



**Department for Children and Families  
Commissioner's Office**  
280 State Drive – HC 1 North  
Waterbury, VT 05671-1080  
[www.dcf.vt.gov](http://www.dcf.vt.gov)

[phone] 802-241-0929  
[fax] 802-241-0950

*Agency of Human Services*

May 28, 2024

Dear Members of the Legislative Committee on Administrative Rules:

In response to feedback received from Legislative Counsel, the Department for Children and Families (Department) proposes the following modifications to final proposed rule 24-P08,  
*Reach First Rules*:

- Sec. 2101(b): Replace existing language with “In addition, the following definitions apply to the Reach First program rules:”
- Sec. 2101(b)(2): Update the statutory citation to “33 V.S.A. chapter 10.”
- Sec. 2101(b)(4): Add “component” after the second instance of “services” and replace “improving their finances” with “becoming self-sufficient.”
- Sec. 2102(b): This section of the annotated text was inadvertently omitted from the clean text.
- Sec. 2104 heading and (a): Add “initial” before “interview.”
- Sec. 2104.1(b)(5): Replace “of” with “as expressed by.”
- Sec. 2114(b): Replace “ineligible” with “no longer eligible for Reach First.”
- Sec. 2119(e): Add citation to the Transitional Medical Assistance section of the Social Security Act.

In addition, the Department has made technical changes and corrected typographical errors throughout the rule. Attached to this letter, please find the annotated text reflecting these changes and an updated copy of the clean text.

Thank you,

Heidi Moreau  
Policy Advisor  
Department for Children and Families

2100 Reach First

- a. The purpose of the Reach First program is to ~~stabilize families~~ assist households experiencing a short-term crisis, assess their strengths and needs, and orient them to available programs, services, assistance, and participants' responsibilities. The goal is to improve family self-sufficiency, economic independence, and ensure the well-being of children. Reach First helps to stabilize the family by providing monetary payments and support services of limited duration while the family regains its independence and stability, or is assessed and transitions to an appropriate alternative program and assistance.
- b. The goal of the Reach First program is to help households overcome obstacles, explore opportunities, and improve their finances.
- c. Reach First helps households by providing monetary payments and support services of limited duration while they regain their independence or are assessed and transitioned to an appropriate alternative program.
- d. A ~~family~~ household that meets eligibility criteria for Reach Up ~~financial assistance~~ benefits and has needs that can be fully addressed by ~~the~~ Reach First ~~payments and support services~~ program may be eligible for Reach First.
- e. ~~Households that are~~ financially eligible ~~families not appropriate or qualified~~ for Reach First ~~benefits, but have needs that cannot be fully addressed by the Reach First program,~~ shall be referred to other programs ~~available to assist the family~~ them in obtaining the opportunities and skills necessary to ~~gain self-sufficiency and economic independence, achieve their goals, including their employment goals.~~

~~Section~~ 2101 Definitions

- a. The ~~definitions applicable to~~ terms defined in the the Reach First rules are the ~~Up Eligibility and Reach Up Services~~ definitions at ~~Reach Up rule 2341~~ rules 2201 and 2301 and are incorporated into ~~the~~ Reach First rules by ~~this~~ reference.
- b. ~~Section 2110~~ In addition, the following definitions apply to the Reach First program rules:
  - 1. "Eligible child" means a child under the age of 18.
    - i. ~~An 18-year-old child is eligible if they are a full-time student in a secondary school, or an equivalent educational program, and the child is expected to complete high school or the equivalent program before reaching their 19th birthday.~~
    - ii. ~~An eligible child under subsection (b)(1)(i) is eligible for Reach First benefits for the full calendar month they graduate high school or complete their educational program.~~
    - iii. ~~Children who are not full-time secondary school students on the day before their 18th birthday are eligible for Reach First benefits for the full calendar month during which their 18th birthday occurs.~~
    - iv. ~~An otherwise eligible 18-year-old child with a documented disability is eligible for Reach First benefits as follows:~~

- A. If they are a full-time student in a secondary school, or an equivalent educational program, and the child will not complete high school or the equivalent program before their 19th birthday solely because of their disability.
  - B. An eligible child under subsection (b)(1)(iv)(A) above is eligible for Reach First benefits for the full calendar month during which their 19th birthday occurs.
- 2. “Reach First” means Vermont’s Temporary Assistance for Needy Families (TANF) diversion program established under 33 V.S.A. chapter 10 and operated in accordance with Reach First rules 2100 to 2121.
  - 3. “Reach First benefit” means one or more cash payments to assist a household to improve their finances and avert the need for Reach Up benefits.
  - 4. “Reach First services” means the services component of the Reach First program consisting of assessment, case management services, support services, and referrals provided to eligible households to assist them in becoming self-sufficient.

## 2102 Eligibility

~~(05/08/2018, 17-20)~~

- a. To qualify for Reach First, the applicant ~~family must qualify for Reach Up using Reach Up financial~~ must meet the income and resource eligibility ~~rules, requirements for Reach Up.~~
- b. The household must include an eligible child.
- ~~a.c.~~ The 60-month time limit (Reach Up Eligibility rule ~~2238~~2234) does not apply to Reach First eligibility.
- d. In addition to qualifying for Reach Up ~~financial assistance benefits~~, the applicant ~~family~~ must meet the Reach First eligibility criteria ~~and, if it has no members who are mandatory applicants (rule 2117), must choose to~~.

Households that qualify for, and participate in ~~Reach First.~~

- e. ~~Families who qualify for and participate in~~ Reach First are initially certified as eligible for a four-month ~~period (certification period)~~ that ~~commences~~ begins with the first day of the first calendar month in which the family household receives a Reach First ~~payment or support service~~ benefits.
- 1. The certification period may be shortened if changes in the family's household's circumstances make them ~~no longer eligible~~ ineligible.

## Section 2111-2103 Financial Eligibility

Financial eligibility

- a. A household is financially eligible for Reach First ~~is evaluated~~ if the household’s income and ~~determined using resources~~ are below the limits established for the Reach Up ~~financial assistance rules 2200 through 2299~~ program, which are incorporated into Reach First rules by ~~this~~ reference except for the following sections:

~~Section 2112 Personal~~

- ~~1. Benefit Payment (Reach Up Eligibility rule 2214.1);~~
- ~~2. Cooperation with Office of Child Support (Reach Up Eligibility rule 2232.2); and~~
- ~~3. Appeal of Reach Up Decision (Reach Up Eligibility rule 2262.3).~~

~~2104 Initial Interview :~~

~~(05/08/2018, 17-20)~~

~~A personal~~

- a. ~~An initial~~ interview shall be conducted in accordance with Reach Up ~~Eligibility~~ rule ~~2211~~~~2208~~.2.
- b. ~~C.~~The interview shall include ~~sufficient~~~~enough~~ information about programs, benefits, and participant responsibilities to enable applicants to make informed decisions about program participation. ~~At the personal interview, the department shall provide the following to all applicants(s):~~
- c. ~~A.~~During the interview the Department shall provide the following to all applicants:
  - ~~1.~~ Information about all programs administered by the department, services and referrals available to the ~~family~~~~household~~, program requirements, participant responsibilities, consequences of ~~failure to meet~~~~not meeting these~~ responsibilities, and incentives for participation and obtaining employment;
  - ~~2.~~ ~~B.~~Financial and ~~self-sufficiency~~~~household stability~~ screening;
  - ~~3.~~ ~~C.~~Determination of Reach First eligibility related to ~~past~~~~prior~~ receipt of Reach First ~~payment~~~~benefits~~ and ~~to~~ the need for ongoing ~~assistance~~~~;~~ ~~benefits~~;
  - ~~4.~~ ~~D.~~Determination of appropriateness for Reach First referral; and
  - ~~5.~~ ~~E.~~Determination of whether the ~~family~~~~household~~ chooses to participate in Reach First, ~~if it is a family with no Reach First mandatory applicants.~~

