

Division Family Support
OPERATION MANUAL
Volume IIIA

OMTL-628

KENTUCKY WORKS PROGRAM (KWP)
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MS 4000

KENTUCKY WORKS PROGRAM

[The Kentucky Works Program (KWP) assists work eligible individuals to obtain employment and educational training that lead to self-sufficiency.]

- A. The goal of KWP is to enable work eligible individuals to meet the primary obligation to support their children through self-sufficiency, prior to reaching their 60-month limit.
- B. Work eligible individuals are required to participate in KWP unless the individual meets exemption criteria outlined in Volume III, [MS 2324](#).
- C. [Participants in KWP may receive supportive services as needed for participation. The supportive services include child care (paid through the Child Care Assistance Program), transportation, and other supportive services found in [MS 5350](#).]
- D. A participant with a disability shall receive reasonable accommodation, if needed.

MS 4005 KWP PARTICIPATION REQUIREMENTS (1)

All work eligible individuals are required to participate in the Kentucky Works Program (KWP) unless the individual meets exemption criteria outlined in Vol. III, MS 2324. It is important to enter and track all KWP activities.

The state is required to have a minimum percentage of work eligible individuals participate in activities that are defined by federal regulations. Failure to meet the required rate could result in monetary penalties being imposed on the state.

Exempt individuals do not count in or impact the participation rate.

A. Activities that count in the federal participation rate are:

1. Core activities:

- a. Paid unsubsidized employment (EMP). This does not include employment for in-kind income;
- b. Subsidized employment including the Wage Subsidy Program;
- c. Work Experience program (WEP);
- d. Community service programs (COM);
- e. Job search and job readiness assistance (JRA) for only 6 weeks with no more than 4 consecutive weeks in a 12-month period. Participation in substance abuse treatment programs and mental health counseling may be countable as JRA. See [MS 4220](#);
- f. Vocational educational training, short-term training that leads to a specific employment opportunity and a new skill is learned (such as Certified Nursing Assistant (CNA), accounting, or phlebotomy), or post-secondary education for a maximum of 12 cumulative months (VOC);
- g. For two-parent cases, when both parents are participating in activities combined to meet core requirements, only one parent can be VOC on OTIS. The other parent can complete the remainder of the requirement in employment such as Ready-to-Work or other work study.
- h. Providing child care services for an individual participating in community service. See [MS 4230](#); or
- i. Attendance in secondary school (HSC or GED) for **teen parents** who are head of household and do not have a high school diploma or equivalent.

2. Non-core activities:

- a. Employment Skills Training (EST) directly related to enhancing employment skills or developing skills to a new level (such as Microsoft Office, bank teller takes a course to become a loan officer, or a licensed residential real estate agent becomes licensed for commercial properties). This is coded as EST and is not included in the 12 months of VOC;
- b. Post-secondary activities beyond 12 months if the core requirement is met. This is coded as JSE;
- c. Education directly related to employment for an individual who has **no** high school diploma or equivalent:
 - 1) Adult Basic Education or Literacy Instruction. These are coded as ABE;
 - 2) General Equivalency Diploma (GED); and
 - 3) English as a Second Language (ESL) classes.

NOTE: The core hour requirement must be met before non-core hours become countable.

- B. Activities that are allowed as participation, but do not count when determining the federal rates, are:
1. Domestic violence counseling (DOM). There are no limits to the length of time an individual may participate in this activity;
 2. Substance abuse treatment programs (SUB). There are no limits to the length of time an individual may participate in this activity. Programs that meet the weekly hour requirement can be counted as JRA for up to 6 weeks with only 4 weeks consecutive. See [MS 4220](#);
 3. Mental health counseling (MHA). There are no limits to the length of time an individual may participate in this activity. Programs that meet the weekly hour requirement can be counted as JRA for up to 6 weeks with only 4 weeks consecutive;
 4. Vocational rehabilitation (RHB). There are no limits to the length of time an individual may participate in this activity;
 5. Literacy (ABE) may count as non-core if the core requirement is met and the individual does not have a high school diploma or GED;
 6. Adult Education (ABE) may count as non-core if the core requirement is met and the individual does not have a high school diploma or GED;
 7. GED Education may count as non-core if the core requirement is met and the individual does not have a high school diploma or GED;

Participants should be encouraged to participate in a core activity in conjunction with the above activities when possible.

- C. The minimum participation rates the State must maintain are:
1. 50% for one-parent/caretaker relative with a work eligible individual; and
 2. 90% for KTAP two-parent cases.
- D. To be countable in the calculation of the federal rates, one-parent/one work eligible individual KTAP cases are required to participate:

1. An average of 30 weekly hours, 20 of which must be in core activities. The remaining hours may be in core or non-core activities.

[Note: When two parents are in the household, but one parent is technically ineligible, the participating parent must participate for 30 hours per week regardless of the age of the children.]

2. An average of 20 weekly hours, all of which must be in core activities for a single custodial parent or single caretaker relative with a child under 6 years old. If the child's birthday is the first day of the month, the child is 6 years old. If the child's birthday is after the first day of the month, the child is considered under 6 for that month. The caretaker relative must be included in the same KTAP EDG as the child under 6 years. He/she cannot be the payee of the EDG.

Example: Shirley receives KTAP for her child age 12. Shirley has a payee case for her 2-year-old nephew. Shirley is required to participate 30 hours as the child in her EDG is over 6 years old; or

3. In full-time school attendance, including GED attendance, for a teen parent who is the head of household.
- E. To be countable in the calculation of the federal rates, two-parent KTAP cases are required to participate:
1. 35 weekly hours, 30 of which must be in core activities. Up to 5 hours may be one of the following non-core activities:
 - a. Job skills training directly related to employment;
 - b. Education directly related to employment, in the case of an individual who has not received a high school diploma or equivalent; or
 - c. Attendance in high school or an ABE or GED program, in the case of an individual who has not received a high school diploma or equivalent.

2. 55 weekly hours, if the two-parent family receives child care assistance (CCAP), 50 of which must be in core activities. Up to 5 hours may be in non-core activities such as adult education, GED, or post-secondary activities.

Indicate in OTIS, if the 35/55 hours of participation are split between the parents, as only 5 hours per case is allowed for a non-core activity.

- F. On a case-by-case basis, to accommodate a disability (mental or physical), the hours and length of participation and type of activity (core, non-core, or allowed) are adjusted to meet the needs of the participant.
- G. If an individual receives assistance for only part of a month, that month may be counted in the federal participation rate if the participant is engaged in an activity for the minimum average number of hours in each full week the individual receives assistance in that month.

Example: An individual is approved for KTAP benefits on 1/9/08 and is attending college. The individual is required to complete 30 hours per week to meet the participation requirement. The individual verifies classroom and study hours for the required average of 30 hours in each of the weeks beginning 1/9/08. This individual is tracked on OTIS and reported as meeting participation for January.

- H. An individual may participate in a combination of activities to achieve the required hours of participation. Only core activities can be used to meet the core requirement; however, core or non-core activities can be used to meet the additional required hours of participation.
- I. Two sets of data are collected for reporting participation rates. The formula for the federal participation rate is the numerator divided by the denominator.
 1. The denominator is the number of cases containing a work eligible individual as defined in Vol. III, MS 2322.
 2. To count in the numerator, a work eligible individual must average the following hours of activity for the given month.
 - a. For one-parent KTAP cases and the "all family rate":
 - 1) 30 weekly hours (20 core hours plus 10 core or non-core hours); or
 - 2) 20 weekly hours in core activities for a participant who is the single custodial parent or single caretaker relative of a child under 6 years old.
 - b. For two-parent cases, where both members are work eligible, and the "two-parent rate":

- 1) 35 weekly hours (30 core hours plus 5 core or non-core hours); or
 - 2) 55 weekly hours (50 core hours plus 5 core or non-core hours) for participants receiving childcare assistance.
 - 3) If one parent in a two-parent case completes 30 hours of core activities, the case counts in the "all family rate". This should be encouraged, but it is not mandatory.
3. For one-parent cases, sanctioned individuals are not counted in the denominator for the first three months of sanction within the preceding 12-month period.

For two-parent cases, nonparticipation without good cause will result in the discontinuance of the case and will not be considered in the denominator.

MS 4100

SYSTEM INTERACTIONS

(1)

[Upon approval of KTAP, information from Worker Portal is sent to the Online Tracking Information System (OTIS) for active work eligible individuals who are not exempt. There are two exceptions which are not sent: ineligible immigrants and teen parents not in school. Basic demographic data is passed to OTIS.

Changes entered on Worker Portal (e.g., adding a child) that impact the data are updated on OTIS. However, OTIS does not update Worker Portal, with the exception of the Disqualification Segment for KWP sanction information entered on the OTIS Sanction Screen.

- A. Great care must be given to enter the correct KWP status of exempt or nonexempt. If the individual's KWP status changes, update Worker Portal with the correct information. An incorrect KWP status can delay or deny the issuance of supportive services or Work Incentive (WIN) payments. Additionally, an incorrect KWP status may affect participation rates.
- B. OTIS is dependent on the information received from Worker Portal, and the worker cannot enter information or authorize payment on OTIS if the individual has been identified as exempt.]
- C. If a KTAP case is to discontinue with earnings and the adult is exempt, remove the exemption prior to adding or increasing the income. This will ensure the case is identified for WIN reimbursements, if appropriate.

MS 4200 EDUCATIONAL COMPONENT FOR TEEN PARENTS (1)

Attendance in elementary school, middle school, high school, or an equivalent program is a core activity for teen parents age 19 and under.

- A. [If the teen parent under age 18, who is the head of household, has graduated from high school or obtained an equivalency diploma, the teen parent is required to participate in a core KWP activity. Failure to participate may result in a sanction.
- B. Attendance for teen parents attending high school, middle school, or elementary school is auto tracked from Worker Portal and is verified by a quarterly listing generated to the schools. Teen parents, who are head of household and age 16, 17, 18, or 19 are auto tracked as long as the school attendance information is entered correctly and verified on Worker Portal.
- C. If you discover that school attendance questions were not answered appropriately on Worker Portal for a teen parent who is head of household, age 19 or under and is attending high school; a HSC component should be entered on OTIS and tracked for any months for which participation can still be captured. See [MS 4650](#).
- D. For teen parents who are head of household, attending GED or other equivalent program, participation is entered and tracked on OTIS by entry of the appropriate component code: General Educational Development (GED), Adult Basic Education or Literacy Instruction (ABE).]

MS 4210 VOCATIONAL EDUCATIONAL TRAINING (1)

Vocational educational training is an organized educational program directly related to preparing individuals for employment including baccalaureate and advanced degree programs. Full-time or part-time attendance in this activity can be used to meet core federal participation requirements for a maximum of 12 cumulative months. OTIS will track the number of months used to meet the core requirement. If vocational educational training hours are less than the individual's KWP requirement, the hours can be combined with another core component in order to meet participation.

Federal guidelines allow individuals enrolled in online courses to receive the same credit for participation as those who attend conventional courses, providing the actual hours spent online are monitored and recorded by the educational institution.

A. Vocational educational training includes the following:

1. Classroom training in one and two year programs at a state technical college, area vocational education center or Job Corps;
2. Programs including advanced degrees, such as masters, PhD, or licensed certified practitioner, at two and four year colleges when the participant has a specific occupational goal;
3. Customized training offered on a short-term basis at a state vocational technical school or other provider. For additional information, refer to [MS 4215](#); and
4. A proprietary school program with a specific occupational goal.

Basic skills training or English as a Second Language (ESL) may count as vocational educational training when it is part of the vocational educational training.

B. In order to correctly count hours that meet participation criteria:

1. Use actual CLASSROOM hours, not credit hours, as the weekly scheduled hours on OTIS. For example, physical education classes are often 1 credit hour, but classes meet 3 hours per week. When possible, review class schedules to determine the actual classroom hours.
2. Scheduled activities outside classroom hours which count toward KWP participation include:
 - a. Clinicals for medical courses;
 - b. Cooperative (co-op) program hours;
 - c. Internships;
 - d. Labs;

- e. Tutoring;
 - f. Study time in a supervised setting; and
 - g. [One hour of unsupervised study time for each hour of class time which can include online classes that are verified by the provider.]
3. Work study programs are considered countable hours of employment and the hours are entered on Worker Portal. See [MS 4250](#) for the appropriate system entry of work study income.]
- C. Vocational educational components, when used to meet the 20-hour core requirement for a maximum of 12 cumulative months, are coded on OTIS as VOC.
- D. Vocational educational components are coded JSE on OTIS when not used to meet the 20-hour core requirement, such as when the participant meets the core requirement through work study or another core component.
- See [MS 4217](#) for additional information relating to the coding of vocational education components.
- E. The time between semesters or weeks where there is no participation must either be made up or the individual must be placed in another countable activity.

MS 4215

SHORT-TERM TRAINING

(1)

Short-term training is customized training offered in a short time period that leads to a specific employment opportunity.

A. Short-term training programs should be made available to qualified participants. All referrals for short-term training must have prior approval. Case managers make payments for short-term training programs.

1. Each Regional Office will designate staff responsible for determining if a **new** training class meets KWP criteria. Contact the designated staff in your region before referring individuals to a new short-term training class. If the information is questionable, please send the class curriculum for review to the Family Self-Sufficiency Branch (FSSB) at FSSBK-TAP@ky.gov.
2. Eligibility criteria for a short-term training class include:
 - a. Training that is not covered by federal financial aid. For example, courses less than 50 clock hours at a technical college, nurse aide training, and classroom training for Child Development Associates (CDA);
 - b. Training that is in accordance with the participant's job goal and local labor market trends. The opportunity for a job using the short-term training must exist when training is complete; and
 - c. [Training class fees should not exceed \$1,000 per class per individual.

If a short-term training class fee exceeds \$1,000 and it is determined the short-term training is appropriate in moving the individual to employment, the KWP Program Specialist or designated individual contacts FSSB for approval.]

3. The case manager refers the individual to the short-term training program after the approval of the KWP specialist or supervisor.
4. Trainings are limited to 2 per person per 12-month period regardless of the cost of each short-term training class.
5. Obtain the provider's complete name and mailing address to complete form KW-215, Short-Term Training Referral Form.
6. After the short-term training class is approved:
 - a. Explain to the training facility that form KW-215, must be completed and returned.
 - b. Payment is authorized when form KW-215 is returned completed by the provider. If the form needs to go to a specific person, enter that

information in the address line 2. For example, if XYZ School wants the check to be routed to Mary Smith, enter:

XYZ School
Attn: Mary Smith
104 School Road
Anytown, Ky 40000

- c. Explain the requirement to monitor and track attendance with the completion process for form KW-33, Verification of Kentucky Works Program Participation or other participation verification.
7. The case manager:
 - a. Refers participants to attend training.
 - b. Creates form KW-215 from the Supportive Services screen on OTIS and gives the form to the KWP participant. The participant takes the form to the provider for completion and return. If the training is paid by Big Sandy ADD, then form KW-215 is issued through the Intranet forms library and is for referral purposes only.
 - c. Upon receipt of the completed form KW-215, issues the payment on OTIS and scans the form into the category KWP in the Electronic Case File (ECF).
8. Short-term training is considered vocational training and counts in the 12 cumulative months allowed to be counted in the federal participation rate.
9. Enter all short-term training classes on OTIS as the component type VOC. If the provider is not listed in the dropdown menu as a VOC provider, choose generic as the VOC provider and enter provider details information from form KW-215.
10. Tracking must be completed for short-term training. OTIS will track the months of the VOC component toward the countable 12 months of vocational educational training.
- B. For all counties served by the Big Sandy ADD, Big Sandy ADD staff will pay the following:
 1. All short-term training tuition costs.
 2. All fees related to short-term training. This does not include non-fee items, such as uniforms, that DCBS pays as a supportive service.

MS 4217 CODING VOCATIONAL EDUCATIONAL TRAINING (1)

Participation in vocational education activities as a core activity (VOC) is limited to a maximum of 12 months. The individual must meet the required number of hours to count in the federal participation rate. OTIS tracks the number of months VOC is used to meet the core requirement and total months can be found on the OTIS General Information screen. For this reason, it is very important that coding of vocational education on OTIS be completed as follows:

- A. Attendance in a vocational educational training can be used to meet the federal participation requirements for a maximum of 12 cumulative months.
 - 1. Participants are placed in VOC components during their 12 cumulative months.
 - 2. Any month the vocational activity component (VOC) is used to meet the core requirement OTIS counts as one of the 12 cumulative months reported in the federal rate, regardless of whether participation was met.
- B. After an individual has completed 12 cumulative months of vocational educational training, he/she may continue to participate in post-secondary activities if the core requirement is met by participating in other core activities. These individuals are placed in JSE.
 - 1. Close the VOC component on OTIS.
 - 2. Use code JSE to indicate continued participation in the vocational educational activity.
 - 3. The component JSE is used when hours are combined with a core activity to meet the participation requirement. See [MS 4210](#), Item D.
 - a. JSE activity must be tracked on OTIS in order to count in the participation rate.
 - b. Hours in JSE will only count for individuals who are required to participate 30 hours per week and need core or non-core hours in addition to 20 core hours in COM, WEP, employment or work study.

JSE cannot be used for individuals required to participate only 20 core hours.
 - c. [For two-parent cases, JSE is used for the 5 hours required in addition to the 30 or 50 core hours in a COM, WEP, employment or work study.

To meet the 35/55-hour work requirement, a parent in a two-parent case may participate in vocational educational training for the 12 cumulative months; however, both parents in a two-parent case cannot participate in a vocational educational training component at

the same time unless one parent is meeting the required number of core hours (30/50).

Example: A two-parent household is required to participate 35 hours per week and one parent is meeting the required 30 hours in VOC with actual class hours and unsupervised and supervised study time. The other parent can complete the remainder of the requirement in another core or noncore activity, such as employment, community service, JSE, etc.】

- C. Individuals remain in the JSE component if he/she continues to attend vocational training but the hours are not needed to count towards the participation rate. These hours are only collected for reporting purposes.
 - D. For an individual who meets the core participation requirement of 20 hours per week through employment, work study, or WEP/COM and attends vocational educational training, code the training to JSE in OTIS. The vocational training in this type of situation is not considered part of the 12 months.
 - E. Activities which involve paid employment, including work study, are shown as paid employment on Worker Portal. However, work study income is excluded income in the KTAP case.
 - G. Internships, practicum, clinical, and co-op programs which do NOT involve paid employment may be considered as hours toward the vocational educational training or may be a WEP or COM placement. Hours in WEP or COM cannot exceed either the FLSA calculation or the weekly participation requirement, whichever is less. For example, if the clinical requires 20 hours a week and the calculation only allows 6 hours per week, we track 6 hours in the WEP/COM. For more information see [MS 4230](#) for COM and [MS 4270](#) for WEP.
1. The Ready to Work Coordinator at the educational institution will work with the Family Support KWP staff to identify potential WEP or COM placements which may include:
 - a. Internships which involve no pay;
 - b. Practicum which involve no pay, including student teaching;
 - c. Co-ops which involve no pay;
 - d. On-campus volunteer activities; or
 - e. Off-campus volunteer activities.
 2. The Ready to Work Coordinator will assist with the monitoring and reporting on these activities.
 3. The Ready to Work Coordinator will also monitor supervised study time.

