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 | ADMINISTRATIVE DIRECTIVE |
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TRANSMITTAL: 94 ADM-16

TO: Commissioners of
 Social Services

DIVISION: Office of
 Employment
 Programs

DATE: October 13, 1994

SUBJECT: Home Relief (HR) Employment Program Participation Rate

SUGGESTED DISTRIBUTION:	Employment Coordinators Directors of Income Maintenance Directors of Medical Assistance Food Stamp Supervisors Staff Development Coordinators
CONTACT PERSON:	1-800-343-8859: Employment - Local District Technical Assistance Advisor, extension 3-8377; User ID AV0400 Fiscal - Regions I-IV - Roland Levie, extension 4-7549 or direct dial (518) 474-7549; User ID FMS001 Region V - Marvin Gold at (212) 383-1733; User ID OFM270
ATTACHMENTS:	None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
92 ADM-28		385.2	Chapter 59, Laws of 1993 Section 332 of the SSL		

I. PURPOSE

This directive informs social services districts of:

1. revised employment and training participation rate requirements for Home Relief (HR) employables; and,
2. increased fiscal penalties for those districts failing to meet these participation rates.

II. BACKGROUND

Previously, social services districts were required to maintain a quarterly employment program participation rate for HR employables that was equivalent to two times the prevailing federal participation rate under the Job Opportunities and Basic Skills Training (JOBS) Program. Administrative Directive 92 ADM-28: "Revisions to Home Relief (HR) Employment Program Requirements" outlined these requirements for social services districts.

Chapter 59 of the Laws of 1993 amended Section 332 of the Social Services Law to increase the required employment program participation rates for HR employables beginning with the quarter starting July 1, 1993. The amendment also increased the fiscal penalty for those districts failing to meet required participation rates during any quarter of the State fiscal year.

III. PROGRAM IMPLICATIONS

Social services districts will need to intensify their efforts to enroll HR employables into employment and training components that meet the criteria outlined in 92 ADM-28. In addition, individuals may now be counted as participants in any month they are employed 12 or more hours weekly and are in receipt of HR. The Department has made appropriate adjustments in the calculation of the HR participation rate to include such individuals.

Districts should maximize their use of the second 90 day HR job search and of the Working Toward Independence (WTI) and Public Work Project (PWP) programs. Districts should also consider restructuring existing employment and training programs to increase the number of components meeting the minimum participation requirement of 12 hours per week.

Districts should also review their current public assistance eligibility procedures to be sure that correct employability determinations are made for applicants, and that timely coding changes are made for recipients determined not employable. This will ensure only appropriate individuals are included in the HR participation rate calculation.

IV. REQUIRED ACTION

A. Participation Rates

Social services districts must assign HR employables to employment and training activities in sufficient numbers to ensure that the following percentages of total HR employable recipients are participating in appropriate activities as specified for each quarter of the State fiscal year:

1. for the quarters starting July and October 1993 and January 1994, 35%;
2. for the quarters starting April and July 1994, 40%;
3. for the quarters starting October 1994 and January 1995, 50%; and,
4. for all quarters of each subsequent State fiscal year, 50%.

B. Fiscal Penalties

In each quarter of the State fiscal year in which a district fails to meet these percentages, the district will have its aggregate State reimbursement for the administration of the income maintenance, medical assistance, food stamp and child support programs reduced by .75 percent for each 1 percent by which the district fails to meet the minimum required percentage, up to a maximum reduction of 5 percent. Districts which fail to attain the minimum participation rate in a particular quarter and are fiscally penalized are not entitled to a reimbursement if they exceed the minimum rate in subsequent quarters. The reduction, if any, will be applied to any State administrative reimbursement properly received for Income Maintenance, Medical Assistance, Food Stamp and child support during the State fiscal year. It is important to note that the penalty is applied to administrative reimbursement, not total claims.

V. SYSTEMS IMPLICATIONS

There are no WMS implications.

VI. EFFECTIVE DATE

This directive is effective November 15, 1994, retroactive to July 1, 1993.

Jack Ryan
Assistant Commissioner
Office of Employment Programs