~~Section 2113 Orientation:~~

- ~~A. The department shall provide, and work-eligible adults in a Reach First applicant family must attend, an orientation to Reach First and other program alternatives.~~
- ~~B. The orientation shall provide the family with information about all programs administered by the department, services and referrals available to the family, program requirements, participant responsibilities, consequences of failure to meet responsibilities, and incentives for participation and obtaining employment.~~
- ~~C. The orientation shall include sufficient information about programs, benefits and participant responsibilities to enable participants to make informed decisions about program participation.~~

~~Section 2114~~

~~2104.1 Financial and **Self-Sufficiency** Household Stability Screening :~~

- ~~a. A.~~ All ~~applicant families~~ applicants who ~~have satisfied financial eligibility criteria~~ are financially eligible for Reach First ~~or financial assistance benefits~~ must complete a financial and ~~self-sufficiency~~ household stability screening ~~before determination of eligibility for Reach First,~~ unless it is clear the ~~family~~ household is ineligible for Reach First (~~2194.3~~)-rule 2105.
- ~~b. B.~~ The financial and ~~self-sufficiency~~ household stability screening determines whether the ~~family's~~ household's circumstances qualify them for Reach First. ~~The screening includes determination, including a review~~ of:
- ~~1. 1.~~ The extent of the ~~family's~~ household's financial need;
  - ~~2. 2.~~ The likelihood that Reach First can address the ~~family's~~ household's needs within the ~~program's~~ program's time limits;
  - ~~3. 3.~~ ~~the family's prospects for and~~ The household's likelihood of ~~self-sufficiency not needing the program~~ within the next four months;
  - ~~4. 4.~~ ~~the family's~~ The household's need for further assessment to determine how to best meet ~~the family's~~ sits needs and whether Reach First is an appropriate referral; and
  - ~~5. the work-eligible adults'~~ The interest and desire to participate in Reach First; as expressed by the applicant and
  - ~~5. 6.~~ whether any ~~family member is a mandatory Reach First applicants (2194.5)~~ other work eligible adult (rule 2301) in the household.

#### ~~Section 2115-2105~~ Ineligible Families. ~~Households~~

- ~~a. A.~~ The following ~~families~~ households are ineligible for Reach First:
- ~~1. 1.~~ ~~families with a work-eligible adult who has~~ Households that have received a Reach First ~~payment~~ benefit attributed to any month within the 12 months preceding the month of application; and
  - ~~2. 2.~~ ~~families who~~ Households that need on-going ~~assistance~~ benefits beyond the four-month Reach First period.

#### ~~Section 2116 Families Inappropriate for Referral.~~

#### ~~A. Some families who are not appropriate for 2106~~ Reach First ~~may~~ Benefits

Reach First benefits must be recognized before assessment in Reach First.

~~B. The following families, unless they can provide verification that their need for ongoing assistance will end within the four-month Reach First period commencing with the calendar month of their application, are not appropriate for Reach First and should be referred to and receive their assessment while in another appropriate program:~~

- ~~1. a single parent who qualifies for and wants a deferment to stay home to care for their child under the age of 2;~~
- ~~2. families with work-eligible participants meeting their Reach Up work requirement, but needing ongoing assistance and assessment to determine the best course for gaining self-sufficiency.~~

#### ~~Section 2117 Families with Mandatory Applicants.~~

(05/08/2018, 17-20)

Families who meet the following criteria are mandatory Reach First Applicants:

1. at least one member of the family is a work-eligible individual;
2. work-eligible individuals in the family are neither disregarded from nor meeting their Reach Up work requirement;
3. none of the work-eligible adults in the family have received a Reach First payment attributed to any month in the twelve months preceding the month of application; and
4. at least one of the work-eligible adults in the family is:
  - a. a single-parent or caretaker who has no barriers to obtaining and maintaining a job and a recent and stable work history, including receiving wages for his or her most recent job that, when annualized, equal or exceed 150 percent of the federal poverty level applicable to the family;
  - b. an able-to-work adult (in a two-parent family when the other parent is able-to-work part-time or unable-to-work) who has no barriers to obtaining and maintaining a job and a recent and stable work history, including receiving wages for his or her most recent job that, when annualized, equal or exceed 150 percent of the federal poverty level applicable to the family;
  - c. an adult (in a two-parent family when both parents are able-to-work) who is not the primary caretaker of the children; or
  - d. an adult who has no barriers to obtaining and maintaining a job and possesses a marketable postsecondary education degree or vocational education certification.

Section 2118 Families with No Mandatory Applicants.

A. Families with no Reach First mandatory applicants who qualify for participation in Reach First may choose whether to participate in Reach First.

B. An otherwise-eligible family that does not include any mandatory Reach First applicants must meet the following criteria to be referred to and participate in Reach First:

1. at least one member of the family is a work-eligible individual;
2. work-eligible individuals in the family are neither disregarded from nor meeting their Reach Up work requirement;
3. none of the work-eligible adults in the family have received a Reach First payment attributed to any month in the twelve months preceding the month of application; and
4. after participating in the interview and initial screening, all work-eligible adults in the family choose to participate in Reach First.

Participant Responsibilities

Section 2120 Payments.

a. ~~A. Reach First payments must be linked to financial need~~ directly related to the family's household's immediate financial crisis.

1. The payment/benefit must be necessary either to ~~assist the family to~~ avoid the household's need for Reach Up assistance/benefits or to sustain ~~the family/them~~ while they are assessed and referred to appropriate programs.

b. ~~B. Qualifying families~~ Eligible households may receive Reach First payments/benefits and Reach First support services for ~~one certification period in up to four months within~~ a 12-month period.

- ~~c. C.~~ Total Reach First ~~payments are limited to no more than benefits shall not exceed~~ the cumulative equivalent of four months of ~~financial assistance~~ Reach Up ~~benefits~~ for which the ~~family would have qualified in Reach Up.~~ household is financially eligible.
- ~~D.~~ Reach First payments may be made to the ~~family in monthly installments or, under exceptional situations (2195.2. C), in payment(s) in excess of the equivalent of the family's monthly Reach Up payment.~~ Reach First payments are only available if needed to avert a crisis as determined in the initial assessment and during the period in which the family seeks immediate employment or participates in assessment and the creation of their family development plan.
- ~~d. E.~~ Reach First payments may be made to the ~~family~~ household by direct deposit, electronic benefit transfer (EBT) or, if the ~~family~~ household requests, by direct payment to the person or other entity providing the ~~lodging~~ housing, utilities, or other service to the ~~family~~ household and as established in ~~Reach Up~~ rule ~~2238.~~ 2220.6.
- ~~e. F.~~ If a Reach First participant ~~fails~~ does not, without good cause, ~~to (rule 2118.1),~~ fulfill participant responsibilities, the Reach First ~~benefit~~ payment may be withheld during the conciliation process ~~and (rule 2121.1) until the adult complies.~~ they comply.
- ~~f. G.~~ Reach First ~~benefit~~ payments do not continue while a fair hearing appeal is pending.
- ~~g. H.~~ Any Reach First ~~benefit~~ payment received by the ~~family~~ household for a specific month shall be counted as income in that month for purposes of calculating the amount of ~~financial assistance~~ benefits in Reach Up ~~or a solely state-funded program for the same month.~~
- Section 2121 Payment

## 2107 Benefit Calculation

### A. Monthly Reach First Payments

- ~~a.~~ The Department shall calculate the Reach First monthly ~~payment amounts~~ benefits using Reach Up rules, provided ~~that~~ the cumulative total of payments received during the four-month certification period does not exceed the Reach First ~~payment~~ benefit maximum ~~(2195.1B).~~

