

**Subpart B. INTAKE AND REDETERMINATION**

<b>Chap.</b>		<b>Sec.</b>
<b>121.</b>	<b>GENERAL INTAKE AND REDETERMINATION PROVISIONS . . . . .</b>	<b>121.1</b>
<b>123.</b>	<b>DEFINITIONS . . . . .</b>	<b>123.1</b>
<b>125.</b>	<b>APPLICATION PROCESS . . . . .</b>	<b>125.1</b>
<b>127.</b>	<b>APPLICATION PROCESS FORMS . . . . .</b>	<b>127.1</b>
<b>129.</b>	<b>[Reserved]</b>	
<b>131.</b>	<b>[Reserved]</b>	
<b>133.</b>	<b>REDETERMINING ELIGIBILITY . . . . .</b>	<b>133.1</b>

**Cross References**

This subpart cited in 55 Pa. Code § 147.24 (relating to procedure).

**CHAPTER 121. GENERAL INTAKE AND REDETERMINATION PROVISIONS**

<b>Sec.</b>	
<b>121.1.</b>	<b>Policy.</b>
<b>121.2.</b>	<b>Definitions.</b>
<b>121.3.</b>	<b>Requirements.</b>

**Authority**

The provisions of this Chapter 121 issued under sections 201(2) and 403(b) of the act of June 13, 1967 (P. L. 31, No. 21) (62 P. S. §§ 201(2) and 403(b)), unless otherwise noted.

**Source**

The provisions of this Chapter 121 adopted August 5, 1977, 7 Pa.B. 2180; amended July 16, 1982, effective July 17, 1982, 12 Pa.B. 2286, unless otherwise noted. Immediately preceding text appears at serial pages (42326) to (42328) and (47546) to (47547).

**Cross References**

This section cited in 55 Pa. Code § 205.1 (relating to policy).

**§ 121.1. Policy.**

(a) *General.* It is essential that workers responsible for the client’s initial contact with the Department be familiar with Department policies and recognize the need to effectively carry out their tasks in accomplishing the purposes of the system described here and in Chapter 101 (relating to general provisions).

(b) *Prohibited practices in determining eligibility.* Procedure prohibited in determining eligibility are as follows:

(1) The standards set forth in this section apply in determining initial and continued eligibility. They reflect basic principles concerning the rights and responsibilities of individuals and governmental agencies in a democracy. They are necessary to insure that the basic rights of an individual are respected and

protected during the process of determining eligibility for public assistance, and to inspire public confidence in the agency and its services.

(2) The initial or continued eligibility of a person will be determined in a manner consistent with his rights under the Constitution, the Social Security Act (42 U.S.C.A. §§ 301—1397f), Title VI of the Civil Rights Act of 1964 (42 U.S.C.A. §§ 2000e—2000e-8), and State statute. Every practice must respect the individual's right to privacy and personal dignity and conform in every way with due process of law. Any practice that violates any of his rights or subjects him to harassment or infringes on his civil liberties is forbidden. Any practices that violate personal dignity or privacy, constitute harassment of the individual, or violate his personal rights are prohibited. As a matter of courtesy and effective administration, an individual should receive prior notice, whenever practical, of a planned visit.

(3) To illustrate, the following practices are prohibited:

(i) Entering a home by force, or without permission, or under false pretenses.

(ii) Searching in the home, rooms, closets, drawers or papers, to seek clues for example to possible deception.

(iii) Questioning based on a presumption of guilt.

(iv) Except for emergencies of the client, making home visits outside of working hours and especially during sleeping hours, generally 10 p.m. to 7 a.m., unless arranged for by appointment.

#### Cross References

This section cited in 55 Pa. Code § 105.3 (relating to requirements); and 55 Pa. Code § 133.23 (relating to requirements).

### § 121.2. Definitions.

The words and terms used in this chapter and in Chapter 125 (relating to the application process) are defined in § 123.22 (relating to definitions). These definitions apply unless the context clearly indicates otherwise.

### § 121.3. Requirements.

(a) *Responsibilities of the county office.* Responsibilities of the county office are as follows:

(1) The county office will be responsible for giving to every person who asks for help, the service appropriate to the function of the Department.

