



## Policy: 14.01

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**Subject** Social Services Block Grant Eligibility

**Approved by**

**Approval Date:** 09/25/2019

**Effective Date:** 10/01/2019

**Authority**

Title XX Block Grant to States for Social Services and Elder Justice  
2 CFR § 215.42 Codes of Conduct

**Application**

State Employees, Contract Staff and Administrators

### Policy Statement

For individuals to be eligible for adult day services funded by the Social Services Block Grant, they must be referred by Adult Protective Services or be income-eligible, over the age of eighteen (18) and have a physical or mental impairment. Recipients of homemaker services must be victims of abuse, neglect, and/or exploitation and referred by Adult Protective Services. In all cases, recipients of services must be citizens of the United States or qualified non-citizens.

### Purpose

The purpose of this policy is to provide procedures and guidelines regarding eligibility for Social Services Block Grant homemaker and adult day services. This document is designed to address who is eligible and how eligibility is determined.

### Procedures

- A. Findings of Eligibility** In order for a citizen to be found eligible for services through a program funded by Social Services Block Grant (SSBG), the client must be a United States (US) citizen or qualified non-citizen, and determined to be both financially eligible and in need of services.
- B. Adult Protective Services Clients and Eligibility** As an exception to the general findings of eligibility, Adult Protective Services (APS) clients do not need to prove financial eligibility or need for services. As protective clients, they receive services without regard to income (WRI), and APS determines eligibility and provides authorization for services.

- C. Service Priority for Adult Day Services** Adult day services provided using SSBG funds must give priority to APS protective client cases. Admissions policies must be written in a manner that reflects this priority.
- Providers must maintain a referral log showing the following information for each client:
- Applicant/client name
  - Date of application/referral
  - Referral source
  - Service initiation date
- D. Income Eligible Homemaker Clients**
1. Effective July 1, 2006, the Tennessee Department of Human Services (TDHS) restricted providers from accepting homemaker clients on an income eligible (IE) basis. All IE homemaker clients whose services started prior to that date were permitted to continue services on that basis. All subsequent homemaker clients were to be referred to the providers solely by APS and purely on a WRI basis.
  2. In order for the remaining IE homemaker clients to recertify, each must have household income within 125% of the annual Federal Poverty Guidelines, as indicated in the [Adult Day Services Fee Schedule](#).
- E. Nursing Homes and Institutions**
1. SSBG homemaker and adult day services are not available for residents of nursing homes and institutions.
  2. However, when a provider has a client who enters a nursing home, transitional services may be provided as needed to ensure a smooth transition of casework from the provider to the nursing home. Transitional services must not exceed thirty (30) calendar days.
  3. SSBG services are available to institutionalized homemaker clients who are referred, and adult day services clients who are either referred or meet eligibility requirements if the services will assist them to move out of institutionalized care and into the community. Services should be initiated only after the institution has provided a written plan that shows the client will be moving back into the community. The plan must show the client returning the community within thirty (30) calendar days.
- F. Self-Declaration**
- SSBG benefits are granted on the basis of self-declaration regarding both income and citizenship/qualified non-citizen status while attempts are made to acquire appropriate documentation.
1. **Documentation:** Every attempt to acquire the missing paperwork should be documented in the file.
  2. **Appropriate Use:** The self-declaration method of establishing eligibility can be used in all necessary cases unless monetary payments or tangible benefits purchased with SSBG funds are provided.
- G. Need for Services**
- Unless a client is referred for services through APS, the household must meet income guidelines and need for services must be established. Establishing need requires careful review of the applicant's circumstances. Considerations may include, but are not limited to:
1. The applicant's stated reason for requesting the service

2. The conditions in the applicant's home
3. The physical and/or mental condition of the applicant
4. Whether or not other services and/or resources are available to the applicant, and whether or not they are being utilized
5. Do the physical/mental condition of the applicant, and the condition of his/her living environment support the stated reason for requesting services?
6. Does the need for services meet one or more of SSBG's service goals? (See [Social Services Block Grant Service Goals](#))