### B. Reach First Payment Maximum

- ~~b. 1.~~ The Reach First ~~payment~~ benefit maximum is the amount used to establish the maximum limit on the cumulative amount of Reach First payments available to the ~~family~~ household during the four-month certification period, regardless of ~~their~~ the frequency of disbursement.
- ~~1. 2.~~ The ~~payment~~ benefit maximum shall be determined using Reach Up ~~Eligibility~~ payment rules (~~Reach Up Eligibility rules 2238 through 2242~~) with the following additional steps:

- ~~i. a.~~ Project and add the amounts of Reach First ~~payments~~ benefits expected for each month of presumptive eligibility relying on the most accurate information regarding the ~~family's~~ household's circumstances expected for those months ~~and~~ without prorating for partial months;
- ~~ii. b.~~ Reduce the total ~~sum~~ amount dollar for dollar for any Emergency Assistance or General Assistance (EA/GA) payment, other than back rent or mortgage arrearage assistance, received as a result of the current application; ~~and~~
- ~~iii. c.~~ Reduce the total ~~sum~~ amount dollar for dollar of any child support received or anticipated, other than the first \$ ~~50~~ 100 of ~~current~~ child support expected in the current and ~~in each month~~ subsequent months of presumptive eligibility, during the certification



period.

~~3.~~ As soon as the familyhousehold notifies the Department of changes in circumstances that affect the amount of paymentsbenefits not yet distributed, or the number of months in the certification period, the Department shall recalculate the amountbenefit remaining in an effort to avoid ~~over or~~ underpayments.

### ~~C. Exceptions Limit on the Maximum Payment~~

~~When approved by the commissioner, a Reach First family may receive a payment in excess of the payment limitation if:~~

~~1. the payment does not exceed the amount of earned income the family received in their first month of Reach First and receipt of the payment is necessary and relatively certain to divert the family from the Reach Up program; or~~

~~2. an unexpected event creates a less than 30-day delay of employment or income that will render the family ineligible for Reach Up and an additional payment in an amount not to exceed the maximum grant size for the family is relatively certain to divert the family from the Reach Up program. overpayment or underpayment.~~

### ~~D. Payment Adjustments~~

~~c. When Department or applicant errors result/participant error results in an underpayment or overpayment, paymentbenefit adjustments shall be made in accordance with Reach Up ~~rule 2234.~~ Eligibility rules 2218 and 2219.~~

## ~~Section 2122 Payment~~2108 Benefit Disbursement

### ~~A. Monthly Disbursement~~

~~a. All Reach First paymentsbenefits, other than the first payment, shall be disbursed on the first of the month.~~

### ~~B. Disbursements Related to Need~~

~~b. Payments shouldBenefits shall be disbursed in an amount that addresses specified and documented needs that are ~~either:~~~~

~~1. A result of the family'shousehold's crisis ~~or;~~~~

~~2. Necessary to stabilize the familyhousehold while it regains its independence and stability; ~~or is assessed~~~~

~~3. Used to determine anassess whether other program referrals are appropriate ~~program referral for the household.~~~~

### ~~C. Frequency of Payments~~

Reach First ~~payments may~~benefits shall be disbursed to the familyhousehold or the designated vendor as follows:

### ~~1. Monthly Disbursements~~

~~c. Monthly disbursements in monthly installments in an amount equal to or less than the amount ~~for which the~~ familyhousehold has been determined eligible for in a month ~~shall be the preferred~~~~



~~frequency of disbursement.~~

## ~~2. Disbursements in Excess of Monthly Amount~~

- ~~1. Disbursements of the maximum payment benefit in a lump sum or in one or more payments greater than the monthly amount shall be made only in exceptional circumstances— (rule 2108(e)).~~

### ~~D. Limits on Monthly disbursements~~

~~d. 1. Disbursements in monthly amounts shall be limited to the benefit amount of the household would receive on Reach Up grant for which the family would be eligible.~~

- ~~1. 2. Reach First families households needing assessment beyond the initial financial and stability screening to determine appropriate referral and needs shall qualify only for monthly disbursements until assessment is the additional assessments are complete.~~

- ~~2. 3. Families Reach First households eligible for and receiving monthly disbursements must be cooperating with all Reach First services component requirements.~~

### ~~E. Limits on One Time and Disbursements in Excess of Monthly Amounts~~

~~e. Disbursement of Reach First benefits in a lump sum or in one or more payments in excess of greater than the monthly amount equivalent to a the household would receive on Reach Up payment shall be made only to a family household meeting all of the following criteria: exceptional circumstances:~~

- ~~1. 1. The family's household's initial financial and stability screening and assessment indicate indicates the family household qualifies for Reach First and does not require further in-depth needs assessment;~~

- ~~2. 2. The payment benefit addresses the family's household's current need in full;~~

- ~~3. 3. It is clear the Reach First payment benefit will end the family's household's need for any Reach First or Reach Up assistance benefits for the foreseeable future, including:~~

- ~~i. An unexpected event that creates a less than 30-day delay of employment or income that will render the household ineligible for Reach Up, and an additional benefit, in an amount not to exceed the Reach Up benefit amount for the household, is relatively certain to divert them from the Reach Up program; and~~

- ~~4. 4. The adults participants in the family understand and agree household acknowledge that should if they need to apply for Reach Up in the months attributed to the Reach First payments, that the payment will reduce dollar for dollar any Reach Up financial assistance in the months covered benefits, the Reach Up benefit will be reduced by the payment amount of the Reach First benefit.~~

## ~~Section 2130-2109 Reach First Services Component.~~

~~a. A. The Reach First services Component consists consist of assessment, case management, referrals, and support services.~~

~~b. Reach First participating families participants must fulfill their initial and ongoing Reach First responsibilities within the services component to continue to receive Reach First payments benefits and services.~~

~~c. B.~~ If needed to ~~determine appropriate referral to~~ improve the ~~family's/participant's~~ prospects for job placement and job retention, the ~~commissioner/Department~~ shall provide ~~participating families the following:~~

- ~~1. In-depth assessments of the full range of services needed by each family, household;~~
- ~~2. Intensive case management or case consultation services;~~
- ~~3. Referral to any agencies or programs that provide the services needed by participating families, and transition to other department programs; and~~
- ~~4. Section 2131 Transition to Reach Up or Post Secondary Education (PSE).~~

#### 2110 Assessment

~~a. A.~~ All Reach First participants ~~who are referred for assessment~~ shall cooperate in ~~an initial assessment and, if appropriate or necessary, reassessments.~~ ongoing assessments. The assessment ~~may include tests, other standardized evaluations, and referrals to professionals for evaluation or diagnosis.~~

~~b. B.~~ The assessment shall include, ~~but is not limited to,~~ includes the following:

- ~~1. 1.~~ Identification of the ~~individual's/participant's~~ strengths, skills, ~~aptitudes/goals,~~ interests, and ~~life and~~ work experience;
- ~~2. Determination of whether the individual/participant has limitations and barriers and, if there are barriers or limitations, a determination of obstacles and~~ how these ~~factors/obstacles~~ relate to ~~the individual's current or potential participation in the labor force and to the individual's family responsibilities;~~
- ~~3. literacy evaluation;~~
- ~~2. 4.~~ determination of the individual's their goals and ability to work, ~~including the ability to participate in the various work activities;~~
- ~~5. the development and well-being of children in the family; and~~
- ~~3. 6.~~ Literacy evaluation; and
- ~~4. Determination of the services needed to achieve the employment goal.~~ participant's employment and other applicable goals through implementation of their family development plan (FDP).

