

WAIVERS OF WELFARE PROGRAM REQUIREMENTS FOR DOMESTIC VIOLENCE VICTIMS

The Department of Public Welfare (DPW) has established the following uniform policies and procedures for waivers of program requirements.

Standard for Determining Waiver Requests: A client may claim good cause for a waiver of a TANF or GA program requirement **at any time based on past, present, or risk of further violence.** The CAO will grant the good cause waiver whenever compliance with the program requirement would:

- ❖ Make it more difficult for a family or household member to escape domestic violence; or
- ❖ Place a family or household member at risk of further domestic violence; or
- ❖ Unfairly penalize a family or household member because of domestic violence.

DPW defines Domestic Violence as:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">✓ Threatened or attempted physical or sexual abuse✓ Physical acts that threaten to result in injury✓ Physical acts that actually result in injury✓ Sexual abuse✓ Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities | <ul style="list-style-type: none">✓ Mental abuse, including threats to kill or harm people or property, threats to kidnap, threats to commit suicide, stalking, repeated use of degrading or coercive language, controlling access to food and sleep, and controlling or withholding access to economic and social resources |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Verification: Domestic Violence Verification Form (PA 1747): A client who wishes to claim good cause must complete the Domestic Violence Verification Form and provide **one** of the following:

❖ **Documentation (Section 2 of PA 1747), including any one of the following:**

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">✓ law enforcement records;✓ court records;✓ medical/treatment records; | <ul style="list-style-type: none">✓ social service records;✓ child protective services records;✓ other. |
|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|

OR

❖ **Third Party Verification (Section 3 of PA 1747) by any one of the following:**

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">✓ domestic violence service provider;✓ medical, psychological, or social service provider;✓ law enforcement professional; | <ul style="list-style-type: none">✓ legal representative;✓ children and youth representative;✓ friend, relative, acquaintance, neighbor;✓ other. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

OR

❖ **Self-Affirmation (Section 4 of PA 1747)**

- ✓ If the client is unable to provide the type of verification described above, the client may affirm that she is unable to comply with a particular program requirement due to domestic violence.

A client who has verified domestic violence for a waiver of one program requirement need not provide new or additional verification if she seeks to have another program requirement waived.

WAIVERS OF WELFARE PROGRAM REQUIREMENTS FOR DOMESTIC VIOLENCE VICTIMS

Six Month Review/Redetermination: Waiver of a TANF or GA program requirement is granted for as long as necessary subject to review every six months as follows:

- ❖ A client who verified domestic violence with a document or a third party statement need not provide new or additional verification at the six-month review if her circumstances have not changed.
- ❖ A client who self-affirmed domestic violence initially, but is able to provide documentation or a third party statement at her first 6 month review should do so.
- ❖ A client who needs to self-affirm again at her first six-month review may do so. If, after 12 months, the client needs to continue self-affirmation, the County Assistance Office Area Manager must approve it in consultation with the DPW Office of Income Maintenance Bureau of Policy.

Examples of Program Requirements That May Be Waived By The CAO:

❖ Work (RESET) Requirements

- ✓ Domestic violence victims may be unable to participate in work or training because of the emotional or physical effects of current or past violence or because doing so would place them in danger.
- ✓ Clients who have work waivers may volunteer for employment and training activities and receive supportive services, such as child care and transportation.

❖ Support Cooperation Requirements

- ✓ Cooperating with support requirements may endanger a victim by disclosing her whereabouts or provoking abuse.
- ✓ Clients who wish to pursue support but keep their personal information confidential should ask to have the Family Violence Indicator (FVI) placed on their file.

❖ Time Limits

- ✓ **Time-Out:**
 - Time-out based on domestic violence is limited to 12 months.
 - Domestic violence victims may receive another 12 months of time-out if they meet the Time-Out eligibility criteria for working, early engager, or exempt volunteer.
- ✓ **Extended TANF:** Domestic violence victims are eligible for Extended TANF after reaching the 60-month limit.
 - Eligibility is for as long as necessary to overcome the effects of domestic violence.
 - Clients may apply for Extended TANF if domestic violence occurs after leaving TANF.

❖ **Verification:** Domestic violence victims may be unable to present verification of certain requirements due to safety considerations or the effects of past abuse.

❖ **Other Program Requirements:** Any other requirement may be waived by the CAO or, on a case by case basis, by DPW's Bureau of Policy. In particular, requests for waivers of Income, Resources (although inaccessible income & resources will not be used to determine eligibility), Citizenship, Deprivation, Specified Relative; Enumeration, Identity, Criminal Status, Residency, GA Categorical Eligibility, and Signing requirements will be referred by the CAO to the Bureau of Policy for determination.