



A Tradition of Stewardship
A Commitment to Service

NAPA COUNTY HEALTH AND HUMAN SERVICES AGENCY

Self Sufficiency Services Division

POLICY AND PROCEDURE:

Diversion Services

REVIEW FREQUENCY:

Every two years

POLICY # 2000601-1004-20

DISTRIBUTION:

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|--|--|
| <input type="checkbox"/> Employment Services | <input checked="" type="checkbox"/> Eligibility Services |
| | <input checked="" type="checkbox"/> Quality Mgmt |

EFFECTIVE DATE: January 1, 1998

ORIGINAL DATE OF ISSUE: October 23, 1998

LAST REVISION DATE: June 5, 2020

APPROVAL: *Juana Bautista* 6/10/2020
 Eligibility Services Manager Date

APPROVAL: *Lynn Perez* 6/11/20
 SSSD Deputy Director Date

APPROVAL: *James Yarnold* 6-11-2020
 HHS Director Date

POLICY STATEMENT:

It is the policy of the Napa County Health and Human Services Agency (NCHHSA) to provide diversion information and services to any applicant to the CalWORKs (CW) cash assistance program to avoid the need of the family for extended assistance.

ADMINISTRATION:

Eligibility Specialist (EW)
Screener

DEFINITIONS:

Diversion Period – The time period represented by the value of the diversion service divided by the Maximum Aid Payment (MAP) amount for the apparently eligible assistance unit (AU).

Diversion Services – Cash or noncash payments or services provided to a CW applicant, with the intent of diverting the applicant from long-term aid.

Fair Market Value – The price in cash, or its equivalent, that someone would pay for the diversion service in the open market.

END OF POLICY

PROCEDURE

I. Customer Informing

- A. All CW applicants shall be informed of the availability of diversion services
 - 1. The SAWS 1 Coversheet summarizes the diversion program
 - 2. The CW 88 Coversheet – You May Be Eligible for Diversion Services is included in the application packet.

II. Screeners Process

- A. At the time of screening all CW applicants should be notified of the availability of diversion services and provided a copy of the CW 88 coversheet.
- B. Screener shall include in a journal entry that client was notified.
- C. If the applicant states they would like to be considered for diversion services, the screener should have the applicant complete the CW 88.
 - 1. Diversion program is opened in C-IV and an intake appointment is scheduled.

III. Diversion Determination Criteria

- A. In making a determination that diversion services are appropriate, the EW will consider:
 - 1. Applicant's employment history, such as: length of past employment, length of time at each job, regular patten of work, gaps in employment without applying for cash aid.
 - 2. Likelihood of the applicant obtaining immediate full-time employment with the existing job skills and currently available job opportunities.
 - 3. Applicant's general prospects for obtaining full-time employment. Consider whether or not the potential earnings will meet the family's needs on an ongoing basis and if there is a general lack of other barriers to becoming self-sufficient.
 - 4. Applicant's need for cash assistance to pay housing or substantial and unforeseen expenses or work-related expenses
 - 5. Housing stability
 - 6. Adequacy of the applicant's child care arrangements, if applicable, such as availability during employment hours, ability to pay child care costs, and a back up plan.
 - 7. Applicant's "apparent eligibility" to cash aid per 40-129.11 and .211
 - a. Apparent eligibility does not require that eligibility factors be verified, only that the available information indicates the family would be eligible if the information on the statement of facts were verified.
 - b. A home visit is required prior to approval of the diversion payment when the living arrangements or other factors affecting apparent eligibility cannot be satisfactorily determined without such a visit.
- B. Examples of indicators that the diversion program is not appropriate are:
 - 1. Applicant has little or no work history or marketable skills.
 - 2. Payment of fines or past due child support is needed to renew a driver's license, unless obtaining the driver's license will lead to employment.
 - 3. Extended period of schooling or training is needed
 - 4. History of multiple jobs in short time periods
 - 5. Frequent, short term receipt of public assistance indicating repeated financial crises.
 - 6. Lack of stable arrangements to meet basic needs, such as housing, transportation, child care, or lack of support system.

7. Applicant is experiencing mental or medical health difficulties, is a substance abuser, or has other chronic problems.
 8. Past receipt of diversion payment without successful results
- C. Examples of needs/services that are appropriate for diversion payment include:
1. Transportation – e.g. car repairs, bus pass, driver’s license, car insurance
 2. Union dues/reinstatement fees
 3. Uniforms or special equipment
 4. Initial child care costs, registration fees
 5. Emergency housing costs – e.g. rent payment to avoid eviction, deposit
 6. Pre-employment physical

