

## KEY PROVISIONS OF THE RHODE ISLAND WORKS PROGRAM

The new Rhode Island Works Program, which replaces the Family Independence Program, takes effect July 1, 2008, with the exception of certain sections as described below. DHS will need to implement the changes through the rule-making process, so the actual date that these changes will be in effect is not yet known.

*Time Limits.*<sup>1</sup> Under the new Rhode Island Works Program, there is a lifetime limit of **48 months** for families. In addition, families are limited to a total of **24 months** of cash assistance benefits in any **five-year period**. The family is not eligible for a new five-year period and 24 months of additional benefits until five years after the start date of the first benefit cycle. Families currently receiving FIP cash assistance will not be closed based on the 24 month time limit until July 1, 2009. However, between July 1, 2008 and July 1, 2009, if the family reaches the FIP 60 month time limit, the case will close.

Effective August 1, 2008, benefits for children are also time-limited, except for children who are living with a parent who receives SSI benefits or are being raised by a caretaker relative. This means that children's eligibility will end when their parents' benefits stop due to the time limit. In addition, for families in which the parent has been ineligible for cash assistance because the parent is not a qualified immigrant, all children will close to cash once one child has received benefits for the maximum time limit.<sup>2</sup>

*Extensions to the Time Limits.*<sup>3</sup> Families may qualify for a hardship extension to both the 24 month and the 48 lifetime limit. Under the current regulations, hardship extensions may be granted for families where: (1) a parent is disabled as documented by appropriate medical evidence and applies for SSDI or SSI, (2) the family is homeless, or (3) the family has recently left a domestic violence situation. An extension may also be available for families in which the parent cannot work because she must stay home to provide full-time care for a disabled spouse or child.

*Legal Permanent Residents.*<sup>4</sup> Legal Permanent Residents (LPR) in the country for less than five years will no longer be eligible for cash assistance under Rhode Island Works. After five years, LPR families may be eligible for assistance if they meet income and resource eligibility requirements. This limitation does not apply to LPRs who entered the US as refugees or who were granted asylum. This change is effective October 1, 2008.<sup>5</sup>

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<sup>1</sup> FIP law allowed a 60 month lifetime limit for parents and no limit on benefits for minor children.

<sup>2</sup> There are approximately 4,000 children who will lose cash assistance when this change is implemented. It is expected that this will happen no sooner than September 2008. These families can receive an extension if they qualify under the reasons listed in footnote 3, below.

<sup>3</sup> Homelessness, disability and domestic violence are reasons for extension to the 60 month time limit under FIP.

<sup>4</sup> Under FIP, LPRs are eligible but sponsor's income and resources are counted during the first 3 years the LPR is in the country.

<sup>5</sup> Approximately 1,000 recipients (600 children and 400 adults) will be dropped from cash assistance when this change is implemented.

Employment Plan Activities:<sup>6</sup> The Rhode Island Works Program shifts responsibility for employment services from DHS to the Department of Labor and Training One Stop centers. Upon application for benefits, the parent will be required to sign an employment plan and immediately engage in a 4 week job readiness/job search program as his/her first activity. If, after 4 weeks, the client is unable to find a job, then she/he will be able to participate in “TANF countable” work activities, including vocational education. Some parents facing significant barriers to finding entry-level employment may be referred to an intensive short-term program designed to help them become work ready before being required to look for a job.

Rehabilitation Plans for Parents with Serious Disabilities:<sup>7</sup> If, after assessment, it is determined that the parent has disabilities that prevent her/him from moving directly into the workforce, the parent is referred to the Office of Rehabilitative Services to work with counselors who have expertise in helping parents with disabilities. These parents will have a “rehabilitation employment plan” that outlines the activities they need to engage in to get ready for work – and/or to apply for permanent disability benefits from the Social Security Administration.

Sanction for Failure to Comply:<sup>8</sup> If the parent fails without good cause to comply with their work-plan requirements, then the benefit is immediately reduced and benefits to the whole family are stopped after 3-months of benefit reduction.

Exemptions to work requirements:<sup>9</sup> Under Rhode Island Works, most parents receiving cash assistance will be required to have an employment plan. The following are the only exemptions that will apply:

- Third trimester pregnant woman applicant and recipient if medically necessary
- Caring for a child under 1. This exemption is limited to 12 months in the 48 month lifetime limit.
- Caring for a disabled family member

Work Incentives:<sup>10</sup> When a parent starts work, some of the earnings are not counted in determining the amount of cash assistance for which the family remains eligible. The first \$170 earned plus ½ the balance is not counted toward cash assistance eligibility calculations. The family closes to cash assistance if countable earnings exceed the benefit payment or if the family reaches the 24 month time limit. If the parent is working at least 30 hours/week when the case closes, the family can qualify for a post-employment bonus (expected to be \$100) for 12 months.

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<sup>6</sup> Under FIP, parents are allowed to do a range of activities to prepare for work: adult basic education, ESOL, GED classes, short-term training, e.g. The employment plan activities are based on the parent’s work history, vocational and educational skills.

<sup>7</sup> Under FIP, parents with disabilities are exempt from work activities.

<sup>8</sup> Under FIP, the full family sanction is applied after 6 months of non-compliance. Parents are offered the opportunity to meet with their caseworker to discuss the reason for non-compliance before the sanction is imposed. Under the new program, this “conciliation process” is eliminated.

<sup>9</sup> Under FIP, there is no limit on the exemption for caring for a child under age 1. Pregnant women who are recipients are exempt from work and parents who are disabled are exempt from the work requirement.

<sup>10</sup> Under FIP, if a parent is working at least 30 hours/week and countable income is less than the FIP payment, the family can receive a small FIP supplemental payment without time limit. There is no post-employment bonus.