MS 4220 JOB READINESS ASSISTANCE/JOB SEARCH (1)

Job Readiness Assistance (JRA) is preparation to seek and obtain employment. These services are provided by various contractors located throughout the state. Services include development of job seeking skills as well as activities designed to remove barriers to employment such as substance abuse treatment, mental health treatment, rehabilitative services, and life skills training.

Job Search, coded as JRA, is the active search for employment that must include contact with potential employers.

Participation in either JRA or Job Search or a combination of both may be countable as a CORE activity in the federal participation rate for a maximum of six weeks in a preceding 12-month period. A break of one week or more must occur after four consecutive weeks of participation in JRA or Job Search before the remaining two weeks are countable in the federal rate.

If the participant requires these services for a longer period of time within the same 12-month period, the activity may be allowed but will not count in the federal rates. The component code on OTIS can be MHA, RHB, SUB, or DOM, depending on the activity of the participant.

Contractors can report relevant information regarding a participant on OTIS.

A. Contractors responsible for providing JRA job seeking skills provide:

1. Classes that start the first work day of a month that allows for 4 full weeks of participation;

If contractors offer two week JRA classes, individuals can participate two weeks of JRA classes and four weeks of Job Search, with at least one week break in between.

2. Training in communication, conflict resolution, interviewing techniques, resume preparation, budgeting, and other relevant topics;
3. Employment counseling;
4. Other services which may be identified regionally.

B. Substance abuse treatment, mental health treatment, or rehabilitative services can be countable as JRA activities. This treatment must be determined necessary by a qualified medical or mental health professional and are services scheduled on a regular basis that occur no less than the 20/30 hour per week requirement.

C. [Job Search (JRA) may be directed by either a contractor or the case manager. The participant reported hours are used for tracking the Job Search activity. Travel time between interviews can be counted, but not time to and from the participant's home. Verification requirements for Job Search include:]

1. A daily log of employer contacts (in person, internet, or phone) maintained by the participant that includes the date and time of each contact, length of contact, type of contact, employer name and contact information, and desired position.

Form KW-300, KWP Job Search Documentation, is an optional form for KWP participants to log information on job search activity, such as type of contact, date and time of contact, employer's name, address and contact number, and the result of contact.

2. Submission of the participant log or form KW-300 to the contractor or case manager is completed monthly, for review, approval, and retention in the case record.

If the participant log or form KW-300 is incomplete or questionable, contact is made with the employer.

MS 4230

COMMUNITY SERVICE

(1)

Community service is a structured program where participants perform work for the direct benefit of the community under the sponsorship of a nonprofit organization. The projects are limited to those that serve a useful community purpose. Examples of permitted community service placements include churches, the Red Cross, Big Brothers/Big Sisters, Habitat for Humanity, local government, and public schools. Providing child care for another KWP individual who is participating in a community service activity is also permitted as a community service placement.

- A. Community service placements can be identified by the case manager or the participant. Placements are usually positions staffed by volunteers in an organization. The organization must be a non-profit or public agency.
- B. Individuals who are likely candidates for community service activities are those who cannot obtain paid employment and who need to increase their employability by improving interpersonal and job retention skills.
- C. [Community service is a core activity that counts toward meeting the 20/30/50 core hours to be countable in the participation rate. The component used on OTIS is COM. For two-parent cases to meet the "All Family" participation rate, one parent is encouraged to complete the entire core 30-hour requirement.]
- D. The weekly number of hours an individual is allowed to participate in community service is determined by completing the Fair Labor Standards Act (FLSA) calculation of permitted hours outlined in [MS 4245](#). This calculation is completed on OTIS before a COM placement can be made. The individual **cannot** participate in community service activities for hours that exceed the calculation. If the calculated number of permitted hours is less than the core requirement for the case, the difference between the calculated permitted hours and 20/30/50-hour core requirement is considered as deemed participation. The individual must participate the permitted hours before the other hours can be deemed. If the calculated number of permitted hours is greater than the core requirement for the case, the individual is **not** required to participate more than the core requirement but may participate in the COM more than the core requirement.

Example: The calculation determines that the individual, whose requirement is 20 weekly hours, is permitted to participate in community service 15 hours per week. The difference of 5 hours needed to meet the core 20-hour requirement can be deemed if the individual participates the 15 hours per week.

Example: [The calculation determines that the individual in a two-parent case, where child care is not requested, is permitted to participate in community service 15 hours per week. The difference of 15 hours to meet the core 30-hour requirement is deemed. The individual is required to participate an additional 5 hours in a core

or noncore activity other than WEP/COM to meet the 35-hour KWP requirement.】

Example: The calculation determines that the individual, whose requirement is 30 weekly hours, is permitted to participate in community service 23 hours per week. NO hours are deemed to meet the core 20-hour requirement. An additional 7 hours must be met through a core or noncore component other than WEP/COM.

Example: The calculation determines that the individual, whose requirement is 20 weekly hours, is permitted to participate in community service 22 hours per week. NO hours are deemed to meet the core 20-hour requirement.

Example: 【The calculation determines that the individual in a two-parent case, where child care is not requested, is permitted to participate in community service 20 hours per week. The difference of 10 hours to meet the core 30-hour requirement is deemed. The individual is required to participate an additional 5 hours in a core or noncore activity other than WEP/COM to meet the 35-hour KWP requirement.】

- E. If an individual is participating in COM and WEP at the same time, the sum hours of participation in both activities cannot exceed the amount determined by the FLSA calculation.
- F. When a case manager refers the individual to or places with a provider for a COM activity, form KW-246, WEP or COM Referral Form, and form KW-248, Community Service Placement Agreement, are issued and given to the individual to take to the provider for completion.
- G. There is no limit to the number of months an individual can participate in a COM placement.
- H. DCBS carries medical and accident insurance on COM participants. These individuals are NOT covered by Worker's Compensation. The insurance only covers the participant while attending the COM activity. Refer to [MS 4300](#).

MS 4245 CALCULATING HOURS OF PARTICIPATION FOR WEP/COM (1)

[The weekly hours of participation in a work experience training (WEP) or community service (COM) component, is limited by the Fair Labor Standards Act (FLSA). The FLSA calculator is used to determine the maximum number of hours a participant can participate in a WEP/COM component. If the permitted weekly hours are less than the core requirement for the case, the remaining hours are “deemed” up to 20 core hours for a one-parent KTAP case and up to the 30/50 core hours in a two-parent KTAP case.]

The FLSA calculation which determines the actual hours permitted for participation in a WEP/COM placement considers the KTAP benefit, the transportation reimbursement, the amount of child support retained by the State and the SNAP benefit allotment received by the KTAP benefit group.

If the SNAP benefit case is comprised of KTAP and non KTAP members, only the portion attributed to the KTAP recipient is considered in the FLSA calculation for permitted hours.

The FLSA calculation is completed on OTIS before a WEP/COM placement can be made.

- A. To manually calculate the permitted hours of WEP/COM participation for a case:
 1. Subtract the amount of child support retained by the State from the KTAP benefit for a “net KTAP” amount. See Vol. III, MS 2610 B, for instructions on how to verify and determine the amount of child support income;
 2. [Add the amount of transportation received. For two-parent cases, enter in the appropriate amount (\$300 or \$600), depending on whether one parent or both parents receive transportation assistance. Do not include payments that were issued for 5 or less days of KWP participation;]
 3. If the KTAP family members receive SNAP benefits, add the SNAP benefit amount for KTAP family members to the ‘net’ KTAP benefits:
 - a. Do not use the total SNAP benefit if the SNAP benefit case includes household members not included in the KTAP case;
 - b. If the SNAP benefit case includes non KTAP members:
 - 1) Divide the SNAP benefit amount by the total number of SNAP benefit members. Do not round;
 - 2) Multiply the result by the number of KTAP case members and round to the nearest dollar;
 - 3) Add this amount to the KTAP benefit amount which has been

adjusted by any state retained child support;

4. The result is divided by the federal or state minimum wage, whichever is higher, to obtain the monthly permitted hours for individuals in WEP and COM activities. Round the result to the nearest hour;
5. Divide the monthly hours by 4.33 for the individual's actual permitted weekly hours of participation. Round the result to the nearest hour;
6. The actual weekly hours the individual is permitted to participate and deemed hours will display on OTIS under the Components screen, WEP/COM Calculation section;
7. In cases where there is a benefit reduction to repay a claim, use the full benefit amount for which the household is entitled for both the KTAP and SNAP cases.

Example: A household is required to pay a claim. The KTAP benefits are reduced from \$225 to \$202 and the SNAP benefits are reduced from \$364 to \$328. When the FLSA calculator is completed, the state retained child support is subtracted from \$225 for the 'net KTAP' amount. When adding the SNAP benefits on step 3, the amount used is \$364.

- B. [For cases with permitted hours calculating less than the core weekly requirement (20 hours for a single parent or a single caretaker relative with a child under 6 years old, 30 hours for a two-parent case not receiving child care assistance, or 50 hours for a two-parent case receiving child care) the difference is deemed up to the core requirement. If the KWP individual does not participate the permitted hours, **the deemed hours will not be entered.**

Example 1: A KWP individual in a one-parent case with a child under 6 must participate 20 hours per week in a core activity. The FLSA calculation shows 18 hours are permitted in a WEP/COM component. The 2-hour difference shows as deemed on OTIS. If the KWP individual averages weekly attendance of 18 hours no additional activity is required.

Example 2: A KWP individual in a one-parent case is required to participate 30 hours per week, 20 hours must be in core activities. The FLSA calculation shows 18 hours are permitted in a WEP/COM component. The 2-hour difference shows as deemed on OTIS. If the KWP individual attends the WEP/COM activity an average of 18 hours weekly, the 20-hour core requirement is met. However, in order to count for federal participation, she must participate in other core or noncore activities besides WEP or COM an additional 10 hours per week.

Example 3: An individual in a two-parent case must participate 35 hours per week with 30 hours in a core activity. The FLSA calculation shows 25 hours are permitted in a WEP/COM component. The

5-hour difference is deemed and shows on OTIS. If the KWP individual attends the WEP/COM activity an average of 25 hours weekly, the 30-hour core requirement is met. However, participation in other core or non-core activities, besides WEP or COM, for the additional 5 hours must occur to count for federal participation.

Example 4: A KWP individual in a one-parent case with a child under 6 is required to participate 20 hours per week in a core activity. The FLSA calculation shows 17 hours are permitted in a WEP/COM component. The 3-hour difference is deemed and shows on OTIS. If the KWP individual averages weekly attendance of 15 hours, the 3 deemed hours will not show on Components – Tracking screen as the individual did not participate the permitted WEP/COM hours.】

- C. For cases with permitted hours calculating more than the core weekly requirement applicable to the case situation, enter the calculated permitted hours and 0 deemed hours will show.

Example: The calculation determines that an individual, whose requirement is 30 hours of weekly participation, is permitted to participate in a WEP activity 23 hours per week. NO hours are deemed to meet the 20-hour core requirement. When participation verification for WEP is returned indicating the individual attended an average of 23 hours per week, the component is tracked as meeting the required hours of participation. An additional 7 hours must be met through a core or noncore component other than WEP/COM.

- D. OTIS will report hours of participation based on entries made as verified by form KW-33, Verification of Kentucky Works Program Participation, or other participation verification.
- E. The number of hours permitted by FLSA must be recalculated when the KTAP, transportation reimbursement, SNAP benefits, child support, or minimum wage changes. Review the calculated number of hours when tracking monthly participation and adjust if needed. Notify the participant and provider of any change to the required hours for the WEP or COM.

MS 4250

EMPLOYMENT

(1)

[Employment including wages, subsidized wages, work study, Ready to Work, and self-employment is a core activity. In-kind employment arrangements are not acceptable employment hours for participation. All employment is entered on Worker Portal. Hours of employment must be verified and documented when a change is reported or at a minimum, every 6 months.]

- A. Wages, including those from subsidized employment, are calculated per Volume III, MS 2710, and counted when determining the KTAP benefit. Subsidized employment may be arranged by contractors in some counties and may include training that occurs while the individual receives wages. Subsidized wages are counted as earned income. When entering wages on the Earned Income Details screen, indicate whether the wages are subsidized or unsubsidized.
- B. Work study, WIOA, Ready to Work and Work and Learn income are excluded when calculating the KTAP benefit. The actual hours and wages for these activities are entered on the Earned Income Details screen. To exclude the income but count the hours for participation, choose the appropriate type of income.
 - 1. Federally Funded Work Study - this will exclude the income for KTAP and SNAP.
 - 2. Workforce Innovation & Opportunity Act (WIOA) – this will exclude the income for KTAP and SNAP.
 - 3. TANF Funded Work Study – this will exclude the income for KTAP but will be included for SNAP.

In addition, answer the question, "Is this income subsidized", as "Yes" on the Earned Income Details screen.

- C. Hours of self-employment that are countable in the participation rate must be calculated manually by dividing the monthly profit (gross income less allowed expenses) by the minimum wage. The system calculates the countable hours of self-employment based on the earnings information entered.
- D. Employed individuals are eligible for transportation payments as well as other supportive services. Form KW-33, Verification of Kentucky Works Program Participation, is generated by the worker from the Payments, Transportation screen on OTIS. The individual is only required to complete page 2 of form KW-33. Transportation payments are issued from the OTIS Payments screen, Transportation option.
- E. Employment hours are reported by Worker Portal for the federal participation rates when they become effective in the KTAP case.

Example: Wages are reported in April and added prior to cut-off, effective May. The hours are counted in the federal reports beginning May.

Example: Wages are reported late in April and added after cut-off, effective June. The hours are counted in federal reports beginning June.

- F. Component type SEE is used to report the hours of participation earned prior to the employment hours being effective on Worker Portal. SEE components are automatically created by OTIS from information verified on Worker Portal. OTIS automatically tracks and closes SEE components.
- G. Employment information (EMP) will automatically be sent from Worker Portal to OTIS after the SEE component closes.

MS 4270 WORK EXPERIENCE PROGRAM (WEP) (1)

The Work Experience Program (WEP) is a work activity performed in return for KTAP benefits. It provides the individual an opportunity to acquire general work skills and training necessary to obtain employment.

WEP is limited to projects that serve a useful public purpose such as health, social services, education, libraries, public facilities, and government. Family Support staff and/or contracted entities locate and negotiate training site agreements for WEP positions.

WEP is a core activity that counts towards meeting the 20/30/50 hours countable in the participation rate. The component code used on OTIS is WEP. For two-parent cases to meet the "All Family" participation rate, one parent is encouraged to complete the entire core 30-hour requirement.

- A. The following criteria apply to the provider of the WEP placement:
 - 1. The work experience placement benefits the participant;
 - 2. The WEP provider must:
 - a. Provide sufficient training to ensure development of appropriate and specific skills;
 - b. Provide new tasks after each skill is mastered;
 - c. Provide intensive participant instruction and supervision at all times; and
 - d. Ensure WEP participants do not displace, reduce the work hours, or infringe upon promotional opportunities of regular employees.
- B. [The case manager or contracted entity completes form KW-241, WEP Training Site Agreement, when:]
 - 1. The placement is initially negotiated;
 - 2. The hours of required WEP participation, end date of agreement, or training activities change; or
 - 3. The WEP agreement ends.
- C. WEP placements can be negotiated for the length of time necessary to provide a meaningful training opportunity to the individual.
- D. A WEP placement is ALWAYS of lower priority than paid employment.
- E. The weekly number of hours an individual is allowed to participate in WEP is determined by completing the Fair Labor Standards Act (FLSA) calculation of permitted hours outlined in [MS 4245](#). The FLSA calculation is completed on OTIS before a WEP placement can be made. The individual **cannot** participate in WEP activities for hours that exceed the calculation. If the number of

allowed hours is less than the core requirement for the case, the difference between the calculated permitted hours and 20/30/50-hour core requirement is considered as deemed participation. If the calculated number of permitted hours is greater than the core requirement for the case, the KWP individual is **not** required to participate more than the core requirement.

- Example 1: The calculation determines the individual in a one-parent case is permitted to participate in a WEP activity 15 hours per week. The difference of 5 hours needed to meet the core 20-hour requirement is deemed. When form KW-33 for WEP is returned indicating the individual has attended an average of 15 hours weekly, the component is tracked. Twenty hours of core participation is reported.
- Example 2: The calculation determines the individual in a two-parent case, where child care is not used, is permitted to participate in a WEP activity 15 hours per week. The difference of 15 hours to meet the core 30-hour requirement is deemed. When form KW-33 for WEP is returned indicating the individual has attended an average 15 hours weekly, the component is tracked. Thirty hours of core participation is reported for WEP. The individual is required to participate an additional 5 hours in a core or noncore activity other than WEP/COM to meet the 35-hour KWP requirement.
- Example 3: The calculation determines that the individual in a one-parent case, requiring 30 hours of weekly participation, is permitted to participate in a WEP activity 23 hours per week. NO hours are deemed to meet the core 20-hour requirement. When form KW-33 for WEP is returned indicating the individual attended an average of 23 hours per week, the component is tracked. An additional 7 hours must be met through a core or noncore component other than WEP/COM.
- Example 4: The calculation determines that the individual in a one-parent case, requiring 20 hours of weekly participation, is permitted to participate in a WEP activity 22 hours per week. NO hours are deemed to meet the core 20-hour requirement. When form KW-33 for WEP is returned indicating the individual attended an average of 20 hours per week, the component is tracked.
- Example 5: The calculation determines the individual in a one-parent case is permitted to participate in a WEP activity for 20 hours per week. NO hours are deemed to meet the core 20-hour requirement. When form KW-33 for WEP is returned indicating the individual attended an average of 22 hours per week, the component is tracked.
- Example 6: The calculation determines the individual in a two-parent case, where child care is not requested, is permitted to participate in a WEP activity 20 hours per week. The difference of 10 hours to meet the core 30-hour requirement is deemed. When form

KW-33 for WEP is returned indicating the individual has attended an average 15 hours weekly, the component is tracked. The individual is required to participate an additional 5 hours in a core or noncore activity to meet the 35-hour KWP requirement. Participation is not met in this instance and conciliation should be initiated.