Applicants for adult day services must require supervision in a structured, protective environment for less than twenty-four (24) hours a day due to physical or mental impairments as evidenced by:

1. Clients aged eighteen (18) to fifty-nine (59)
  - severe and/or chronic mental or physical disability which is likely to continue indefinitely and has resulted in functional limitations in social and daily living skills.
2. Clients aged sixty (60) and older
  - residing with a relative or non-relative caretaker due to functional limitations in daily living skills and who require supervision for part of the day to allow the caretaker to be away from home; and/or
  - experiencing depression, confusion, withdrawal, chronic illness, deteriorating mobility, and/or deteriorating social and life skills such that there is a substantive diminishment in their ability to perform their own activities of daily living (ADLs) and are at a resultant risk of institutionalization.

IE homemaker clients must also establish need for service when eligibility is redetermined at appropriate intervals. Their need is exemplified by the following:

1. A single adult or couple who lives alone, and because of temporary illness or infirmity is unable to manage some of their ADLs
2. An adult in a hospital, nursing home, or boarding house who can return to their home if some of the ADLs are done for them
3. An ill or infirm adult who is not receiving proper care or who is living in hazardous circumstances
4. An abused, neglected, or exploited adult who needs to be taught basic skills to care for themselves or their home

## **H. Service Goals**

All SSBG services are intended to assist clients in meeting at least one (1) of five (5) national service goals.

- Goal 1: Achieving or maintaining economic self-support, including the reduction or prevention of dependency.
- Goal 2: Achieving or maintaining self-sufficiency including the reduction or prevention of dependency.
- Goal 3: Preventing or remedying neglect, abuse or exploitation of adults unable to protect their own interest or preserving, rehabilitating or reuniting families.

- Goal 4: Preventing or reducing inappropriate institutional care by providing community based care, home based care, or other forms of less intensive care.
- Goal 5: Securing referral or admission for institutional care when other forms of care are not appropriate or providing services to individuals in institutions.

For further details on each service goal, see [Social Services Block Grant Service Goals](#).

## **I. Application for Services**

The files of all IE SSBG adult day services and homemaker clients must contain a signed [HS-3117 Application for Social Services Block Grant \(SSBG\) Services](#). For APS WRI cases, the [HS-0041 Authorization and Request for Services](#) and the [HS-2972 Homemaker Request for Services and Social Assessment and Service Plan \(SSBG\)](#) must be present.

1. Every individual who wishes to receive SSBG services must have the opportunity to apply without delay. The application must be completed and eligibility established prior to the initiation of services.
2. All applicants must use the official [HS-3117 Application for Social Services Block Grant \(SSBG\) Services](#). All form instructions must be followed and all fields completed.
3. All applications must be processed within one (1) business day of the date the applicant signed the application. When eligibility is not determined within the required time frame, the record must clearly reflect the cause for delay.
4. The following must be included on, or attached to, the application in order to show compliance with all policies and procedures:
  - a. Evidence that the client is both financially eligible and in need of services
  - b. Verification of social security number(s) (SSN) for all members of the household
  - c. Copy of client notification regarding eligibility.
5. Notification of application approval or denial, as well as notification if eligibility cannot be determined, must be provided in writing to all applicants within fifteen (15) business days of the date of the decision. See [SSBG Eligibility Procedures](#).
6. Eligibility may be denied should the applicant fail to provide all necessary information and/or documentation.

