

Department of Economic Opportunity
Supportive Services and Needs-Related Payments Administrative Policy - Consultation Review

<u>Policy Section</u>	<u>Concerns</u>	<u>Submitted by</u>	<u>Policy Language Change</u>	<u>DEO Comments</u>	<u>Authority</u>
IV. A Supportive Services for Adults, Dislocated Workers and Youth	Can youth get supportive services while receiving follow-up services?	LWDB 6	No	Yes, follow-up services for youth may include supportive services as a program element.	20 CFR 681.580
	2nd paragraph: Does DEO interpret this as something that needs to be documented via case note?	LWDB 6	No	Yes, please see section IV.D. Documentation Requirements of this policy for guidance.	N/A
	**For youth incentive payments-- should be allowed for other than training activities – for example completing educational milestones does not necessarily tie to a training activity. If a youth is enrolled in basic skills training is this allowable – GED step improvements?	LWDB 12	No	<p>The language in the policy aligns with the federal regulations; they are only permitted for recognition and achievement directly tied to training activities and work experiences.</p> <p>When providing incentive payments to youth participants, LWDBs must have written policies and procedures in place governing the award of incentives and must ensure that such incentive payments are:</p> <ul style="list-style-type: none"> a) Tied to the goals of the specific program; b) Outlined in writing before the commencement of the program that may provide incentive payments; c) Align with the local program's organizational policies; and d) Are in accordance with the requirements contained in 2 CFR part 200. <p>Note: This additional guidance was not added to the policy since incentive payments are not the subject of the policy.</p>	20 CFR 681.640
IV.A.1. Limits to the Amount or Duration of Supportive Services	1st paragraph:or other subgrantee or provider.	LWDB 6	No	The language in this paragraph aligns with the federal regulations which grant authority to establish limits on the provision of supportive services to LWDBs or their one-stop operators.	20 CFR 680.920

<p>IV.A.1. Limits to the Amount or Duration of Supportive Services</p>	<p>The document states, LWDBs must establish limits on the provision of supportive services or provide the one-stop operator with the authority to establish limits, including a maximum amount of funding and maximum length of time for supportive services to be available to participants”.</p> <p>We strongly advise against this. It would make it very hard to utilize the flexibility of the funds to serve participants as it best meets their needs.</p> <p>The point of supportive services is to make it possible for an individual to participate. There is no state or federal interest served by setting an artificial ceiling on support costs and then having the paperwork of constant exceptions resulting in monitoring findings.</p> <p>For individuals who are have multiple barriers, life intervenes. For example, we serve severely impacted youth. If they are not engaged for a period, we do not exit them; we work with them and often support cards serve as one of the hooks to reengage them. If support is time limited they won’t get the support they need and likely won’t finish the program.</p>	<p>LWDB 22</p>	<p>Yes</p>	<p>The policy language has been updated; the "must" has been updated to "may" to align with the language in the federal regulations.</p>	<p>20 CFR 680.920</p>
<p>IV.A.2. Determination of Need</p>	<p>There is encouragement to do a budget finance analysis for support services – administrative burden and conflicts with D1 where it states they will look for one to be done with an IEP. Recommend to keep as a suggestion and maybe replace with rationale for support services must be documented.</p>	<p>LWDB 12</p>	<p>Yes</p>	<p>The policy language in section IV. D. Documentation Requirements has been updated to align with this section.</p>	<p>N/A</p>
<p>IV.B Needs Related Payments</p>	<p>1.(c): I read this as they need all three. But it seems to me it should say in order to receive needs-related payments, adults and OSY (ages (18-24) must have one of the following:</p>	<p>LWDB 19</p>	<p>No</p>	<p>The language in this paragraph aligns with the federal regulations which require all three.</p>	<p>20 CFR 680.940</p>
	<p>1.(c) next paragraph: This seems the same as or shorthand for b.)</p>	<p>LWDB 6</p>	<p>No</p>	<p>The language in this paragraph aligns with the federal regulations which contain both, distinct requirements.</p>	<p>20 CFR 680.950</p>