- F. If an individual is participating in a Community Service (COM) and WEP component at the same time, the sum hours of participation in both activities cannot exceed the amount determined by the FLSA calculation.
- G. DCBS carries medical and accident insurance on WEP participants. These individuals are NOT covered by Worker's Compensation. The insurance only covers the WEP participants while attending the WEP activity. Refer to [MS 4300](#).

The Department for Community Based Services (DCBS) carries accident insurance for Kentucky Works Program (KWP) WEP/COM participants. These individuals are not covered by Worker's Compensation. This insurance covers WEP/COM participants, while the individual is attending the WEP/COM activity.

The process for filing the claim is as follows:

- A. The worker informs the WEP/COM provider about the accident insurance coverage when the participant is placed in a WEP/COM component. The provider is instructed to contact the staff person (contractor or Family Support) who negotiated the placement immediately when a participant is injured.
- B. If the individual was placed by a contractor, the contractor notifies the Field Services Supervisor (FSS) of the injury within 3 work days. The contractor also documents the incident on OTIS.
- C. The FSS or designated representative contacts the Family Self-Sufficiency Branch (FSSB) at fssbk-tap@ky.gov to obtain the accident insurance claim form. Identify the e-mail as "WEP/COM Accident Report" in the subject line and include the following information in the body of the e-mail:
 1. Participant's name;
 2. Participant's social security number;
 3. Case number;
 4. FS assigned to complete the claim process;
 5. The address of the local office;
 6. Date of injury; and
 7. Location, including building and city, of the accident.
- D. [The FSS or designated representative contacts the participant by sending a manual correspondence within 5 work days of the accident. The notice must inform the participant that:
 1. Insurance coverage for the injury must be pursued;

2. A claim form must be completed, and itemized medical bills obtained in order to file the claim; and
3. The participant is not to use the medical card for injury costs.

If the participant does not respond in 7 work days, the supervisor or designated representative sends a second letter. Contact with the participant can be by phone or face-to-face interview. Note: Any and all efforts are made to contact the participant (e.g. hospital visit or home visit). If the participant is unable to be contacted, no further action is needed. If the accident results in the death of the participant, attempt to contact the executor of the participant's estate.

- E. Do not mail claim forms to the participant or the physician. The supervisor or designated representative assists the participant in completing the claim forms and sends the completed insurance claim forms and itemized medical bills to DCBS/FSSB, 275 E. Main St. 3E-I, Frankfort, KY 40621 within 30 days of the initial contact with the participant. Inquire Worker Portal for information regarding other insurance coverage for the participant. Questions regarding entries on the form are routed to FSSB.]
- F. FSSB reviews the claim forms and submits the claim to the insurance company.
- G. The completed claim form must be provided to the insurance company within 90 days after the accident or injury occurs. Notify FSSB if the timeframe cannot be met.
- H. The supervisor or designated representative submits any subsequent bills to FSSB for submittal to the insurance company.

MS 4350 NON-CORE AND ALLOWED ACTIVITIES (1)

As part of Kentucky Works case management services, it is important to identify and address barriers which prevent an individual's transition to self-sufficiency. The following non-core activities meet KWP participation requirements while addressing common barriers. Some non-core activities may be countable towards meeting the federal participation rates, if combined with twenty hours of participation in a core activity. Supportive services are paid as needed while an individual participates in non-core and allowed activities. It is important to enter and track all KWP activities.

A. Non-core work preparation activities that may count in the federal rate when combined with the required core hours include:

1. Vocational training beyond the 12 cumulative months coded JSE;
2. GED, if the individual does not have a high school diploma;
3. Adult Basic Education;
4. Literacy; and

[5. Employment Skills Training (EST).]

Note: An 18 or 19 year old individual may participate in a GED or adult education program as a countable core activity.

B. Activities that can count for a limited time when coded as JRA activities per [MS 4220](#) are:

1. Substance abuse treatment programs;
2. Mental health counseling;
3. Vocational Rehabilitation; and
4. Life skills training when part of the JRA activity, not a stand-alone activity.

These activities are coded on OTIS as JRA for the period of time they are countable.

C. Activities that are allowed for work preparation but do not count for federal participation are:

1. Vocational rehabilitation coded on OTIS as RHB. Some vocational rehabilitation activities can be coded GED, ABE, VOC, or JRA;
2. Domestic violence counseling coded on OTIS as DOM;

3. Substance abuse treatment programs coded on OTIS as SUB if the activity cannot be considered as JRA;
4. Mental health counseling coded on OTIS as MHA if the activity cannot be considered as JRA; and
- 【5. EST when the activity is an Office of Refugee Resettlement (ORR) program.】

Non-core work preparation activities are completed with a countable core activity when possible.

An individual may be sanctioned for failing without good cause to attend any activity that will assist the individual in meeting the identified goal unless the individual is participating in a core activity which meets the requirements.

MS 4353* EMPLOYMENT SKILLS TRAINING (EST) (1)

Employment Skills Training (EST) is directly related to enhancing employment skills or developing skills to a new level in a structured training environment, such as a class with a facilitator/instructor.

A. Examples of EST are:

1. An office assistant takes a Microsoft Office training as required for the job;
2. Bank teller takes a course to become a loan officer;
3. A licensed residential real estate agent takes training to obtain a license for commercial properties;
4. A refugee participates in an Office of Refugee Resettlement (ORR) agency program, such as Kentucky Refugee Ministries or Catholic Charities; or
5. Activities approved through the Ready to Work program for up to nine months to assist the individual in paying off previous college debt or to provide adult education services prior to enrolling in college.

This list is not all inclusive. There can be other trainings or courses that are considered EST. For questions if an activity is considered EST, forward through appropriate channels to the FSSB Inbox.

B. The EST component is a non-core educational component and is not included in the 12 months of VOC. Non-core activities must be combined with the required twenty core hours of an activity.

EXCEPTION: An EST component for refugees participating in an ORR program is considered non-core allowable, but no additional activity is needed as the ORR programs include a variety of services tailored to the needs of the family. The activity must be tracked but will not be countable.

While EST can be combined with a core activity, such as WEP or COM, to meet the number of hours required for KWP participation, a KWP participant cannot complete an EST activity at the same participation site as the WEP or COM activity.

C. EST should be monitored and tracked according to the guidelines outlined in Vol. IIIA, MS 4655, Verification of Participation.

MS 4355 DOMESTIC VIOLENCE COUNSELING (1)

Individuals who would benefit from domestic violence counseling are those individuals who are in a situation of battering. Battering is a pattern of coercive control that one person exercises over another. Battering is behavior that physically or emotionally harms or arouses fear in another. Battering is also behavior that prevents an individual from doing what he/she wishes or coerces him/her to behave in ways he/she does not want.

Battering includes the use of physical and sexual violence, threats and intimidation, emotional abuse and economic deprivation.

The following statements may be made by the case manager to a victim who feels she cannot leave the situation.

- A. I am afraid for your safety.
- B. I am afraid for the safety of your children. Children cannot tolerate the amount of abuse you can.
- C. It may only get worse.
- D. I am here for you when you are ready to leave and I can help you with relocation assistance.
- E. You do not deserve to be abused.

[For those individuals who can safely participate in a Kentucky Works Program activity, domestic violence counseling can be a part of the KTAP Transitional Assistance Agreement. A referral is made to resources in the community which include Protection and Permanency, Targeted Assessment Program (TAP), and local spouse abuse centers. Document the situation in OTIS and Worker Portal comments.

The component code for domestic violence counseling is DOM. The weekly hours and length of counseling is determined by the provider and verified via form KW-33, Verification of Kentucky Works Program Participation, or other provider completed document.]

MS 4365 SUBSTANCE ABUSE TREATMENT (1)

An individual who uses alcohol or drugs to the extent that the ability to work and take proper care of the family is impaired could benefit from substance abuse treatment. For those individuals who agree to the mental health screening portion of the Kentucky Works Program (KWP) assessment and are determined by a professional to have problems with drugs and/or alcohol, participation in a substance abuse treatment program is an allowed activity.

Participation in a substance abuse treatment program can count as a core activity if the required hours of participation are met. The activity is coded as JRA on OTIS and is limited to 4 consecutive weeks. See [MS 4220](#).

All other participation is coded SUB on OTIS. There is no time limit on the activity. The individual is permitted to participate in treatment or counseling as long as it is needed.

- A. [The professional assessment can be completed by a community mental health center (Comprehensive Care in most counties) or the Targeted Assessment Program (TAP). These agencies determine whether the individual needs substance abuse education and/or treatment and refers the individual to an appropriate substance abuse program if needed. The findings of the assessment are shared with the individual and sent to the case manager.]
- B. If the findings show no intensive prevention/education or treatment services are needed, scan into the category KWP in the electronic case record and update OTIS comments.
- C. The findings may indicate intervention is needed, the level of intervention, and the program to which the individual is referred. The community mental health center or the contracted entity will:
 - 1. Make a referral to either a substance abuse program within the community mental health center or an outside agency in the community or state.
 - 2. Complete a Release of Information form with the individual in order to set up a referral with another agency and to forward a copy of the assessment and findings to the agency receiving the referral.
 - 3. Make an appointment for the individual with the treatment center.
 - 4. Indicate on the findings if there is a waiting list for services and identify the estimated length of time on the waiting list and an interim plan (e.g., Alcoholics Anonymous, waiting list group) for services.
- D. Confirm with the individual the recommended plan of care, unless services are needed immediately as in the case of a medical emergency or detoxification from alcohol or other drugs. In the event of an emergency,

confirm the recommended plan of care as soon as possible following emergency services.

- E. [Complete form DCBS-1A, if the individual is referred for substance abuse services to an agency other than the community mental health center. This allows the other agency to complete and return a progress/tracking report (form KW-33, Verification of Kentucky Works Program Participation or other provider document) on a monthly basis.
- F. The community mental health center staff completes form KW-33 or other provider completed document regarding the participant's attendance at the recommended services, and compliance with agreed upon education or treatment goals.]

Determine if conciliation or sanction is appropriate if the progress/tracking report indicates that the participant is having significant problems with:

1. Attending the recommended services;
2. Is attending but is not making progress towards completing the goals of the service; or
3. Has left the program prior to satisfactory completion.

If the individual is participating in a core activity which meets the requirements, sanction is not appropriate.

- G. Determine whether the individual can proceed with another activity while participating in the recommended substance abuse education or treatment program. If the participant can proceed, place the participant in an appropriate activity.
- H. When the individual completes the recommended level of care or leaves care the local mental health center is requested to send a Termination Summary to the case manager. The Termination Summary varies from provider to provider as to content.

MS 4370 MENTAL HEALTH COUNSELING (1)

Individuals who receive a professional screening from the local community mental health center (Comprehensive Care in most counties) or the Targeted Assessment Program (TAP) may be served by those agencies or referred to a provider of mental health counseling. Participation in counseling is an allowed activity and coded MHA on OTIS.

If the individual is participating in counseling for 20 or more hours weekly it can be coded as JRA and treated as a core activity for 4 weeks. See [MS 4220](#).

[Participation is verified by form KW-33, Verification of Kentucky Works Program Participation or other provider completed document and tracked on OTIS.]

Whenever possible, counseling should be completed concurrently with other components.

MS 4373 TARGETED ASSESSMENT PROGRAM (TAP) (1)

The Targeted Assessment Program (TAP) is available in selected counties to conduct assessment, pre-treatment, and follow-up services focused on identifying and addressing mental health, domestic violence, substance abuse, and learning problems. Services are provided by TAP specialists who are employees of the University of Kentucky, Center on Drug and Alcohol Research.

[TAP specialists are trained, experienced human service professionals who provide participants with a non-threatening atmosphere, foster the development of a trusting therapeutic relationship, and increase the likelihood of participant follow-through on the recommended course of action. These professionals:]

- A. Develop a customized plan for the participant to address barriers.
- B. [Work with the participant and case manager to facilitate appropriate referrals and participant follow-through with recommended services.]
- C. Provide consultation and training to DCBS staff in identifying and addressing barriers such as substance abuse and domestic violence.

Participation in TAP can be a core activity as a job readiness activity (JRA) for substance abuse treatment, mental health treatment, or rehabilitative services up to 6 weeks in twelve month period. The participant attends TAP directed activities scheduled on a regular basis no less than the 20/30/50-hour per week requirement. See [MS 4220](#), Job Readiness Assistance/Job Search.

If the job readiness weeks have already been used, TAP is considered an allowable activity. If a participant is cooperating with TAP, this could be the only activity the participant is required to do. However, if the participant fails or stops cooperating with TAP, he/she can be sanctioned. If the TAP participant is participating in an additional core or non-core activity, the participant is not sanctioned for non-participation in the TAP activities.

If a participant is referred and cooperating with TAP, the TAP activity is entered on OTIS using the appropriate component code. See [MS 4350](#), Introduction to Non Core Activities. By entering the TAP activity on OTIS, the participant can receive supportive services needed for the TAP activity. TAP participation is verified by form KW-33, Verification of Kentucky Works Program Participation, or other TAP documentation and tracked on OTIS.

MS 4375 VOCATIONAL REHABILITATION (1)

The Kentucky Office of Vocational Rehabilitation (OVR) assists eligible individuals with disabilities to achieve their employment goals. Rehabilitation counselors are located in offices throughout the state and provide services to residents of all counties. The directory of staff, office addresses, the guide for consumers, and other information is located at <http://ovr.ky.gov>

The individual must be determined eligible for services by OVR. If eligible, services are provided in the order of priorities set by OVR. Generally persons with more severe disabilities who want to become employed are served first.

A. The OVR may provide the following services to assist the individual in meeting his/her employment goal:

1. Assessment for determining eligibility and vocational rehabilitation needs;
2. Counseling and guidance;
3. Vocational and other training services;
4. Supported employment;
5. Personal assistance services;
6. Interpreter and note taking services;
7. Telecommunications, sensory, and other technology aids and devices;
8. Rehabilitation technology;
9. Job placement and retention services;
10. Employment follow-up and retention services;
11. Employment follow-up and post-employment services.

B. The referral for services provided by OVR is coded RHB on OTIS. Services provided by OVR are not core activities with the exception of:

1. Vocational and other training. Code these activities as VOC or JSE. Refer to [MS 4217](#).
2. [Supported employment. Enter hours and wages on Worker Portal.]
3. Participation of 20 or 30 hours per week in any of the other activities provided by OVR for 4 weeks. Code this activity to JRA. Refer to [MS 4220](#) and [MS 4217](#).

[When a participant is referred to OVR, coordinate the establishment of the individual's short and long term goals and case management with the rehabilitation counselor. Participation in OVR activities is verified by form KW-33, Verification of Kentucky Works Program Participation, or other OVR documentation, and tracked on OTIS.]

MS 4380

ADULT EDUCATION

(1)

Adult education activities include:

- A. High school education or education designed to prepare a person, who does not have a high school diploma, to qualify for a General Educational Development (GED) certificate. The component code is GED.
- B. Students can count study time in a supervised setting in addition to one hour of unsupervised study for each hour of class time. An example of supervised study time would be a facilitated group study session.
- C. Basic or remedial education which provides an individual with a basic literacy level equivalent to at least grade 8.9 in reading and math, to fulfill an employment goal. The component code is ABE.
- D. [Education in English proficiency for an individual who is not sufficiently competent in speaking, reading, or writing the English language to allow employability corresponding to the employment goal. The component code is ESL. In addition, one hour of unsupervised study for each hour of class time may be counted toward the required participation. When entering the ESL hours, add the actual class time hours of unsupervised study to the actual class time and enter as monthly hours of participation.]
- E. For anyone age 20 or older, these activities should be completed in conjunction with a core activity, whenever possible.
- F. Adult education counts toward meeting the additional hours of activity required beyond the 20/30/50 hours of core activities. See Volume IIIA [MS 4005](#).

Example: An individual required to participate 30 hours per week is attending GED preparation classes 5 hours per week, has GED related homework 5 hours per week and is working 20 hours per week. The employment meets the 20-hour core requirement, while the GED classes and homework (unsupervised study time) are used to complete the remaining 10 hours, yielding 30 total hours of countable participation.

Example: An individual required to participate 30 hours per week is attending a WEP component 15 hours, going to GED classes 5 hours, and studying 5 hours per week. The FLSA calculation determined her weekly WEP participation is limited to 15 hours, with the remaining 5 hours deemed. The 15 WEP hours with 5 deemed hours meet the 20-hour core requirement, while the GED classes/homework are used to complete the remaining 10 hours; yielding 30 hours of countable participation.

MS 4410 STAFF ROLES AND RESPONSIBILITIES (1)

The success of the Kentucky Works Program (KWP) is dependent on plans developed and implemented by each region to utilize available community resources and meet the unique needs of individual participants.

A. Staff designated by management in each region is responsible for the:

1. Identification of community-based agencies and organizations that can assist participants in the resolution of barriers identified in the assessment process;
2. Development of relationships with community-based agencies and organizations to facilitate ongoing communication regarding services and processes to access services;
3. [Marketing of KWP to service providers and surrounding communities;]
4. Development of Work Experience Program and Community Service placements;
5. Monitoring of participation and placement activities of KWP individuals;
6. Completion of case reviews to monitor compliance with policies and procedures;
7. Development, implementation, and monitoring of corrective action measures to address deficiencies in the provision of services to participants, low participation rates, and other areas identified by case reviews, Quality Control reviews, Central Office reviews, and audits;
8. Identification of and support to staff responsible for the assessment, referral to services and components, and ongoing case management of KTAP individuals subject to KWP requirements;
9. Completion and review of requests to add, delete, or change data maintained for component providers found in OTIS; and
10. Provision of technical assistance and guidance to line staff responsible for implementation of the program.

B. Case Managers are responsible for the:

1. Delivery of KWP related services to KWP individuals. This includes but is not limited to:
 - a. An appraisal of the individual's employability potential by review of information obtained in the assessment process;
 - b. Completion of the KTAP Transitional Assistance Agreement (TAA) at application which consists of steps needed to realize short and long-

term goals and any accommodation indicated to address identified barriers;

- c. Referral of the individual to appropriate providers or agencies for needed services or assistance to enable completion of an activity;
 - d. Authorization of supportive service payments;
 - e. Monitoring participant progress monthly and tracking activities on OTIS;
 - f. Entering employment information, including hours, promptly on Worker Portal;
 - g. Conducting conciliation at the individual's request or when problems with participation are identified;
 - h. Entering and curing sanction actions on OTIS; and
 - i. Counseling, providing feedback and encouraging individuals to complete steps on the TAA.
2. Ongoing eligibility determinations for KTAP and companion cases per Regional directive.