## **J. Certification Period**

An eligible client may be certified for any period of time extending up to but no longer than:

- One (1) month from the date eligibility was established for all adult day services applications for which the entire household is determined to have zero income
- Six (6) months from the date eligibility was established (when any member of the household receives any form of variable (non-fixed) income)
- Twelve (12) months from the date eligibility was established (when all household members for whom income must be verified receive fixed

income only)

**K. Certification Period Effective Dates**

- Declaration method: The date the client signs the application
- Verification method: The date the provider's employee verifies the income

**Note:** Eligibility must not be determined retroactively.

**L. APS Referral to Homemaker and Adult Day Services**

1. For WRI cases, the initial need was determined by APS, as indicated by their referral to homemaker or adult day services. If a provider receives a referral they don't feel is appropriate, the agency must contact TDHS SSBG program staff and receive approval prior to declining the referral and/or denying service to the client.
2. For homemaker services, APS will schedule the introductory client/provider visit unless the client has received services from the provider in the past.
3. The APS case must remain open for at least thirty (30) calendar days after SSBG services start. Prior to closing its case, APS must contact the homemaker to ensure that the client's needs are being met.
4. If the provider has a waiting list and the client is not in crisis, APS can close its case after discussion with homemaker staff.
5. Any time an APS case is closed after a referral has been made, APS must submit an [HS-0878 Termination of Services](#) form to the provider.

**M. Redetermination**

If a client's household size, income, or need for services changes during the certification period, or the provider has reason to believe that a change in circumstances that may affect eligibility has taken place, eligibility must be redetermined within fifteen (15) calendar days. All changes in eligibility must be documented on form [HS-3109 SSBG Change in Circumstances](#) and submitted to TDHS program staff within ten (10) calendar days of redetermination.

**N. Financial Penalties**

Except in situations of self-declaration, all applications must be complete and eligibility must be documented prior to initiation of services. Provision of services to individuals for whom eligibility has not been determined and documented shall result in financial penalties assessed to the provider. Penalties will take the form of adjustments to the provider's monthly reimbursement. The following are examples of how providers might not adequately determine/document client eligibility:

1. Client eligibility is not current
2. Full household income is not documented
3. Verifications are not complete and/or do not establish client's eligibility
4. Application is not signed and dated by the applicant or the applicant's representative
5. Eligibility determination section of the application is complete, but not signed and dated by the provider's employee determining eligibility
6. Client is over the income guidelines
7. Services are provided prior to verification for those clients not using self-declaration

**O. Citizenship and Qualified Non-Citizen Status** Except in situations of self-declaration, citizenship or qualified non-citizen status must be determined prior to initiation of services. This step applies to both IE adult day services clients and WRI homemaker and adult day services clients. See [Determination of US Citizenship or Qualified Non-Citizen Status](#).

**P. Income Requirements** Unless referred by APS, recipients of adult day services must be eligible on the basis of income. The income of the entire household must fall within the guidelines set by this policy. If an individual qualifies for services, the fee is set on a sliding scale based on household income or fully subsidized. See [Adult Day Services Fee Schedule](#).

The following are important to consider prior to determining financial eligibility:

1. Household Income – A household is any individual or group of individuals living together as a single economic unit. Household income is the total gross income for all individuals in a household.
2. Homelessness – When homeless individuals reside temporarily in another permanent household, the individual is considered a separate economic unit.
3. Inclusions and Exclusions of Income – See [Included and Excluded Income Sources with Verifications](#).
4. Zero Income – In circumstances where the individual's household has zero income, a combination of self-declaration and other methods of documentation are used and placed in the client's file. See [SSBG Eligibility Procedures](#).

#### Calculating Income

The provider must calculate income in a manner that best reflects the actual income for the household. Calculations are based on gross income.

1. All income must be averaged and converted to monthly amounts using the generally accepted accounting principles provided in the [SSBG Eligibility Procedures](#) document.
2. All income, including fixed income, must be verified and documented at the time of application and at each redetermination.

