed Forces - Eligibility for Q Allotments

.1 Explanation

Under a special enlistment program, some Cuban refugees are permitted to enlist in the U.S. Armed Forces, and their dependents are eligible under certain conditions to receive the quarters (Q) allotment. Information available to date indicates the majority of enlistees are in Grades E-1, E-2, E-3, and their dependents will receive the allotment automatically.

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2988. Cuban Refugee Enlistees in Armed Forces-Eligibility for Q Allotments (Cont'd)

.2 Conditions for Allotment Eligibility

- a. If the wife, or children, of the serviceman is in the United States, and documentary evidence of the relationship (certificates of marriage or birth) is available, a Q allotment will be paid in the usual manner.
- b. If the serviceman is unable to present proof because the documents were left in Cuba, the military authorities may accept a sworn statement from the enlistee. However, in these cases the allotment is paid to the serviceman on behalf of his dependents.
- c. Enlistees who have dependent parents residing in the United States may also apply for Q allotments. Determination of dependency will be made under the usual procedure for such dependents.

.3 Allotments as a Resource

In any instance when Cuban refugees apply for assistance to CWB and it is learned that a husband or son is serving in the U.S. Armed Forces, there will need to be exploration of whether or not an allotment is being received, or is pending, or is a potential resource. Supplemental assistance may be given if the allotment is insufficient to meet the determined need.

Where any question arises in relation to an allotment, the applicant should be immediately referred to the appropriate Red Cross Chapter for advice and guidance. CWB and the Red Cross Chapters should mutually arrange for a simple referral and notification procedure.

.4 Red Cross Responsibility

The Red Cross will provide the same services to families of Cuban refugee enlistees as it does to families of other servicemen.

The Red Cross will expect the CWB to provide financial assistance to any persons eligible for Cuban refugee assistance. If the enlistee's dependents are not eligible for assistance because not registered in Miami, the Red Cross will provide financial assistance pending clearance of the allotment claim.

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2989. Permanent Resident Status

.1 Change in Status from Parolee to Permanent Resident

When the United States severed diplomatic and consular relations with Cuba on January 3, 1961, it was no longer possible for Cubans coming directly to this country from Cuba to enter as permanent residents on immigrant visas. After that date, except for those who enter from another country by visa, Cubans enter the United States as parolees under Section 212 (d) (5) of the Immigration and Nationality Act. A parolee is prohibited by law from applying for U.S. citizenship. He must first adjust his status to that of a lawful permanent resident of the United States.

The 1966 amendments to the Immigration and Nationality Act (Public Law 89-732) included provisions which permit Cuban refugees, their spouses and children, who have been physically present in the U.S. for at least 2 years, to apply for permanent resident status, thus removing them from "parole status" and making it possible for them to become naturalized citizens when other citizenship requirements have been met. Status as permanent residents also enables Cuban refugees to qualify for licensing or certification in professions or trades and will assist them in meeting residency requirements for Medicare, Title XVIII, Part B.

Attainment of permanent resident status does not affect their eligibility for assistance under the Cuban refugee program.

The Immigration and Naturalization Service of the United States Department of Justice is responsible for carrying out this law. Completed applications will be returned to the local Immigration and Naturalization Service offices which will notify the applicant of his adjustment. Applicant may appeal to the Department of Justice, Washington, D.C., if he is not satisfied with the action.

.2 Health Benefits under Social Security

For health benefits under Social Security, in addition to meeting the requirements for Social Security as set forth in 2822.1 and .2, a Cuban refugee must have permanent resident status. Evidence must be submitted showing that permanent resident status has been acknowledged by the Immigration and Naturalization Service. Any Cuban refugee applicant or recipient of public assistance who appears to be eligible for Health Insurance Benefits should be referred to the local Social Security office.

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2989. Permanent Resident Status (Cont:d)

.3 Change in Identification Card

Every Cuban refugee admitted to the United States as a parolee, irrespective of age, receives a white Form I-94 from the United States Immigration and Naturalization Service for identification. Those parolees who change their status to permanent residents surrender the white Form I-94 for a green identification card Form I-151.

When a Cuban having permanent resident status becomes a naturalized citizen, he is no longer eligible for assistance under the Cuban Refugee program (see 2981.7).

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2990. Other Responsibilities - Nondiscrimination

2990. NONDISCRIMINATION IN PUBLIC ASSISTANCE PROGRAMS

2991. 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.

2992. 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.

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2993. Procedures Affecting the Division of Public Welfare

.1 Notification to Vendors

Hospitals, nursing homes, child-care agencies and institutions, health service agencies, and similar facilities in the State which receive payment for services directly from the State or the county welfare boards will be notified of their obligation to comply with Title VI of the Civil Rights Act of 1964 by the State or local agency responsible for the payment of such services. This shall be accomplished by the dissemination of Form WD-1, Obligation of Vendors under the Civil Rights Act of 1964.

.2 Special Procedures in Regard to Licensed Nursing Home Facilities

- a. Effective July 1, 1971, the Department of Health on behalf of the Department of Institutions and Agencies will conduct, at least once annually, an on-site Title VI compliance review of all such facilities. A copy of the written report of the review will be transmitted to the appropriate official in the Department of Institutions and Agencies.
- b. The county welfare boards will be informed by the Division of Public Welfare of the status of these homes in regard to this requirement on an annual basis.
 - 1) Any uncertainty on the part of the county welfare board in regard to the status of a particular facility may be resolved by contacting the Division of Public Welfare.

2994. Procedures Affecting County Welfare Boards

.1 Notification to Vendors

All vendors in the State who receive payment for services directly from the county welfare boards will be notified by mail from the county welfare board.

- a. For those vendors currently providing service to clients and who have not received such notice, this will be accomplished by the enclosure of Form WD-1, Obligation of Vendors under the Civil Rights Act of 1964, in the first payment for services made after the effective date of this regulation.
- b. For any vendor who, subsequent to this date, provides services to public assistance recipients, Form WD-1 will be enclosed in the first payment for services made.

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2994. Procedures Affecting County Welfare Boards (Cont'd)

- .1 c. The county welfare board shall establish procedures to ensure that all vendors currently providing services to their clients will receive a copy of Form WD-1 on an annual basis.
- d. A record of those vendors who have received this form with the date of mailing shall be maintained by the county welfare board.
- .2 Assurance of Compliance by Vendors
- [a. All official invoice forms of the county welfare board shall contain the following statement directly above the vendor's signature:
- "Services are provided to all recipient(s) without regard to race, color or national origin."
- b. The county welfare board, in the course of regular work activities, will seek information concerning compliance and will instruct staff to be alert to discover instances of discrimination on the part of physicians, dentists, optometrists, pharmacists, opticians, podiatrists, and other individual vendors in New Jersey, who receive payment for services directly from the county welfare board or from the Division of Medical Assistance and Health Services in behalf of public assistance recipients.
- [c. Any evidence of discrimination by the vendors described in b. above which comes to the attention of the county welfare board shall be reported immediately to the Director, Division of Public Welfare.
- .3 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

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2994. Procedures Affecting County Welfare Boards (Cont'd)

.3 d. discussion at orientation and training sessions.