C. Staff in the Division of Family Support is responsible for the:

1. Negotiation, revision, and monitoring of results of contracts with service providers who receive funding from the Cabinet to provide services to KWP participants;
2. Completion and submittal of state administrative regulations that form a legal basis for the program;
3. Completion and submittal of plans and reports required by the federal government in order to fund the program;
4. Analysis of federal and state laws to determine impact to policies and procedures;
5. Identification and resolution of problematic policies and procedures;
6. Development and drafting of instructional material; and
7. Monitoring and evaluation of statewide data to identify trends and ensure compliance with program requirements.

*MS 4430 CASE MANAGEMENT PROCESS (1)

Prior to approval of KTAP, a Kentucky Works Program (KWP) assessment and the Transitional Assistance Agreement (TAA) is completed and signed. Upon approval of KTAP, the work eligible individual must start cooperating with KWP. The role of the case manager is to assist the individual in removing barriers to meet participation requirements and move toward self-sufficiency.

A. The case manager and the individual work together to develop a participation plan using the information from the KWP assessment and the TAA.

1. The case manager contacts the individual using form KW-100, Kentucky Works Contact Letter (issued within 7 days of approval), to discuss the participation requirements and available options for participation. The KW-100 requests the individual to contact a KWP case manager by scheduling an appointment to go into the local office, or to reach out by phone. Allow a minimum of 10 days for the individual to make contact.
2. Once contact is made the case manager and individual will discuss the individual's goals and any items and services needed to meet those goals.
3. Discuss the placement and referral process including:
 - a. KW-33, Verification of Kentucky Works Program Participation, process, how and when participation is reported, and provide form KW-33 E, Overview of the KW-33 Process, to the individual;
 - b. Transportation payments to allow the individual to go to appointments, placements, and for future participation. Also, that transportation is requested on form KW-33 for each month. Refer to [MS 4650](#), [MS 4652](#), and [MS 5300](#); and
 - c. Supportive services needed to participate, and the KW-32, Authorization for Supportive Services Payments, process.

B. When there is a change in participation for example (becoming non exempt or verified good cause no longer exists), an activity is completed or is ended by the provider or participant, issue form KW-100 to contact the participant to discuss the situation and find a new activity.

As part of the discussion:

1. Determine if the participant is now exempt or has good cause for not participating;
2. If not exempt or good cause does not exist, find another activity for the participant.

Note: Only after all efforts have failed to get the individual to participate in an activity, does the case manager issue form KW-204. Refer to [MS 4700](#) for specific policy and procedures concerning conciliation.

MS 4500

GENERAL HEALTH ASSESSMENT

[The general health assessment screens are reviewed with the individual only after form KW-219, Kentucky Works Program Fact Sheet, is discussed with the individual. Complete the general health screening only if the individual agrees to the screening.]

Completion of the screens containing questions relating to health issues is not a requirement of the assessment. The individual can choose to answer some, all, or none of the questions at the initial assessment or at a later date. If appropriate, the worker can access only the worker observations/comments screen to record information and enter any needed referrals.

The general health questions are used to screen for physical disabilities the individual or a family member may have that indicate the need for one or more of the following:

- A. Services or goods to enable the individual to participate in activities.
- B. Modification of activities to accommodate the individual.

Example: An individual with back problems is not expected to participate in a work experience component that involves lifting. An alternate placement that does not involve physical labor is pursued.

- C. Modification of required hours of participation to accommodate the individual.

Example 1: The individual has a recurring appointment for physical therapy twice weekly. The schedule of the work activity is modified to accommodate therapy sessions.

Example 2: The individual is easily fatigued due to a medical condition. She is able to participate in activities a maximum of 3 hours per day, 4 days per week. (12 hours weekly) The individual is permitted this modification of required weekly hours and is not penalized. The 12 hours of weekly activities are confirmed on the Transitional Assistance Agreement and the individual is expected to participate the agreed upon number of hours.

- D. Exploration of entitlement to federal disability benefits such as SSI or RSDI. Eligibility for these federal programs is determined by the Social Security Administration.
- E. Referral to the Medical Review Team to determine American Disabilities Act (ADA) disability if the individual alleges he/she is unable to participate in any activity.
- F. Referral to the Office of Vocational Rehabilitation for individuals with a disability who have an immediate goal of employment. Refer to [MS 4375](#), Vocational Rehabilitation.

MS 4505

MENTAL HEALTH ASSESSMENT

(1)

[The mental health needs assessment screening questions are reviewed with the individual only after form KW-219, Kentucky Works Program Fact Sheet, is discussed with the individual. Complete the mental health needs screening only if the individual agrees to the screening.]

Completion of the screens containing questions relating to mental health is not a requirement of the assessment. The individual can choose to answer some, all, or none of the questions during the assessment process. The mental health needs screening questions determine if further professional assessment is needed.

The questions on mental health are intended to screen the individual for mental health and substance abuse issues which may indicate the need for one or more of the following.

- A. [Referral to entities contracted by DCBS in selected regions, such as the Targeted Assessment Program (TAP) or the community mental health center (Comprehensive Care in most communities) to complete an in-depth screening and assessment. Use the following guidelines to determine if a referral is appropriate:
 - 1. Individuals who answer affirmatively to one or more of the four questions relating to alcohol or drug use or appear impaired in contacts with the case manager, other staff, or providers. Refer to TAP if available in the county. In counties where these contractors are not available, refer to the community mental health center by routing form PA-75, Referral for Substance Abuse Assessment, and form DCBS-1A, Informed Consent and Release of Information and Records Supplement.
 - 2. For other questions on the mental health assessment screening, determine if the issue is current and the applicant feels it is problematic and refer, per Regional procedures, to TAP, the community mental health center, or other resources in the community.]
- B. Services or goods to enable the individual to participate in activities. Depending on the availability of community resources, this could include referral for mental health counseling, support groups, or mentoring services.
- C. Modification of activities to accommodate the individual. Individuals who are screened by a mental health professional who recommends participation in activities or completion of tasks that are not countable in federal participation are allowed to do so without penalty. In some instances, this may be the only activity the individual can reasonably be expected to complete.
- D. Modification of required hours of participation to accommodate the individual. Activities recommended by a mental health professional may not meet the weekly hour requirement. If the individual is unable to participate in any other activities, the difference can be waived.

- E. Exploration of entitlement to federal disability benefits such as SSI or RSDI. Eligibility for these federal programs is determined by the Social Security Administration.
- F. Referral to the Office of Vocational Rehabilitation for individuals who have an immediate goal of employment. Refer to [MS 4375](#).
- G. [For individuals who are screened by a mental health professional who recommends a determination of disability is appropriate, complete a referral to the Medical Review Team (MRT).]

If appropriate, the worker can access only the worker observations/comments screen to record information and enter any needed referrals. Document any behavioral or physical indicators of substance abuse. Examples of such indicators are slurred speech, staggering, smell of alcohol, glassy-eyed, agitated, drowsiness, restlessness or needle marks. Also, document any other information which may be an indicator of substance abuse such as past admission of alcohol and drug abuse problems, fighting or driving while intoxicated.

MS 4510

LEARNING NEEDS ASSESSMENT

(1)

[The learning needs screening questions are reviewed with the individual only after form KW-219, Kentucky Works Program Fact Sheet, is discussed with the individual. Complete the learning needs screening only if the individual agrees to the screening.

The learning needs screening questions determine if a referral for further professional assessment is appropriate. Worker Portal is programmed to apply a weight to each question and create a report which the worker can access to determine if the option for further assessment should be offered to the individual.]

It is not a requirement of the individual to consent to a learning needs screening assessment. The individual can choose to answer some, all, or none of the questions at the initial assessment or if updating the assessment later. If appropriate, the worker can access only the worker observations/comments screen to record information and document a need for further assessment referrals.

[If the individual consents to the learning needs screening and it is determined that further screening for a learning disability is needed, a referral is made to professionals in the community such as the Targeted Assessment Program (TAP). If the individual has expressed the goal of employment, refer to the Office of Vocational Rehabilitation.]

MS 4515 [ADDRESSING CHALLENGES TO KWP PARTICIPATION (1)

Sometimes a physical or mental condition affects the individual's ability to become employed, self-sufficient, or comply with Kentucky Works Program (KWP) activities. Physical or mental conditions which may present a challenge to participation are addressed in specific sections of policy. Refer to [MS 4500](#), General Health Assessment; [MS 4505](#), Mental Health Assessment; and [MS 4510](#), Learning Needs Assessment. The individual's KTAP Transitional Assistance Agreement (TAA) should include the individual's employment goal and any special limitations.]

- A. Information is collected from the individual during the assessment process to identify the following:
1. The need for child care arrangements and back up plans for children who require supervision. If help finding a child care provider is needed, refer the individual to the local Child Care Resource and Referral agency. School based after-school programs, Boys or Girls Clubs, free care by friends or relatives, or other sources can be explored.
 2. The need for a reliable transportation source to travel to and from a job or other activities. Determine if the individual has access to a vehicle and if he/she is able to drive legally. Other options can include public transit, carpools, identifying components near a bus line or within walking distance, or being transported by family members or friends. Supportive services are available to pay for car repairs. Refer to [MS 5375](#).
 3. An unstable housing situation. Frequent moves may be an indicator of domestic violence, lack of a personal support system, the need for life skills instruction or linkage to sources of housing assistance available in the community. Options to address this type of situation depend on the reason for multiple moves. Relocation assistance is available to address some issues. Refer to Volume III, [MS 3750](#).
 4. Lack of personal care items, clothing, glasses, or the need for dental care. Assistance with these items can be provided by referrals to community resources or, depending on the availability of funding, paid with KWP supportive services funds. Refer to [MS 5350](#).
 5. How employers, service providers, or the case manager can contact the individual. If there is no phone in the home, identify alternate communication sources.
 6. The presence of possible domestic violence. If the worker suspects an abusive or neglectful situation that endangers children or adults, contact with Protection and Permanency (P&P) is legally required. Reports can be made by calling the Adult and Child Abuse Reporting Hotline at 800-752-6200 or following procedures set up by the region.
 - a. Follow up the telephone contact in writing with an e-mail or on form PAFS-628, Exchange of Information. Indicate a domestic violence situation.

- b. Enter a brief summary of the situation in comments on OTIS.
- 7. Issues with a child's behavior. Contact with community resources such as the school based Family Resource and Youth Services Centers, Comprehensive Care, or other locally identified resource is encouraged.
- B. [A challenge may impact participation; however, the challenge may not necessarily preclude participation. Develop activities that fit the unique situation of the individual. When seeking to address challenges, consider the following:
 - 1. There may be more than one way to assist with the challenge to participation.
 - 2. When seeking a plan to assist with the challenge, be practical and realistic.
 - 3. Avoid confusion; clearly identify the challenge and possible ways and sources that are used to assist with the challenge.
 - 4. The first plan to assist with the challenge to participation may not be enough.
 - 5. Do not hesitate to seek assistance from an entity outside of DCBS if needed to meet the challenge.]
- C. If the need for a referral for a service is identified, provide the individual with specific instructions on how to access the service. Instructions include a contact name, telephone number, and address. Whenever possible, call the service provider while the individual is in the DCBS office in order to confirm the referral with the provider and participant.
- D. Document all referrals. If referred via email, scan the email into the category KWP in the electronic case record and document OTIS comments. If the referral is made by telephone contact, document the referral in OTIS comments.
- E. [Complete the TAA at application. Be sure to include any plans to assist with the challenge.]

MS 4520 KTAP TRANSITIONAL ASSISTANCE AGREEMENT (1)

After information is analyzed from the assessment to understand the work eligible individual's strengths, needs, interests and challenges, setting goals and completing the KTAP Transitional Assistance Agreement (TAA) is the next step.

At application, the case manager discusses with the individual the outcome he/she wants to achieve. The individual and case manager jointly develops a plan that includes the employment goal, actions identified to reach the goal, as well as any special limitations. Suggest reachable goals as beginning steps to higher goals.

A. Numerous elements are considered when setting the employment goal:

1. The individual's response to the assessment question, "What kind of work do you want to do?";
2. The individual's skills;
3. Prior work history;
4. Education or training needs;
5. The individual's preferences;
6. Area labor market;
7. The individual's personal situation; and
8. Accommodation needed to address identified mental, physical, or learning disabilities/challenges.

Example: An individual expresses a strong desire for an occupation in nursing; however, through the assessment process, the case manager finds that the individual does not have a high school diploma or GED. It is further determined that while the individual was in high school, he/she was placed in an alternative school setting for poor grades.

The case manager lists the employment goal as "Find a job in the nursing field" and refers the individual for further learning needs assessment and an appropriate GED program as the first steps toward the goal of nursing.

Example: An individual who has carpal tunnel syndrome wants to return to work. Her past employment included transcribing medical records. She is no longer able to use a regular keyboard to input data but is still interested in a medical related field. The case manager lists the employment goal as "Find a job in a medical related field" and refers the individual to the Office of Vocational Rehabilitation for further assessment, career counseling, and other services.

If the individual states he/she has an inability to participate in employment or training due to a physical mental or learning disability, the following is suggested for the employment goal: "Based on the limitations discussed, I feel I am unable to work at this time". Also, enter the following for "Reasonable Accommodations": "You are being referred for a Medical Review determination to identify the extent of your limitations and ability to participate in KWP activities".

- B. [At application, the TAA is used to record the employment goal and the plan to reach it. The TAA is completed on Worker Portal at the end of the KWP assessment during the face-to-face interview. The TAA is signed by the individual, printed, scanned into the electronic case file, and the paper copy is given to the individual. Once there is a signed TAA, it is not necessary to have another TAA signed when there are no changes.]

- C. The following language for the individual's action steps on the TAA is uploaded on both on the TAA on Worker Portal and the hardcopy TAA:

"Attend scheduled KWP activity for required number of hours, report changes or problems to a case manager, return proof of attendance in activity by the 5th of each month, return KW-33 to request transportation if needed, go to appointments related to my KWP activity, notify a case manager/provider if I am unable to attend an appointment, tell a case manager about things I need in order to attend my KWP activity."

- D. The following language on the Cabinet for Health and Family Services portion of the TAA regarding supportive services to be arranged is uploaded to both the TAA on Worker Portal and the hardcopy TAA:

"Child care, help with transportation costs and other items or services I need in order to attend my KWP activity."

- E. The Special Accommodations portion of the TAA is completed if the individual requires any special accommodations in order to participate with KWP due to an identified physical, mental, or learning disability. Any special accommodations entered in the physical, mental, or learning disability portions of the assessment should be included in this portion of the TAA.

Example 1: A participant is unable to lift more than 5 pounds. The lifting restriction should be included in the Special Accommodations portion of the TAA.

Example 2: A participant with cancer is receiving radiation therapy five days per week. She wants to participate in KWP activities. However, between regular appointments for treatment and the side effect of fatigue, she is only able to participate in work activities 10 hours weekly instead of the 30 hours usually required. The participant is permitted to participate 10 hours per week and is not sanctioned. This should be included in the Special Accommodations portion of the TAA.

- F. [At recertification, the TAA should be reviewed and updated with any changes. It is not necessary to have the participant sign the TAA if there are no changes and if there is already a signed TAA. Document case notes there were no changes made to the TAA.]
- G. When a participant reports a change in the employment goal or requests a special accommodation, the TAA is updated. If there is a previously signed TAA, it is not necessary to have the updated TAA signed.

If a previously exempt individual becomes non exempt and no TAA was previously signed, a TAA signature will need to be captured when that change is reported.]

MS 4600 OPTIONS FOR KWP ACTIVITIES (1)

[Referrals are made for components and services that best suit the individual's needs and preferences based on the KTAP Assessment. As resources vary by region and each individual's plan is unique to his/her circumstances, activities are developed utilizing the resources available to the region. Refer to [MS 4430](#) for the case management process and roles of the case manager.]

Referrals to component activities are entered on OTIS. Form KW-104, KWP Referral, is printed from OTIS and provided to the participant only when a referral is made to an agency contracted with the Department for Community Based Services (DCBS).

Individuals can participate concurrently in more than one activity to meet participation requirements.

Suggested activities based upon the participants' situation are listed below. This is not an all-inclusive list.

- A. Individuals who are employed may be referred to:
 - 1. Additional core and/or noncore activities to meet weekly hours of participation, if needed; or
 - 2. Educational activities, if there is an interest.
- B. Individuals who have a work history and marketable skills may be referred to:
 - 1. JRA and Job search. See [MS 4220](#); or
 - 2. Subsidized employment, if offered in the Region. See [MS 4250](#); or
 - 3. A Work Experience Program (WEP) or Community Service (COM) activity to brush up on work skills, gain exposure to different types of jobs, and network for a paying job. See [MS 4270](#).
- C. Individuals who have a minimal work history and job skills may be referred to:
 - 1. JRA and Job Search. See [MS 4220](#); or
 - 2. A placement in a WEP position to gain workplace skills. See [MS 4270](#); or
 - 3. A placement in a Community Service Program (COM) activity to introduce the individual to a work setting and gain workplace skills. See [MS 4230](#); or
 - 4. The Child Care Service Agent serving the county to explore certification or registration requirements needed to become a provider if the individual is interested in becoming a child care provider. Refer to the Child Care Assistance website:
<http://www.chfs.ky.gov/dcbs/cc/Information+for+Providers.htm>

- D. Individuals who do not have a basic education may be referred to:
1. English as Second Language (ESL) classes if appropriate; or
 2. Adult basic education or literacy classes available in the county; or
 3. GED classes; or
 4. Work and Learn programs combined with GED classes.
- E. Individuals interested in employment focused post-secondary education may be referred to:
1. Area vocational and technical schools; or
 2. Two or four year colleges; or
 3. Ready to Work programs.
- F. Individuals with an identified and verified health or mental disability who want to be employed can be referred to the local Office of Vocational Rehabilitation. See [MS 4375](#);
- G. Individuals screened as needing a comprehensive assessment for learning needs are referred to:
1. The Targeted Assessment Program (TAP), if available; or
 2. Vocational Rehabilitation, if the individual wants to be employed.
- H. Individuals who state a physical or mental reason prevents employment are referred to:
1. The Social Security Administration (SSA) for a disability determination if the condition is severe and expected to continue for 12 months. Form PA-5.1, Report or Referral to the District Social Security Office, is to be used to refer individuals to the SSA; or
 2. The Medical Review Team for an incapacity determination. See [MS 4720](#).
- I. Individuals who have mental health or substance abuse issues are referred to:
1. TAP, if available, for further screening and assessment. See [MS 4373](#); or
 2. The local community mental health center for further screening, assessment, and treatment. See [MS 4370](#).
- J. Individuals in a domestic violence situation are referred to:
1. TAP, if available, for counseling; or
 2. Protection and Permanency (P&P) for services.

