

i. Health insurance is considered reasonable in cost if it is employment related or other group health insurance, regardless of service delivery mechanism.

(d) Recommendations for adjustment shall be based on the New Jersey Child Support Guidelines, New Jersey Court Rule 5:6A.

1. If the recommended amount of adjustment is a 20 percent or more increase over the current order, a motion shall be filed to have the order modified.

2. If the recommended amount of adjustment is a 20 percent or more decrease, the obligor should be directed to file appropriate application with the court.

3. Each parent subject to a child support order shall be notified of any review of the order at least 30 calendar days before commencement of the review.

i. This notification requirement may be satisfied by filing a notice of motion, provided both parties are notified 30 calendar days prior to the hearing.

ii. If modification is warranted, the notice of motion may serve as a notice to both parties of the review determination. If either party disagrees with the determination, they may challenge the decision to a judge. If no adjustment is warranted based on a review, a notice shall be issued as outlined in (d)4i and ii below.

4. Following any review, the county agency CSP Unit shall notify each parent subject to the child support order of the following:

i. Any adjustment or a determination that there should be no change; and

ii. Each parent's right to initiate proceedings to challenge the adjustment or determination within 30 calendar days after the date of the notice.

(e) The county agency Statistical Report shall be completed each month to reflect the number of cases reviewed and the number of cases adjusted.

(f) In accordance with Section 351 of the Personal Responsibility and Reconciliation Work Opportunity Act of 1996, P.L. 104-193, the county agency CSP Unit shall target for review and adjustment all orders under Title IV-A and Title IV-E foster care cases by reviewing one-third of the caseload per year, over a three-year period.

Amended by R.1998 d.42, effective January 20, 1997.  
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).  
Rewrote (f).

SUBCHAPTER 17. EARLY EMPLOYMENT INITIATIVE (EEI)

Authority

N.J.S.A. 44:10-3; Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); and the Work First New Jersey Act, P.L. 1997, c.14, approved January 29, 1997.

Source and Effective Date

R.1998 d.383, effective July 20, 1998.  
See: 30 N.J.R. 1489(a), 30 N.J.R. 2656(a) (operative August 1, 1998).

10:90-17.1 Purpose and scope

(a) Pursuant to P.L. 1997, c.14 (Work First New Jersey Act), approved January 29, 1997, the Commissioner is authorized to waive compliance with the requirements of the Work First New Jersey (WFNJ) program to the extent the Commissioner deems necessary to conduct special experimental, pilot or demonstration projects which are likely to help promote the objectives of the WFNJ program. Consistent with the policy of the WFNJ program that seeking and accepting employment is a critical element of the program and is one of the primary requirements for receipt of cash assistance as outlined in N.J.A.C. 10:90-1.1(d), a three-year pilot project entitled "Early Employment Initiative (EEI)" is being established. The EEI pilot project shall be evaluated after two years to determine the effectiveness of this early intervention strategy. The EEI involves mandatory participation by an adult member(s) of an applicant family, who meets certain EEI eligibility criteria, in an up-front concentrated job search/placement strategy that will provide an opportunity for the family to regain independence and self-sufficiency through obtaining unsubsidized employment, thereby avoiding receipt of WFNJ/TANF cash assistance. The EEI is designed to provide immediate up-front short-term financial investments for such EEI eligible applicant families. In return for this up-front assistance, the adult member(s) of such families shall be required to cooperate and actively participate in the EEI for a minimum period of 15 days to a maximum period of up to 30 days (which shall run parallel to the time frame for determining WFNJ program eligibility), in accordance with the provisions set forth in this subchapter, as a condition of eligibility for the WFNJ/TANF program (see N.J.A.C. 10:90-2.1(b)1).

(b) If an individual is determined EEI eligible in accordance with N.J.A.C. 10:90-17.2, and thereafter has a change in circumstances placing the family in immediate need prior to the expiration of the minimum 15 day participation period, the family shall be immediately referred to the WFNJ county agency for an immediate need determination. Such individuals shall have been considered to have met their EEI participation requirement.