.4 [Information to Applicants

All persons seeking 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 by attaching a copy of Form WD-1C, A Statement Concerning Nondiscrimination in Programs of Public Assistance and Welfare Services to the appropriate application form.

.5 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, 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 or 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; the Director, State Division of Medical Assistance and Health Services; and the Division of Civil Rights, New Jersey Department of Law 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.

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2994. Procedures Affecting County Welfare Boards (Cont'd)

- .5 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.

.6 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 2900. Appendix IV, Attachments #1, #2, #3.)

Handwritten header text, possibly a title or address, located at the top of the page.

Two columns of handwritten text, likely a list or a set of notes, positioned in the upper middle section of the page.

A larger block of handwritten text, possibly a paragraph or a detailed list, occupying the middle section of the page.

Handwritten text at the bottom of the page, possibly a signature, date, or footer.

Part II The Individual and Public Assistance
2900 Other Responsibilities - Nondiscrimination

2990. NONDISCRIMINATION IN PUBLIC ASSISTANCE PROGRAMS

The provisions of this section apply in ADC.

APPENDIX SECTION

CHAPTER 2900
OTHER RESPONSIBILITIES

Manual of Administration
Division of Public Welfare

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(i)

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice.

2. The second section details the various methods used to collect and analyze data. It includes a table showing the results of different experiments conducted over a period of six months.

Experiment No.	Date	Method Used	Results (Mean ± SD)
1	10/15/23	Method A	12.5 ± 1.2
2	11/05/23	Method B	15.8 ± 0.9
3	11/20/23	Method A	13.1 ± 1.5
4	12/10/23	Method C	18.2 ± 1.1
5	12/25/23	Method B	16.4 ± 1.0
6	01/10/24	Method A	14.7 ± 1.3

3. The final section concludes that the data collected supports the hypothesis that Method C yields the highest results. It also notes that further research is needed to optimize the conditions for Method B.

Manual of Administration
Bureau of Assistance

NOTICES OF AGENCY DECISION (SAMPLE LETTERS)

2900 APPENDIX I

2911.1a - APPROVED APPLICATION (Initial payment)

Registration No. _____

Date _____

Dear (Mr., Miss, Mrs.)

Based on information we now have, which may not be complete, you have been found eligible for _____ assistance.

Enclosed is a check for \$ _____ for the period beginning today until _____ 19 _____. You will receive the next payment by check for \$ _____ on or about _____ 19 ____ and each month thereafter. Any question you may have about these amounts should be discussed with your caseworker.

It will be necessary to review your eligibility from time to time. Any change in your circumstances may require a change in your assistance payment.

You will be informed by letter whenever a change in your assistance payment is necessary, or if there is a decision that you are no longer eligible.

Enclosed you will find:

Very truly yours,

COUNTY WELFARE BOARD

_____, Director

(i)

2911.1a - APPROVED APPLICATION (Initial payment in two payments)

Registration No. _____

Date _____

Dear (Mr., Miss, Mrs.) _____

Based on information we now have, which may not be complete, you have been found eligible for _____ assistance.

Enclosed is a check for \$ _____ for the period beginning today until _____ 19 _____. You will receive the next payment by check for \$ _____ on or about _____ 19 _____. Thereafter you will receive a check for \$ _____ on or about the first of each month. Any question you may have about these amounts should be discussed with your caseworker.

It will be necessary to review your eligibility from time to time. Any change in your circumstances may require a change in your assistance payment.

You will be informed by letter whenever a change in your assistance payment is necessary, or if there is a decision that you are no longer eligible.

Enclosed you will find:

Very truly yours,

COUNTY WELFARE BOARD

_____, Director

(ii)

Manual of Administration
Bureau of Assistance

NOTICES OF AGENCY DECISION (SAMPLE LETTERS)

2900 APPENDIX I

2911.1b - APPROVED APPLICATION (Initial Payment Deferred)

Registration No. _____

Date _____

Dear (Mr., Miss, Mrs.) _____

This is to inform you that you have been found eligible to receive _____ assistance.

You will receive the first payment of \$ _____ on or about _____ 19 _____. Payment is not being made until that time because _____

Thereafter you will receive a check in the amount of \$ _____ on or about the first of each month. Any question you may have about these amounts should be discussed with your caseworker.

It will be necessary to review your eligibility from time to time. Any change in your circumstances may require a change in your assistance payment.

You will be informed by letter whenever a change in your assistance payment is necessary, or if there is a decision that you are no longer eligible.

Enclosed you will find:

Very truly yours,

COUNTY WELFARE BOARD
_____, Director

(iii)

2911.1c - APPROVED APPLICATION (Change in County Residence)

Registration No. _____

Date _____

Dear (Mr., Miss, Mrs.) _____

At a meeting on _____ 19____, the _____ County Welfare Board found that you are a resident of this county for purposes of _____ assistance. Therefore, future decisions about your eligibility and future payments of assistance will be made by this county welfare board rather than by the welfare board of the county of your previous residence.

You have been granted assistance in the amount of \$ _____ beginning with a payment to be issued by check on or about _____ 19____.

As you already know, it will be necessary to review your eligibility from time to time. Any change in your circumstances may require a change in your assistance payment.

Enclosed you will find:

Very truly yours,

COUNTY WELFARE BOARD

_____, Director

2911.2 - DENIAL

Registration No. _____

Date _____

Dear (Mr., Miss, Mrs.) _____

This is to inform you that you have been found ineligible for _____ assistance because:

You have the right to reapply whenever you believe that your circumstances have changed in such a way that the stated reason for ineligibility no longer exists.

Enclosed you will find:

Very truly yours

COUNTY WELFARE BOARD

_____, Director

(iv)

Si no comprenda usted esta noticia de terminación, rebaja o suspensión de los beneficios porque no habla el Ingles, por favor, communique usted con su trabajador social.

NOTICE OF INTENTION TO REDUCE ASSISTANCE PAYMENT

Date _____

Dear _____:

This is to notify you that your monthly assistance payment will be changed from _____ to _____ effective _____.

This determination is based upon _____
(reason)

and in accordance with _____
(statutory and/or Manual citation or reference)

This means your last payment in the amount of _____ monthly _____
(was) (will be)
the payment issued _____.

You have the right to request a Fair Hearing before a representative of the New Jersey Department of Institutions and Agencies. If you should request a Fair Hearing within fifteen (15) days of the mailing date of this notice of reduction in your assistance payment as stated above, a determination will be made by the Department of Institutions and Agencies whether or not your appeal is based on an issue of fact or judgment which would entitle you to continue to receive Assistance, in an unreduced amount, during the pendency of the Fair Hearing appeal.

At such hearing you will have the right to appear in person; to be informed of the reasons, and the nature and sources of any supporting evidence upon which the proposed reduction in assistance is based; the right to present any proofs or witnesses as to issue of fact; and the right to be represented by an attorney if you so choose and arrange, and to be accompanied and/or assisted by friends. Additionally, you may, prior to the scheduled date of the Hearing, arrange to examine, at a time convenient to yourself and the County Welfare Board, all documentary proof which will be relied upon by the County Welfare Board at the Hearing.