K. Referrals for component services are documented in OTIS comments.

MS 4650 MONITORING AND TRACKING PARTICIPATION (1)

The monitoring and tracking of verified participation is extremely important. Participation data and entries on the OTIS Tracking screen must be carefully reviewed to ensure all participation is captured and reported, including allowable activities. Tracking is not completed for participants who do not return verification. If the participation rate is not achieved, Kentucky is at risk of losing federal funds.

- A. Enter monthly tracking using form KW-33, Verification of Kentucky Works Program Participation, or other participation verification by the 7th work day of the report month. Participation must be tracked on OTIS in all activities except:
 1. Unsubsidized and subsidized employment including work study which is entered on Worker Portal; and
 2. Secondary school attendance for a teen parent who is head of household (See Vol. III, MS 2326).
 - a. The teen parent, who is head of household, in school attendance is tracked with the quarterly issuance of the School Attendance Report.
 - b. This report goes to the school for return to the Centralized Mail Center.
 - c. The worker can review the School Attendance Report for tracking purposes to ensure the school report is returned.
 - d. The teen parent is considered attending school unless notified otherwise. School attendance is tracked automatically by Worker Portal.
- B. Attendance must be monitored, verified, and tracked monthly. Refer to [MS 4655](#) for specific information on acceptable verification.
 1. Form KW-33 or other participation verification is used to gather information to monitor attendance. Refer to [MS 4652](#) for details on the KWP participation monitoring and tracking process. Other participation verification can be used to track participation; however, form KW-33 is needed to request transportation.
 2. Enter hours that meet participation criteria for individuals attending vocational training activities in the following manner:
 - a. Enter CLASSROOM hours including lab hours, not credit hours, in the "Monthly Participation Hrs" field on the Tracking screen on OTIS. For example, physical education classes are often one credit hour, but classes meet 3 hours per week. The scheduled weekly hours considered for the class is 3. Review class schedules for correct number of hours. OTIS automatically enters one hour of unsupervised study time per hour of class/lab time in the "Monthly Study Hrs" field.

- b. Add the actual hours attended for tutoring or supervised study time to the OTIS entered study hours and enter the total in the "Monthly Study Hrs" field.
- c. For clinicals for medical courses, cooperative (co-op) program hours or internships, including student teaching, enter the hours of participation as follows:
 - 1) If paid while participating, enter as employment on Worker Portal;
 - 2) If unpaid, determine if it can be a WEP activity. If so, enter the hours for a WEP component on OTIS; or
 - 3) If it cannot be entered as employment or WEP, enter the hours in the "Monthly Study Hrs" field on the Tracking screen for the VOC component.

If these activities are entered as employment or WEP, the hours will not count against the VOC limit.

- d. Work study programs are considered as hours of employment. The actual hours and wages and type of income for this activity are entered on Worker Portal. See [MS 4250](#).
 - e. [For a one-parent KTAP EDG, up to 10 hours of JSE can be entered on OTIS to capture the countable hours of continuing education after the cumulative 12 months if the 20-hour core requirement is met. For a two-parent KTAP EDG, up to 5 hours can be entered if the 30/50-hour core requirement is met.]
 - f. Employment in addition to vocational training/school attendance is countable. To be captured, Worker Portal must be updated accurately with the average weekly hours of unsubsidized employment.
 - g. Obtain enrollment and class schedule verification at the beginning of each school term and use to enter the component placement information.
- 3. If the education/training provider fails to provide the daily attendance verification either by form KW-33 or its own form, the participant must get the verification from the provider. Begin conciliation if the participant fails to return verification and do not complete tracking.
 - 4. If form KW-33 or other participation verification is returned with the education/training provider indicating the participant did not attend any hours in the report month, do not complete tracking and begin conciliation.
- C. If a participant misses any scheduled time from the KWP activity and the missed time does not meet excused absence criteria in [MS 4660](#), the time must be made up sometime during the month if needed to meet the required

number of hours. A monthly average of the required hours per week is used to determine the participation rate.

Example: An individual is required to participate 20 hours per week. The individual participates 4 hours per day 5 days a week. The individual misses 2 days in one week and must add the 8 hours over the remainder of the month to average the 20 hours per week.

Explain to the participant the necessity of making up the missed hours that are not excused or holiday hours within the month. This is necessary to ensure the participation requirement is achieved. Once the calendar month has ended, it is too late to make up any missed days/hours.

- D. If an individual participates in a combination of activities to achieve the required hours of participation, all the activities must be tracked with the hours of actual participation for the month totaling the participation requirement.

Example: If the individual is scheduled and attends WEP activity for 15 hours a week with 5 hours deemed and VOC for 10 hours a week to meet the required hours of participation, enter the total hours of actual participation for the month for both components on the OTIS Tracking screen.

- E. For participation to be countable in the calculation of the federal rates, the total monthly hours entered for actual monthly hours, holidays, excused absences, and deemed core hours must equal the required number of hours. More than one component may be tracked to reach this requirement.
- F. To track partial month's participation, enter the total hours of participation as verified by form KW-33 or other provider verification in the "Monthly Participation Hrs" field on the Tracking screen on OTIS.

Example: The individual is required to participate 20 hours a week. She started the activity on November 12th. Form KW-33 verifies that the individual participated a total of 32 hours. The total of 32 hours is entered in the "Monthly Participation Hrs" field on the Tracking screen.

- G. For WEP/COM components, do not report more hours than the calculated permitted number of hours for an individual with an entry for deemed core hours. If the hours entered are more than the permitted hours, OTIS will alert the worker to adjust the monthly hours. No hours will show for the deemed hours if the KWP individual did not meet the KWP permitted hours. This is necessary due to federal reporting requirements and the FLSA. Refer to [MS 4245](#) for information regarding the calculation of permitted weekly hours in a WEP or COM component.

For activities other than WEP/COM, there is no need to adjust monthly hours of participation.

- H. For a SEE component, enter the employment hours shown on Worker Portal. Employment hours are not reverified each month; therefore, holiday and excused absence hours are not entered for a SEE component.
- I. It is extremely important that the correct information is entered and reflected on OTIS for each month of an individual's participation. This information is utilized when calculating and reporting the participation rates and used to generate the Case Status Reports.
- J. The time frame allowed to enter tracking and be considered in the federal participation rate varies by month. To ensure the timeframes are met, workers should make every effort to enter tracking the month following attendance. The following list of reports can be reviewed monthly to ensure participation is captured correctly:
1. Case Load List;
 2. Good Cause Report;
 3. Preliminary Case Status Report;
 4. Final Case Status Report;
 5. Preliminary Two-Parent Case Status Report;
 6. Final Two-Parent Case Status Report;
 7. Preliminary Statewide All Family Rate Report;
 8. Final Statewide All Family Rate Report;
 9. Preliminary Two-Parent Rate Report; and
 10. Final Two-Parent Rate Report.

CHART FOR ENTRY OF TRACKING ON OTIS

Report Month	Months Tracking Can Be Done	Month Case Status Report Is Produced
January	February & March	April
February	March & April	May
March	April	May
April	May & June	July
May	June & July	August
June	July	August
July	August & September	October
August	September & October	November
September	October	November
October	November & December	January
November	December & January	February
December	January	February

IMPORTANT: At the end of the calendar quarter, tracking **MUST** be entered by the END OF THE MONTH FOLLOWING THE REPORT MONTH. THESE REPORT MONTHS ARE IDENTIFIED IN RED IN THE CHART.

Individuals active in a component, even a portion of the month, should be tracked as long as verification is received verifying participation. Prior to discontinuing a case, ensure any prior month's tracking is completed.

MS 4652 KWP PARTICIPATION MONITORING AND TRACKING PROCESS (1)

Form KW-33, Verification of Kentucky Works Participation, is used to verify participation in a Kentucky Works Program (KWP) activity and to request transportation payments. If the individual provides another document to verify participation, the hours can be tracked; however, transportation cannot be paid without a complete and signed form KW-33. Information from the participation verification is entered on OTIS to complete the monitoring and tracking process.

- A. Form KW-33 is issued from OTIS at the end of the month prior to the report month.

Example: Form KW-33 is issued at the end of May for the report month of June and is returned in July.

- B. The individual takes form KW-33 to the activity provider the first day of participation in the report month.
- C. The provider records participation verification data throughout the report month.
- D. On the last day of participation for the report month, the individual gets form KW-33 or other participation verification from the provider.
- E. The individual completes page two of form KW-33 to request transportation for the month following the next report month.

Example: On form KW-33 for the report month of June, the individual requests transportation for the month of August.

- F. The individual returns form KW-33 or other participation verification to the worker by the 5th day of the month after the report month.

Example: The individual must return form KW-33 or other participation verification for the report month of June by July 5th.

- G. [The KW-33 list is accessed from the OTIS Welcome screen. The KW-33 list displays all participants in a component who are issued form KW-33 for tracking. The list has two columns to track receipt of forms KW-33 – “Status” and “Follow-up Status”. The “Status” defaults to “not returned” and can be updated until the 7th of the month. After the 7th, the “Follow-up Status” can be updated. If the Status is showing “not returned” on the 7th day, OTIS automatically issues form KW-204, Conciliation Notice.]

Review form KW-33 and/or other participation verification for completeness.

1. If complete, enter the participation data on the OTIS Tracking screen and issue the transportation, if form KW-33 is returned requesting transportation assistance. If other participation verification is returned, enter the participation data, but do not issue transportation until form KW-33 is returned requesting it.

Entry of the tracking data automatically updates the KW-33 list as "tracked". If tracking of a completed form KW-33 is delayed, update the KW-33 list with "complete" to prevent issuance of form KW-204.

2. If incomplete, update the KW-33 list on OTIS as "incomplete". This will issue form KW-204. Transportation should be withheld during the conciliation process. Once conciliation has ended, transportation can then be issued if form KW-33 is returned.
 3. Issue form KW-105, Notice of Ineligibility, to the individual if the requested transportation payment is denied.
- I. When an individual is placed in an activity:
1. Explain the KW-33 process to the individual. Give the individual form KW-33E, Overview of the KW-33 Process and Supportive Services.
 2. If transportation is requested, give the individual form KW-33 to complete page 2.
 3. Issue form KW-33 from the Component Screen on OTIS at the time of placement for any month needed to be tracked prior to the month for which form KW-33 is automatically issued by OTIS.

MS 4655 VERIFICATION OF PARTICIPATION (1)

Hours of participation must be verified daily and reported monthly on form KW-33, Verification of Kentucky Works Program Participation. If a provider has a daily tracking form that captures all the required information, it can be used in place of entering the information on form KW-33. Workers must request and receive the documentation to ensure participants are meeting mandatory KWP requirements.

- A. Employed individuals, including self-employed, must verify weekly hours worked a minimum of every 6 months. However, if the individual experiences a change in hours such as a decrease or an increase, the individual must report the change and verify the new hours.
 1. Pay stubs, time and attendance records, employer reports, form PAFS-700, Verification of Income, written statements from the employer or Work Number verification may be used to verify a participant's hours. All verification must be completed or reported by the employer.
 2. [Self-employment is verified by copies of customer receipts or invoices initialed and dated by the customer who received the goods or services. A participant can keep a log of the date and time jobs were performed and have the individual customers initial and date the log when the job is completed.]

Hours of participation for self-employment cannot be verified solely by self-prepared records, except for a self-prepared tax return. Receipts and invoices signed and dated by the customer are acceptable verification of income and cost of doing business. For instructions on how to calculate hours of participation for self-employment, refer to [MS 4250](#).

- B. All non-employment activities must be supervised and attendance recorded daily with the completed form KW-33.
 1. Service provider attendance records, sign-in sheets, time sheets or form KW-33 may be used to verify hours of participation for the following activities:
 - a. Work Experience Program (WEP);
 - b. Community service (COM);
 - c. Job search and job readiness assistance (JRA);
 - d. Providing child care assistance to a KWP participant in a Community Service Activity (COM);
 - e. Job skills training directly related to employment (JSE);
 - f. Vocational training including short-term training (VOC);

- g. High school education or education designed to prepare a person, who does not have a high school diploma, to qualify for a General Educational Development certificate (GED);
 - h. Basic or remedial education which provides an individual with a basic literacy level equivalent to at least grade 8.9 in reading and math, in order to fulfill an employment goal (ABE);
 - i. Education in English proficiency for an individual who is not sufficiently competent in speaking, reading or writing the English language to allow employability corresponding to the employment goal (ESL);
 - j. Substance abuse treatment/counseling (Code as SUB when allowable and JRA when core/countable);
 - k. Domestic violence counseling (DOM);
 - l. Mental health counseling (MHA unless it can be coded as JRA); or
 - m. Life skills stand-alone programs (JRA).
- 2. School records or written statements from teachers may verify participation in a secondary school activity.
 - 3. For vocational educational training, each student verifying actual classroom hours can maintain a monthly calendar sheet for each class and have the instructor or Ready to Work (RTW) Coordinator initial and verify the hours of attendance.
 - 4. Online training courses directly related to organized educational programs can be considered if the participant is able to verify actual online hours spent as part of the course. The verification must include the date and time and be provided by the educational institution.

If the student claims more hours than reported by the educational institution, the discrepancy must be resolved by the student and the institution. Use the hours reported by the institution.

- 5. Study hours that are monitored and verified can be considered countable hours for participation.
- 6. One hour of unsupervised study time for each hour of classroom time is counted toward the required hours of participation. No verification of the unsupervised study time is required.

For online classes, count one hour for every hour reported by the educational institution.

- 7. The daily attendance records or form KW-33 must include any hours of excused absences or holidays.

MS 4660 EXCUSED ABSENCES/APPROVED HOLIDAYS (1)

Excused absences and approved holidays count as hours of participation if the participant was scheduled to participate on the day of the excused absence or approved holiday. An individual is not required to make up the hours of an excused absence or an approved holiday.

A. The 10 approved holidays are:

1. New Year's Eve;
2. New Year's Day;
3. Martin Luther King, Jr. Day;
4. Memorial Day;
5. Independence Day;
6. Labor Day;
7. Thanksgiving Day;
8. The day after Thanksgiving;
9. Christmas Eve; and
10. Christmas Day.

Approved holidays include the day the service provider observes an approved holiday. If the provider is not closed in observance of an approved holiday listed above, a holiday is not automatically given.

Example: July 4th is on a Saturday and the service provider is closed Friday, July 3rd in observance of the July 4th holiday. The participant is normally scheduled to work every Friday. July 3rd can be used as an approved holiday as the service provider is closed on July 3rd in observance of Independence Day.

B. To determine the number of hours allowed for an approved holiday:

1. [Add all the hours the individual participated as indicated on form KW-33, Verification of Kentucky Works Programs Participation, or other participation verification;]
2. Subtract the total monthly hours the individual participated from the KWP monthly required hours. The result is the hours still needed to meet participation. If additional hours are needed, allow up to 8 hours per holiday if the individual was scheduled to participate on the holiday.

Example: An individual is required to participate 87 hours per month. The

individual verifies participating 80 hours for the month of November. The individual is normally scheduled to work on Thursday, but the provider was closed in observance of Thanksgiving. Seven holiday hours can be used to meet the participation requirement.

Sanctioned individuals are permitted to use holiday hours toward their participation requirement if an approved holiday occurs during the 15 days in which the sanction is being cured.

- C. Excused absences are limited to 80 hours in a 12-month period, not to exceed 16 hours in any one month. It is the responsibility of the KWP contractor or the case manager to advise the service provider of the reasons for excused absences and approved holidays. Inform the service provider of the requirement to obtain and keep verification for the excused absence. Allow an excused absence when hours are missed for the following reasons:

1. The illness of the participant or a family member;
2. A job interview;
3. A doctor appointment for self or child;
4. Court appearances;
5. A school meeting or functions for child;
6. The death of a family member;
7. Work site closure (not to exceed 16 hours per month);
8. Inclement weather;
9. Life-changing event (such as divorce);
10. Family emergency; or
11. Other absence excused by the provider.

- D. In order to excuse an absence, the participant must contact and provide verification to the service provider. If an excused absence is annotated on participant verification or form KW-33, consider the absence excused.

Acceptable verification includes but is not limited to:

1. A statement from a health care professional;
2. A subpoena or court summons;
3. A marriage certificate;

4. A parent/teacher conference notice;
5. A newspaper obituary or funeral notice; or
6. Any other reasonable documentation acceptable to the provider.

An individual is not required to make up a verified excused absence. The excused hours are counted as participation when determining if the participant meets the monthly participation requirements. The requirement is the same for a sanctioned individual.

If an individual has attained enough hours during the reporting month to meet participation requirements and also has an excused absence, it is not necessary to use the excused absence hours.

- E. To determine the number of hours allowed for an excused absence:
1. Add all the hours the individual participated as indicated on form KW-33, or other participation verification;
 2. Subtract the total monthly hours the individual participated from the KWP monthly required hours. The result is the hours still needed to meet participation. If additional hours are needed, allow up to 8 hours per excused absence (not to exceed 16 hours in a month). Only use the total number of excused absence hours needed to meet participation.

Example 1: An individual is required to participate 87 hours per month. The individual verifies participating 81 hours for the month, with one day of excused absence. Six hours of excused absence can be used to meet the required participation hours.

Example 2: An individual is required to participate 130 hours per month. The individual verifies participating 120 hours for the month, with two excused absences. Ten hours of excused absence can be used to meet the required participation hours.

- F. Enter the total excused hours for the month and the total holiday hours for the month on the OTIS Tracking screen.

A participant may have a combination of holiday and excused absences in the same month. The hours for each type of absence are entered separately.

For participation to be countable in the calculation of the federal rates the total hours entered in actual participation, holidays, excused absences, and DEEMED CORE must equal the number of required hours. More than one component screen may be tracked to reach this requirement.