(c) Participation in the EEI is subject to the availability of slots at the EEI entity. On a daily basis, the WFNJ agency shall confirm the availability of EEI slots prior to taking any action concerning determining EEI eligibility. The lack of an EEI slot shall not delay the processing of the WFNJ/TANF application. When EEI slots are not available, the WFNJ agency shall not screen any applicant for participation in the EEI, and participation in the EEI shall not be considered an eligibility requirement for those applicants. No further action shall be taken by the WFNJ agency to refer such applicants for EEI participation during this WFNJ/TANF application process, however, at the time of a subsequent reapplication for WFNJ/TANF cash assistance, the family may be referred for EEI participation, if applicable.

**10:90-17.2 Determining eligibility for the EEI**

(a) When it has been confirmed that EEI slots are available, the county WFNJ agency shall, during the WFNJ application interview, determine whether or not the WFNJ/TANF adult applicant(s) meets the eligibility criteria for mandatory participation in the EEI. More than one adult per family may be determined eligible for mandatory participation in the EEI. Eligibility for mandatory EEI participation shall be determined if an adult WFNJ/TANF applicant meets all of the following criteria:

1. Has a high school diploma or a GED and a work history that equals or exceeds six months of full-time employment in the last 12-month period;
2. Has at least one child;
3. Appears to meet all financial and non-financial WFNJ eligibility requirements, including initial cooperation with child support, and is considered an eligible candidate for receipt of WFNJ cash assistance;
4. Is not in immediate need, in accordance with the immediate need provisions at N.J.A.C. 10:90-1.3; and
5. Does not meet the criteria for a deferral from the work requirements under the WFNJ program (see N.J.A.C. 10:90-4.9).

(b) A WFNJ/TANF adult applicant who does not meet the criteria in (a)1 above for mandatory EEI participation, but has a high school diploma or a GED or a work history that equals or exceeds four consecutive weeks of employment within the 52 weeks prior to applying for WFNJ cash assistance and meets all of the other EEI eligibility criteria at (a)2 through 5 above, shall be given the opportunity to voluntarily participate in the EEI. The county WFNJ agency shall inform the applicant who is eligible for participation in the EEI under this voluntary criteria that once the decision is made to voluntarily participate, he or she shall be considered a mandatory EEI participant and shall be obligated to comply with all the provisions set forth in this subchapter.

(c) On the same day the WFNJ application is taken, the WFNJ/TANF agency shall determine whether or not any of the adult members of the applicant family meet the EEI eligibility criteria in (a) or (b) above.

1. For those applicants who meet the EEI eligibility criteria, the WFNJ agency shall prepare an initial Individual Responsibility Plan (IRP) with the applicant and utilize form CAGE-8, Addendum to the Individual Responsibility Plan, to allow the applicant to self-identify a potential drug or alcohol problem prior to being referred for participation in the EEI. It is to be noted that the responses to the CAGE-8 questions are voluntary. If an applicant chooses not to respond to the drug and alcohol questions, the WFNJ agency shall make a notation on the CAGE-8 form, accordingly. In all instances, the WFNJ agency shall attach the CAGE-8 form, along with the initial IRP, to the applicant family's WFNJ application.

i. If the individual indicates that he or she has a drug or alcohol problem, the individual shall not be referred to the EEI entity for participation during this WFNJ application process and the family's eligibility determination for WFNJ cash assistance shall continue without interruption. In such instances, when the family's WFNJ application is approved, the individual's self-identified drug or alcohol problem shall be taken into consideration and addressed, as appropriate.

2. For those adult applicants who meet the EEI eligibility criteria for participation and maintain that they do not have a drug or alcoholic problem, participation in the EEI shall be mandatory. Likewise, those adult family members who choose not to respond to the CAGE-8 drug and alcohol questions and who meet the eligibility criteria for EEI participation at (a) or (b) above, shall also be referred to the EEI entity for mandatory participation.

(d) Once it is determined that an adult individual meets all the criteria for mandatory participation in the EEI, the WFNJ agency shall immediately take action to refer that adult to the EEI entity as follows:

1. The county WFNJ agency shall provide a verbal explanation of what participation in EEI means as well as provide a copy of an "EEI Important Notice."