(v)

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

Notice of Intention to Reduce Assistance Payment
Page 2

You are also entitled to a conference at your County Welfare Board. At such a conference you may appear by yourself, with a friend or spokesman, or be represented by counsel.

If you wish to be heard at such a hearing, please call in person or by telephone or write either the _____ or the New Jersey Department of
(county welfare board)

Institutions and Agencies, Division of Public Welfare, P.O. Box 1627, Trenton, New Jersey 08625, within fifteen (15) days of the date of this notice. If you feel you need help in preparing or sending a request for a hearing, you may receive such help at this office.

If you wish to have the services of legal counsel, you may consult with _____

(name and address of appropriate Legal Services or Legal Aid Society)

_____, County Welfare Board

_____, Director

Si no comprende usted esta noticia de terminación, rebaja o suspensión de los beneficios porque no habla el Ingles, por favor, comuníquese con su trabajador social.

NOTICE OF INTENTION TO TERMINATE ASSISTANCE

Date _____

Dear _____:

This is to notify you that it appears you are no longer eligible to continue to receive payments under the program of _____

Assistance because _____
(include explanation)

This determination is based upon the provisions of _____
(insert statutory and/or Manual
reference or citation)

Your grant will be terminated as of _____
(date to be entered shall be not less than
fifteen (15) calendar days following the date
of this notice)

This means that your last payment _____ the payment
issued _____ (was) (will be)

You have the right to request a Fair Hearing before a representative of the New Jersey Department of Institutions and Agencies. If you should request a Fair Hearing within fifteen (15) days of the mailing date of this notice of termination of your assistance as stated above, a determination will be made by the New Jersey Department of Institutions and Agencies whether or not your appeal is based on an issue of fact or judgment which would entitle you to continue to receive Assistance, in an unreduced amount, during the pendency of the Fair Hearing appeal.

At such a hearing you will have the right to appear in person; 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 fact; and the right to be represented by an attorney if you so choose and arrange, and to be accompanied and/or assisted by friends. Additionally, you may, prior to the scheduled date of the Hearing, arrange to examine, at a time convenient to yourself and the County Welfare Board all documentary proof which will be relied upon by the County Welfare Board at the Hearing.

(vii)

Notice of Intention to Terminate Assistance

You are also entitled to a conference at your County Welfare Board. At such a conference you may appear by yourself, with a friend or spokesman, or be represented by counsel.

If you wish to be heard at such a hearing, please call in person or by telephone or write either the _____ or the New Jersey

(county welfare board)

Department of Institutions and Agencies, Division of Public Welfare, P.O. Box 1627, Trenton, New Jersey 08625, within fifteen (15) days of the date of this notice.

If you feel you need help in preparing or sending a request for a hearing, you may receive such help at this office.

If you wish to have the services of legal counsel, you may consult with _____

(name and address of appropriate Legal Services or Legal Aid Society)

_____ County Welfare Board

_____, Director

2953-57
~~2900~~

ARTICLE 4. SUPPORT PROCEEDINGS AGAINST OR ON BEHALF OF NON-RESIDENTS.

2A:4-30.1. Purposes. The purposes of this act are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

2A:4-30.2. Definitions. As used in this act unless the context requires otherwise,

(a) "State" includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(b) "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(c) "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced.

(d) "Court" means the juvenile and domestic relations court of any county of this state and when the context requires, means the court of any other state as defined in a substantially similar reciprocal law.

(e) "Law" includes both common and statute law.

(f) "Duty of support" includes any duty of support imposed or imposable by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, legal separation, separate maintenance or otherwise.

(g) "Obligor" means any person owing a duty of support.

(h) "Obligee" means any person to whom a duty of support is owed.

2A:4-30.3. Remedies additional to those now existing. The remedies herein provided are in addition to and not in substitution for any other remedies.

2A:4-30.4. Extent of duties of support. Duties of support arising under the laws of this state, when applicable under section seven (2A:4-30.7), bind the obligor, present in this state, regardless of the presence or residence of the obligee.

2A:4-30.5. Interstate rendition. The governor of this state (a) may demand from the governor of any other state the surrender of any person found in such other state who is charged in this state with the crime of failing to provide for the

(1)

support of any person in this state and (b) may surrender on demand by the governor of any other state any person found in this state who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other state.

2A:4-30.6. Relief from the above provisions. Any obligor contemplated by section 5 (2A:4-30.5), who submits to the jurisdiction of the court of such other state and complies with the court's order of support, shall be relieved of extradition for desertion or non-support entered in the courts of this state during the period of such compliance.

2A:4-30.7. Choice of law. Duties of support applicable under this act are those imposed or imposable under the laws of any state where the obligor was present during the period for which support is sought. The obligor is presumed to have been present in the responding state during the period for which support is sought until otherwise shown.

2A:4-30.8. Remedies of a state or political subdivision thereof furnishing support. Whenever the state or a political subdivision thereof furnishes support to an obligee it has the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditure so made and of obtaining continuing support.

2A:4-30.9. How duties of support are enforced. All duties of support are enforceable by complaint irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the juvenile and domestic relations court of any county of this state.

2A:4-30.10. Contents of complaint for support. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information. The plaintiff may include in or attach to the complaint any information which may help in locating or identifying the defendant including, but without limitation by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, the name of his employer, his finger print, or social security number.

(ii)

2A:4-30.11. Duty of court of this state as initiating state. If the court of this state acting as an initiating state finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property, it shall so certify and shall cause three copies of (a) the complaint (b) its certificate and (c) this act to be transmitted to the court of the responding state.

2A:4-30.12. Duty of the court of this state as responding state. When the court of this state, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall (a) docket the cause, (b) notify the county adjuster, who is hereby charged with the duty of carrying on the proceedings, (c) set a time and place for a hearing, and (d) take such action as is necessary in accordance with the laws of this state to obtain jurisdiction.

2A:4-30.12a. Jurisdiction by arrest. When the court of this state, acting either as an initiating or responding state, has reason to believe that the defendant may flee the jurisdiction it may (a) as an initiating state, request in its certificate that the court of the responding state obtain the body of the defendant by appropriate process if that be permissible under the law of the responding state; or (b) as a responding state, obtain the body of the defendant by appropriate process.

2A:4-30.12b. Further duty of responding court. If a court of this state, acting as a responding state, is unable to obtain jurisdiction of the defendant or his property due to inaccuracies or inadequacies in the complaint or otherwise, the court shall communicate this fact to the court in the initiating state, and shall hold the case pending the receipt of more accurate information or an amended complaint from the court in the initiating state.

2A:4-30.13. Order of support. If the court of the responding state finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

2A:4-30.14. Responding state to transmit copies to initiating state. The court of this state when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or orders for reimbursement therefor.