IV.B Needs Related Payments	To receive needs-related payments, adults must be _____: (it states above that this section addresses "eligibility for adults, dw and osy" but there is nothing stated for adults.	LWDB 6	No	Adults, dislocated workers and youth are all addressed in this section of the policy.	N/A
	I think you did a very good job on this policy. The only part that did not read as smoothly as the others was the section on Needs-Related Payments. Below, I have offered a suggested rewrite of the lead-in paragraph: “ Needs-related payments are a supportive service that provides financial assistance to eligible participants for the purpose of enabling them to participate in training. Unlike other supportive services, in order to qualify for needs-related payments, a participant must be enrolled in training or accepted in a training program that will begin within 30 calendar days.”	LWDB 6	Yes	Thank you for the feedback. The policy language has been updated.	N/A
	"To receive needs-related payments, dislocated workers must be unemployed, and:" - This makes it sound like only person who is part of TRA/TAA qualifies for them. If that is not the case, it is suggested this should be reworded: Sounds like a person needs to cease to qualify for TAA benefits. I'd word it like: ..ceased to qualify for regular RA benefits, or ceased to qualify for TRA under TAA....”	LWDB 13	No	The language in this paragraph reflects the language in the regulations. The existing language distinguishes that the dislocated worker must have ceased to qualify for RA benefits or TRA.	20 CFR 680.950
IV.B.1. Eligibility for Adults, Dislocated Workers and Out-of-School Youth (OSY)	Also, someone whose benefits run out is not eligible but someone who is determined ineligible for RA can receive services?	LWDB 13	No	The language in this paragraph reflects the language in the regulations. To clarify, the policy and regulations both advise that ceasing to qualify for RA benefits or TRA is one of the eligibility criteria for determining dislocated workers eligible for needs related payments.	20 CFR 680.950

IV.C. Payment Methods for Supportive Services	<p>1st paragraph, 6th and 8th sentence: "should" seems like a strong word. "may" or "could"...'should' sounds a lot like 'must'...</p> <p>our process is not as stated but meets all the criteria described?</p>	LWDB 6	No	<p>The term "should" is used in areas where the state strongly encourages an action but is not stating it is a requirement. Requirements are preceded by "must".</p>	N/A
	<p>The document states, "For each supportive service provided, the LWDB must opt to use a payment method that allows the LWDB to exercise the highest level of oversight, accountability and internal controls to ensure the supportive service provided is used for the intended purpose. For example, assistance with transportation (e.g. assisting a participant with fuel costs) should be provided in the form of vendor-specific gas cards.</p> <p>We fear that if we make it too difficult for customers to obtain support services they won't request them when they need it and become disengaged when this happens; thus having a negative impact on performance. Putting all these fences around in order to provide a \$25.00 gas card will cost \$25.00 to generate the card. If the case manager has determined that Jon Doe needs a gas card and Jon spends the card for food or clothes and then pays out of his pocket for the gas – the result is still the same – a poor person utilized the card for their immediate needs and that resulted in funds available for the gas.</p> <p>We provide gas support services using Visa cards which allows a customer the flexibility of choosing the gas station that is the most convenient and economical for them.</p> <p>If we select a gas company, and end up issuing more than \$10,000 in support cards, this could be a procurement issue. We currently have a vendor contract in place for our support cards; if this is implemented, we will have to break this contract and assess a penalty.</p>	LWDB 22	No	<p>It is the expectation of the U.S. Department of Labor that federal funds be safeguarded and used for allowable purposes. When a LWDB provides a supportive service to a participant, it should be the LWDB's expectation that the participant uses the supportive service for the intended purpose.</p> <p>Note: The policy language is not indicating that gas cards are the only payment method that can be used to provide assistance with fuel costs. Vendor-specific gas cards are an example of a payment method option that allows for the highest level of oversight, accountability and internal controls to ensure the supportive services are used for the intended purpose. Regarding procurement concerns, LWDBs must follow their local procurement practices when procuring supportive services.</p>	N/A

IV.C. Payment Methods for Supportive Services	<p>Gas cards issued to clients for transportation:</p> <p>During COVID and staff working remotely - for clients still needing transportation assistance we have switched to an electronic fund transfer to the client account after participation vs providing a gas card.</p> <p>We were faced with delivery problems with cards, risk of theft upon delivery, more administrative resources for tracking gift cards and distributing vs electronic fund transfer, transferring cards to staff, staff issuing cards to clients, and additional costs for shipping cards.</p> <p>A gas card does not guarantee that the client only uses the card for gasoline.</p> <p>We would like to continue this practice after COVID.</p>	LWDB 18	No	<p>The policy language is not indicating that gas cards are the only payment method that can be used to provide assistance with fuel costs. Vendor-specific gas cards is an example of a payment method option that allows for the highest level of oversight, accountability and internal controls to ensure the supportive service is used for the intended purpose.</p> <p>If the LWDB elects to use a payment method, such as electronic funds transfer, which provides extreme flexibility in how the funds are used by the participant, the LWDB must include in its local operating procedures the process and/or documentation the LWDB will use to verify supportive services provided to participants are used for the intended purpose.</p>	N/A
	<p>With costs and quotes – this appears to be in conflict with small purchase thresholds that do not require a quote process...what if there are multiple vendors or sole source vendors – maybe they should clean this up with a finance policy reference to make sure there is alignment. (also refers to D7)</p>	LWDB 12	Yes	The policy language has been updated.	N/A