(2) To carry out this responsibility, the county office will have responsibility for the following functions:

(i) Making fully available the opportunity to apply for financial assistance and other services.

- (ii) Providing a helping atmosphere, evidencing respect for the dignity of each person and sensitive appreciation of his capacities by taking into account his strengths and limits.
  - (iii) Providing information on the services and benefits available from the Department and other agencies, public or private.
  - (iv) Promptly deciding on the eligibility of each person applying for assistance as set forth in § 125.24 (relating to procedures).
  - (v) Promptly authorizing and providing assistance and services desired to each eligible applicant.
  - (vi) Providing each client with the opportunity to carry his grievances to higher authorities.
- (b) *Responsibilities in determining eligibility.* Responsibilities in determining eligibility are as follows:
- (1) *Staffing.* Personnel working with determining eligibility will be responsible for obtaining facts related to eligibility for financial assistance, relating these facts to the eligibility requirements, deciding whether eligibility conditions are met, and taking the necessary action.
  - (2) *Organization.* The organization of eligibility works is as follows:
    - (i) Eligibility workers may have an assigned caseload or they will be assigned on a pooled basis to the two specific tasks in determining eligibility for financial assistance, those being applications, or intake and continued eligibility or redeterminations.
    - (ii) If the volume and the nature of the caseload permit, specialists will be developed for the various categories of assistance, such as MA, BP and the like, or for types of situations, such as NHC payments, employables, housing projects and so forth. CAO's will be encouraged to experiment in this area, the objective being to use staff in the most efficient and most expeditious way.
  - (3) *Overall responsibilities.* Eligibility workers will have responsibility for the following functions:
    - (i) Assurance that the application form is complete and completion of the other forms required in the application process.
    - (ii) Determination and redetermination of eligibility for financial assistance.
    - (iii) Authorization of case actions, such as grant authorizations, one-time grants, MA and Food Stamp authorizations, changes and discontinuances, change of address and the like.
    - (iv) Determination of the date for redetermination of eligibility.
    - (v) Referral to social service, as required.
    - (vi) Performing the specific duties of the CAO in respect to restitution as set forth in § 255.4 (relating to procedures) and reimbursement as set forth in § 257.24 (relating to procedures).
    - (vii) Answering complaints and inquiries relating to eligibility.

(c) *Social service assistance.* Social service assistance is as follows:

(1) *Staffing.* Social service assistance will be provided by workers and social workers, and technicians as will be needed to provide specialized help to support and supplement the activities of the social service staff. The working title for workers and social workers is Social Service Specialist.

(2) *Organization.* To maximize the impact of services, the staff members will have the following responsibilities:

(i) The basic responsibility for providing social services will include identifying the problems that limit, disrupt or deter the satisfactory functioning of the client, developing with the client a social service plan to reduce or eliminate the client's problems of functioning, and giving the services needed.

(ii) Social services will be provided for the client in financial functioning such as employment and money management, marital functioning, parental functioning, which will include protective services for children and individual personal functioning of adults and children.

(iii) Services will be provided directly, by referral to other agencies and programs, including necessary followup on referrals and by enabling services.

(iv) Direct services will include not only those provided by social service staff but also complementary services provided by staff technicians from fields other than social work. Examples of complementary services include homemaker services, day care services for children, volunteer services and specialized services related to employment and in cooperation with other agencies.

(v) Creative and imaginative methods will be developed for providing services most effectively, using to the fullest extent all the services that are available.

(vi) Service will be provided at the request of the client. If a request for service comes from a source other than the client, service will be provided unless the client does not want service. In a situation that appears to call for protective services, service will always be provided.

#### **Cross References**

This section cited in 55 Pa. Code § 125.24 (relating to procedures).

#### **Notes of Decisions**

##### *Providing Information*

Since the caseworker was aware of the eligibility of the recipient for the allowance for medical transportation expenses, the caseworker was required under 55 Pa. Code § 121.3(a)(2)(iii) (relating to requirements) to inform the recipient of the availability of such allowance, even though such information was available in the county office newsletter. *Scott v. Department of Public Welfare*, 400 A.2d 1350 (Pa. Cmwlth. 1979).

[Next page is 123-1.]