#### ~~Section 2132-2111~~ Case Management

~~a. A.~~ Case management shall be available to any ~~eligible family needing or requesting in-depth assessment or ongoing services.~~ Reach First household.

~~B.~~ The case manager, with the full involvement of the family, shall recommend, and the commissioner shall establish and modify as necessary, a family development plan for each participating family in need of ongoing services, with a right of appeal as provided by Reach Up rule 2380.

~~b. C.~~ A case manager shall be assigned to ~~a participating family~~ each Reach First participant as soon as ~~the family is determined to be eligible for Reach First and in need of services.~~ they begin to receive benefits.

~~c. D.~~ Caseloads shall be consistent with Reach Up services caseload size ~~shall be limited consistent with limits in the Reach Up program (2350.1). (rule 2302.1).~~

~~d. E.~~ ~~If/When~~, after assessment and establishment of the ~~family development plan~~FDP, it is determined ~~that~~ the ~~family household~~ is not appropriate for Reach First, the case manager shall review ~~other program alternatives~~Reach Up and PSE with ~~the family~~them and, if requested by the ~~family household~~, attempt to transfer ~~the family to a more appropriate program alternative~~them.

~~Section 2133-2112~~ Family Development Plans

~~A.~~

~~a.~~ Every Reach First participant must create an FDP.

~~b.~~ The ~~family development plan~~FDP shall include:

~~1. 1.~~ Each participant's employment and other applicable goals;  
An assessment of each ~~parent or caretaker's employment goal~~;

~~2. 2.~~ an assessment of each ~~parent or caretaker's~~participant's strengths and ~~barriers; obstacles~~;

~~3. 3.~~ A literacy evaluation followed by a referral to an appropriate resource or program;

~~4. 4.~~ An identification of the services, supports, and accommodations needed to overcome any ~~barriers, enable the family to achieve self sufficiency, and fulfill each parent or caretaker's personal and family responsibilities; and obstacles~~ and move the participant towards their goals; and

~~5. 5.~~ an assignmentAn outline of participant and department responsibilities, ~~family development plan requirements, and activities among the case manager and family members, together~~ with a time schedule for ~~such fulfillment of these~~ responsibilities; ~~requirements~~, and activities.

~~c. B.~~ The initial family development plan shall include all referrals and assessment responsibilities andThe FDP shall be completed within 30 days of the first meeting with ~~the case manager. Reach First program staff.~~

~~C.~~ The case manager

~~d.~~ Reach First program staff and participants shall establish a schedule for periodic review of the ~~family development plan~~FDP that shall remain in place, ~~as appropriate~~, if the ~~family household~~ transfers to ~~another program in which such review is appropriate~~Reach Up or PSE.

~~Section 2134-2113~~ Support Services

~~a. A.~~ Support services are services ~~and referrals~~ needed ~~byfor~~ the ~~family to improve~~accomplishment of the participant's ~~prospects for job placement~~goals and ~~retention~~the implementation of their FDP.

~~b. B.~~ Reach First ~~families~~households are eligible for and subject to the same conditions for receiving Reach Up ~~support~~ services ~~governed by Reach Upas indicated in~~ rule ~~2351~~2303 and its subsections.

~~Section 2140-2114~~ Participant Responsibilities

(05/08/2018, 07-20)

~~A. Each participating adult who is being assessed in Reach First or for whom a family development plan is needed participant shall participate in the development of his or her family development plan.~~

~~B. Each participating adult whose case manager refers for assessment and evaluation activities shall report as directed by the department for such activities.~~

~~a. C. Each participating adult shall begin to comply with his or her family development plan their FDP requirements as soon as possible, and no later than 10 days following identification of initial requirements at the initial family development plan meeting.~~

~~b. D. Each participating adult participant shall continue to comply with such family development plan requirements work on goals outlined on their FDP until such time as the family household is ineligible no longer eligible for Reach First or transferred to Reach Up or other program. PSE.~~

~~c. E. If a family household is transferred to another program Reach Up or PSE, the rules of that program apply.~~

~~Section 2141 Consequences of Noncompliance.~~

~~(05/08/2018, 17-20)~~

#### ~~Reach First participants 2115 Non-Engagement~~

~~a. Participants, who fail or refuse to comply do not engage with Reach First participants services responsibilities without good cause (rule 2120.1), shall not receive Reach First payments benefits until the participant comes into compliance. they engage.~~

~~Section 2142 Noncompliance and Good Cause.~~

#### ~~A. Reach First 2116 Types of Non-Engagement~~

~~a. Participants must comply with engage in all participant Reach First services requirements unless good cause exists for noncompliance. non-engagement.~~

~~b. B. Noncompliance may be the result of a de facto refusal, which is implied by the participant's failure to comply with a requirement, or an overt refusal. The Department will excuse noncompliance non-engagement supported by good cause. (rules 2120 and 2120.1).~~

#### ~~C. Examples of Noncompliance~~

~~Instances of noncompliance include, but are not limited to, the participant's failure or refusal to:~~

~~c. 1. Non-engagement exists when the participant refuses to, or does not, engage in the following actions:~~

~~1. Appear for an assessment after being directed to attend; one written request by the Department;~~

~~2. 2. Cooperate in the development of the FDP;~~

~~3. 3. Attend and participate fully in FDP activities;~~

~~4. 4. Refrain from behavior that is disruptive to a program activity or the orderly administration of the program;~~

- ~~5.~~ 5. Refrain from behavior that constitutes a threat or hazard to fellow participants;
- ~~6.~~ 6. Accept appropriate child care (~~2370.33~~ Reach Up Services rule 2326) or other support services that would allow participation in FDP activities;
- ~~7.~~ 7. Follow through on treatment or rehabilitation services plans;
- ~~8.~~ 8. Appear for a referral to, or interview for, a job consistent with the FDP; ~~and or~~
- ~~9.~~ 9. Apply for, or comply with, the requirements of unemployment compensation, if otherwise eligible.

#### 2116.1 De Facto Refusal

- a. De facto refusal occurs when ~~noncompliance~~ non-engagement is implied by ~~an individual's failure to meet a participant not engaging in~~ one or more Reach First requirements without good cause.
- b. The ~~case manager~~ Department shall prepare a written record of the ~~circumstances associated with and the substance of the individual's noncompliance.~~ participant's non-engagement.
- c. If the ~~case manager~~ Department determines that the participant had good cause for ~~noncompliance~~ non-engagement, the ~~noncompliance~~ non-engagement process ends. ~~Otherwise, the case manager initiates~~
- d. If no good cause for non-engagement exists, the Department will initiate the conciliation process or, for ~~individuals no longer eligible~~ participants ineligible for conciliation, the ~~case manager shall apply the~~ Reach Up sanctions process (Reach Up Services rule 2328) and transfer the family/household to Reach Up.

~~F.~~

#### 2116.2 Overt Refusal

- a. Overt refusal occurs when, without good cause, ~~an individual~~ a participant declares, ~~orally~~ verbally or in writing, an unwillingness to ~~comply with participant~~ engage in Reach First services requirements.
  1. The ~~case manager~~ Department will ask the ~~individual~~ participant to put ~~oral~~ verbal refusals in writing. ~~If and if they refuse, the verbal refusal will be accepted.~~
- b. The Department shall prepare a written record of the participant's non-engagement.
- c. If the Department determines that the ~~individual will not put~~ participant had good cause for non-engagement, the ~~refusal in writing~~ non-engagement process ends.
- d. If no good cause for non-engagement exists, the ~~case manager shall prepare a written record of the circumstances associated with and the substance of the individual's noncompliance.~~ The case manager shall Department will initiate the conciliation process (Reach Up Services rule 2327.1) or, for participant's ineligible for conciliation, begin the Reach Up sanctions process immediately (Reach Up Services rule 2328) and transfer the family/household to Reach Up.