IV.C. Payment Methods for Supportive Services	<p>***Clarify if the region has the ability to use a variety of payment methods- or are your suggestions the ones that you deem the "highest level of oversight" Who determines the highest level of oversight. - 3. Payment Methods for Supportive Services LWDBs may use a variety of payment methods for the provision of supportive services, depending upon the type of supportive service provided. For each supportive service provided, the LWDB must opt to use a payment method that allows the LWDB to exercise the highest level of oversight, accountability and internal controls to ensure the supportive service provided is used for the intended purpose. For example, assistance with transportation (e.g. assisting a participant with fuel costs) should be provided in the form of vendor-specific gas cards. Whereas, assistance with uniforms should be provided in the form of a voucher/direct payment to the selected vendor (in alignment with a quote or other form of cost estimate documentation).</p>	LWDB 12	No	<p>Yes, the LWDB has the ability to use a variety of payment methods. The policy provided examples for context purposes. The highest level of oversight is determined by the LWDB.</p>	N/A
IV.C.1.Reloadable or Prepaid Debit or Gift Cards	<p>c): "Obtains supporting documentation before and after the use of such cards to ensure the card was used for the documented need and intended purpose. Such documentation could include, but is not limited to, receipts for actual goods/services purchased or mileage calculation (if the assistance is transportation related)." This requirement creates an undue burden on the staff for transportation assistance when using reloadable or prepaid cards as this may be a very minimal expense. A case note documenting need would be recommended in lieu of receipts as regions already have caps on the amount of funds that can be provided to clients on supportive services for this purpose on an annual basis.</p>	LWDB 17	No	<p>The policy allows for supporting documentation to be obtained before or after the use of such cards. An example of supporting documentation before the cards are used may be an attestation statement, signed by the participant, acknowledging that the supportive service will be used for the intended purpose.</p> <p>Note: In keeping with the policy language, LWDBs must include in their local operating procedures the process and/or documentation that will be used to verify supportive services provided to participants are used for the intended purpose.</p>	N/A
IV.D. Documentation Requirements	<p>1): In our OSY program we do not have them fill out a statement of need as their plans are ever changing. We do for adult - there is a copy of the WIOA obligation letter in the file for your review?</p>	LWDB 6	No	<p>Supporting documentation must be included in the participant's case file documenting the determination of need. If the WIOA obligation letter includes information regarding the participants' determination of need, it is acceptable.</p>	N/A

IV.D. Documentation Requirements	<p>2): States a case notes confirming the services were not available through other programs. What is the documentation needed to confirm services are not available through other programs? What documentation will need to be included for monitoring?</p>	LWDB 14	No	In keeping with the language in the policy, the documentation requirement is the case note confirming that the needed supportive services were not available through other programs providing such services.	N/A
	<p>4): States proof/verification of attendance in training is required. Are there specific elements that must be included in this required documentation? Does enrollment in the class count as proof/verification? Will participants be required to have an instructor sign off verify attendance? If an instructor does have to verify, what specifics must be included in documentation? What are the allowable proof/verification of attendance options for training?</p>	LWDB 14	No	LWDBs should have local operating procedures that establish documentation requirements for ensuring participants are attending their WIOA-funded training programs. This policy does not intend to establish additional requirements beyond those that the LWDB should already have in place regarding attendance.	N/A
	<p>7): what you meant to say was that the LWDB followed their procurement policy?</p>	LWDB 6	Yes	Concur. The policy language has been updated.	N/A
	<p>7): Every county and LWDB area has an Early Learning Coalition. They are the experts on eligibility for funding and the pricing. A referral to this agency, even if LWDB pay for it should be enough to show resources were explored.</p> <p>Every County also has a local agency who oversees funding from the Area Agency on Aging to assist with various expenses related to dependent care. A referral to this agency should be enough to show resource explored.</p> <p>It is recommended that this revised as included in # 6).</p>	LWDB 13	Yes	The policy language has been updated; the former #7 has been removed.	N/A