2. The county WFNJ agency shall require the mandatory EEI participant to sign form WFNJ/EEI-1, Early Employment Initiative Participation Agreement. Refusal by the participant to sign this form shall constitute noncooperation with the EEI, in accordance with the EEI cooperation provision at N.J.A.C. 10:90-17.3(b), and shall result in the denial of the applicant family's WFNJ application for cash assistance. In addition, the WFNJ agency shall complete a WFNJ Agency Referral to EEI which shall include the earned income amount that would render the family ineligible for WFNJ/TANF cash assistance, if an EEI participant secures employment. The originals of the WFNJ/EEI-1 and the WFNJ Agency Referral shall be retained at the WFNJ agency and attached to the WFNJ application. The EEI participant shall be provided a copy of the EEI Participant Agreement. The WFNJ agency shall immediately fax, to the appropriate EEI entity, a copy of the signed WFNJ/EEI-1, along with a copy of the referral form.

3. At the time the county WFNJ agency refers the EEI participant to the EEI agency, the WFNJ agency shall also refer the EEI participant to the Unified Child Care Agency (UCCA) for post-EEI child care service arrangements. The WFNJ agency shall provide notification to the UCCA of the need for post-EEI child care services by preparing a WFNJ Agency Referral to the UCCA Agency and immediately faxing it to the UCCA. The WFNJ agency shall retain the original UCCA referral and attach it to the EEI participant's WFNJ/TANF application.

**10:90-17.3 EEI participation**

(a) For those WFNJ adult applicants who meet EEI eligibility criteria at N.J.A.C. 10:90-17.2(a) or (b), participation in the EEI shall be mandatory and non-cooperation shall result in denial of the WFNJ cash assistance application for both the applicant and the applicant's entire family.

1. EEI participant's shall be required to comply with all aspects of the cooperation and participation provisions of the EEI, as set forth in this subchapter, unless good cause exists, which aspects include, but are not limited to:

i. Keeping all scheduled appointments timely;

ii. Giving reasonable notice and explanation of the inability to keep an appointment;

iii. Cooperating in the development of an WFNJ individual responsibility plan (IRP);

iv. Signing the Early Employment Initiative Participation Agreement, and abiding by the provisions of that Agreement, which includes the agreement to withdraw the family's WFNJ application effective the date unsubsidized employment is secured when the gross earnings from that employment, along with any other countable income, of the family, exceed the maximum allowable income level for WFNJ financial eligibility; and

v. Contacting the UCCA to arrange for post-EEI participation child care services, as appropriate.

(b) Participation in EEI shall be for a minimum period of 15 days to a maximum period of 30 days (which shall run parallel to the time frame for determining WFNJ program eligibility).

1. The applicant shall be referred to the administering entity charged with the responsibility for providing the up-front job search/placement service for EEI. The EEI entity shall develop an EEI plan with the participant, which shall identify the dates and times of the activities, as appropriate, as well as the desired employment goal. In addition, the plan shall state whether an activity support payment is to be provided to cover necessary employment-related expenses to allow participation in the job search/placement activity outlined in the plan. The EEI plan shall be signed by the EEI participant and a copy of the plan shall be provided to the EEI participant.

2. The family's application for WFNJ, Medicaid and/or Food Stamps shall continue to be processed by the county agency, as appropriate without delay.

3. All EEI participants shall be required to participate in an up-front job search/placement activity for the sole purpose of obtaining unsubsidized employment during which time the WFNJ county agency shall continue to process their application for WFNJ cash assistance. The EEI participation requirement is a minimum period of 15 days to a maximum period of 30 days or anytime after the

15 day minimum period when a final decision is reached on the client's WFNJ application (but not to exceed the 30-day maximum period). During the EEI participation period, the EEI family shall be eligible for an activity support payment, in accordance with the EEI Payment Schedule at (d) below, to cover employment-related expenses necessary to allow participation in the EEI, when such services are not available without charge from any other source. This activity support payment shall be based on identified job search/placement needs and shall not exceed the maximum activity support payment for the family size as indicated in the EEI Payment Schedule at (d) below.

i. If the WFNJ/TANF application was denied because of non-cooperation with EEI (see (a)1 above), and the family reapplies for WFNJ/TANF within 30 calendar days of that original WFNJ application date, any activity support payment provided to the family shall be considered as unearned income when determining WFNJ/TANF eligibility and calculating the WFNJ/TANF grant.