2A:4-30.15. Additional powers of court. In addition to the foregoing powers, the court of this state when acting as the responding state has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular

(a) To require the defendant to furnish recognizance in the form of a cash deposit or bond of such character and in such amount as the court may deem proper to assure payment of any amount required to be paid by the defendant.

(iii)

(b) To require the defendant to make payments at specified intervals to the probation department of the court or the obligee and to report personally to such probation department at such times as may be deemed necessary.

(c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

2A:4-30.16. Additional duties of the court of this state when acting as a responding state. The court of this state when acting as a responding state shall have the following duties which may be carried out through the probation department of the court:

(a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating state, and

(b) Upon request to furnish to the court of the initiating state a certified statement of all payments made by the defendant.

2A:4-30.17. Additional duty of the court of this state when acting as an initiating state. The court of this state when acting as an initiating state shall have the duty which may be carried out through the probation department of the court to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding state.

2A:4-30.18. Evidence of husband and wife. Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this act. Husband and wife are competent witnesses and may be compelled to testify to any relevant matter, including marriage and parentage.

2A:4-30.19. Interrogatories and depositions. In any proceeding under this act the court may order interrogatories or depositions to be taken within or without the state, pursuant to the provisions of law applicable to a court of record.

2A:4-30.20. Severability. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Manual of Administration
Bureau of Assistance

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, NEW JERSEY
REVISED STATUTES 2A:4-30.1 TO 30.23

2900
~~2900~~ APPENDIX 17

2A:4-30.21. Repealer. Article four of chapter four of Title 2A of the New Jersey Statutes (sections 2A:4 - 22 through 2A:4 - 30) is hereby repealed, but any action taken or order issued under the provisions thereof shall not abate and shall continue in full force and effect as if originally taken or issued under the provisions of this act.

2A:4-30.22. Effective date. This act shall take effect July first, one thousand nine hundred and fifty-two.

2A:4-30.23. State information agency. The administrative director of the courts is hereby designated as the state information agency under this act, and it shall be his duty:

(a) To compile a list of the courts and their addresses in this state having jurisdiction under this act and transmit the same to the state information agency of every other state which has adopted this or a substantially similar act.

(b) To maintain a register of such lists received from other states and to transmit copies thereof as soon as possible after receipt to every court in this state having jurisdiction under this act.

(v)

New Jersey Department of Institutions & Agencies	Transmittal Letter #8	Page Date 1/60
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CLEARANCE FORM FOR CUBAN REFUGEE PROGRAM
(See Instructions on Reverse Side)

PREVIOUS REGISTRATION _____ TRANSFER FROM _____ CASE # _____

COUNTY _____ CASEWORKER _____ DATE _____

(The following information should be taken from the Registration card given to the client by the Refugee Center in Miami)

CASE NAME	BIRTH DATE	ALIEN REGISTRATION #			
			(First)	(Last)	(2nd Last)
_____	_____	_____	_____	_____	_____

Other Persons in the Home	Relationship to Head of Household
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Center File No. (CF#) _____ Date Registered at Miami Center _____

If Applicable: 2nd Country _____ Date and Port of Entry to U.S. _____

Resettled by _____ Date of Resettlement _____ State of Resettlement _____

Resettled to N.J. by _____ Self-Resettled [] Yes [] No Date _____

Present Address _____

Attach Summary if Necessary

FOR STATE OFFICE USE ONLY:

Not on N.J. list: Sent to Miami ---- Letter _____ Telegram _____

Received from Miami ---- Letter _____ Telegram _____ Approved _____ Disapproved _____

On N.J. list: Approval given _____ Letter sent to County Welfare Board _____

1. Previous registration: if applicable, enter the case number which identifies the family unit.
2. Transfer from: enter the case number from the County of origin.
3. Case #: enter your County's Registration number.
4. County: County of residence.
5. Caseworker: self-explanatory.
6. Date: self-explanatory
7. Case Name: enter the name of applicant person who is considered the head of the household. Enter this name in the following order - first or baptismal name, last or paternal surname, 2nd last or maternal surname.
8. Date of birth: self-explanatory.
9. Alien Registration number: enter the eight digit number preceded by "A" found on the Registration card.
10. Persons in the home: enter the name of all persons who are considered members of the family unit.
11. Relationship to the head of the household: self-explanatory.
12. Center file number: enter CF# which identifies client at the Cuban Refugee Center.
13. Date registered at Miami Center: self-explanatory.
14. 2nd Country: if applicable, enter the name of the country other than Cuba from which client, or some member of the family unit, gained admittance into the U.S.
15. Date and Port of entry to U.S.: enter the date and port of entry into U.S. from above named 2nd country.
16. Resettled by: enter the initials of the resettling agency (USCC, CWS, IRC, HIAS).
17. Date of resettlement: enter date on which client first left Miami to be resettled.
18. State of resettlement: enter the name of the state to which client resettled when he first left Miami.
19. Resettled to N.J. by: enter the initials of the resettling agency.
20. Self-Resettled: to be used if client resettles himself to N.J.
21. Date: enter date of resettlement to N.J.
22. Present address: self-explanatory.
23. Attach summary if necessary: to be done in all cases in which additional information is necessary to identify the client. It should be done if after resettlement there is a death of a family member, divorce, marriage, etc. Summary should be sent for any family member who entered U.S. from a 2nd country.

I. FEDERAL LAW AND REGULATION

- A. Title VI of the Civil Rights Act of 1964, approved 7/2/64 (Public Law 88-352) makes provision as follows:

"Title VI - Nondiscrimination in Federally Assisted Programs

"Sec. 601. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

"Sec. 602. Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken.

"No such rule, regulation, or order shall become effective unless and until approved by the President.

"Compliance with any requirement adopted pursuant to this section may be effected

(1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found, or

(2) by any other means authorized by law: Provided, however, that no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means.

"In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

"Sec. 603. Any department or agency action taken pursuant to section 602 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 602, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with section 10 of the Administrative Procedure Act, (60 Stat. 243, 5 USC 1009) and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that section.

"Sec. 604. Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

"Sec. 605. Nothing in this title shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty."

- B. Based upon the above quoted legislation, regulations pertinent to the Department of Health, Education and Welfare were promulgated in the Federal Register as of Friday, December 4, 1964 in Title 45 - Public Welfare; Subtitle A - Department of Health, Education and Welfare General Administration; Part 80. Regulations and interpretation applicable to public assistance and child welfare services have been promulgated in a brochure jointly identified as Handbook of Public Assistance Administration, Supplement C, and Handbook for Child Welfare Services, Supplement - Nondiscrimination in Federally Assisted Programs.

II. STATE REGULATIONS

- A. Based upon the Federal law and regulations cited above, and acting pursuant to authority delegated by the State Board of Control of Institutions and Agencies, the Commissioner of Institutions and Agencies has issued Administrative Order 1:37 which is made a part hereof as Attachment #1. This Administrative Order adopts and incorporates as departmental policy all of the provisions of Federal law and regulations.
- B. In order to implement Administrative Order 1:37 the Director of the Division of Public Welfare has been authorized and directed to prescribe supplemental policy and procedure applicable to all administrative agencies under the cognizance of the Division of Public Welfare. This relates to the following elements of the Administrative Order:

Paragraph B-4 - Services Provided through Other Agencies, Institutions and Organizations

Paragraph B-6 - Dissemination of Information

Paragraph B-7 - Complaint Procedure

The following policy and procedure on the items so listed shall be strictly observed by the Bureau of Assistance, the Bureau of Children's Services, and the Commission for the Blind, hereinafter referred to as "state agencies," and by the county welfare boards and the district offices of the Bureau of Children's Services, hereinafter referred to as "local agencies."