<p>IV.D. Documentation Requirements</p>	<p>Under Required Documents, the document lists, “Supporting documents, such as receipts, redeemed checks or vouchers paying for the goods or services.”</p> <p>We are working hard to keep people in the program; placing these requirements on individuals will have the opposite result having a negative impact on our WIOA negotiated measures.</p> <p>This will be a deterrent to issuing support services. We know from experience as this was the rule for a short time long ago that the participants will not remember to bring the receipts. When there is no receipt, the participant will not get another support service and may then drop out of the program. We are not going to be able to teach responsibility with a required receipt program we instead will be teaching bureaucracy and generating a lot of dissatisfaction on the part of the participant</p>	<p>LWDB 22</p>	<p>Yes</p>	<p>This policy language has been updated to include a reference to "vendors".</p>	<p>N/A</p>
	<p>7): On the front line, it is often hard enough trying to find vendors who will work with us. I am not sure how we show “reasonable effort”. In fear of auditors or monitors who have varying definitions of “reasonable effort” it is suggested DEO define this terminology. Another options would be to strike “lowest” as it is not a factor we can always control if only one vendor will work with a LWBD. Support services is “just in time” and not something you can bid or put out for competitive procurement.</p>	<p>LWDB 13</p>	<p>Yes</p>	<p>The policy language has been updated; the former #7 has been removed.</p>	<p>N/A</p>

IV. E. Local Operating Procedures (LOPs)	3): what you meant to say was that the LWDB followed their procurement policy?	LWDB 6	Yes	Concur. The policy language has been updated.	N/A
	6): system?	LWDB 6	Yes	The policy language has been updated to clarify.	N/A
	13): system?	LWDB 6	Yes	The policy language has been updated to clarify.	N/A
	Suggested change here is to allow some flexibility in chasing paper which really is not realistic. We are trying to work virtually during the pandemic. It is a challenge even when there is no pandemic. See suggested language. 13) Identify delivery methods of supportive service payments (to include verifying proof of receipt by the intended party, when practical or verbal follow up with the participant or selected vendor.	LWDB 13	No	Each LWDB will establish in its local operating procedures how it will verify proof of receipt of supportive services. The policy does not assert a specific method by which such proof must be obtained.	N/A
	See earlier comment about lowest, competitively priced. Suggest striking the word “lowest”.	LWDB 13	Yes	The policy language has been updated; the former #13 has been removed.	N/A
	6): The document states, “Establish a supportive service system that calculates and provides assistance in the actual amount of the participant’s documented need.” Exact amounts would be difficult to get because this could be subjective. Using the clothing support service as an example, do we base the service on the cost of clothing at Wal-Mart, Target, or another clothing store? Locally, we’ve established limits on support services, for example a customer may receive up to \$200 per year for clothing and we allow staff to issue services within those limits.	LWDB 22	Yes	Concur. The policy language has been updated.	N/A

<p>IV.E. Local Operating Procedure (LOPs)</p>	<p>6): States to provide the exact amount of the participant's documented need When needing to issue the exact dollar amount, how can this be done if the mileage calculation or gas usage is over the monthly maximum amount? Would it be acceptable to use a mileage range (based on google maps) and cost per mile (based on .44) that aligns with the gas card amounts i.e. \$25.00 for mileage between 50 – 60 miles; \$30.00 for mileage between 61-70); \$35.00 for mileage between 71-80; etc. Would receipts be needed if gas cards were issued for vehicle transportation? How can gas cards be issued for the exact amount? It is not feasible to issue a gas card and expect participants to submit receipts retroactively? If exact mileage is needed, could participants complete mileage forms and submit for reimbursement via check.</p>	<p>LWDB 22</p>	<p>No</p>	<p>Yes, it is acceptable for LWDBs to establish in their local operating procedures mileage ranges for assisting participants with fuel costs.</p> <p>Whether or not receipts are used by LWDBs to document whether supportive services were used by the participant for the intended purpose must be determined by the LWDB and included in its local operating procedures.</p>	<p>N/A</p>
	<p>6) Establish a supportive service system that calculates and provides assistance in the actual amount of the participant's documented need. ***Is this needed for each support service type? Example?</p>	<p>LWDB 12</p>	<p>Yes</p>	<p>No, the policy language has been updated to include some flexibility.</p> <p>For example, if the local board's policy includes a mileage calculation to determine the amount of transportation assistance needed, the amount of transportation assistance provided to the participant should align with calculation. Or if the participant needs assistance with purchasing uniforms, the supportive service amount must align with the quote received from the uniform store. However, using the example of clothing assistance for professional attire, the exact costs of the supportive service may not be known up-front. The LWDB would ensure the amount of the supportive service aligns with its local operating procedures for the specific supportive service and the participant would need to provide proof that the supportive service was used for the intended purpose in accordance with the LWDBs local operating procedures.</p>	<p>N/A</p>