(c) When an EEI participant secures employment, the EEI entity shall determine whether or not the participant's gross earnings shall render the participant's family ineligible for WFNJ cash assistance by comparing the participant's gross earnings to earned income amount which the WFNJ agency entered on the "WFNJ Agency Referral to the EEI Entity" form.

1. If the EEI participant's gross earnings are equal to or less than the earned income amount indicated for that family on the referral form, the family may remain eligible for WFNJ cash assistance and the EEI entity shall refer the family to the WFNJ agency for a final determination of eligibility for cash assistance.

2. EEI participants who are successful in obtaining full-time unsubsidized employment and whose anticipated gross earnings, when combined with all other countable income available to the WFNJ assistance unit, exceed the earned income amount indicated for that family on the referral form, which exceeds the initial maximum allowable income eligibility level for WFNJ/TANF (Schedule I at N.J.A.C. 10:90-3.3(b)), shall be required to withdraw their family's WFNJ application for cash assistance. Before requiring the participant to initiate a withdrawal of the applicant family's WFNJ/TANF application, the EEI entity shall inquire whether any changes in the applicant family's assistance unit size or other countable income has occurred as of the date of the WFNJ application. If the participant states that changes have occurred, the EEI entity shall contact the WFNJ agency to ascertain the impact of such changes on the applicant family's WFNJ eligibility for cash assistance. If it is determined, by the WFNJ agency, that the changes reported by the EEI entity indicate that the applicant family may remain eligible for the WFNJ cash assistance, the EEI agency shall refer the participant back to the WFNJ agency for a final

determination of eligibility for WFNJ cash assistance. If, however, the participant expresses that no changes have occurred since the date of the WFNJ application and the applicant family withdraws the WFNJ application, the participant's family shall be eligible to receive the following under the EEI, as appropriate:

- i. A one-time lump sum payment to cover expenses necessary to avoid loss of housing or for other employment-related expenses necessary to enable the employed individual to continue to engage in his or her employment such as, but not limited to, transportation, uniforms, car maintenance, tools, supplies, licenses and testing fees. This one-time lump sum payment shall be provided to the family by the EEI entity based on specific need and shall not exceed the one-time lump sum payment ceiling for the participant's family size as designated in the EEI Payment Schedule at (d) below; and

- ii. Up to two years of child care in accordance with the WFNJ child care services provisions at N.J.A.C. 10:90-5.2.

(d) The EEI Payment Schedule below identifies the activity support and one-time lump sum payment ceilings for EEI. These ceiling amounts are based on the WFNJ assistance unit size; therefore, the ceiling amounts shall remain constant even if more than one adult of the WFNJ applicant family is participating in EEI. The activity support payment and the one-time lump sum payment issued by the EEI entity shall not count toward the 60 month lifetime limit for receipt of WFNJ cash assistance.

1. The activity support payment ceiling represents the maximum amount an EEI family would be eligible to receive up front during the EEI participation period to cover any expenses necessary to allow participation in the job search/placement activity.

2. The one-time lump sum payment ceiling represents the lump sum amount an EEI family would be eligible to receive, when full-time employment is secured during the EEI participation period, to cover expenses necessary to avoid housing loss or for other employment related expenses to enable the employed individual(s) to continue to engage in his or her employment. The EEI entity shall explain to the participant that the one-time lump sum payment is being issued in lieu of public cash assistance.

- i. If a family reactivates the WFNJ/TANF application within a 60 day period from the date of the original WFNJ/TANF application in accordance with the provisions for reactivation at (f) below, the lump sum payment issued to the family shall be prorated for a two month period and applied as unearned income when determining the family's WFNJ/TANF financial eligibility and calculating the WFNJ grant amount.