III. SUPPLEMENTAL POLICIES AND PROCEDURES OF THE DIVISION OF PUBLIC WELFARE

A. Services Provided through Other Agencies, Institutions and Organizations (Administrative Order 1:37, B4)

1. Notification to Vendors

Notification to vendors of their obligation to comply with Title VI of the Civil Rights Act of 1964 and Administrative Order 1:37 of the Department of Institutions and Agencies shall be effectuated by dissemination of Attachment #2 (Obligations of Vendors under the Civil Rights Act of 1964, Form WD-1).

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- a. Hospitals, nursing homes, child-care agencies and institutions, health service agencies, and similar facilities in New Jersey, which receive payment for services directly from the state or local agencies, will be notified by mail from the Director, Division of Public Welfare.
- b. Physicians, dentists, optometrists, pharmacists, opticians, chiropodists, and other individual vendors in New Jersey, who receive payment for services directly from the state or local agencies, will be notified by mail from such state or local agencies. This will be accomplished by enclosure with the first payment for services made following the availability of Attachment #2.

2. Assurance of Compliance by Vendors

As a condition of payment for services provided to clients of the state and local agencies, compliance by vendors with the provisions of the Civil Rights Act of 1964 will be assured in the following manner:

- a. Hospitals, nursing homes, child-care agencies and institutions, health service agencies, and similar facilities in New Jersey, which receive payment for services directly from the state or local agencies, will be required to submit to the Director, Division of Public Welfare, a copy of Attachment #3 (Assurance of Compliance by Vendor, Form WD-1A) signed by an authorized representative.
- b. The state and local agencies, in the course of regular work activities, will seek information concerning compliance and will instruct staff to be alert to discover instances of discrimination on the part of physicians, dentists, optometrists, pharmacists, opticians, chiropodists, and other individual vendors in New Jersey, who receive payment for services directly from such agencies.
- c. Any evidence of discrimination by vendors described in a. and b. above which comes to the attention of the state and local agencies shall be reported immediately to the Director, Division of Public Welfare.

B. Dissemination of Information (Administrative Order 1:37, B6)

1. To Staff:

The staff of the Division of Public Welfare and of the state and local agencies under its cognizance shall be informed of Title VI of the Civil Rights Act of 1964 and of Administrative Order 1:37.

This shall be accomplished by making available to all staff members Attachment #4 (A Statement Concerning Obligation of Personnel of Public Welfare Agencies Under the Civil Rights Act of 1964, Form WD-1B), and by inclusion of all relevant material in agency manuals of administration for dissemination in the same manner as other agency policies.

2. To Applicants and Recipients:

All persons seeking or receiving public assistance and welfare services administered by or through state and local agencies shall be informed of Title VI of the Civil Rights Act of 1964 and of Administrative Order 1:37 by making available a copy of Attachment #5 (A Statement Concerning Nondiscrimination in Programs of Public Assistance and Welfare Services, Form WD-1C). This will be accomplished by the state and local agencies through mailing to recipients of public assistance and welfare services, and by hand delivery at the time of intake to persons seeking such assistance and services.

C. Complaint Procedure (Administrative Order 1:37, B7)

All persons seeking or receiving public assistance and welfare services 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, Education and Welfare, 42 Broadway, New York, New York, or with the Director, Division of Public Welfare, Department of Institutions and Agencies, P. O. Box 1627, Trenton, New Jersey. (See Attachment #5.)

In any instance where a complaint is filed with a state or 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 N. J. Department of Law and Public Safety, for investigation, evaluation, and recommendations by that agency.

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.

/s/ Irving Engelman

Irving J. Engelman, Director
Division of Public Welfare

Dated: June 24, 1965

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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.

Dear Sir,

I have the pleasure to inform you that your application for the position of...

has been considered and we are pleased to offer you the position of...

The salary for this position is £... per annum, plus a pension scheme...

The terms and conditions of employment are set out in the enclosed letter of appointment...

We are pleased to welcome you to the team and we look forward to your arrival on...

Yours faithfully,

John Smith, Director of Human Resources

ABC Company Limited, 123 Main Street, London, EC1A 1AA

Telephone: 020 7123 4567, Fax: 020 7123 4568

Enclosed are your appointment letter and a copy of the company handbook.

Please contact me if you have any queries.

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.

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

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.
- authorized representative - a person who may be a recipient's representative payee, attorney, legal guardian, or who has been identified specifically, orally or in writing, by the recipient as being an individual acting on his behalf. An organization may be an authorized representative if such power has been given to it by a client, either in writing, or orally by the client's advising the county welfare board that he wishes to have such organization act on his behalf. A record of all such authorizations to representatives shall be maintained in the client's case file.
- 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.
- request for local administrative review - 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 informal discussion or conference with his caseworker or supervisor to adjust his complaints, and that he wishes to present his case in a proceeding before the Director of the county welfare board or his duly delegated designee; the wording of such request is immaterial.

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

- 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 an opportunity to present his case to the ultimate State authority in the administrative organization; the specific wording of such a request is immaterial.
- request for group Fair Hearing - any clear expression (written) by two or more clients that they wish to have their cases heard in the same hearing, and which states that the issue is one of challenge to an agency policy. Adjournments will be granted in group hearings only in the most extraordinary and compelling circumstances as determined by the Director in his sole discretion.
- 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 by these regulations. The availability, utilization and scheduling of local administrative review procedures shall be in addition to and independent of the right of Fair Hearing and the exercise thereof.

Notification of Right to Fair Hearing

A statement in simple language informing the applicant of his right to a 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 required that every applicant shall at the time of registration of his application receive a copy

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

of the document entitled "Your Right to a Fair Hearing and Continued Assistance". In addition, every applicant, at the time he receives notice of the initial action upon his application shall receive a copy of this document - "Statement of Policy and Procedures on Complaints, Fair Hearings, and Judicial Appeals".

When protective payments have been authorized because the client has been adjudged by the agency as unable to manage the assistance payment, written notice of the right to appeal such a determination through the Fair Hearing process must be provided to the client at the time the determination is made.

Similar notification of the right to a Fair Hearing must be provided to the client with regard to decisions on restricted payments, vendor payments and payments conditioned upon work requirements.

A copy of the document "Your Right to a Fair Hearing and Continued Assistance" shall be furnished to any client at any time upon his request and at the time of any adverse action on his claim.

Complaints and Adjustment Procedures

Prompt and courteous attention will be given to all complaints, whether or not such complaints constitute requests for Fair Hearing and whether or not they are directed to the local office or the Division of Public Welfare. All complaints received shall be acknowledged promptly, and if it is not apparent from the complaint that a Fair Hearing request has been made, the acknowledgment shall inform the recipient of his right to a Fair Hearing.