MS 4700

CONCILIATION PROCESS

(1)

[Conciliation is an informal process to identify and address problems that prevent a work eligible individual from participating in KWP activities. Conciliation is used for both one-parent and two-parent KTAP cases. Before conciliation is initiated, form KW-100, Kentucky Works Program (KWP) Contact, is sent to the individual to discuss the situation. For two-parent cases, form KW-100 is sent to each parent.

- A. If the individual (either one or both parents in a two-parent household) does not respond to form KW-100 or does not agree to participate, conciliation is initiated by sending the participant form KW-204, Conciliation Notice, in the following instances:]
1. The KWP participant requests a meeting;
 2. A provider identifies a situation which could result in a sanction (e.g., poor attendance, failure to keep a scheduled appointment);
 3. A participant refuses to accept employment, terminates employment, or reduces hours of employment;
 4. A participant fails to return a completed form KW-33, Verification of Kentucky Works Program Participation, or other participation verification; or
 5. A case manager identifies a potential problem through other means.

Minor difficulties may be resolved through phone contact. If the participant responds by phone and the problem is resolved or provides the needed documents no further action is needed. OTIS comments must be documented.

- B. Form KW-204 is system-generated by OTIS by completing the following steps:

1. [Form KW-204 is issued using the "Issue KW-204" button on the General Information screen – Component Details section any time conciliation is necessary. When an appointment is needed to resolve the issue, the case manager accesses the OTIS Conciliation screen, chooses option for an appointment, and enters the date and time.

The case manager may also choose the option for the participant to call the case manager within 10 days. OTIS comments must explain why an appointment date was not scheduled if this option is selected.]

For a two-parent case, form KW-204 is sent to each parent to initiate conciliation.

2. [Form KW-204 is system-generated to the participant when the status on the KW-33 List is "not returned" or "incomplete" by the 7th of the month. The form KW-204 issued for non-return of form KW-33 does not initiate conciliation.]

- C. At the discretion of the case manager or the request of the participant, a third party may attend a conciliation meeting.
- D. Review criteria in Volume III, MS 2324 to determine if an exemption from KWP participation is appropriate for the individual. If the individual is eligible for an exemption and states he/she wants to be exempt from KWP activities, document OTIS and Case manager Portal comments and enter the appropriate exemption information on Worker Portal.
- E. Discuss with the individual any barriers which may be preventing participation in KWP. Be alert to the signs and symptoms of domestic violence, substance abuse, and physical, mental, or learning disabilities. Participants with these kinds of barriers are referred to available professional resources for diagnostic assessment.
 - 1. Review the KWP Assessment to determine if the individual previously consented to being screened for physical or mental health issues or learning needs. Ensure that any accommodation or policy modification identified in a prior screening was implemented.
 - 2. If the screening has not been performed in the past and the individual gives consent, perform the screening by updating the KWP assessment and make any appropriate referrals.
 - 3. For individuals with a documented physical or mental disability, or a learning need, identify any supportive services, activities, or modification to weekly hours needed to meet the employment goal identified on the KTAP Transitional Assistance Agreement (TAA). Activities and required weekly hours must accommodate any special needs of the individual.

Example 1: An individual with a learning disability has difficulty completing an education program within the required time limit. As a reasonable accommodation, the individual is granted an extension to the time limit.

Example 2: An individual with cancer is receiving radiation therapy five days per week. She wants to participate in KWP activities. However, between regular medical appointments and the side effect of treatment, she is only able to participate in work activities 10 hours weekly instead of the 30 hours usually required. The individual is permitted to participate 10 hours per week and is not sanctioned.
- F. Determine if a good cause reason prevented participation in the KWP activity. Refer to [MS 4720](#). If good cause is established, a sanction is not appropriate.
- G. [Participation is monitored for 15 calendar days beginning with the date the individual contacts the case manager or keeps the appointment. If an extension to the 15-day conciliation period is requested by the individual, allow at least an additional 15 calendar days to determine if the individual is meeting participation requirements. If the individual begins participating, conciliation is complete.

Utilize form KW-204 to schedule any additional conciliation meetings.

- H. Conciliation may be terminated at any point within the first 15 days, if it is apparent it would be futile to continue or the individual fails to appear for the conciliation appointment and phone contacts are unsuccessful. Document OTIS comments with the results of any contacts, contact attempts, and conciliation conferences.

- I. When the issue is not resolved through conciliation, or it is determined the individual is not going to cooperate without good cause, take one of the following actions:

- 1. For a one-parent case, the sanction is entered after all conciliation attempts have failed.

Example 1: Form KW-204 is issued on September 1, scheduling an initial conciliation meeting on September 11. Conciliation begins September 11. The individual keeps the appointment. The individual is adamant they are not going to participate in KWP. Conciliation is terminated and a sanction is entered on OTIS. Refer to [MS 4750](#).

Example 2: A participant has a chronic problem with attendance. Conciliation for poor attendance has occurred twice before. The need for conciliation due to poor attendance is again identified. Using case manager discretion, a sanction may be imposed following the conciliation interview, if the case manager believes the participant's reasons for poor attendance are not valid and the situation will not change. Detailed OTIS comments must be entered.

Example 3: The participant fails to keep the conciliation appointment or otherwise contact the case manager. Phone contact attempts from the case manager are unsuccessful. Conciliation is terminated and a sanction is entered on OTIS, along with comments to explain the need for the sanction.

- 2. For a two-parent case, after all conciliation attempts have failed, enter "No" for the question "Are the parents willing to accept full-time employment?" on the Two Parent Determination screen to discontinue the case and impose the 30-day disqualification in Worker Portal. Enter comments in both OTIS and Worker Portal concerning the KWP action.]

- J. Document OTIS comments to include:

- 1. A narrative description of the problem;
 - [2. Date form KW-100 is issued;]
 - 3. Date form KW-204 is issued;
 - 4. Date of the conciliation appointment;
 - 5. Result of conciliation and action taken; and

[6. All attempts at follow-up phone contact from the case manager.]

MS 4720 GOOD CAUSE FOR NON COMPLIANCE/NON PARTICIPATION (1)

If a work eligible individual fails to comply with the KWP work requirements, it is determined during the conciliation process if the individual has good cause for not participating. When good cause is established, the good cause is entered on Worker Portal. The good cause status displays on the OTIS General Information screen – Member Information section. The length of good cause may vary according to the individual circumstances. Worker Portal generates a task to determine if the good cause is still appropriate for the individual's situation.

Document the reason good cause is granted and how it was verified in both Worker Portal and OTIS.

The individual is not sanctioned if one or more of the following good cause reasons exist:

- A. The individual is unable to engage in employment or training activities due to a physical or mental disability.
 1. Determine by a field determination if the individual alleges inability to participate and:
 - a. The individual is age 65 or over;
 - b. Currently hospitalized.
 - c. The individual has an illness, injury, or surgery which requires a period of time for recovery as specified by a doctor's statement. A field determination can be made for up to 6 weeks. At the end of the 6-week period or the time specified in the doctor's statement if less than 6 weeks, contact the individual to determine if he/she is still incapacitated. If the individual still claims to be incapacitated, a determination by MRT is required;
 - d. The individual is on approved sick leave from a job and the employer is holding the job for the individual's return. Verify this with the employer; or
 - e. The individual is deemed to be in a high-risk pregnancy condition. This condition is verified by a doctor's statement and lasts through the pregnancy and the 6-week postpartum period.
 2. If a field determination is not appropriate, use the following procedures to request a determination of good cause by the Medical Review Team (MRT).
 - a. On Worker Portal, the Household Questions screen, answer "Yes" to the gatepost question "Is anyone Blind, Disabled or Incapacitated/Unable to Work?". This will trigger the Disability/Incapacity screen on which a field determination can be made or an MRT referral requested. If an MRT referral is

requested, enter the medical information on the MRT Referral screen. If the individual cannot remember specific dates, ask for a specific time period such as last month, within the last 6 months, not in the last year, etc.

- b. Assist MRT if additional clarification or information is needed from the individual. If MRT can reach the individual by phone, they will do so.
 - c. For redeterminations, or if MRT has made a decision within the past year, interview the individual and list only medical sources accessed since the last determination was completed.
3. DO NOT submit a referral to MRT if the recipient will lose financial or technical eligibility for any reason other than the 60-month lifetime limit within the next three months.
4. When a case is discontinued prior to receipt of a decision, e-mail MRT at DISMRT@ky.gov.
5. When MRT makes a decision, a task will be generated for the worker to review the MRT determination on Worker Portal.
 - a. Incapacitated – unable to participate in any activity.
 - b. Not Incapacitated
 - 1) Participant has a condition that qualifies for accommodation under ADA guidelines.

MRT will provide recommendations of activities the recipient can do based on their assessment of the individual's situation. Send form KW-100, Kentucky Works Contact Letter, to schedule an appointment to discuss the MRT recommendation. The recommended activity is the participation requirement for the individual. Participation in the recommended activity is monitored and tracked.

If the participant does not attend the scheduled appointment to discuss the MRT recommendation or refuses to participate in an activity, send form KW-204, Conciliation Notice. If the participant does not respond to form KW-204, a sanction is appropriate.

- 2) There are no limitations to participation – the worker takes action to place the participant in an activity. If the participant refuses, conciliate and if appropriate, sanction.

B. Reasons related to child care:

1. The household contains a child under age six and the custodial parent is unable to obtain appropriate and affordable child care. Availability of child care should be known to the specific Region/county;
2. Child care is terminated through no fault of the individual; or
3. Child care does not meet the needs of the child (e.g., a child with a disability).

The individual's statement is accepted as verification for good cause related to child care, unless there is reason to doubt.

C. The individual is unable to participate due to the illness of another household member which requires the presence of the participant as documented by medical evidence or by reliable information from other sources.

[Review exemption criteria in Volume III, MS 2324 D, to determine if the participant's work status can be changed.]

D. The individual is temporarily incarcerated or institutionalized for 30 days or less.

E. The individual is a survivor of domestic violence and cannot participate without endangering the individual or a family member. Verification of domestic violence includes but is not limited to:

1. A protective order;
2. Involvement of an agency/individual such as a victim's advocate, social worker, TAP worker, etc.;
3. A police report;
4. Residence in a spouse abuse center.

F. The individual does not accept employment or quits a job due to one of the following reasons:

1. The agency determines there is discrimination by an employer and a formal complaint has been filed based on:
 - a. Age;
 - b. Race;
 - c. Sex or gender identity;
 - d. Color;
 - e. Sexual orientation;

- f. Religion;
- g. National origin or ancestry;
- h. Disability;
- i. Political beliefs; or
- j. Reprisal or retaliation for civil rights activity.

For verification, request a copy of the complaint.

- 2. Work demands or conditions render continued employment unreasonable; such as:

- a. Consistently not being paid on schedule; or
- b. The presence of a risk to the individual's health or safety.

For verification, accept the individual's statement.

- 3. Wage rates are decreased after acceptance of the employment.

For verification, accept the individual's statement.

- 4. The participant accepts a better job, which because of circumstances beyond the control of the participant, does not materialize.

For verification, accept the individual's statement.

- 5. The work activity site is so far removed from the home that commuting time exceeds 3 hours per day.

Good cause is not entered for failure to accept or quit a job. Document case comments regarding the nonacceptance of a job or job quit circumstances.

MS 4750

APPLYING THE KWP SANCTION

(1)

[When good cause for failure to participate in Kentucky Works Program (KWP) activities does not exist and conciliation efforts are unsuccessful, the work eligible individual in a one-parent case is sanctioned on OTIS and penalties are applied.

Sanctions for not participating in KWP activities are inappropriate for two-parent cases. For information concerning nonparticipation in a two-parent case, refer to [MS 4700](#) I and J.

A. The individual in a one-parent case is sanctioned if he/she:]

1. Fails, without good cause, to participate in KWP activities in accordance with the Transitional Assistance Agreement (TAA);
2. Refuses to accept employment without good cause;
3. Terminates or reduces hours of employment without good cause, if no longer meeting participation requirements;
4. Fails to return form KW-33, Verification of Kentucky Works Program Participation, or other participation verification;
5. Is a teen parent age 18-19 who fails to comply with the education or other component requirements; or
6. Is a teen parent under age 18 and has a high school diploma or equivalent who fails to comply without good cause with KWP requirements.

When the sanction is applied and the benefits payable to the individual are zero, the case will automatically discontinue.

If the individual is a caretaker relative included in the KTAP case, he/she has the option of accepting the KWP sanction or being removed from the case.

The KWP sanction may be interrupted if a fair hearing is requested in a timely manner. Refer to Vol. I, MS 0485. If the individual requests continued benefits, pending the hearing decision, cure the sanction on OTIS until the final hearing decision is received.

B. The KWP sanction penalties are:

1. Pro rata reduction of the KTAP benefits; and
2. Disqualification of the individual in the Supplemental Nutrition Assistance Program (SNAP) case if appropriate.

The effective date of the KWP penalties should be the same in all benefit cases.

- C. When conciliation is unsuccessful, enter the sanction on OTIS within 3 work days. Annotate comments on OTIS.
1. The OTIS screens accessed to impose a KWP sanction are "Component" and "Sanction".
 - a. Prior to entering a KWP sanction, close all open and pending components on the Component screen.
 - b. Choose the appropriate "sanction reason" on the Sanction screen; and
 - c. The "action date" and "effective date" are uploaded by OTIS.

Example: A sanction is entered on OTIS on 11/10/12. The notice of adverse action is generated with the KTAP and SNAP benefits reduced effective 12/1/12. The "Action Date" uploaded on the Sanction screen is 11/10/12. The "Effective Date" is 12/1/12, which is the date the benefits are reduced.
 - d. Enter an explanation of the sanction in the "Comments" box on the Sanction screen.
 - e. The KWP disqualification will appear on Worker Portal the same day the action is entered on OTIS.
 2. A disqualification is automatically applied on the SNAP case when the KWP sanction is entered. See Vol. II, MS 2370 and Vol. IIA, MS 4350 for details concerning SNAP penalties due to noncompliance with KWP. The SNAP disqualification is for a minimum period depending on the occurrence and must be served and cured before SNAP eligibility is reestablished unless the KTAP case is discontinued. The disqualification is auto deleted upon curing the KWP sanction or discontinuance of the KTAP case.
- D. For KTAP cases where the child receives SSI and the only member of the case is an adult, applying a KWP sanction to the adult member will result in zero benefits being authorized. For these cases:
1. The sanction is entered on OTIS;
 2. The KTAP case will discontinue. Inquire Worker Portal to ensure the sanction information passes from OTIS;
 3. SNAP penalties are not applied; however, the SNAP work registration requirements are reviewed.

If the individual reapplies for KTAP, KWP participation is required prior to approval to cure the sanction and issue benefits. Do not approve a KTAP case with zero benefits.

- E. A KTAP technical eligibility disqualification and a KWP sanction are NOT applied for the same individual at the same time. If an individual is serving a KTAP technical eligibility disqualification which results in the individual's needs being removed from the KTAP case, a KWP penalty is NOT applied. For technical eligibility disqualification reasons, refer to Vol. III, MS 2220. A sanction is not the same as a disqualification.
- F. KWP sanctioned individuals are removed from the denominator when calculating participation rates for 3 months. Sanctioned months are those where KTAP benefits have been correctly reduced due to the disqualification.
- G. The KTAP household is ineligible for cash assistance after 6 cumulative months of receiving KTAP if both of the following apply:
 - 1. The parent or caretaker relative has received KTAP for 6 cumulative months, which can include receipt of cash benefits from similar programs funded by TANF in other states; AND
 - 2. The individual is currently sanctioned and has been sanctioned at least 3 cumulative months since 8/1/05. A sanctioned month is defined as a month the KTAP benefits were correctly **reduced** due to the sanction.
- H. The sanction continues until the individual participates as required in KWP activities or is determined exempt or to have good cause reasons for not participating. Discontinuance of the KTAP case does not end the sanction.

MS 4770 CURING THE KWP SANCTION IN AN ACTIVE KTAP CASE (1)

The KWP penalty may be cured by a determination that the individual has good cause, has become exempt from participation in KWP activities, or has demonstrated compliance by participating for at least 15 calendar days. Discontinuance of the KTAP case does NOT automatically cure a KWP penalty.

A. For individuals who participate as requested, become exempt, or are determined to have good cause before the effective date of the reduction in KTAP benefits:

1. The sanction is deleted on the OTIS Sanction screen.

A sanction can be deleted up to the last day of the month prior to the effective month of the penalty. If the KWP sanction is deleted after cut-off, a KTAP supplemental may be required for the next month.

Example 1: An individual is sanctioned and the KTAP benefits are reduced effective September 1. On August 10, the individual is determined exempt. The sanction is deleted on OTIS. No supplement is needed for September as the benefit is not decreased.

Example 2: An individual is sanctioned and the KTAP benefits are reduced effective September 1. On August 26, the individual is determined exempt. The sanction is deleted. A supplement for September is appropriate as KTAP cannot be increased effective September due to August cut-off.

Example 3: An individual is sanctioned and September benefits are reduced effective September 1. On August 26, she returns a completed form KW-33, Verification of Kentucky Works Program Participation. The sanction is deleted. A supplement for September is appropriate as KTAP cannot be increased effective September due to August cut-off.

2. If a KWP sanction is deleted, the KTAP time clock must be adjusted by a supervisor or principal worker.
3. Annotate OTIS and Worker Portal comments to document the action taken.
4. If applied, the KWP disqualification is removed on Worker Portal when the sanction is deleted on OTIS.
5. Refer to Vol. IIA MS 4350, Noncompliance with Other Work Programs, for information on the impact to the SNAP case.

B. For individuals who become exempt, or are determined to have good cause after the effective date of the reduction of KTAP benefits:

1. The sanction is cured on OTIS. DO NOT delete the KWP sanction. Enter the date the exemption or good cause determination is made in the cure begin and end date fields on the OTIS Sanction screen. The cure begin date cannot be earlier than the "Effective date" on the Sanction screen.

Example: An individual is sanctioned and the KTAP benefits are reduced effective September 1. The individual is determined exempt September 10. A cure begin and end date of September 10 is entered.

2. Supplemental benefits are not appropriate for the month the sanction is cured. Federal reporting requires that this month be reported as a sanction month and benefits issued reflect the sanction. Do not adjust the KTAP time clock in this situation.

In the example, a supplement would not be issued for the month of September.