EEI PAYMENT SCHEDULE

Number in WFNJ Assistance Unit	Activity Support Payment Ceiling	One-time Lump Sum Payment Ceiling
1	\$ 350	\$135
2	450	515
3	750	521
4	950	513
5	1,150	505
6	1,350	497
7	1,450	580
8	1,550	633

(e) An EEI participant shall be referred back to the WFNJ/TANF agency for WFNJ/TANF cash assistance when:

- 1. The EEI participant fully cooperates and participates in EEI as required and full-time unsubsidized employment is not found; or

2. Full-time employment is secured, however, the family continues to be considered financially eligible for WFNJ cash assistance because the participant's gross earnings combined with the family's other countable income is equal to or less than the WFNJ maximum allowable income eligibility level for the assistance unit, in accordance with N.J.A.C. 10:90-3.3 (Schedule I), and the family's countable income is less than the applicable WFNJ benefit level at N.J.A.C. 10:90-3.3 (Schedule II).

(f) Under certain circumstances, it may be necessary for a family, which has secured employment and has withdrawn its WFNJ/TANF application, to return to the WFNJ/TANF program for cash assistance. If the situation occurs within 60 days from the date of the original WFNJ application, the application shall be reactivated and the date of that original WFNJ application shall apply. Any of the following circumstances shall render the family eligible to reactivate its WFNJ/TANF application:

- 1. Child care services cannot be secured; or

2. The unsubsidized employment obtained while participating in EEI is no longer available, for reasons of good cause, in accordance with the good cause provisions under the WFNJ program at N.J.A.C. 10:90-4.10;

- i. If the unavailability of the unsubsidized employment is due to a voluntary quit situation, the family shall not be eligible to reactivate its WFNJ/TANF application and shall be required to make reapplication to determine its eligibility for WFNJ/TANF cash assistance. At the time of reapplication, the individual who voluntarily quit the employment shall be subject to a 90-day voluntary quit penalty in accordance with N.J.A.C. 10:90-1.5. The other family members, however, shall be eligible to apply for cash assistance.

(g) If the WFNJ/TANF application is reactivated within 60 days of the original date of the WFNJ/TANF application, any lump sum payment amount received under EEI shall be prorated from the date of the original WFNJ/TANF application to the date the client contacted the WFNJ county agency for reactivation and subtracted from the WFNJ/TANF monthly grant amount(s) for which the assistance unit is eligible for that period of time. If the lump sum payment received under EEI is in excess of the family's monthly grant amount(s) for that period, the excess amount shall be counted as unearned income when calculating the WFNJ/TANF monthly grant amount for the assistance unit for any subsequent month.

(h) If the individual loses unsubsidized employment after 60 days from the date of the original WFNJ/TANF application, reapplication for WFNJ/TANF cash assistance shall be required.

(i) If a family experiences an emergency housing situation, in accordance with the emergency assistance provision at N.J.A.C. 10:90-6.1(b), while participating in EEI, the family shall immediately notify the EEI entity which in turn shall advise the client to return to the WFNJ agency for assistance. If the EEI participant is employed and an emergency situation occurs within 60 days from the original WFNJ/TANF application date, the family shall be eligible to reactivate its original WFNJ/TANF application. In all other instances in which the EEI family experiences an emergency situation, reapplication for WFNJ/TANF shall be required.

(j) Once a WFNJ/TANF adult participates in EEI, he or she shall not be considered an eligible candidate for repeat EEI participation, unless it is verified that he or she was successful in securing unsubsidized employment during the previous EEI participation period and that he or she did not receive WFNJ cash assistance for a period of at least three years.