~~F.~~

#### 2117 Determination of Good Cause

- a. The ~~case manager~~ Department shall make a good-faith effort to contact the ~~individual to discuss the act or pattern of noncompliance with the individual.~~ participant to determine whether there is good cause for the non-engagement.
- b. The ~~individual will~~ Department may require the participant to provide ~~sufficient~~ documentation

to ~~substantiate~~support a claim of good cause. ~~On the basis of this discussion and documentation, if any, the case manager~~

c. ~~The Department~~ will determine whether there was a good cause ~~basis~~ for the ~~individual's noncompliance~~participant's non-engagement.

1. ~~The Department will determine that no good cause exists if the individual participant does not respond to or fully cooperate with the case manager's Department's attempt to establish good cause, the case manager will determine that there was no good cause basis for the noncompliance. The case manager.~~

d. ~~The Department~~ shall complete the good cause determination within 10 days of becoming aware of the ~~individual's noncompliance~~participant's non-engagement.

~~G.~~

#### 2117.1 Good Cause Criteria

a. ~~Circumstances beyond the control of the participant may constitute good cause for an individual's noncompliance. The following constitute good cause for failing to comply with Reach First FDP and participation requirements~~non-engagement.

b. ~~1. The good cause criteria listed in Reach Up Services rule 2326.2 constitute good cause for not engaging in Reach First FDP and participation requirements.~~

#### 2118 Conciliation

a. ~~Conciliation is when the Department provides a Reach First participant, after making a good faith effort, was unable an opportunity to arrange transportation re-engage with Reach First services requirements prior to or from the place of employment or FDP activity or child care essential for employment or participation in being sanctioned and transferred to Reach Up.~~

b. ~~Reach Up Services rules 2327.1 – 2327.4 apply to conciliations within the activity, and Reach First program.~~

c. ~~The Department shall initiate conciliation when one of the following circumstances, without good cause, exist:~~

1. ~~A participant informed does not engage in the employer or appropriate person as soon as possible. development of their FDP;~~

2. ~~Inclement weather prevented the person from traveling to work or participating in an FDP activity, and the participant contacted the employer or appropriate person as early as possible on the day of the inclement weather to explain the situation.~~

3. ~~The person's participation in a drug or alcohol treatment program precluded participation in the FDP activity.~~

4. ~~The person was required to appear in court or was incarcerated, and the participant contacted the appropriate person in advance or, if it could not have been anticipated, as soon as possible following the incident.~~

5. ~~A family emergency requiring the participant's immediate attention, such as the death, illness, or injury of a family member, or the participant's own illness prevented the participant from complying with a requirement, and the participant notified the appropriate person of the situation at the earliest possible moment.~~

6. ~~Failure to comply with a requirement was due to the effects of domestic violence. The participant must have had reason to anticipate that compliance would have resulted in serious~~



~~physical or emotional harm to the participant or the child in participant's care and that such harm would have significantly impaired the participant's capacity either to fulfill program requirements or to care for the child adequately. The department may request documentation from the participant to determine whether the effects of domestic violence constitute a good cause basis, using the same standards relied on for a Reach Up deferment due to domestic violence.~~

~~7. The participant had to be absent from the Reach First activity to go to a medical appointment, and the participant requested and received approval from the case manager or the person conducting the activity for time off to~~ A participant does not attend the appointment in advance.

~~8. The participant had to be absent from an FDP activity to go to an interview for an unsubsidized job, and the participant requested and received supervisory approval for time off to attend the interview in advance.~~

~~9. The participant, after making a good faith effort, was unable to make necessary child care arrangements (Reach Up rule 2370.33), and the participant notified the case manager or appropriate person of the situation at the earliest possible moment.~~

~~10. The participant was absent from the FDP activity or Reach First required activity due to an unforeseeable emergency such as fire, flood, or accident.~~

~~11. The participant asserts that the noncompliance was the direct result of a previously unacknowledged medical condition, provided that the following conditions are met:~~

~~a. the medical condition is expected to last at least 90 days;~~

~~b. the participant appears eligible for and is referred to vocational rehabilitation services; and~~

~~c. the participant is eligible for and demonstrates compliance with the vocational rehabilitation services provider.~~

~~12. The participant was called away from the FDP or required Reach First activity to attend to a school emergency involving the participant's child, the participant's foster child (placed by the Department for Children and Families or other licensed child placement agency), or another child in the care and physical custody of the participant, and the participant informed appropriate person of this situation before leaving the activity site or, when this was not possible, as soon as possible thereafter.~~

~~Section 2143 Conciliation.~~

~~(07/01/15, 15-08)~~

~~A. Conciliation is the process by which disputes related to an individual's failure or refusal to comply with Reach First participant responsibilities are resolved.~~

~~B. The case manager shall initiate conciliation to determine the reason for non-compliance when an adult participant fails or refuses without good cause to comply with Reach First participant requirements applicable to the individual without good cause.~~

~~C. The case manager shall initiate conciliation under the following circumstances:~~

~~1. The case manager shall initiate conciliation for a participating adult who without good cause fails or refuses to participate in the development of his or her family development plan as directed.~~

2. The case manager shall initiate conciliation for a participating adult who fails or refuses to report as directed by the department for assessment and evaluation activities without good cause.; or



~~3. The case manager shall initiate conciliation for a participating adult with a family development plan who without good cause fails or refuses to comply with his or her family development plan requirements as soon as possible, and no later than 10 days following identification of initial requirements at the initial family development plan meeting.~~

~~4. The case manager shall initiate conciliation for a participating adult with a family development plan who without good cause fails or refuses to comply with such family development plan requirements.~~

~~D. Conciliation Process for Noncompliance~~

~~1. When the conditions for conciliation for noncompliance (rule 2374) are met, the case manager shall mail a notice scheduling a conciliation conference to the individual within 10 days of the date the case manager became aware of the noncompliance. The case manager should schedule the conference as soon as administratively possible, but no sooner than the fourth workday after the date the notice is mailed. A client may waive advance notice of the conciliation conference by signing a waiver of notice. The waiver must include the information listed in subsection (2) below.~~

~~2. The notice of the conciliation conference must include the following:~~

- ~~a. the reason for the determination of noncompliance without good cause;~~
- ~~b. the steps in the conciliation resolution;~~
- ~~c. the right to have a representative present at the conciliation conference; and~~
- ~~d. the consequences if conciliation is unsuccessful.~~

~~3. Participants may conciliate cumulative Reach Up and Reach First disputes only once within a calendar year (January–December). A conciliation counts in the year in which it was initiated. Any subsequent noncompliance without good cause within this time period will result in the immediate initiation of the sanctions process, if applicable, without an opportunity for conciliation.~~

~~4. Any time an individual makes a claim of good cause and the case manager determines that documentation of such good cause is necessary, the individual will have 10 days from the date the claim was communicated to the case manager to provide documentation. When the individual is unable to obtain required documentation and requests the case managers help to obtain it, the case manager shall provide that help, if possible.~~

~~5. When it is determined, at any time during a conciliation process that the individual had good cause for noncompliance, conciliation will end. Under these circumstances, there will be no conciliation resolution plan, and the conciliation will not be counted toward the limit of one conciliations in a calendar year, as defined above.~~

~~6. The conciliation resolution period begins on the date of the first scheduled conciliation conference and lasts for no more than 15 consecutive calendar days.~~

~~7. The conciliation resolution period is the time frame during which the case manager and the individual meet and explore, through the processes of fact finding and problem solving, ways in which the individual may satisfy the Reach First requirements. They will review and, if possible, resolve any circumstances hindering compliance. This review shall also include a review of all applicable good cause criteria.~~

