

CHAPTER 142. MONTHLY REPORTING**MONTHLY REPORTING PROVISIONS FOR TANF AND GA**

- Sec.
142.21. Monthly reporting policy.
142.23. Requirements.

Authority

The provisions of this Chapter 142 issued under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)), unless otherwise noted.

Source

The provisions of this Chapter 142 adopted April 8, 1983, effective April 9, 1983, 13 Pa.B. 1259, unless otherwise noted.

Cross References

This chapter cited in 55 Pa. Code § 140.521 (relating to reporting requirements); 55 Pa. Code § 141.51 (relating to policy); 55 Pa. Code § 183.91 (relating to LRR, parent or legal guardian of an AFDC minor parent and stepparent deductions); and 55 Pa. Code § 183.97 (relating to ineligibility for disregards from earned income for TANF and GA).

**MONTHLY REPORTING PROVISIONS FOR AFDC,
AFDC/CU AND GA****§ 142.21. Monthly reporting policy.**

As a condition of eligibility, certain TANF and GA recipients are required to submit Departmental Monthly Reporting Forms. The Monthly Reporting Form is used to report income, resources, household composition, and other relevant circumstances or changes in circumstances which affect continued eligibility. The information which the recipient provides on the Monthly Reporting Form is used in Retrospective Budgeting to determine eligibility and the amount of the assistance payment. Submission of a Monthly Reporting Form shall not alter the responsibility of the recipient to advise the CAO within 1 week of changes affecting continued eligibility. Changes so reported must also be reported on the Monthly Reporting Form.

Source

The provisions of this § 142.21 adopted April 8, 1983, effective April 9, 1983, 13 Pa.B. 1259; amended August 31, 1984, effective August 30, 1984, 14 Pa.B. 3159. Immediately preceding text applies at serial page (108703).

§ 142.23. Requirements.

(a) *Recipients required to report.* A recipient shall submit a Monthly Reporting Form if the budget group contains a person who meets one or more of the following:

(1) Has earned income except the following:

(i) A full-time or part-time student who is employed part-time.

(ii) A dependent child whose sole earnings are from a program carried out under the Job Training Partnership Act (JTPA), the act of October 13, 1982 (Pub. L. No. 97-300, 96 Stat. 1322), irrespective of student status.

(2) Has income deemed available to the recipient, as provided under Chapter 183 (relating to income) from an individual with earned income living in the common residence.

(3) Is designated by the Department to participate in monthly reporting based on Quality Control findings or other objective criteria applied Statewide.

(4) Meets one of the requirements indicated in paragraph (1), (2) or (3), but who does not receive cash assistance due to one or more of the following:

(i) Prohibition on payments of less than \$10 as specified in § 225.24(b) (relating to procedures).

(ii) Application of the recoupment provision as specified in § 255.4 (relating to procedures).

(iii) Enforcement of suspension status as specified in § 183.105 (relating to increases in income).

(b) *Special assistance.* When requested, the CAO shall make provision for special assistance in completing and filing monthly reports to assistance units in which one of the following occurs:

(1) The adult members are either mentally or physically handicapped.

(2) The adult members are non-English speaking or otherwise lacking in reading and writing skills so that they cannot complete and file the required reports.

(c) *Information provided to recipients required to submit monthly reports.* A recipient who is required to submit monthly reports shall be provided with the following:

(1) An explanation of the purpose of monthly reporting.

(2) An explanation of the reason why the recipient is required to report monthly.

(3) A copy of the Monthly Reporting Form and an explanation of how to complete and file it.

(4) An explanation of what the recipient shall verify when he submits a monthly report and how it shall be verified.

(5) Instructions regarding whom the recipient may call at the CAO to ask questions or to obtain help in completing the monthly report.

(d) *Timely Monthly Reporting Form.* The Monthly Reporting Form shall be submitted to the CAO on a timely basis. A Monthly Reporting Form is considered timely if it is received in the CAO by the due date indicated on the form.

(e) *Complete Monthly Reporting Form.* A Monthly Reporting Form is considered complete if all of the questions are answered, the form is dated after the end of the reporting period, the person who is the payment name has signed the form and the required verification is attached.

(f) *Submission of a timely and complete Monthly Reporting Form.* When the recipient submits a timely and complete Monthly Reporting Form, eligibility and the amount of the assistance payment are determined based on information provided on the form. If the recipient is ineligible, assistance is terminated or suspended as set forth in § 183.105 and subsections (k) and (l).

(g) *Failure to submit a timely and complete Monthly Reporting Form.* If the recipient fails to submit a timely and complete Monthly Reporting Form, assistance is suspended and a Late/Incomplete Notice, as set forth in § 133.4 (relating to procedures), is sent to the recipient in time to be received by the regular payment date. The CAO may contact the recipient to clarify information contained on the Monthly Reporting Form.