#### Q. Adult Day Services Fees

1. Fees are charged based on gross household income and determined by the [Adult Day Services Fee Schedule](#).
2. Payment frequency: Payment must be made weekly. When the parties agree to a different payment plan, the case record must contain an agreement signed by both parties.
3. Sponsorship: If a provider determines that the cost of fees represents a financial hardship for a client, the agency may arrange for sponsorship or pay the client's fees using unrestricted agency funds. If at any time a sponsorship by the provider or third party is terminated, suspended, or interrupted – with or without cause and/or notice – the client is responsible for timely payment.
4. Documentation: To demonstrate compliance, the provider must document the collection of day services fees and identify:
  - a. Client name
  - b. Whether the client is a full or part-time recipient of services

- c. Payment frequency
  - d. Date payment is due
  - e. Payment date
  - f. Whether payment is made
  - g. Payer (client, family member, sponsor, etc.)
  - h. The time period covered by the fee
5. Full time/part-time care:
    - The [Adult Day Services Fee Schedule](#) is based on full-time care
      - i. For fee purposes, a client is considered full time when they regularly receive at least twenty-four (24) hours of services per week.
      - ii. Part-time clients regularly attend less than twenty-four (24) hours per week and are to be charged one half of the listed fee.
  6. The client must pay the full weekly fee when they are absent due to illness or vacations. Fees must be prorated when the provider is closed for holidays, in-service training, etc.
  7. If more than one member of the household attends adult day services at the same provider, then each member must pay the appropriate fee based on the monthly income for the household.
  8. When the fee is not paid according to the agreed-upon schedule, the provider must:
    - a. document non-payment
    - b. attempt to collect the debt
    - c. send or give written notice to the client at the end of the calendar month
    - d. establish a written plan for payment signed by the client within seven (7) calendar days after the month-end notification is sent/given, OR within seven (7) calendar days, send final notice of closure then close case as indicated if fees are not paid.
      - If the case is closed for non-payment, the client will not be eligible for adult day services again until the back fees are paid or until their case has been closed for six (6) months.
  9. Any deviation from this prescribed policy for fee collection must have prior written approval from the TDHS SSBG program director or their designee.

**R. Continuity of Services for APS Clients** The SSBG cases for clients who have not received services within thirty (30) calendar days must be closed. Closure notices must be sent to both the client and TDHS SSBG program staff. However, the provider has the discretion to reopen the case within sixty (60) calendar days of closure if the client continues to display a significant need. This would not require a new referral or authorization of services from APS, and the case would be reopened under the WRI category.

**S. Client's Right to Appeal** Refer to [Social Services Block Grant \(SSBG\) Policy and Procedures Manual](#)

**T. Duplication of Services** SSBG services should not duplicate those provided by other sources or agencies on the same day. Exceptions to this policy may be made by the

referring agency with justification provided to and approved by TDHS SSBG program staff.

**U. Depletion of Grant Funds**

1. When funding is depleted, it is appropriate to deny services to clients based on lack of funds. Clients who have been denied services must be provided a physical or electronic application ([HS-3117 Application for Social Services Block Grant \(SSBG\) Services](#)) and informed when the next open application period begins. Providers shall not deny clients until all funds are depleted.
2. A waiting list will be maintained of all SSBG applicants denied due to lack of funds. If additional funds become available during the program year, those SSBG applicants who were denied due to lack of funds will be notified of the change.

**V. Conflict of Interest**

1. Pursuant to 2 CFR § 215.42 Codes of Conduct, family members shall not be allowed to participate in the program in order to take care of their own family members, regardless of that member's request, unless the family member is the only qualified paraprofessional reasonably available to provide the services under the contract.
2. Providers must have a conflict of interest statement signed by all employees involved with the SSBG program.