~~8. The product of the conciliation conference is a conciliation resolution plan. This plan describes what the individual must do to achieve satisfactory participation and the time frames involved. The case manager and participant will revise the FDP in accordance with the conciliation resolution plan.~~

~~9. The case manager shall advise the individual of the right to terminate the conciliation process at any time. Such termination of conciliation will result in a determination of~~

- ~~unsuccessful resolution and immediate initiation of the sanctions process and~~  
3. ~~A participant does not engage with their FDP requirements.~~

### 2119 Referral and Transition to Reach Up or PSE

~~The Department shall transfer to Reach Up, if applicable. Individuals who have received over 60 cumulative, countable months of the household to Reach Up shall not be transferred to Reach Up. These individuals shall be terminated from Reach First and may apply for Reach Up pursuant to rule 2238.2(D).~~

#### ~~E. Successful Resolution~~

~~Conciliation is considered successfully resolved when the individual demonstrates compliance with the activities outlined in the conciliation resolution plan and the revised FDP.~~

#### ~~F. Unsuccessful Resolution~~

~~The conciliation process shall be determined unsuccessful when the individual:~~

- ~~1. fails without good cause to respond to one written notice of a scheduled conciliation conference;~~
- ~~2. exhibits a pattern of behavior from which refusal to participate can be reasonably inferred;~~
- ~~3. fails without good cause to participate satisfactorily in activities outlined in the conciliation resolution plan and included in the revised FDP for the required time period; or~~
- ~~4. voluntarily terminates the conciliation process before a successful resolution has been reached.~~

~~When the case manager determines that the resolution of a single conciliation within a calendar year has been unsuccessful, the case manager's supervisor shall review the conciliation process and the basis for the case manager's determination, prior to initiation of the sanction process.~~

~~When conciliation is not an option or resolution of the conciliation is unsuccessful, the case manager begins the process necessary to apply the appropriate sanctions and transfer the family to Reach Up, or terminate the Reach First grant for individuals who have received over 60 cumulative, countable months of Reach Up. Both the sanction and termination process begins with a written notice to the individual at least 10 days before the action takes effect. This notice explains the action being taken, the reason for the action, and the individual's right to appeal the decision. The individual then has 90 days in which to appeal. If a fair hearing is requested and the basis for the decision being appealed did not involve an exploration of good cause with the individual, the case manager will attempt again to contact the individual to determine whether there was good cause for noncompliance. If the individual requests a fair hearing before the sanction or termination takes effect, the individual shall receive continuing benefits pursuant to rule 2215.~~

~~Section 2150 Referral and Transition to Other Programs.~~

~~(07/01/15, 15-08)~~

- ~~a. A. The department shall transfer the family to another appropriate program or PSE if, after four~~

months of receiving ~~support in~~ Reach First ~~benefits~~, or sooner at the ~~departments~~ Department's discretion, a ~~family household~~ needs additional time and services, ~~unless the family chooses not to participate.~~

~~B.~~

~~1. The Reach First household may choose not to be transferred to Reach Up or PSE.~~

~~b. If a family household finds unsubsidized employment meeting or exceeding that meets the federal work requirements for Reach Up for the family's household's size and composition, but is financially eligible for Reach Up, the Department shall transfer the family to Reach Up, unless the family chooses not to participate. A family transferring from Reach First to Reach Up shall be treated as a recipient for the purposes of income calculation. household to Reach Up.~~

~~1. C. If a family finds unsubsidized employment meeting or exceeding the work requirements for Reach Up for the family's size and composition, is The Reach First household may choose not financially eligible for to be transferred to Reach Up.~~

~~2. A household transferring from Reach First to Reach Up, but qualifies for Reach Ahead in accordance with Reach Ahead rules the department shall transfer the family to Reach Ahead, unless the family chooses not to participate. If an adult member of the family be treated as a participant for the purposes of resource calculation.~~

~~If a participant is employed when it leaves they leave Reach First and is are not eligible for Reach Up or Reach Ahead PSE, the family household shall qualify for support services as though it was a Reach Up leaver family, unless the family chooses not to participate. (rule 2311)~~

~~c. D. A family transferring to another program under subsections (A) through (C) for a period of this section 6 months (rule 2304), unless the household chooses not to participate.~~

~~a-d. A Reach First household transferring to Reach Up or PSE shall not be required to complete a new application.~~

~~1. Verification of income, assignment of support rights, or other documentation related to changes in circumstances may be required as provided for by rule.~~

~~2. E. Transitional medical assistance of up to 36 months shall be provided if transferring to families PSE, a PSE plan must be created and approved.~~

~~e. A Reach First household with a working adult who leaves Reach First and is not eligible for Reach Up; unless family income exceeds 185 percent of the federal poverty level, provided that federal financial participation is available for such transitional medical assistance. may be eligible for Transitional Medical Assistance for up to 12 months, pursuant to 42 U.S.C. § 1396r-6, beginning with the month immediately following the month in which they become ineligible.~~

## ~~Section 2160-2120~~ Notice and Appeal

~~a. A. A participant may appeal decisions made by the Department in accordance with Reach Up section 2380 Services rule 2331, except that Reach First payments benefits do not continue while an appeal is pending.~~

~~b. B. The commissioner Department shall provide notice to each participant of the standards and procedures applicable to such appeals. All federal and agency of human services rules regarding conciliation, notice, hearing, and appeal shall be followed in connection with such appeals.~~

2121 Severability

- a. If any part of these Rules is held invalid by a court of competent jurisdiction, the invalidity shall not be construed to render the remaining parts of the Rules invalid.

## 2100 Reach First

- a. The purpose of the Reach First program is to assist households experiencing a short-term crisis, assess their strengths and needs, and orient them to available programs, services, and assistance.
- b. The goal of the Reach First program is to help households overcome obstacles, explore opportunities, and improve their finances.
- c. Reach First helps households by providing monetary payments and support services of limited duration while they regain their independence or are assessed and transitioned to an appropriate alternative program.
- d. A household that meets eligibility criteria for Reach Up benefits and has needs that can be fully addressed by the Reach First program may be eligible for Reach First.
- e. Households that are financially eligible for Reach First benefits, but have needs that cannot be fully addressed by the Reach First program, shall be referred to other programs to assist them in obtaining the opportunities and skills necessary to achieve their goals, including their employment goals.

## 2101 Definitions

- a. The terms defined in the the Reach Up Eligibility and Reach Up Services definitions at rules 2201 and 2301 and are incorporated into the Reach First rules by reference.
- b. In addition, the following definitions apply to the Reach First program rules:
  1. “Eligible child” means a child under the age of 18.
    - i. An 18-year-old child is eligible if they are a full-time student in a secondary school, or an equivalent educational program, and the child is expected to complete high school or the equivalent program before reaching their 19th birthday.
    - ii. An eligible child under subsection (b)(1)(i) is eligible for Reach First benefits for the full calendar month they graduate high school or complete their educational program.
    - iii. Children who are not full-time secondary school students on the day before their 18th birthday are eligible for Reach First benefits for the full calendar month during which their 18th birthday occurs.
    - iv. An otherwise eligible 18-year-old child with a documented disability is eligible for Reach First benefits as follows:
      - A. If they are a full-time student in a secondary school, or an equivalent educational program, and the child will not complete high school or the equivalent program before their 19th birthday solely because of their disability.
      - B. An eligible child under subsection (b)(1)(iv)(A) above is eligible for Reach First benefits for the full calendar month during which their 19th birthday occurs.

2. "Reach First" means Vermont's Temporary Assistance for Needy Families (TANF) diversion program established under 33 V.S.A. chapter 10 and operated in accordance with Reach First rules 2100 to 2121.
3. "Reach First benefit" means one or more cash payments to assist a household to improve their finances and avert the need for Reach Up benefits.
4. "Reach First services" means the services component of the Reach First program consisting of assessment, case management services, support services, and referrals provided to eligible households to assist them in becoming self-sufficient.