Any clear expression (oral or written) by a client (or person acting for him, such as his legal representative or relative) to the effect that he wants the opportunity to present his case to a higher authority constitutes a request for a Fair Hearing.

Informal efforts to effect an adjustment may be made through further field contacts, office interviews with supervisory personnel, consultation with the State Field Representative, etc. In no event, however, are such informal efforts to be considered as prerequisite to a Fair Hearing, and in no event do they delay, interfere with or otherwise impede the processing of a Fair Hearing whenever a request for such is made. Agency emphasis must be on helping the client to submit and process his request, and in preparing his case, if needed.

A request for a Fair Hearing may be either oral or in writing and addressed either to the local office or to the State Division of Public Welfare. Oral requests for Fair Hearing shall be immediately reduced to a written record by the staff person to whom the request is made. Requests made to the local

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

office shall be immediately transmitted to the State Division of Public Welfare, and in no event later than one work day after receipt of the request. No special form of statement or manner of expression is required as long as the request identifies the nature of the complaint and the relief sought. The local office shall, when necessary, assist the client in preparing the request for Fair Hearing.

Upon receipt of any request for Fair Hearing, the Division of Public Welfare will make a record thereof and promptly initiate arrangements for the conduct of a Fair Hearing. The Division will send an acknowledgment of the request to the client, along with a copy of the statement entitled "How a Fair Hearing is Conducted", together with a "Notice of Status of Continued Assistance Payments",

Time Limitations on Entitlement to Fair Hearings

If the request for Fair Hearing relates to an agency action or lack of action that occurred more than three months [90 calendar days] prior to the date of the request, there shall be no entitlement to a hearing on such action or lack of action, unless extraordinary and extenuating circumstances as determined by the Director of the Division of Public Welfare in his sole discretion warrant an extension of time.

Eligibility for Continued Assistance

In cases in which there is a request for a Fair Hearing within 15 days from the date of mailing of a notice of termination, suspension or reduction, assistance is continued at an unreduced level until a Fair Hearing decision is rendered by the State agency unless a determination is made by the State agency, in accordance with criteria issued by the Social and Rehabilitation Service that the issue is one of State agency policy and not one of fact or judgment relating to the individual case - including those cases involving a question of whether the State agency rules or policies were correctly applied to the facts of the particular case.

The agency will promptly inform the client in writing if assistance will be discontinued, based on the State agency's determination.

Disposition of Hearings Through Withdrawal or Abandonment

The filing of a request for Fair Hearing 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

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

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 evidenced 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, unless, however, the State or local office receives actual notice not later than the working day preceding the scheduled date of hearing that he will be unable to attend for unavoidable cause, the Hearing shall be adjourned and rescheduled to another time. No Hearing shall be delayed for such reason for a period of more than 30 days under any circumstances except as provided in the following paragraph.

If the client or his representative fail to appear for a scheduled Hearing without having given proper notice as required above the Division shall send an inquiry to the client regarding his failure to appear. If there is no answer within 7 days the Director may deem the Hearing abandoned. They shall have the right to present to the Director of the Division of Public Welfare or the local agency for transmission to the Director, in writing, such facts as they believe constitute extenuating circumstances for the failure to appear. The Director may, in his sole discretion, determine whether the facts so presented by the client or his representative constitute such extenuating circumstances as to warrant reinstatement of the Hearing.

Similarly, if the client or his representative request a period of adjournment longer than two weeks, they may present such facts as they believe sustain the validity of their request in the same manner provided for the reinstatement of Hearing as set forth above.

Adjournments will not affect a client's right to a Fair Hearing. However, an adjournment of a Hearing shall not prolong continuation of assistance at an unreduced level unless such adjournment is due to delay by the State or local agency.

Time, Place and Notice of Fair Hearing

The Fair Hearing shall be held at a time, date and place convenient for the client, and to the maximum extent feasible, within 45 days of the receipt of the request. The local office concerned is authorized to assist the client, if necessary, in arranging for attendance at the Hearing. In Hearings involving determinations of the State Medical Review Team, the Hearing may be held at a location convenient to the Medical Review Team.

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

The State Division of Public Welfare will give all parties concerned at least one week's notice (7 calendar days) in writing of the time, date and place to appear for the Hearing.

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 heard.

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

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 presentation by a relative, friend or other spokesman, or to be legally represented by a lawyer of his choosing. The hearing officer will employ all reasonable and available legal means to secure the attendance of persons who can assist the client in the presentation of his case. The agency staff must inform and help clients to make use of any legal services available in the community that can provide legal representation at the fair hearing.

Accessibility of Records

The client, or his representative, will have adequate opportunity:

- (a) to examine all documents and records used at the hearing at a reasonable time before the date of the hearing as well as during the hearing;
- (b) at his option, to present his case himself or with the aid of others including legal counsel;
- (c) to bring witnesses;
- (d) to establish all pertinent facts and circumstances;
- (e) to advance any arguments without undue interference;
- [(f) to question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

Hearings Involving Medical Issues

When the hearing involves medical issues such as those concerning a diagnosis, or an examining physician's report, or the Medical Review Team's decision, a medical assessment other than that of the person or persons involved in making the original decision will be obtained at a reasonable expense to the agency from a source satisfactory to the client and made part of the record if the hearing officer or the appellant considers it necessary.

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 or his representative 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. If it develops that the real issue differs from that on which the request for Hearing was based, then the Hearing need 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.

The Fair Hearing shall include consideration of:

- (a) Any agency action, or failure to act with reasonable promptness, on a claim for financial or medical assistance, which includes 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 such assistance in whole or in part;
- (b) The agency's interpretation of the law, and the reasonableness and equitableness of the policies promulgated under the law, if the claimant is aggrieved by their application to his situation;
- (c) Agency decision regarding:
 - (1) Eligibility for financial or medical assistance in both initial and subsequent determinations,
 - (2) Amount of financial or medical assistance or change in payments,

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

- (3) The manner or form of payment, including restricted or protective payments, even though no Federal financial participation is claimed, and
- (4) Conditions of payment, including work requirements.

At any time during the proceedings the Hearing Officer, at his discretion, may declare an adjournment or adjournments, at the request of the client or the local agency or on his own initiative. The total of all such adjournments in one case shall in no event exceed thirty days, unless a greater extension of time is requested for good cause by the client or the local agency and approved by the hearing officer.

Report of Hearing Officer and Official Record

A hearing officer will prepare a report summarizing who appeared and what transpired at the hearing and his recommended findings of fact and recommended conclusions of law shall be based exclusively on the evidence and on matters officially noticed.

Notice may be taken of judicially noticeable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the agency's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material noticed, including any staff memoranda or data, and they shall be afforded an opportunity to contest the material so noticed. The agency's experience, technical competence, and specialized knowledge may be utilized in the evaluation of the evidence.