3. If the individual is determined exempt, the exemption is entered on Worker Portal.
4. If the individual is determined to have a good cause reason (see [MS 4720](#)) for not participating, enter the good cause on Worker Portal.
5. Annotate comments on Worker Portal and OTIS to document the action taken.
6. If applied, the KWP disqualification is removed on Worker Portal when the sanction is cured.
7. Refer to Vol. IIA [MS 4350](#), Noncompliance with Other Work Programs, for information on the impact to the SNAP case.

- C. [If a penalized individual agrees to participate after the sanction has been imposed, the penalty may be cured. Explain the participation requirements to cure the sanction and provide the individual form KW-207, Sanction Cure Information. The individual is required to participate for the required number of KWP hours per week for at least the 15 calendar days before considered in compliance. The 15 calendar days begins the day the individual starts participating in a KWP activity. Provide the individual with form KW-33 to verify compliance.]

The individual must meet the required KWP hours for at least the 15 calendar days unless there is an ADA accommodation that limits the hours of participation. To determine the needed hours of participation, calculate the monthly participation requirements and divide by 2. For example, an individual with a 20-hour requirement must participate 87 hours (20 x 4.33) in the month to meet participation. In order to cure the sanction, the individual must verify 44 hours (87/2) of participation for at least 15 days.

Example: The individual is sanctioned for not completing the required 20 hours per week of community service. The individual agrees to comply and begins participating on June 10. The individual

completes 44 hours for at least 15 calendar days. The cure end date entered is June 25 even if the 44 hours of participation were completed before the 15th day.

For an individual who is sanctioned for not complying with a non-core activity, he/she must comply with the agreed requirement in order to cure the sanction.

Example: The individual is required to meet with a TAP worker once a week as his/her KWP activity. He/she is sanctioned for not attending the meetings. The individual agrees on April 15 to begin meeting with the TAP worker again. April 15 is entered as the cure start date. He/she attends the weekly meetings. The sanction cure date is entered on April 30.

1. Enter the Cure Begin Date on the Sanction screen and enter the appropriate component. Sanctioned members are NOT eligible for supportive services. When an individual, who is serving a sanction, begins to cure the sanction and a cure begin date is entered, supportive services should not be paid until the sanction is cured. Any supportive services, such as transportation, can be backdated to cover the cure period.
2. If the individual successfully participates the required hours for at least the 15 calendar days or is willing to participate but an activity is not available, enter the cure end date on the Sanction screen as the first day following 15th day of the participation period.

Supplemental benefits are not appropriate for the month the sanction is cured.

Example: The individual is sanctioned and KTAP benefits are reduced effective September 1. On Thursday, October 10, the individual begins participating in activities. The cure begin date entered on OTIS is October 10. The individual participates the required hours for 15 calendar days. The cure end date entered is October 25. Supplemental benefits are not appropriate for October. In this example a supplement is appropriate for November as the sanction was cured after cut-off in October.

3. If applied, the KWP disqualification is removed when the sanction is cured.
4. Refer to Vol. IIA MS 4350, Noncompliance with Other Work Programs for information on the impact to the SNAP case.
5. If the individual fails to successfully participate the required hours for at least 15 calendar days:
 - a. Continue the sanction.
 - b. Update OTIS by entering an explanation of the failure in the Comments box and pressing the "Fail Cure" button on the Sanction screen.
 - c. OTIS updates the Sanction screen with the fail cure status.

- D. Paid employment or a combination of paid employment and participation in other KWP activities to meet KWP participation requirements may cure a KWP sanction. The hours from employment or a combination of employment and another KWP activity must meet the KWP required hours and the individual must meet the requirement for at least 15 calendar days prior to curing the sanction. In-kind income DOES NOT cure a sanction and MAY NOT be utilized as a good cause reason.

MS 4780 CURING THE KWP SANCTION AT REAPPLICATION (1)

Discontinuance of the KTAP case does not end the individual's sanctioned status. For full family sanction reapplications, refer to Volume III, MS 2015.

A. At reapplication, the individual may cure the KWP sanction by:

- [1. Verifying exemption criteria in Volume III, MS 2324 is met. The KTAP case is approved with the sanction in place and a reduced benefit is issued for the month of application unless the individual has a previous full family sanction (FFS). (For FFS reapplications, refer to Vol III, MS 2015.) The sanction is cured in OTIS after the application is processed with the cure begin and cure end dates entered as the application date. The exemption is then entered in Worker Portal, run eligibility, and dispose. A supplement may be appropriate for the month following application.]
2. Verifying good cause criteria in [MS 4720](#) is met. The KTAP case is approved with the sanction in place and a reduced benefit is issued for the month of application. The sanction is cured on OTIS after the application is processed with the cure begin and cure end dates entered as the application date. A supplement may be appropriate for the month following application.

Example: An individual is sanctioned effective September. The KTAP case is discontinued effective November. A reapplication is taken January 15 and the individual meets good cause criteria. The application is approved prior to curing the sanction on OTIS and a reduced benefit amount is issued for January. After the approval is processed, good cause is entered on Worker Portal and the sanction is cured on OTIS by entering the cure begin and end date of January 15. In February, the individual is eligible for the full benefit amount.

3. Participating in an activity for the required number of hours per week for at least 15 calendar days. The activity must be current and expected to continue. Explain the participation requirement to cure the sanction and provide form KW-207, Sanction Cure Information. The individual must meet the required KWP hours at least 15 calendar days unless there is an ADA accommodation that limits the hours of participation. To determine the needed hours of participation, calculate the monthly participation requirements and divide by 2. The KTAP case is approved with the sanction in place and a reduced benefit is issued for the month of application.

Example: An individual with a 30-hour requirement must participate 130 hours (30×4.33) in the month to meet participation. In order to cure the sanction, the individual must verify 65 hours ($130/2$) of participation at least the 15 calendar days. The application for KTAP is approved prior to curing the sanction

on OTIS. Holiday and excused absence hours can be used in curing the sanction. When using holiday hours, the holiday must be one of the 15 calendar days. Excused hours can be used provided the individual has not exceeded 16 hours for the month or 80 hours for a 12-month period.

4. If verification is received that participation has begun, the cure begin date entered on OTIS is the day the individual started participating. The cure end date is the first day following the 15th day of verified required participation.

The penalty for not participating in KWP activities is removed effective the month after the cure end date.

Example 1: An individual is sanctioned effective October. The KTAP case is discontinued effective December. The individual reapplies on January 4. The application is approved prior to curing the sanction on OTIS and a reduced benefit amount is issued for January. The individual verifies she will begin KWP activity on January 5. The cure begin date is January 5 and the cure end date is January 21. The individual returns verification on January 20 that shows the required participation was met for at least 15 days. January 21 is entered as the cure end date. The individual is eligible for the full benefit amount in the month of February.

Example 2: An individual is sanctioned, and the case is discontinued effective November. A reapplication is taken on November 23. The application is approved prior to curing the KWP sanction with a reduced benefit amount for November and December. The individual will begin KWP activity on Nov 24. The cure begin date is November 24 and the cure end date is December 10. The individual returns verification on December 9 that shows the required participation was met for at least 15 days. December 10 is entered as the cure end date. The individual is eligible for the full benefit amount in the month of January.

If the individual has participated the required hours for at least 15 calendar days prior to the application date and continues to participate, the cure begin and end date is the application date.

Example 3: An individual reapplies January 20th and reports that she attended community college starting January 3rd and will continue through May 25th. She provides verification that shows she met participation for at least 15 calendar days prior to January 20th. The cure begin date is January 20 and the cure end is January 20.

- B. If the individual chooses not to participate, the KTAP benefits are approved with the sanction in place and the individual receives reduced benefits until the full family sanction is applied per Vol. III, MS 2010.

MS 4790 RESOLVING ERRONEOUS SANCTIONS (1)

Great care should be taken when entering sanctions as the sanction data cannot be corrected, for federal reporting purposes, after the effective date entered on OTIS. Actions may be taken to resolve the error on the local level, but the case will be considered as sanctioned for federal reporting purposes.

A. If a sanction is applied in error and is discovered prior to the effective date, the following steps are taken:

1. The sanction is deleted from OTIS.
2. [The KTAP time clock is adjusted by a supervisor or program specialist.
3. Annotate OTIS and Worker Portal comments to document the action taken.]
4. If these steps are followed after cut-off, a supplemental may be issued.

Example: An individual is sanctioned March 15, effective for April 1. The individual provided the needed KW-33 on March 15, but the form was misplaced and found March 16. The sanction is deleted from OTIS. No supplement is needed for April as there was no decrease in the benefit amount.

Example: An individual is sanctioned March 27, effective May 1. The worker discovers the sanction was applied in error on April 28, after cut-off. The sanction is deleted from OTIS. A supplement is issued for May as the benefit amount was reduced.

The case will not be reported as sanctioned on the federal report as long as the sanction is deleted prior to the first day of the effective month of sanction.

B. If a sanction is applied in error and not discovered until after the effective date, the following steps are taken:

1. The sanction is cured on OTIS. Enter the cure begin and end date as the first day of the month the sanction was effective on the OTIS sanction screen.
2. [The KTAP time clock is adjusted by a supervisor or program specialist.

3. Annotate OTIS and Worker Portal comments to document the action taken.]
4. Issue a supplement for the month of erroneous sanction.

Example: An individual is sanctioned March 30, effective May 1. The worker discovers the sanction was applied in error on May 5. The sanction is cured on OTIS; with a cure begin date of May 1 and a cure end date of May 1. A supplement is issued for May as the benefit amount was reduced erroneously and the case could not be corrected effective May.

In this example, the case will be removed in the federal reports from the denominator for May as a sanctioned case.

MS 5200 INTRODUCTION TO SUPPORTIVE SERVICES (1)

Work eligible individuals who are employed or participating in Kentucky Works activities are provided supportive services. Supportive services include transportation, car repair, other vehicle expenses, child care and other fees, items or services required for KWP participation.

A. [Payments are authorized on OTIS for:]

1. Car repairs, which include vehicle registration costs, vehicle license fees, liability insurance for the vehicle, vehicle property tax, repairs on the vehicle to make it functional, and other car expenses needed by the KWP individual in order to participate.
2. Other items or services needed to begin or continue participation in a KWP activity including employment. Examples of such services are uniforms, school supplies such as books or software, fees for driver's education classes, etc.
3. Transportation costs which are incurred while working, participating or preparing to participate in KWP.
4. Remedial health goods or services for work eligible individuals if the items or services are needed for participation in KWP and are not payable through Medicaid. These payments can ONLY be made when funds are available. Staff is notified of the availability of funding.
5. Summer school tuition and books when funds are available.

B. Child care assistance is paid to the child care provider by the service agents who administer the Child Care Assistance Program (CCAP). See Volume IIIA, [MS 5270](#).

MS 5270 CCAP FOR KWP PARTICIPATION (1)

To approve the work eligible individual for the Child Care Assistance Program (CCAP), request child care assistance on the Child Care Supportive Service screen in Worker Portal. Once the KTAP is approved, the child care assistance for KWP participants will also be approved. The Child Care Assistance Program is outlined in Vol. VIII.

The eligibility date entered is the KTAP application date or the date of request. Contact the Family Self-Sufficiency Branch for additional guidance if the case situation calls for back dating child care assistance.

- A. If Child Care Assistance is needed as a result of the KTAP individual's employment, first determine if the individual is KTAP eligible without the deduction for dependent care expenses. Refer to Vol. III, MS 2840. If the individual remains eligible, navigate to the Child Care Supportive Service Screen in Worker Portal to request child care assistance.
- B. If child care assistance is needed for a work eligible individual who is employed or in a KWP activity, complete the request in Worker Portal within 10 days of the time the need is identified.

Online educational activities monitored and verified by Ready to Work (RTW) Coordinators are KWP activities. Work eligible individuals who participate in online educational activities are eligible for child care assistance including assistance for the allowed study hours.

- C. If child care assistance is needed for children who live in the home but are not included in the work eligible individual's KTAP case, explain the situation in case notes in Worker Portal.

Example 1: A mother, who is a work eligible individual, receives KTAP for herself and her son. She also has an MA only case for a niece who lives in the home. Child care is needed for the son and niece in order for the mother to participate in work activities.

Example 2: The work eligible individual has a KTAP as well as a Kinship Care case. Child care is needed for the Kinship Care children in order for the individual to participate in work activities.

- D. [The following information applies to child care requests for two-parent KTAP cases:
 - 1. If both parents in a KTAP case are participating in the Kentucky Works Program (KWP) a minimum of 55 hours per week and child care is needed, request child care assistance on the Child Care Supportive Service screen in Worker Portal.]
 - 2. If one parent is participating in KWP, while the remaining parent is employed, a dependent care expense is provided as a deduction from the employed parent's earned income if the earnings make the case ineligible

for KTAP without a dependent care deduction (see Volume III MS 2840) or assistance is provided through CCAP.

3. If the parent requests child care due to the belief that it is not in the best interest of the child to leave the child in the care of the other parent, assistance from CCAP may be provided. Accept the individual's statement.
 4. If one parent is participating in KWP and the other parent is unable to care for the child(ren) due to a good cause reason (i.e., temporary illness or incapacity), child care assistance may be provided through CCAP. Use a doctor's statement to verify the parent's inability to care for the children. Document the reason in Case Notes.
- E. If the individual has not located a child care provider, advise the individual to contact the local Child Care Resource and Referral Agency (CCRRA) at (877) 316-3552 for assistance.
 - F. Provide form DCC-112, Selecting Quality Child Care for My Child, and form DCC-113, Child Care Assistance Program (CCAP), to the individual. These forms can be located at <https://olm.chfsinet.ky.gov/Manuals/FormsLibrary>
 - G. CCAP will pay child care enrollment fees for KWP participants.
 - H. Individuals are eligible for child care services during the time period a KWP sanction is being cured. This also applies at application for a sanctioned individual. The KTAP case must be either active or pending on Worker Portal to receive child care assistance for a sanctioned individual.
 - I. The renewal for a KWP child care case is completed every twelve months.
 - J. If an individual requests a fair hearing concerning CCAP, Family Support staff processes the request.

MS 5350

OVERVIEW OF SUPPORTIVE SERVICES

(1)

Work eligible individuals may be eligible for supportive services payments for items or services needed to participate in KWP activities, including employment. Supportive services payments may be issued for car repairs and other vehicle related needs, items and services needed by the individual to work or participate in a KWP activity, summer school or short-term training tuition, remedial health care goods and services, and miscellaneous fees.

- A. Sanctioned members are NOT eligible for supportive services. When an individual, who is serving a sanction, begins to cure the sanction and a cure begin date is entered on OTIS, supportive services should not be paid until the sanction is cured. Any supportive services, such as transportation, can be backdated to cover the cure period.
- B. Fleeing felons are not included in the KTAP benefit amount; however, they are considered work eligible individuals and are required to participate in KWP activities. Fleeing felons and convicted drug felons are eligible for supportive services which are authorized and paid in the same manner as other work eligible individuals.
- C. Supportive services payments cannot be authorized to reimburse the participant for expenses he/she has already paid.
- D. Supportive services payments should be withheld during conciliation.
- E. The payment limits for the different categories of supportive service payments are:
 - 1. [Supportive Services for all items not listed below - \$600 limit per 12 months;
 - 2. Vehicle repair - \$3000 limit per FAMILY per 12 months;
 - 3. Short-term training- \$1000 per class unless approved by Central Office. Refer to [MS 4215](#);]
 - 4. Summer school tuition, refer to [MS 5370](#);
 - 5. Remedial health goods and services, refer to [MS 5380](#); and
 - 6. RN and licensing fees, refer to [MS 5390](#).
- F. If the KWP participant requests a supportive service that is eligible for payment, determine whether a balance exists in the supportive services or car care account on OTIS.

Before completing form KW-32, Authorization for Supportive Services Payments, OTIS determines if there is a sufficient balance in the supportive services or car care account to cover the request.

MS 5300

TRANSPORTATION AUTHORIZATION
AND ISSUANCE PROCEDURES

(1)

Payments are provided to work eligible individuals for transportation and travel-related expenses. Transportation and travel-related expenses are gas, parking, tolls, fares, etc., which are determined necessary for an individual to participate or prepare to participate in Kentucky Works Program (KWP) activities including employment.

[Transportation is paid prospectively; therefore, initial start-up transportation is paid at the initial KW-100, Kentucky Works Program (KWP) Contact, meeting if participation is expected to begin or referral is made, even if the activity has not started. Transportation can also be paid if the individual walks to the participation site if the individual needs transportation to take a child to daycare, which is necessary to participate.]

Transportation payments are deposited to an EBT account. If there are two individuals in the case participating in KWP activities and requesting transportation, each individual has an EBT account and card. The individual who has the KTAP EBT account accesses their transportation payments with that EBT card. The other individual has a separate EBT account and card to access their transportation payments. The EBT account for the second individual is automatically created. If the other individual already has an EBT account for another case, transportation payments will be deposited to that account.

A. Participants are eligible for anticipated transportation expenses related to KWP participation which is:

1. Six or more days in a month. The payment is \$300; or
2. Five days or less a month. The payment is \$50.

Explain to the participant that transportation is paid prospectively. After the initial request month, he/she will receive the payment for transportation expenses prior to the month the payment is actually intended to cover.

B. Initial start-up transportation is paid at the initial KW-100 meeting if participation is expected to begin or referral is made. At the initial request for transportation expense payment, assist the participant in completing form KW-33, Verification of Kentucky Works Program Participation, to request payment for the start month and the following month.

1. Issue form KW-33 from OTIS Component screen to verify the need for the transportation payment. Issue the payment for the start month and the following month on OTIS by the task due date.
2. **At the initial request** for transportation, **two separate forms KW-33** are completed, and two separate payments are made: one for the **start month** and one for the **following month**.

3. [On form KW-33, the "Request for Transportation Payment" section, the individual checks the first block to request transportation for 1 to 5 days. The individual checks the second block to request transportation for 6 or more days.]

EXAMPLE: The participant is placed in a component 3/3/23. The participant completes form KW-33 from OTIS on 3/3/23 to request the number of days transportation is needed for March (the current month). The participant completes an additional form KW-33 to request the number of days transportation is needed for April (the second prospective month). A third form KW-33 is given to the participant to verify actual participation for the month of March. OTIS will then begin system generating forms KW-33 at the end of March to capture April participation to be returned in May.

4. At initial request, if the participant does not return form KW-33 within 10 days, send form KW-105, Notice of Ineligibility, to notify the participant of the denial of payment of the transportation expense.
- C. After the initial months, the individual requests transportation payments prospectively on form KW-33 by completing the appropriate block in the "Request for Transportation Payment" section that corresponds with the number of days the participant is scheduled to attend their activity.
- D. Transportation can be authorized in one of two ways:
1. Transportation issued by completion of the Component screen - Tracking on OTIS.
 2. Transportation issued through the Payments screen – Transportation on OTIS.