#### 2102 Eligibility

- a. To qualify for Reach First, the applicant must meet the income and resource eligibility requirements for Reach Up.
- b. The household must include an eligible child.
- c. The 60-month time limit (Reach Up Eligibility rule 2234) does not apply to Reach First eligibility.
- d. In addition to qualifying for Reach Up benefits, the applicant must meet the Reach First eligibility criteria.
- e. Households that qualify for, and participate in, Reach First are initially certified as eligible for a four – month certification period that begins with the first day of the first calendar month in which the household receives Reach First benefits.
  1. The certification period may be shortened if changes in the household's circumstances make them ineligible.

#### 2103 Financial Eligibility

- a. A household is financially eligible for Reach First if the household's income and resources are below the limits established for the Reach Up program, which are incorporated into Reach First rules by reference except for the following sections:
  1. Benefit Payment (Reach Up Eligibility rule 2214.1);
  2. Cooperation with Office of Child Support (Reach Up Eligibility rule 2232.2); and
  3. Appeal of Reach Up Decision (Reach Up Eligibility rule 2262.3).

#### 2104 Initial Interview

- a. An initial interview shall be conducted in accordance with Reach Up Eligibility rule 2208.2.
- b. The interview shall include enough information about programs, benefits, and participant responsibilities to enable applicants to make informed decisions about program participation.
- c. During the interview the Department shall provide the following to all applicants:
  1. Information about all programs administered by the department, services and referrals available

to the household, program requirements, participant responsibilities, consequences of not meeting these responsibilities, and incentives for participation and obtaining employment;

2. Financial and household stability screening;
3. Determination of Reach First eligibility related to prior receipt of Reach First benefits and the need for ongoing benefits;
4. Determination of appropriateness for Reach First referral; and
5. Determination of whether the household chooses to participate in Reach First.

#### 2104.1 Financial and Household Stability Screening

- a. All applicants who are financially eligible for Reach First benefits must complete a financial and household stability screening unless it is clear the household is ineligible for Reach First (rule 2105).
- b. The financial and household stability screening determines whether the household's circumstances qualify them for Reach First, including a review of:
  1. The extent of the household's financial need;
  2. The likelihood that Reach First can address the household's needs within the program's time limits;
  3. The household's likelihood of not needing the program within the next four months;
  4. The household's need for further assessment to determine how to best meet its needs and whether Reach First is an appropriate referral; and
  5. The interest and desire to participate in Reach First as expressed by the applicant and any other work eligible adult (rule 2301) in the household.

#### 2105 Ineligible Households

- a. The following households are ineligible for Reach First:
  1. Households that have received a Reach First benefit attributed to any month within the 12 months preceding the month of application; and
  2. Households that need on-going benefits beyond the four-month Reach First period.

#### 2106 Reach First Benefits

- a. Reach First benefits must be directly related to the household's immediate financial crisis.
  1. The benefit must be necessary either to avoid the household's need for Reach Up benefits or to sustain them while they are assessed and referred to appropriate programs.
- b. Eligible households may receive Reach First benefits and support services for up to four months within a 12-month period.
- c. Total Reach First benefits shall not exceed the cumulative equivalent of four months of Reach Up benefits for which the household is financially eligible.



- d. Reach First payments may be made to the household by direct deposit, electronic benefit transfer (EBT) or, if the household requests, by direct payment to the person or other entity providing the housing, utilities, or other service to the household and as established in rule 2220.6.
- e. If a Reach First participant does not, without good cause (rule 2118.1), fulfill participant responsibilities, the Reach First benefit payment may be withheld during the conciliation process (rule 2121.1) until they comply.
- f. Reach First benefit payments do not continue while a fair hearing appeal is pending.
- g. Any Reach First benefit payment received by the household for a specific month shall be counted as income in that month for purposes of calculating the amount of benefits in Reach Up.

#### 2107 Benefit Calculation

- a. The Department shall calculate the Reach First monthly benefits using Reach Up rules, provided the cumulative total of payments received during the four-month certification period does not exceed the Reach First benefit maximum.
- b. The Reach First benefit maximum is the amount used to establish the maximum limit on the cumulative amount of Reach First payments available to the household during the four-month certification period, regardless of the frequency of disbursement.
  - 1. The benefit maximum shall be determined using Reach Up Eligibility payment rules (Reach Up Eligibility rules 2238 through 2242) with the following additional steps:
    - i. Project and add the amounts of Reach First benefits expected for each month of presumptive eligibility relying on the most accurate information regarding the household's circumstances expected for those months without prorating for partial months;
    - ii. Reduce the total amount dollar for dollar for any Emergency Assistance or General Assistance (EA/GA) payment, other than back rent or mortgage arrearage assistance, received as a result of the current application; and
    - iii. Reduce the total amount dollar for dollar of any child support received or anticipated, other than the first \$100 of child support expected in the current and subsequent months of presumptive eligibility, during the certification period.
  - 2. As soon as the household notifies the Department of changes in circumstances that affect the amount of benefits not yet distributed, or the number of months in the certification period, the Department shall recalculate the benefit remaining in an effort to avoid an overpayment or underpayment.
- c. When Department or applicant/participant error results in an underpayment or overpayment, benefit adjustments shall be made in accordance with Reach Up Eligibility rules 2218 and 2219.

#### 2108 Benefit Disbursement

- a. All Reach First benefits, other than the first payment, shall be disbursed on the first of the month.
- b. Benefits shall be disbursed in an amount that addresses specified and documented needs that are:
  - 1. A result of the household's crisis;

2. Necessary to stabilize the household while it regains its independence and stability; or
  3. Used to assess whether other program referrals are appropriate for the household.
- c. Reach First benefits shall be disbursed to the household or the designated vendor in monthly installments in an amount equal to or less than the amount the household has been determined eligible for in a month.
1. Disbursements of the maximum benefit in a lump sum or in one or more payments greater than the monthly amount shall be made only in exceptional circumstances (rule 2108(e)).
- d. Monthly disbursements shall be limited to the benefit amount the household would receive on Reach Up.
1. Reach First households needing assessment beyond the initial financial and stability screening shall qualify only for monthly disbursements until the additional assessments are complete.
  2. Reach First households eligible for and receiving monthly disbursements must be cooperating with all Reach First services requirements.
- e. Disbursement of Reach First benefits in a lump sum or in one or more payments greater than the monthly amount the household would receive on Reach Up shall be made only to a household meeting the following exceptional circumstances:
1. The household's initial financial and stability screening indicates the household qualifies for Reach First and does not require further in-depth needs assessment;
  2. The benefit addresses the household's current need in full;
  3. It is clear the Reach First benefit will end the household's need for any Reach First or Reach Up benefits for the foreseeable future, including:
    - i. An unexpected event that creates a less than 30-day delay of employment or income that will render the household ineligible for Reach Up, and an additional benefit, in an amount not to exceed the Reach Up benefit amount for the household, is relatively certain to divert them from the Reach Up program; and
  4. The participants in the household acknowledge that if they need to apply for Reach Up in the months attributed to the Reach First benefits, the Reach Up benefit will be reduced by the amount of the Reach First benefit.

#### 2109 Reach First Services

- a. Reach First services consist of assessment, case management, referrals, and support services.
- b. Reach First participants must fulfill their responsibilities to continue to receive Reach First benefits and services.
- c. If needed to improve the participant's prospects for job placement and job retention, the Department shall provide the following:
  1. In-depth assessments of the full range of services needed by each household;
  2. Intensive case management or case consultation services;

3. Referral to any programs that provide the services needed; and
4. Transition to Reach Up or Post Secondary Education (PSE).