IV. EW Process

- A. The county has sole discretion for determining when it is appropriate to offer lump sum diversion services.
- B. During the CW application process, the EW will assess if the applicant appears eligible to and appropriate for the diversion program. In making this determination, the EW will consider criteria listed in Section III above.
- C. EW will conduct an intake appointment
- D. From the information provided, the EW will determine if the applicant would benefit from the diversion program and if the family is apparently eligible.
- E. If the EW determines that the applicant would benefit from the diversion program, the EW will:
 1. Discuss this option with the applicant
 2. Review the CW 88 Coversheet with the applicant(s), ensuring that the applicant understands:
 - a. That the eligible diversion program applicant may choose to participate in the diversion program or pursue the CW application.
 - b. The amount of diversion payment and types of diversion services that are available.
 - c. That receipt of a diversion payment or service will count as one month in the 48-month time limit.
 - d. How diversion payments are treated if the applicant subsequently requests/receives cash aid.
- F. If the applicant chooses to receive diversion services in lieu of receiving cash aid, the CW 88 – Diversion Services Agreement, is completed stating:
 1. Amount of the payment or type of service requested
 2. How the payment/service will be used, **and**
 3. That the applicant understands the diversion program provisions as outlined in the CW 88.
- G. The CW 88 is forwarded to the Supervising Eligibility Specialist for approval
- H. Approves diversion in C-IV and creates a payment request. (Refer to C-IV Job Aid)
- I. EW completes a journal entry
 1. Long Description shall include but is not limited to:
 - a. Date of diversion request
 - b. Date of diversion payment
 - c. Amount of diversion payment
 - d. Diversion payments / services received
 - e. Diversion period dates
 - f. Forms obtained
- J. EW will image and index all diversion documents

- K. No referral to the Department of Child Support Services (DCSS) is required for lump sum diversion recipients and there is no assignment of support rights.
- L. Diversion program recipients are not categorically linked to Medi-Cal (MC) and the MC application procedures are followed.
- M. Applicants who choose CW instead of the diversion program will continue with the CW application process.
 - 1. EW will deny diversion services in C-IV. (Refer to C-IV Job Aid)
 - 2. EW will complete a journal entry explaining applicant's choice.
- N. If the EW determines that the applicant would not benefit from the diversion program, the EW will:
 - 1. Deny diversion services in C-IV (Refer to C-IV Job Aid)
 - 2. Complete a journal entry
 - a. Long Description shall include but is not limited to:
 - 1) Date of diversion request
 - 2) Reason for determination that diversion was not appropriate
 - 3. Continue on with CalWORKs application

V. Diversion Period

- A. The diversion period shall be determined by dividing the value of the diversion service by the appropriate MAP level for the apparently eligible AU at the time of the initial application.
- B. Partial months are not counted when determining the diversion period
- C. In the case of non-cash services, the EW shall determine the fair market value of the services when calculating the diversion period.

VI. Payments

- A. The maximum amount of a diversion payment or value of a diversion service, per episode, will be the reasonable and necessary cost up to the amount equal to three times the MAP for the AU.
- B. The payment may be for a single need or a combination of needs.
- C. When the diversion program is approved, CW is denied and the C-IV System auto-tests for Medi-Cal.
- D. The full diversion payment is made in the first month of apparent eligibility
- E. EW informs client to pick up EBT card at the Office if applicable.

VII. Reapplication for CalWORKs

- A. If the applicant reapplies for CW within the diversion period and is determined eligible, the applicant may choose to allow the county to either:
 - 1. Recoup from the CW grant the value of the diversion payment or service within a time period determined by the county, using the standard overpayment recoupment calculation, and count no months toward the state 48-month time limit, **or**
 - 2. Count the entire diversion period towards the state 48-month time limit and to not repay the value of the diversion payment or service.
- B. EW shall include in a journal entry the re-applicant's choice of whether to repay the diversion payment or have it count towards their 48-month time limit.
- C. If the applicant opts to have the diversion repaid through an overpayment. The overpayment must be created in C-IV before CW is approved.

- D. Child support received by the applicant or collected by the county shall not be used to offset the diversion payment.
- E. The applicant will complete a VER 109 CIV – Sworn Statement documenting the applicant’s choice.
- F. If the applicant reapplies for CW after the diversion period has ended and is determined eligible, the only the one month of the diversion period shall be counted toward the state 48-month time limit.
 - 1. Applicant’s reapplying for CW during a diversion period shall not be considered appropriate for another diversion payment
 - 2. Applicant will provide information/verification as to how the diversion payment was used.
 - a. If documentation is unavailable a sworn statement may be accepted.

VIII. 60-Month TANF time limit

- A. The diversion payment does not count toward the federal TANF time limit if the payment is excluded from the definition of TANF “assistance”
 - 1. “Assistance” excludes non-recurrent, short term benefits that:
 - a. Are designed to deal with a specific crisis situation or episode of need;
 - b. Are not intended to meet the recurrent or ongoing needs; **and**
 - c. Will not provide for needs that extend over four months.

REFERENCES:

- [ACL 97-68](#) – Implementation of the Diversion Program
- [ACL 98-37](#) – Questions and Answers
- [ACL 00-48](#) – Tracking Diversion Payments
- C-IV Job Aid – Add a Program to an Existing Case
- C-IV Job Aid – Diversion – Process and Issue Benefits
- Emergency Child Care Diversion Procedure
- [MPP 81-215](#)

FORMS

- CW 88 – Diversion Services Agreement
- CW 88 Coversheet – You May be Eligible for Diversion Services
- VER 109 CIV – Sworn Statement

CONTACT PERSON(S):

Shanna Gardner, Staff Services Analyst

END OF PROCEDURE

REVISION HISTORY:

Revision	Date	Description of Change	Requested By
1.0	08-30-11	Biennial Review, Updated to reflect new C-IV system.	S. Gardner, SSA
2.0	03-11-15	Biennial Review. Removed use of NW 714 and NW 715.	S. Gardner, SSA
3.0	11-28-17	Biennial Review. No Changes	S. Gardner, SSA
4.0	06-05-20	Biennial Review. No Changes	S. Gardner, SSA