

RHODE ISLAND DEPARTMENT OF HUMAN SERVICES

DATE: APRIL 30, 2009

NOTICE OF

PROPOSED ADOPTION OF RULES, REGULATIONS,
POLICIES, PROCEDURES, AND OTHER MATERIALS
RELATING TO THE ADMINISTRATION OF THE FOLLOWING PROGRAM(S):

In accordance with Title 42, Chapter 35, of the General Laws of the State of Rhode Island, notice is hereby given that the Department of Human Services (DHS) proposes to adopt rules, regulations, policies, procedures, and other materials relating to the following programs(s):

FAMILY INDEPENDENCE PROGRAM (FIP) REPEAL

The Family Independence Act (RIGL 40-5.1) was repealed effective July 1, 2008, and was replaced by The Rhode Island Works (RIW) Program (RIGL 40-5.2). Effective July 1, 2009, The Family Independence Program policies in Section 0800, et al, are repealed and replaced by the Rhode Island Works Program policies in Sections 1400, et al.

For all assistance units that were receiving cash assistance on October 1, 2008, without any break in eligibility through June 30, 2009, the RI Works time limits will take effect on July 1, 2009.

A Fiscal Note is available upon request. In the development of the rules and regulations, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information. (Complies with 42-35-3(3).) The health, safety, and welfare of the public preclude any economic impact that may be incurred as a result of these regulations.

Interested persons may inspect said proposed rules, regulations, policies, procedures, summary of policies, and other related materials on the R.I. Secretary of State's website at www.sec.state.ri.us/ProposedRules/ or on the Department of Human Services website at www.dhs.ri.gov, or in the Office of Policy Development, Department of Human Services, Louis Pasteur Building, Bldg. 57, Howard Avenue, Cranston, Rhode Island 02920, between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday.

Interested persons may submit data, views, or written arguments to the Office of Legal Counsel, Department of Human Services, Louis Pasteur Building, Bldg. 57, 600 New London Avenue, Cranston, Rhode Island 02920, within thirty (30) days of the date of this notice.

In accordance with the Rhode Island General Laws 42-35-3, an oral hearing will be granted on these rules if requested by twenty-five (25) persons, or an agency, or by an

association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

SCOPE OF CHANGE

The Family Independence Act (RIGL 40-5.1) was repealed effective July 1, 2008, and was replaced by The Rhode Island Works (RIW) Program (RIGL 40-5.2). Effective July 1, 2009, The Family Independence Program policies in Section 0800, et al, are repealed and replaced by the Rhode Island Works Program policies in Sections 1400, et al.

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SUMMARY OF CHANGE

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~~0836~~ ~~CASE RECORD~~

~~0836.05~~ ~~FAMILY INDEPENDENCE PROGRAM CASE RECORDS~~

~~REV:05/1997~~

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~~The assigned clerical staff in each office is responsible for setting up a paper case record when a request for assistance is received. If after Person Search in INRHODES during the Intake screening process indicates the applicant has a previous record, the paper and electronic file are located or requested from another office, as appropriate. If there is no previous program history or the record is not yet available, a dummy record is set up for the Intake appointment.~~

~~0836.05.05~~ ~~Intake Worker Receives Application Forms~~

~~REV:01/2002~~

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~~When the eligibility agency representative receives the Application for Assistance — Part 1 for the Intake and the Statement of Need (DHS-2) at the interview, those forms and all relevant documentation and other forms related to the application, the interview, and the decision on eligibility are filed in the record. After the intake interview, the case record is processed through the appropriate clerical person for typing and attaching an identification tab to the record. The tab~~

~~contains the case I.D., the name, address, city or town, and zip code. (Record tabs are typed with last name first, followed by first name and middle initial, if any.)~~

~~0836.10 PURPOSE OF RECORD KEEPING~~

~~REV:05/1997~~

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~~Record keeping helps the agency to assure that each client receives appropriate assistance and service. It sustains continuity despite change in staff. Case records reflect the way the agency receives and acts on applications, determines eligibility for a payment, obtains information concerning problems, the need for service, and the services given.~~

~~0836.15 USE OF CASE RECORDS~~

~~REV:05/1997~~

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~~The agency uses two separate case records for each case in its Family Independence Program. Data concerning decisions on eligibility and payments are recorded in the INRHODES electronic record maintained by the eligibility technician. Application forms, documentation, monthly report forms, correspondence, and other papers are filed in the eligibility record. A service paper record maintained by Family Independence case workers contains the copy(ies) of the employment plan(s) and other activity scheduling, assessment test results, etc., as appropriate. The IV-F INRHODES electronic file tracks and contains the Family Independence employment plan activities, updated assessment information, notices, etc.~~

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~~All case records provide factual information about whether the law and the policies of the agency are being properly and equitably applied. It is part of the agency's record of accountability for the expenditure of public funds. Records are source documents for case reviews, validation, regular and periodic statistical reports, and research studies. The case records provide a source of data on program effectiveness, for administrative planning, and for interpretation to the public on how programs are operating.~~

~~0836.20 ORGANIZATION OF THE PAPER FILE~~

~~REV:05/1997~~

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~~Family Independence paper records must be organized by subject matter in accordance with the categories described below.~~

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~~Case Chronology~~

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~~A chronology of case activity is retained in both the INRHODES IV-A Case Log (CLOC) and IV-F case narrative (CNAR).~~

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~~Vital Statistics~~

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~~Essential documents such as birth, baptismal, marriage or death certificates, divorce decrees, Social Security cards, I-94s, I-151s, etc. are duplicated whenever possible on 8.5" x 11" paper and retained inside the back cover for the life of the record.~~

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~~Other Essential Materials~~

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~~Apart from vital statistics information, any forms and other required materials are ordered beginning at the front of the record as follows:~~

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~~DHS-2, Statements of Need packaged as above and retained for the life of the record;~~

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~~Documents pertaining to income and resources, including all forms such as DHS-3's, AP-50, AP-91s, AP-150, AP-151, AP-152, VA or RSDI award letters, TPQY cards and replies, etc.;~~

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~~Documents pertaining to medical, employment, or scholastic history, including C-1b, C-1a, and any other form or correspondence falling into one of these categories;~~

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~~Child Support documents and other court action and legal documents, including AP-35, AP-121 with Hearing Decision, DHS-25 and any other documents of a legal nature; and~~

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~~Miscellaneous items, including any other forms or correspondence not specifically mentioned above nor readily categorized in any of the above areas.~~

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~~All material contained in a Family Independence program record is retained for a period of THREE (3) years PLUS the current year unless otherwise indicated.~~