#### 2110 Assessment

- a. All Reach First participants shall cooperate in initial and ongoing assessments.
- b. The assessment includes the following:
  1. Identification of the participant's strengths, skills, goals, interests, and work experience;
  2. Determination of whether the participant has obstacles and how these obstacles relate to their goals and ability to work;
  3. Literacy evaluation; and
  4. Determination of the services needed to achieve the participant's employment and other applicable goals through implementation of their family development plan (FDP).

#### 2111 Case Management

- a. Case management shall be available to any Reach First household.
- b. A case manager shall be assigned to each Reach First participant as soon as they begin to receive benefits.
- c. Caseloads shall be consistent with Reach Up services caseload size (rule 2302.1).
- d. When, after assessment and establishment of the FDP, it is determined the household is not appropriate for Reach First, the case manager shall review Reach Up and PSE with them and, if requested by the household, attempt to transfer them.

#### 2112 Family Development Plans

- a. Every Reach First participant must create an FDP.
- b. The FDP shall include:
  1. Each participant's employment and other applicable goals;
  2. An assessment of each participant's strengths and obstacles;
  3. A literacy evaluation followed by a referral to an appropriate resource or program;
  4. An identification of the services, supports, and accommodations needed to overcome any obstacles and move the participant towards their goals; and
  5. An outline of participant and department responsibilities with a time schedule for fulfillment of these responsibilities and activities.
- c. The FDP shall be completed within 30 days of the first meeting with Reach First program staff.
- d. Reach First program staff and participants shall establish a schedule for periodic review of the FDP that shall remain in place, as appropriate, if the household transfers to Reach Up or PSE.

### 2113 Support Services

- a. Support services are services and referrals needed for the accomplishment of the participant's goals and the implementation of their FDP.
- b. Reach First households are eligible for and subject to the same conditions for receiving Reach Up support services as indicated in rule 2303 and its subsections.

### 2114 Participant Responsibilities

- a. Each Reach First participant shall participate in their FDP requirements.
- b. Each participant shall continue to work on goals outlined on their FDP until the household is no longer eligible for Reach First or transferred to Reach Up or PSE.
- c. If a household is transferred to Reach Up or PSE, the rules of that program apply.

### 2115 Non-Engagement

- a. Participants, who do not engage with Reach First services responsibilities without good cause (rule 2120.1), shall not receive Reach First benefits until they engage.

### 2116 Types of Non-Engagement

- a. Participants must engage in all Reach First services requirements unless good cause exists for non-engagement.
- b. The Department will excuse non-engagement supported by good cause (rules 2120 and 2120.1).
- c. Non-engagement exists when the participant refuses to, or does not, engage in the following actions:
  - 1. Appear for an assessment after one written request by the Department;
  - 2. Cooperate in the development of the FDP;
  - 3. Attend and participate fully in FDP activities;
  - 4. Refrain from behavior that is disruptive to a program activity or the orderly administration of the program;
  - 5. Refrain from behavior that constitutes a threat or hazard to fellow participants;
  - 6. Accept appropriate child care (Reach Up Services rule 2326) or other support services that would allow participation in FDP activities;
  - 7. Follow through on treatment or rehabilitation services plans;
  - 8. Appear for a referral to, or interview for, a job consistent with the FDP; or
  - 9. Apply for, or comply with, the requirements of unemployment compensation, if otherwise eligible.

#### 2116.1 De Facto Refusal

- a. De facto refusal occurs when non-engagement is implied by a participant not engaging in one or more Reach First requirements without good cause.

- b. The Department shall prepare a written record of the participant's non-engagement.
- c. If the Department determines that the participant had good cause for non-engagement, the non-engagement process ends.
- d. If no good cause for non-engagement exists, the Department will initiate the conciliation process or, for participants ineligible for conciliation, the Reach Up sanctions process (Reach Up Services rule 2328) and transfer the household to Reach Up.

#### 2116.2 Overt Refusal

- a. Overt refusal occurs when, without good cause, a participant declares, verbally or in writing, an unwillingness to engage in Reach First services requirements.
  - 1. The Department will ask the participant to put verbal refusals in writing and if they refuse, the verbal refusal will be accepted.
- b. The Department shall prepare a written record of the participant's non-engagement.
- c. If the Department determines that the participant had good cause for non-engagement, the non-engagement process ends.
- d. If no good cause for non-engagement exists, the Department will initiate the conciliation process (Reach Up Services rule 2327.1) or, for participant's ineligible for conciliation, begin the Reach Up sanctions process (Reach Up Services rule 2328) and transfer the household to Reach Up.

#### 2117 Determination of Good Cause

- a. The Department shall make a good-faith effort to contact the participant to determine whether there is good cause for the non-engagement.
- b. The Department may require the participant to provide documentation to support a claim of good cause.
- c. The Department will determine whether there was good cause for the participant's non-engagement.
  - 1. The Department will determine that no good cause exists if the participant does not fully cooperate with the Department's attempt to establish good cause.
- d. The Department shall complete the good cause determination within 10 days of becoming aware of the participant's non-engagement.

#### 2117.1 Good Cause Criteria

- a. Circumstances beyond the control of the participant may constitute good cause for an individual's non-engagement.
- b. The good cause criteria listed in Reach Up Services rule 2326.2 constitute good cause for not engaging in Reach First FDP and participation requirements.

#### 2118 Conciliation

- a. Conciliation is when the Department provides a Reach First participant an opportunity to re-engage with Reach First services requirements prior to being sanctioned and transferred to Reach Up.

- b. Reach Up Services rules 2327.1 – 2327.4 apply to conciliations within the Reach First program.
- c. The Department shall initiate conciliation when one of the following circumstances, without good cause, exist:
  - 1. A participant does not engage in the development of their FDP;
  - 2. A participant does not attend assessment and evaluation activities; or
  - 3. A participant does not engage with their FDP requirements.

#### 2119 Referral and Transition to Reach Up or PSE

- a. The Department shall transfer the household to Reach Up or PSE if, after four months of receiving Reach First benefits, or sooner at the Department's discretion, a household needs additional time and services.
  - 1. The Reach First household may choose not to be transferred to Reach Up or PSE.
- b. If a household finds unsubsidized employment that meets the federal work requirements for the household's size and composition, but is financially eligible for Reach Up, the Department shall transfer the household to Reach Up.
  - 1. The Reach First household may choose not to be transferred to Reach Up.
  - 2. A household transferring from Reach First to Reach Up shall be treated as a participant for the purposes of resource calculation.
- c. If a participant is employed when they leave Reach First and are not eligible for Reach Up or PSE, the household shall qualify for support services for a period of 6 months (rule 2304), unless the household chooses not to participate.
- d. A Reach First household transferring to Reach Up or PSE shall not be required to complete a new application.
  - 1. Verification of income, assignment of support rights, or other documentation related to changes in circumstances may be required.
  - 2. If transferring to PSE, a PSE plan must be created and approved.
- e. A Reach First household with a working adult who leaves Reach First and is not eligible for Reach Up may be eligible for Transitional Medical Assistance for up to 12 months, pursuant to 42 U.S.C. § 1396r–6, beginning with the month immediately following the month in which they become ineligible.

#### 2120 Notice and Appeal

- a. A participant may appeal decisions made by the Department in accordance with Reach Up Services rule 2331, except that Reach First benefits do not continue while an appeal is pending.
- b. The Department shall provide notice to each participant of the standards and procedures applicable to such appeals.

**2121 Severability**

- a. If any part of these Rules is held invalid by a court of competent jurisdiction, the invalidity shall not be construed to render the remaining parts of the Rules invalid.