(1) If the CAO receives a complete Late/Incomplete Notice or complete Monthly Reporting Form by the Extended Due Date indicated on the Late/Incomplete Notice, eligibility and the amount of the assistance payment are determined based on information provided on the form. If the recipient is eligible, assistance is reinstated. If the recipient is ineligible, assistance is terminated or suspended, as set forth in § 183.105 and subsections (k) and (l).

(2) If the recipient fails to submit a complete Late/Incomplete Notice or complete Monthly Reporting Form by the extended due date, the assistance case is terminated.

(i) If good cause, as defined in subsection (i), does not exist for failure to submit a timely and complete Monthly Reporting Form, the client who is still in need shall reapply. At reapplication, the client shall complete the Monthly Reporting Form which the client failed to submit or complete entirely when assistance was terminated. If the client is eligible, the application is processed under § 125.24(a)—(c) (relating to procedures).

(ii) If good cause, as defined in subsection (i), exists for failure to submit a timely and complete Monthly Reporting Form and the recipient continues to be eligible, the case is reinstated if suspended or reopened if closed for the payment month in accordance with procedures on reinstatement or reopening.

(h) *Penalties.*

(1) When the recipient submits an untimely complete Monthly Reporting Form or a complete Late/Incomplete Notice by the extended due date, eligibil-

ity is determined based on the information provided on the form. If the recipient is determined eligible, assistance is reinstated; however, the assistance payment may be late.

(2) When the recipient submits an untimely complete Monthly Reporting Form, a timely Monthly Reporting Form which is incomplete with respect to earnings, or a complete Late/Incomplete Notice by the Extended Due Date the earned income disregard, deductions and dependent care expenses are not allowed for the payment month affected if the recipient cannot show good cause, as defined in subsection (i) for the untimeliness or incompleteness.

(i) *Good cause for failure to submit a timely and complete Monthly Reporting Form or Late/Incomplete Notice.* Good cause exists in situations when the circumstances causing the failure are beyond the control of the recipient, making it impossible for the recipient to comply with the monthly reporting requirements.

(1) Good cause includes, but is not limited to, the following situations: serious illness, accident, death or postal delay. If, in subsequent months, a recipient continues to claim good cause for failure to submit a timely and complete Monthly Reporting Form for reasons set forth in this paragraph, the claim shall be reevaluated each month.

(2) Good cause also includes the following situations: illiteracy, language problem or physical or mental handicap.

(i) If good cause is established for any of the reasons listed in this paragraph, the CAO worker provides assistance or makes a referral to a community resource. The worker shall document the referral in the case record.

(ii) A claim of good cause as set forth in this paragraph is reevaluated if the community resource to which the referral was made is no longer available. If good cause continues to exist, apply the requirements as set forth in subparagraph (i).

(3) A finding of good cause shall be approved by the supervisor, and documented in accordance with Departmental procedures.

(4) If good cause for an incomplete or late Monthly Reporting Form is established within 30 days from the date of notice on the Late/Incomplete Notice, benefits are reinstated if suspended or reopened if closed.

(j) *Notification of change in benefits.* The recipient is notified with a confirming notice of a change in eligibility or the amount of the assistance payment, if the change is the result of information reported on the Monthly Reporting Form or the Late/Incomplete Notice.

(k) *Temporary ineligibility.* If the recipient is ineligible for 1 month due to a periodic increase in income, or due to other circumstances, assistance is reinstated the following month as set forth in § 183.105 without a new application, if the client has complied with Monthly Reporting requirements and continues to be eligible, MA benefits continue during the period of temporary ineligibility.

(l) *Termination of benefits.* Benefits are terminated if the information provided on the Monthly Reporting Form or Late/Incomplete Notice indicates ineligibility which is expected to last for more than 1 month or for failure to comply with the monthly reporting requirements. A new application shall be completed if program benefits are terminated as a result of ineligibility or noncompliance, as set forth in this subsection.

(m) *Appeal and fair hearings.* A recipient subject to the Monthly Reporting requirements is entitled to the appeal and fair hearing process as set forth in Chapter 275 (relating to appeal and fair hearing and administrative disqualification hearings).

Authority

The provisions of this § 142.23 amended under section 403(b) of the Public Welfare Code (62 P. S. § 403(b)).

Source

The provisions of this § 142.23 adopted April 8, 1983, effective April 9, 1983, 13 Pa.B. 1259; amended August 31, 1984, effective August 30, 1984, 14 Pa.B. 3159; amended August 26, 1988, effective November 1, 1988, 18 Pa.B. 3921; amended October 14, 1994, effective October 15, 1994, and apply retroactively to April 1, 1992, 24 Pa.B. 5229. Immediately preceding text appears at serial pages (175208), (130431) to (130432) and (165927).

Cross References

This section cited in 55 Pa. Code § 125.24 (relating to procedures); 55 Pa. Code § 141.21 (relating to policy); and 55 Pa. Code § 229.24 (relating to procedures).

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