The hearing officer's recommended report and recommended findings of fact and recommended conclusions of law shall be filed with the Decisional Panel and on the same date mailed to the client and his representative and the County Welfare Board. The recommended report of the hearing officer shall be part of the record in the case.

If the parties in interest wish to take exceptions to the hearing officer's report, such exceptions must be submitted in written form to the Decisional Panel, addressed to the State Division of Public Welfare and be received by the State Division no later than 10 days after the mailing date of the hearing officer's report if they are to be considered.

Within 10 days of the mailing of the hearing officer's recommended report the client and the County Welfare Board may file written exceptions, objections and replies thereto.

Complaints, Fair Hearings, and Judicial Appeals (Cont'd)

The final fair hearing decision will be rendered in writing by a Decisional Panel composed of the hearing officer presiding at the hearing, the Director of the Division, and the Commissioner of the Department of Institutions and Agencies.

The final decision shall adopt, reject or modify the recommended report and decision of the hearing officer. The final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. CWB shall be notified by mail of any decision or order. The decision shall advise the parties that they have the right to take an appeal to the Appellate Division of the Superior Court pursuant to the Rules governing the Courts of New Jersey.

Decision on Fair Hearing

A decision based on the evidence produced at the hearing will be rendered in writing with reasonable promptness. 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.

The fair hearing decision shall be effective on the date of mailing unless another effective date is designated in the final fair hearing decision.

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.

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.

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 local agency 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.

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YOUR RIGHT TO A FAIR HEARING
AND CONTINUED ASSISTANCE

I. Your Right to a Fair Hearing

If you are a person seeking or receiving assistance from any county welfare board and you are dissatisfied or in disagreement with any action or lack of action by your 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.

II. What is a Fair Hearing?

A Fair Hearing is a hearing which is held before an official of the State Division of Public Welfare. That official is known as a Hearing Officer. The Hearing Officer will listen to all the reasons you have for complaining about the action or inaction of your county welfare board in your case. After hearing both sides he will make a report of the hearing and a decision will be made in your case.

III. When Can You Ask for a Fair Hearing?

a) When should the county welfare board act upon your application?

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, regarding 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.

b) How much time can you let go by before you ask for a Fair Hearing?

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

YOUR RIGHT TO A FAIR HEARING AND CONTINUED ASSISTANCE (cont'd)

IV. How Can You Ask For a Fair Hearing?

You can ask for a Fair Hearing either orally or in writing. Your request for a Fair Hearing should be made to your county welfare board, or your caseworker, or the New Jersey Division of Public Welfare at the following address:

Department of Institutions and Agencies
Division of Public Welfare
P.O. Box 1627
Trenton, New Jersey 08625

If you want any help in making your request for a Fair Hearing or for continuation of assistance, your county welfare board will give you that help. Also, if you ever have any questions about your rights, you can go to your county welfare board, or write to the Division of Public Welfare at the address shown on this statement.

If you want, you can have a friend, relative, or a lawyer request a hearing on your behalf. You can also have what is called a "group hearing." Simply, if you and other recipients are complaining about the same policy issue or issues, you can ask to all be heard together.

Some of you may belong to a welfare rights organization. If you would like that organization to be able to request hearings on your behalf, be sure to advise your county welfare board in writing that the organization has your permission to make such a request for you. If the organization to which you belong requests a hearing for you, and there is no record on file that you have given them permission to do so, the request will not be granted since there is no evidence that they have authority to speak for you.

V. Who Can Help You in Presenting Your Case at a Fair Hearing?

You may present your reasons and arguments yourself, or you can have somebody else do so. You have the right to have a lawyer present your case for you. If you wish to see a lawyer about presenting your case or requesting a Fair Hearing on your behalf, contact your neighborhood legal services office. The address and phone number will be provided on the notice of agency action which is mailed to you.

VI. Can You Continue to Receive Assistance
While You Are Getting a Fair Hearing?

If you have been advised by your county welfare board or the State Division of Public Welfare that your financial or medical assistance is going to be suspended, reduced, or terminated, you may have the right to continue receiving assistance

(ii)

YOUR RIGHT TO A FAIR HEARING AND CONTINUED ASSISTANCE (Cont'd)

at the same level until your case is decided through a Fair Hearing. In order to have this right you must meet the following conditions:

- (1) You cannot be receiving assistance under the program of Assistance to Families of the Working Poor, or the program of Medical Assistance for the Aged.
- (2) You must make your request for a Fair Hearing within 15 days from the mailing of the notice stating that your assistance is going to be suspended, reduced or terminated. Your request must be made either at your county welfare board or directly to the State Division of Public Welfare.
- (3) Your complaint or disagreement with the notice to suspend, reduce or terminate your assistance must be based on what is called an "issue of fact or judgment." So, when you request a Fair Hearing and wish assistance to be continued be sure to explain why you think the reasons on the notice are wrong as you will be helping yourself by showing why your assistance should be continued.

The two most important things to remember are:

- (1) If you want your assistance continued you must request a Fair Hearing within 15 days from the date of the notice you receive, and
- (2) If you decide you want a Fair Hearing, even after 15 days, you must request it within 90 days of the date on which the action you complain about took place.

VII. Other Actions You Can Take Besides Asking for a Fair Hearing

There are other ways in which you can get your complaints heard besides applying for a Fair Hearing. You can ask to meet with your caseworker or his or her supervisor. You can, if you want, complain to the State Division of Public Welfare. Your complaint will be given prompt and courteous attention. You should understand, however, that you can use these more informal methods of having your complaints adjusted without prejudicing your right to a Fair Hearing, and even after you have requested a Fair Hearing. You must make sure, however, if you decide to use these informal methods for settling your complaint, that you do not allow more than 90 days to go by from the date of your complaint without requesting a Fair Hearing. Remember that after 90 days have gone by you may not have the right to a Fair Hearing.

You should also remember that if you let more than 15 days pass from the date of the notice before you request a Fair Hearing you will not receive continuation of assistance.

(iii)

MEMORANDUM FOR THE DIRECTOR

Subject: [Illegible]

Reference is made to [Illegible]

It is noted that [Illegible]

It is recommended that [Illegible]

Very truly yours,

[Illegible Signature]

[Illegible Title]

[Illegible Content]

[Illegible Content]

[Illegible Content]

FAIR HEARING MONITORING AND IMPLEMENTING PROCEDURES

The following are the procedures which are to be followed in implementing the new Fair Hearing regulations devised by the Division of Public Welfare. If after a period of time the mutual experiences of the several County Welfare Boards and the Division of Public Welfare warrant reconsideration of these procedures new procedures will be promulgated.

I. Notices to Clients

- a. Whenever a county welfare board sends a notice to a client relating to a denial, termination, suspension, or reduction of a grant or application, a copy thereof shall be simultaneously forwarded to the State Division of Public Welfare by the county welfare board.
- b. All notices which are received by the Division will be filed by county and date.
 - 1) Such filed notices will be maintained in "active" status in the files for a period of ninety days or until the client to whom the notice was sent requests a Fair Hearing, whichever is sooner.
 - 2) All notices which result in a Fair Hearing request will be placed in the Fair Hearing file for that case.
 - 3) All notices which have been in the files for more than ninety days and which have not resulted in a Fair Hearing request will be removed from the "active" file.