MS 5355 [SUPPORTIVE SERVICES ITEMS SUBJECT TO \$600 LIMIT (1)

The following items may be authorized for purchase if required for KWP participation, including employment, and not reimbursable by the employer or covered by financial aid or Medicaid. Payments for these items and/or services reduce the \$600 supportive services balance.】

- A. A timepiece, if necessary for employment or training;
- B. Tools required for employment;
- C. Licensing fees, which can include exam costs to obtain a professional license or certificate or driver's license fee;
- D. School supplies and books for the work eligible individual only, not for the children;
- E. Cost of photo identification, if needed to access training, employment, or testing;
- F. One suitable interview outfit for a work eligible individual seeking employment. An estimate is required when an individual requests assistance with an interview outfit;
- G. Up to three uniforms or clothing and/or shoes particular to a service, profession or company. When an individual requests assistance with uniforms or clothing for the employment, the individual must provide:
 - 1. A statement from the employer that verifies the need for a uniform or specific clothing to meet the dress code of the employer; and
 - 2. An estimate of the cost of the uniforms or specified clothing.
- H. Cost of criminal records check fee;
- I. Driver's education class fee; or
- J. Drug screening test fee.

MS 5365

FEE PAYMENTS

(1)

Fee payments do NOT reduce the supportive service balance. Make payments for the following fees:

- A. Training registration fees;
- B. Financial aid application fees;
- C. Testing fees (e.g., entrance exam, ACT test, SAT test, license exams for KWP participants in an education slot);
- D. Application fees required by vocational schools for specific programs;
- E. Liability insurance fees not related to car insurance;
- F. Copy of records fees;
- G. Activity fees if mandated by the institution;
- H. RNET practice state board exam fee for a registered nurse (RN). See [MS 5390](#) for other fees relating to RN or licensed practical nurse (LPN) licensing; and
- I. Other required fee payments. This does not include Short-term Training. Refer to [MS 4215](#) for information on the payment of short-term training fees.

The examples listed next to the types of fees are not all-inclusive.

[Required fees shall not exceed \$400 per payment. There is no limit on the number of required fees that can be paid.]

MS 5370 SUMMER SCHOOL TUITION PAYMENTS (1)

Summer school tuition, books and fees may be paid for work eligible individuals who are enrolled in a post-secondary educational activity including 2 and 4-year programs. This includes online classes. Summer school payments can only begin after notification by the Family Self-Sufficiency Branch (FSSB) that funds are available for Summer School Tuition Payments.

[The maximum total payment amount for summer school tuition is \$2,600 per participant for the summer. Individuals with sufficient financial aid funds to cover summer school expenses are not eligible.]

A. Eligible Participants

1. The participant must be enrolled in a technical school, post-secondary institution, college or community college. A student may enter a new program as a summer student and be eligible.
2. The student must request summer school funds from the worker/case manager.

B. Payment Obligation

1. Issue form KW-32SS, Authorization for Summer School Payments, from the Payments screen – Summer School on OTIS, to obtain tuition, books and fee costs for each eligible participant. Explain to the student the importance of meeting timeframes for completion and return of the form.
2. The participant has a 10-day deadline for return of form KW-32SS.

DO NOT issue form KW-32SS after the deadline established by FSSB, or at the point when notified that funds are no longer available.

C. Payment Authorization

[The participant MUST be active on OTIS for payment to be authorized. Payment of forms KW-32SS up to \$2,600 per participant are made.]

After summer school tuition costs are paid, books and/or fees can be paid from the remaining summer school tuition funds allowed for each participant.

1. [If the participant uses all \$2,600 for allowable expenses and still requires payment for books or fees]:
 - a. Books may be paid using regular supportive services for school supplies and books. This payment DOES reduce the participant's supportive services balance. See MS 5355.
 - b. Summer school fees paid using the summer school funds will not reduce the participant's nonrecurring supportive services balance. See MS 5365.
2. Summer school fund payments can be entered upon notification from FSSB. Ensure all payments from summer school funds are entered

promptly. The summer school funds cannot be accessed after the close of business of the last work day in July or when the funds are depleted, whichever is first. Payments cannot be entered after that date.

3. Payments made from summer school funds do not reduce the nonrecurring supportive services balance.
- D. OTIS automatically monitors the amount of obligated payments as to not exceed the total funds available for the summer school session.

MS 5375

VEHICLE REPAIRS AND EXPENSES

(1)

Vehicle repair funds are limited to \$3000 per family. When an individual requests assistance with an item which can be paid with vehicle funds, remind the individual that these funds are limited. Vehicle repair payments can be provided to Kentucky Works Program (KWP) individuals if needed for participation in a KWP activity, including employment.

A. Eligibility criteria for authorization of payment:

- [1. The verified owner of the vehicle must be a work eligible individual participating in KWP. Ownership must be verified by the vehicle title, current Certificate of Registration, Program 68, or DCBS External Search.]

 - a. Exception: If both parents are in the home and an SSI parent owns the vehicle, vehicle repair payments can be authorized for the work eligible individual if needed for participation.
 - b. For two-parent households, two separate vehicles may be eligible for repair. Each parent in the two-parent household may use the vehicle repair funds, up to \$3,000 total, for a vehicle that is owned/co-owned by the parent if the vehicle is needed to participate/work.

Example: Bob and Nancy each own a vehicle. Bob is working and Nancy is going to school. Bob needs insurance for his truck and Nancy needs brakes for her car. Both vehicle expenses can be paid if there are enough funds available.
 - c. If the individual provides an out-of-state driver's license and or vehicle registration, advise the individual that he/she must obtain a Kentucky license and registration within 30 days of the move to Kentucky, and supportive services can help pay for them. Do not deny the request for repair based on the out-of-state license or registration;
2. Repairs must be approved by the case manager based on written estimates;
3. Providers must be reputable, established garages as determined by local staff, including vocational/technical schools that offer auto repair courses. No private individuals may be paid for vehicle repairs;
4. [Participants are eligible for \$3000 per 12-month period. In cases of two-parent households, it is \$3000 per family **not** per work eligible individual. OTIS calculates the available balance based on the obligated and paid forms KW-32, Authorization for Supportive Services Payments, for the household. OTIS will not issue form KW-32 that exceeds the available balance; and]

- B. Only items related to making the vehicle operable are allowed. The following expenses can be paid with vehicle repair funds:
1. A repair which makes the vehicle functional such as, but **not** limited to:
 - a. Brakes;
 - b. Transmission or engine repair;
 - c. Mufflers; or
 - d. Tires;
 2. Towing costs for the vehicle if the vehicle needs to be towed to the repair shop;
 3. Property tax on the vehicle;
 4. Vehicle registration costs;
 5. Vehicle license fees;
 6. Up to 6 months of liability insurance for the vehicle;
 7. New or used automotive parts purchased by the work eligible individual to make the vehicle functional; and
 8. Other vehicle expenses needed by the work eligible individual for participation.
- C. If the individual has a problem or issue with the service received from the provider, it is the responsibility of the individual to resolve it with the provider. The Cabinet does not intervene in such matters.
- D. To authorize vehicle repair payments:
1. Access Payments screen – Supportive Services to determine if the funds are available. If there are two work eligible individuals in the case, OTIS checks both records. Each parent will show a beginning balance of \$3000; however, as funds are obligated for either individual, both balances reduce accordingly. The family is eligible for \$3000, **not** \$6000 per 12-month period.
 2. Determine if the requested expense meets criteria for eligible expenses.
 3. Determine if the requested provider meets criteria, and that the provider will accept form KW-32.
 4. Utilize form KW-34, Vehicle Repair Estimate Verification, or obtain a written estimate from the vendor prior to issuance of form KW-32.

5. When an approved estimate is received, issue form KW-32 on OTIS in the amount of the estimate. Payments are issued to the provider, not the individual.

Exception: Property taxes, vehicle registration and licensing fees, and auto liability insurance are issued to the individual who is responsible for payment.

6. If the costs exceed the available balance, DO NOT authorize payment for the balance unless the individual has a written agreement with the provider to accept responsibility to pay the remaining balance.

Example: A repair estimate is \$3075 from Big O Tires and the available vehicle repair balance is \$2900. Verify the participant has a written agreement to pay the balance of \$175. If not verified, do not issue form KW-32.

7. Once form KW-32 **and** the invoice is returned and scanned into ECF, make the payment on OTIS.

MS 5380 REMEDIAL HEALTH GOODS/SERVICES (1)

Remedial Health Care Funds are limited. The Family Self-Sufficiency Branch (FSSB) notifies staff when funds for this purpose are available and when the funds are depleted, payments will no longer be allowed. Do not approve requests unless notified of funding.

[These payments are authorized by form KW-32, Authorization of Supportive Services Payments. Workers request approval from the Region's designated individual prior to issuing form KW-32. Payments are made on OTIS as either Remedial Medical Services or Remedial Medical Goods.]

When Remedial Health Care Funds are available, the following items or services may be paid for a work eligible individual if needed to participate in a KWP activity. These payments have no specific limit per payment.

Medical goods and services are not allowed if payable through Medicaid.

Payment can be made for:

- A. Eyeglasses or corrective lenses;
- B. Dentures;
- C. Hearing aids, if not available through Vocational Rehabilitation; and
- D. Medical goods or services required as a condition of employment (e.g., the employer requires a physical exam prior to employment and the individual has already had the annual physical exam covered by Medicaid).

A drug screening is not paid as Remedial Health goods/services. Drug screenings are paid using supportive services. See [MS 5355](#).

MS 5385 AUTHORIZATION AND ISSUANCE (1)

Payments for supportive services are issued directly to the provider except for some car repair/vehicle related expenses and GED and NCLEX test fees. For procedures concerning GED test fees, refer to item J of this section. The participant is NOT eligible to be reimbursed for payments they have already made.

For RN and LPN licensing and testing fees, refer to [MS 5390](#).

To authorize and issue payments for supportive services, use the following procedures:

- A. Discuss the necessity of the items with the participant.
 1. Obtain verification of the need for supportive services items ONLY if questionable. If questionable for participants in KWP activities, contact the institution or provider to determine if the item is required.
 2. A criminal records check may be paid if the provider's or employer's policy is to require the individual to pay the fee. The participant must provide a completed Kentucky State Police Release Authorization form prior to the completion of form KW-32, Authorization of Supportive Services Payments.

Exception: If a contracted provider is required to pay this fee as stipulated in the contract, payment is not authorized.
 3. [For requests for one interview outfit and up to 3 uniforms/work outfits required by the employer or provider, obtain an estimate of the items needed. The estimate must be scanned into the Electronic Case File (ECF).]
- B. Determine on OTIS if the available supportive service funds are sufficient to cover the costs.
- C. Advise the participant of the amount remaining and explore the potential for free or discounted items.
- D. For expenses of \$300 or more, approval must be obtained from the supervisor/designated individual before form KW-32 is given to the participant. If the case manager is a non decision case worker (NCD), the request for the supportive service must be discussed with the supervisor before creating for KW-32.
- E. Create form KW-32 on OTIS and list the specific items needed and maximum payment for each item if free items are not available. List the dollar amount available for the purchase of the items on form KW-32.

[Example: The participant needs a pair of shoes and a nurse's uniform. Next to each entry on form KW-32 the case manager annotates the expected cost of each: Shoes \$40, uniform \$45.]

- F. Instruct the participant to:

1. Pick up form KW-32 in the local office. (The form is not mailed to the participant.)
 2. Take form KW-32 to the appropriate provider. Ensure the participant understands the form is only good for 30 days. If the form is not used within 30 days, the participant will need to return form KW-32 and obtain a new form KW-32.
 3. Sign the form after the items/services are received and give the form to the provider. The provider must return form KW-32 within 30 days from the date of the issuance of the form. The individual may need to select another provider if a provider will not accept form KW-32. The provider returns form KW-32 along with invoices to the case manager.
- G. Once form KW-32 is returned with an invoice, make the payment on OTIS.
- H. If form KW-32 is not returned or lacks an invoice, contact the provider to explain the importance of form KW-32. Ensure the vendor understands if it fails to return the completed original form KW-32, or an invoice, the agency will stop utilizing the vendor to provide goods/services. However, payment may be made on any outstanding invoice to the vendor.
- I. Form KW-32 may be cancelled if:
1. The provider returns the original form stating the goods or services were not provided; or
 2. The individual returns the original form stating it is no longer needed or the cost is more than the amount authorized on the form; and
 - [3. The form has not been completed or signed by the provider or individual. If the form has been signed by either the provider or individual or both, a written statement must be obtained from both the provider and individual that states that services or items were not provided/received, and they are not expecting payment. The written statements must be scanned into ECF.]
 4. When form KW-32 is returned for cancellation:
 - a. Mark the form "VOID";
 - b. Scan into ECF;
 - c. Explain the reason for cancellation in comments on OTIS; and
 - d. Send a request for cancellation to the Family Self-Sufficiency Branch (FSSB) through the Program Specialist for the Region.
 5. If an individual requests cancellation but has lost form KW-32:
 - a. Have the individual provide a written statement explaining form KW-32 is lost and he/she is requesting it cancelled, and that if the form is found, it cannot be used;

- b. Scan the written statement into ECF;
- c. Explain in comments on OTIS the reason for cancellation and that a written statement was provided; and
- d. Send the request for cancellation to FSSB through the Program Specialist for the Region.

If form KW-32 is never returned to the local office and the individual did not request cancellation, do NOT cancel the form.

J. For GED testing and payment, use the following procedures.

- 1. An individual must first pass the GED Ready test (a practice test) before the individual can take the official GED test. The GED Ready test can be taken free at any Kentucky Adult Education Center. It can also be taken online through the GED website; however, the online tests cost \$6 per segment or a total of \$24. The practice test scores are good for 60 days. The official GED test can only be completed at a Pearson VUE testing center.
- 2. The fee for the official GED test is \$30 for each segment or a total of \$120 for all 4 segments. The payment is made online by the individual at the time the test is scheduled. Use the following procedure to issue the payment.
 - a. When an individual requests payment for a GED test, ask for the results of the GED Ready test to verify the individual is eligible to take the official GED test.
 - b. Issue form KW-32 to the individual. The payment will be issued to the individual and it will be the responsibility of the individual to pay the GED test fee.
 - c. [Once the individual signs form KW-32 and the form is scanned into ECF, issue the payment.]

K. For KWP supportive service payments that have been reported as not received, lost, or stolen, or requesting a replacement be issued, refer to Volume I, MS 0110 and MS 0115.

MS 5388 SUPPORTIVE SERVICES REFUNDS AND ADJUSTMENTS (1)

Use the following procedures for supportive services refunds and adjustments.

- A. When a supportive services provider is paid by the Department for Community Based Services (DCBS) in error and has cashed the check and subsequently refunds either a partial amount or the total amount of the payment, the refund should be made via check made payable to the Kentucky State Treasurer. Forward the check with form PAFS-61, Notice of Returned Check and Authorization for Disposition, to:

Division of Family Support
Family Self-Sufficiency Branch
275 E. Main St., 3E-I
Frankfort, KY 40621
DO NOT FORWARD

[The Family Self-Sufficiency Branch (FSSB) reviews the case and adjusts the Worker Portal and/or OTIS record. FSSB completes deposit information for Finance and or cancellations for Treasury to ensure agency funds are credited into correct accounting template. FSSB will send memo to Treasury in reference to mutilated payment to have reissued.

- B. When form PAFS-61 is submitted to cancel a payment issued in Worker Portal and/or in OTIS or the form is submitted to request refund of a partial or complete repayment, FSSB reviews the case to determine the appropriate action.
1. If "cancel check" is the option selected on the form to avoid an overpayment, the name is incorrect, or the amount is wrong, etc., then benefit management is updated to reflect that or comments are left in OTIS.
 2. If "mutilated check" is the selected option, a stop payment is placed on the original check and a request is sent to Treasury for a replacement. Benefit Management is updated with Check Status as stopped and Status Reason would be replacement requested and comments are left. FSSB enters comments in OTIS and adjusts the payment record on OTIS.]

Eligible participants can receive assistance for Registered Nurse (RN) and Licensed Practical Nurse (LPN) licensing and NCLEX exam. Use the following procedures for authorizing payments.

- The expense for the KBN licensure exam is \$125 and this expense can only be paid once.

1. The individual will make the request to KBN for the licensure exam. Once the individual receives approval for the exam, the individual will request payment for the exam. The worker will then send the form KW-32 for \$125 to KBN at: richelle.livers@ky.gov.
Contact number: 502-407-9234.]

- C. Complete the following steps to authorize payment for the \$200 NCLEX exam fee:

1. When an individual requests payment of the NCLEX exam fee, ask for verification of completion of a nursing program.
2. **[Issue form KW-32 to the individual after receipt of the verification. The payment will be issued to the individual and it will be the responsibility of the individual to pay the NCLEX exam fee to National Council of State Boards of Nursing (NCSBN).]**
3. Once the individual signs form KW-32, issue the payment.

- E. Advise participants to schedule the exam time carefully, since supportive services can only be used to pay the exam expense one time. If the participant fails to take the scheduled exam, the individual will be responsible to reschedule/retake the exam and pay for the rescheduled exam.

1. [If a participant needs a reinstatement of the Kentucky RN or LPN license or if he/she requires an endorsement, the cost for reinstatement is \$135 payment to the Kentucky Board of Nursing. An endorsement is the

Kentucky Licensing for a participant who has a license issued from another state. The fee for an endorsement is \$165. Annotate in OTIS if this is the situation authorized.】

2. An NCLEX fee of \$200 is charged each time a re-exam is necessary; there is no reduced amount for a re-test.
 3. If the participant wishes to receive licensure for a state other than Kentucky, identify the state in OTIS comments.
- G. Payment can be made for other expenses related to obtaining an LPN or RN license.
1. If a participant has been licensed in another state, utilize form KW-32 to pay the processing fee required by the other state to release verification of prior license status. Pay this fee as "other fees" through OTIS.
 2. If an AIDS course is required for completion of course requirements, pay the course fee which reduces the supportive services balance. The participant can identify approved providers for the course from the institution where the nurse's training was received. The agency may help the participant select the most economical provider.
 3. Payment for the RNET practice state board exam is made through OTIS. A separate form KW-32 is completed for this fee. See [MS 5365](#).
 4. The cost for finger printing for the NCLEX exam may be paid to the individual if the provider does not accept form KW-32 for payment.