(k) If the participant fails to cooperate with the terms of the EEI, in accordance with (a)1 above, without good cause (see good cause provisions at N.J.A.C. 10:90-4.10), the EEI entity shall report the incident of noncooperation to the WFNJ agency by completing Form WFNJ/EEI-2, EEI Agency Report/Referral. Upon receipt of the EEI entity's report of noncooperation, the WFNJ agency shall review the report to determine if the EEI agency correctly determined noncooperation and, if appropriate, send an adequate notice in accordance N.J.A.C. 10:90-9.1, to the WFNJ/TANF family advising that the WFNJ/TANF application for cash assistance for the participant and the participant's entire family is being denied because of noncooperation with the EEI and reapplication for WFNJ/TANF shall be required. The notice shall also include the family's right to a fair hearing.

1. If a fair hearing is requested and scheduled, the county WFNJ agency shall notify the EEI entity of the scheduled hearing. The EEI entity shall arrange for the

required attendance of the appropriate EEI representative at the scheduled hearing.

## SUBCHAPTER 18. ESSEX/ATLANTIC SUBSTANCE ABUSE RESEARCH DEMONSTRATION

### Authority

N.J.S.A. 44:10-3; and P.L. 1997, c.14 (Work First New Jersey Act).

### Source and Effective Date

R.1999 d.66, effective March 1, 1999.  
See: 30 N.J.R. 3629(a), 31 N.J.R. 685(a).

### 10:90-18.1 General provisions and purpose

(a) Pursuant to P.L. 1997, c.14 (Work First New Jersey Act), approved January 29, 1997, the Commissioner is authorized to waive compliance with the requirements of the Work First New Jersey (WFNJ) program to the extent the Commissioner deems it necessary to conduct special experimental, pilot or demonstration projects which are likely to help promote the objectives of the WFNJ program. This subchapter is for the use of the county welfare agencies (CWAs) and municipal welfare agencies in the administration of the Substance Abuse Research Demonstration (SARD). Intake into SARD will take place in Essex and Atlantic CWAs. The SARD is a three-year demonstration project. The project will involve 1,200 female WFNJ/TANF recipients who have substance abuse problems and are subject to the work requirements as contained in N.J.A.C. 10:90-4. A total of 600 individuals will comprise a treatment group and an additional 600 persons will comprise a control group to be utilized for research purposes. Enrollment into the SARD project shall be over a two-year period commencing in March 1999. The participants shall be selected from both applicants for and recipients of WFNJ/TANF and shall be distributed equally between Essex and Atlantic counties. See N.J.A.C. 10:90-18.2 regarding the selection process for individuals participating in the project.

(b) The purposes of the demonstration are as follows:

1. To determine whether a limited number of counseling sessions conducted by the case manager for hazardous users (individuals determined to be abusing alcohol and/or drugs) is cost effective and results in participants being able to obtain and maintain employment;

2. To determine whether mandatory participation in substance abuse rehabilitation programs is effective and results in participants being able to obtain and maintain employment;

3. To determine whether intensive case management and participation in wrap-around social services creating a holistic approach to the treatment of substance abuse is

effective and results in participants being able to obtain and maintain employment;

4. To determine whether a combined contingency management of incentives and sanctions has a positive effect on the treatment of substance abuse and results in participants being able to obtain and maintain employment; and

5. To determine whether a combined program of work activities and substance abuse treatment results in participants being able to obtain and maintain employment.

(c) The SARD project provides for the following requirements:

1. Mandatory participation in the completion of the initial screening process for all female applicants/recipients of WFNJ/ TANF who are determined to be part of the intake pool;

2. Mandatory participation in a short-term intervention treatment by those individuals determined to be hazardous users (abusing alcohol and/or drugs) and assigned to the treatment group;

3. Mandatory participation in the drug or alcohol rehabilitation program as determined by the SARD case manager for those individuals determined to be dependent on alcohol and/or drugs including cooperation with the treatment plan;

4. Mandatory participation by individuals in both the control and treatment groups in periodic follow-up interviews by the research team;

5. Assessment of the existence and severity of drug or alcohol abuse by a case manager using nationally recognized, standardized assessment tools.

#### 10:90-18.2 SARD participation requirements

(a) WFNJ/TANF applicants/recipients who are SARD participants shall participate in WFNJ work requirements, in addition to the SARD requirements.