II. Sampling of Notices

a. Daily sampling

- 1) The Division of Public Welfare shall, on a daily basis, draw a 10% random sample of all notices received from each county welfare board. Such notices shall be reviewed by the Division to ascertain the following:
 - (a) that they state the mailing date;
 - (b) that they state the date of intended action, and that such date is consistent with the time of notice required by regulation;
 - (c) that clear reasons for the intended action are provided;
 - (d) that the law and/or regulation cited are relevant to the facts asserted and are either correctly cited, quoted, or paraphrased;
 - (e) that the notice advises the client of his rights regarding Fair Hearings, local conference, and continuation of assistance at an unreduced level.

Fair Hearing Monitoring and Implementing Procedures (Cont'd)

- 2) Whenever review of a notice discloses a defect in such notice, whether procedural or substantive in nature, such defect shall be immediately brought to the attention of the county welfare board which has sent the notice, and appropriate corrective action shall be taken by such board.
- 3) Should the study of the random sample reveal that the percentage of non-conforming notices sent out by any county welfare board exceeds 5% of the sample for that county, the Division of Public Welfare shall institute a 100% review of all notices sent by such county and institute remedial procedures to correct the county's practices. Such 100% daily review shall continue until such time as the percentage of defective notices shall be reduced to no more than the 5% tolerance level, at which time ordinary daily sampling procedures shall be resumed.
- 4) The Division of Public Welfare shall maintain a record of the sample notices which have been reviewed in such manner as the particular notices may be made readily available for subsequent study and inspection, whether by Division personnel or appropriate personnel of the Department of Health, Education and Welfare.

b. Semi-annual Sample

- 1) At least every six months, or more often if the Director of the Division of Public Welfare shall require, a sampling shall be made of those notices in "inactive" status for the purpose of conducting a "quality control" study of the adequacy of the notices sent to clients by the several county welfare boards.
- 2) Such study will in any event include review of notices relating to denials, terminations, suspensions, and reductions to determine their adequacy as to form, and insofar as is possible, as to substance. The study staff will examine the notices for the following:
 - (a) that they state the mailing date;
 - (b) that they state the date of the intended action, and that such date is consistent with the time of notice required by regulations;
 - (c) that clear reasons for the intended action are provided;
 - (d) that the law and/or regulation cited are relevant to the facts asserted and are either correctly cited, quoted, or paraphrased; and
 - (e) that the notice advises the client of his rights regarding Fair Hearings, local conference, and continuation of assistance at an unreduced level.

Fair Hearing Monitoring and Implementation Procedures (Cont'd)

- 3) Should the studies reveal that there exists an unacceptably high level of inadequate notices being sent out by any county welfare board, the Director of the Division of Public Welfare will take all steps which he deems necessary and appropriate to correct the situation.

III. Fair Hearing Requests

a. When made to County Welfare Board:

- 1) Upon receipt of a Fair Hearing request under any program, for any reason, the Welfare Board shall immediately (the same day the request is received) contact the Fair Hearing Unit by telephone and provide the following information:
 - A - Case Number
 - B - Name
 - C - Address
 - D - The reason for the request. It is necessary that the Welfare Board obtain from the appellant a clear understanding of the reason for the request.
 - E - Date notice of action was mailed and date of proposed action.
- 2) The Welfare Board liaison will then receive an oral decision from the Fair Hearing Unit regarding eligibility for continued assistance in an unreduced amount.
- 3) The Welfare Board liaison will then forward to the Fair Hearing Unit within two working days a completed PA-46 along with any appropriate budgets, copies of notice, etc. A copy of the PA-46 shall be sent to the client by the Fair Hearing Unit.
- 4) The Fair Hearing Unit will then acknowledge the Fair Hearing request, together with notice of date of hearing whenever possible, and will forward to the Welfare Board and the client a PA-850A confirming the oral decision made by the Fair Hearing Unit regarding continued assistance.

b. When made to Fair Hearing Unit

- 1) Upon receipt of a Fair Hearing request, the Fair Hearing Unit, on the date of receipt of request, will contact the Welfare

Fair Hearing Monitoring and Implementing Procedures (Cont'd)

Board Liaison by telephone to request or verify the following information:

- A - Case Number
 - B - Name
 - C - Address
 - D - Clarification of client's request if needed.
 - E - Date notice of action was mailed and date of proposed action.
- 2) The Welfare Board will then receive an oral decision from the Fair Hearing Unit regarding eligibility for continued assistance in an unreduced amount.
 - 3) The Fair Hearing Unit will acknowledge the appellant's request for a Fair Hearing in writing. The Welfare Board and the client will be sent a Form PA-850A confirming the oral decision made by the Fair Hearing Unit regarding continued assistance. The Welfare Board will also complete the enclosed PA-46 and forward this back to the Fair Hearing Unit within two working days of receipt. A copy of the PA-46 shall also be sent to the client.

V. Authorization for Continued Assistance

Whenever a request for Fair Hearing relates to termination, suspension or reduction, the appropriate Division staff will perform the steps required in Sections III a. & 1) and III b. 1) and then determine the following:

- a. that the client is enrolled in a federally assisted program;
- b. that the request is based upon a notice of termination, suspension, or reduction of financial or medical assistance;
- c. that the Fair Hearing request has been made within 15 days of the date of mailing of the notice;
- d. that an issue of fact or judgment is involved.

The fourth and last determination will be made from the evidence available in the applicable notice, the request, and such other documentary evidence as is then available. If the evidence available is inconclusive, the staff member will call the liaison officer of the county from which the request originates to obtain further information. The staff member will not accept the county welfare board's bare assertion

Fair Hearing Monitoring and Implementing Procedures (Cont'd)

that the client is not raising an issue of fact or judgment. If the staff member is unable to reach a determination as to whether it would be appropriate to continue assistance, he shall refer the case to the Chief Hearing Officer for disposition.

V. Requests for Group Fair Hearing

All requests for Group Fair Hearings shall be referred to the Chief Hearing Officer who shall determine whether such a hearing is appropriate in accordance with the standards set forth in regulations of the Division of Public Welfare.

VI. Other Actions to be Taken by County Welfare Staff Prior to Hearing

- a. Review all incoming requests for possible corrective action prior to hearing.
- b. Arrange for interpretive interviews when appropriate.
- c. Obtain withdrawals when the issues are resolved to client's satisfaction.
- d. Identify staff individuals who are essential to the Hearing as well as all documents relevant to the issue.
- e. Contact client or attorney 2 days prior to the Hearing to confirm their attendance.
- f. If request involves P & T or incapacity, arrange for pertinent medical materials to be sent to the Fair Hearing Unit.

VII. Actions Following Hearing Proceeding

- a. Obtain for Fair Hearing Unit any material requested during hearing either directly or through approved administrative channels.
- b. Obtain from local agency reports on corrective action, if required by the Fair Hearing decision, within thirty days.