**Forms**

[HS-3117 Application for Social Services Block Grant \(SSBG\) Services \(Instructions\)](#)

[HS-0041 Authorization and Request for Services \(Instructions\)](#) (Internal Use Only)

[HS-2972 Homemaker Request for Services and Social Assessment and Service Plan \(SSBG\) \(Instructions\)](#) (Internal Use Only)

[HS-0878 Termination of Services \(Instructions\)](#) (Internal Use Only)

[HS-3109 SSBG Change in Circumstances \(Instructions\)](#)

**Collateral Documents**

[Social Services Block Grant Service Goals](#)

[Determination of US Citizenship or Qualified Non-Citizen Status](#)

[Adult Day Services Fee Schedule](#)

[Included and Excluded Income Sources with Verifications](#)

[SSBG Eligibility Procedures](#)

**Additional Resources**

[Federal SSBG Website](#)

[State SSBG Website](#)

**Retention of Records** [RDA Summary for Policy 14.01 Social Services Block Grant Eligibility](#) (Internal Use Only)

## Glossary

<b>Term</b>	<b>Definition</b>
<b><i>Adult day services</i></b>	Adult day care
<b><i>Current Income</i></b>	Income received within the three (3) month's prior to the date the Social Services Block Grant application is signed.
<b><i>Fixed Income</i></b>	An income from a pension, investment, or benefit that is set at a particular figure and does not rise except perhaps annually in a cost-of-living adjustment.
<b><i>Self-declaration</i></b>	When a client states in writing and under signature that he or she is a United States citizen or qualified non-citizen and/or financially eligible for Social Services Block Grant funds, even though the client has no proof.
<b><i>Monetary payments</i></b>	Payments of cash in any form from Social Services Block Grant or its subcontracted agencies to Social Services Block Grant recipients for any purpose.
<b><i>Tangible Benefits</i></b>	Physical goods such as groceries, household items, personal care items, cleaning supplies, furniture, etc.
<b><i>Household</i></b>	Any individual or group of individuals living together as one economic unit.
<b><i>Household Income</i></b>	The total gross income for all individuals in a household.
<b><i>Representative Income</i></b>	Income that represents the usual amount of income earned over an equivalent period of time.

## Acronyms

<b>Abbreviation</b>	<b>Expansion</b>
<b><i>ADLs</i></b>	Activities of Daily Living
<b><i>APS</i></b>	Adult Protective Services
<b><i>IE</i></b>	Income Eligible
<b><i>SSBG</i></b>	Social Services Block Grant
<b><i>SSN</i></b>	Social Security Number

**WRI**

Without Regard to Income

**Supersedes**

Social Services Block Grant (SSBG) Policy and Procedures Manual:

- Service Priority (excluding the first (1<sup>st</sup>) sentence of the third (3<sup>rd</sup>) paragraph, Page 2
- Pages 3-4
- Zero Income, Page 5
- Pages 6-13
- Continuity of Services, Duplication of Services, Financial Adjustments for Services Provided to Ineligible Clients, Page 14
- Collection of Fees/Fares/Contributions, Page 15 (last three (3) paragraphs)
- Day Care Fees (for Adults) Page 15-16
- Depletion of Funding, Page 20
- Conflict of Interest, Page 24
- Change in Circumstances, Page 28
- Social Service Block Grant Service Goals, Page 29
- Method of Determining Eligibility – Without Regard to Income, Page 31
- Procedure for Establishing Need for Services Page 32
- Service Authorization by the Department, Page 33
- Method of Determining Eligibility – Verification, Procedure for Establishing Need for Service (excluding the final paragraph), Page 36
- Special Eligibility Requirements for Services to Persons in Nursing Homes (sentence three (3)), Special Eligibility Requirements for Payments of Day Care Fees, Page 37
- Special Requirements (sentence two (2)), SSBG Income Guidelines for FY 2016, Page 39
- Method of Determining Eligibility – Declaration, Procedure for Establishing the Need for Service, Special Eligibility Requirements for Services to Persons in Nursing Homes, Page 41
- Special Eligibility Requirements for Services to People in Institutions, Eligible Populations, Page 42
- Special Authorization Procedures for Protective Services Homemaker for Adults, Page 43
- Need for Service, Page 44
- Goals of Homemaker Services, Page 45
- Pages 49-50