(b) WFNJ/TANF applicants/recipients who meet the following conditions shall participate in the initial intake and screening for the SARD:

1. Female applicants/recipients of WFNJ/TANF in Essex and Atlantic counties;

2. Living with biological or adoptive children or step-children;

3. Not deferred from participating in the work requirements; and

4. Fall within the parameters defined for intake into the SARD to achieve the numbers of participants necessary for the control and treatment groups. (See N.J.A.C. 10:90-18.3.)

(c) Individuals defined in (a) above shall undergo assessment by a SARD case manager using one or more nationally recognized standardized assessment tools.

1. Individuals determined, as a result of the assessment, not to have a substance abuse problem shall cease involvement with the SARD at that time.

2. Individuals determined, as a result of the assessment, to be hazardous users (abusing alcohol and/or drugs) or dependent on alcohol and/or drugs shall be randomly assigned to control and treatment groups for the purposes of the demonstration.

3. Individuals assigned to the control group shall be offered a referral to the Substance Abuse Initiative Care Coordinator. The SARD case manager shall advise the appropriate agency staff of the individual's status as a control group member. Members of the control group shall be required to cooperate with research evaluation activities which may include follow-up interviews, in person or by phone, completion of written questionnaires and/or participation in focus groups. No biological testing shall be required of control group participants unless the individual is a participant in the SAI and biological testing is a requirement of the treatment program he or she is participating in. Failure to comply with these requirements shall result in a sanction as defined at N.J.A.C. 10:90-4.11.

4. Individuals assigned to the treatment group shall be referred to a substance abuse treatment program as determined by the SARD case manager. Failure to comply with the requirements of the treatment program (including biological testing, if appropriate) shall result in a sanction as defined at N.J.A.C. 10:90-4.11.

#### 10:90-18.3 Registration for SARD

(a) Each month, the Essex and Atlantic CWAs shall establish a random start date for selection of SARD participants. Commencing on that date, and continuing until the research sample has been selected, as stated at (a)1 below, all female applicants for or recipients of WFNJ/TANF who are subject to the work requirement, shall be screened for substance abuse in accordance with this subchapter. Those scoring above an established threshold for substance abuse shall be randomly assigned to control or treatment groups by use of a Social Security Number.

1. The research sample shall consist of the following groups:

i. The "control group" shall consist of a total of 600 participants in the research project. Each month, over a two year time frame, a minimum of 25 participants will be randomly assigned.

ii. The "hazardous user treatment group" shall consist of a maximum of 300 participants in the research project. Each month, over a two year time frame, a maximum of 13 participants will be randomly assigned; and

iii. The “dependent user treatment group” shall consist of a minimum of 300 participants in the research project. Each month, over a two year time frame, a minimum of 13 participants will be randomly assigned.

(b) Once an individual is selected as a SARD participant, for either the control or treatment group, then the individual shall be required to continue to participate, even if the individual has moved to another county.

**10:90-18.4 Assessment**

Each individual determined to be a member of the selection pool for the SARD project shall cooperate with a substance abuse assessment by the SARD case manager. Failure to cooperate shall result in the imposition of the appropriate sanction in accordance with N.J.A.C. 10:90-4.11.

**10:90-18.5 Sanctions**

Failure to cooperate in the initial SARD screening, compliance with a treatment program, or with follow-up inter-

views, shall result in the imposition of the appropriate sanction in accordance with N.J.A.C. 10:90-4.11. See N.J.A.C. 10:90-4.10(b) for good cause for temporary excused participation.

**10:90-18.6 Incentives**

The SARD project includes incentives such as vouchers to be awarded to participants at various stages in the treatment program by the treatment providers or SARD case managers. The vouchers can be cashed in for needed products or services or may include actual products. The receipt of any SARD incentives shall not impact on WFNJ eligibility or benefit level.

**10:90-18.7 Fair hearings**

Individuals determined to be a part of the initial intake pool in Essex and Atlantic counties and participants in the SARD control and treatment groups have a right to a fair hearing on any adverse action in accordance with the provisions at N.J.A.C. 10:90-9.