



## TANF 1503-1 Timely and Adequate Notice

**Supersedes:** TANF 1503-1 (1/1/07)

**Reference:** ARM 37.5.505

**Overview:** Timely notice must be given in all adverse action instances. A few exceptions are allowed when adequate notice is sufficient.

Notices generated on CHIMES are mailed the next working day and are not mailed on weekends or holidays. All notice periods begin the date the notice is mailed and continue counting the following consecutive days.

### **COMPLETE NOTICE:**

To be considered a complete notice, all notices must contain:

1. Action taken and/or the eligibility period;
2. Reason for the action;
3. Specific agency policy and state and federal regulations supporting the action;
4. Date the action will occur; and
5. Person's right to request a hearing.

### **PROBABLE FRAUD NOTICE:**

The advance notice period may be shortened to five (5) days if:

1. Facts exist indicating possible fraud by the applicant/client; and
2. Facts have been verified, if possible, through a secondary source.

### **EXCEPTIONS TO TIMELY NOTICE REQUIREMENTS:**

Adequate notice may be used in the place of timely notice in the following situations:

1. Denied application
2. Client (or Payee) death
  - a. Factual information confirms the death and there is no relative to serve as a new payee.
3. Client knowingly provides information affecting benefits

- a. The client provides all information necessary to determine benefits on signed HCS-260 "Change Report Form" or a signed HCS-272 "Redetermination Form" which informs the individual of the possible consequences of providing such information.
4. Client requests case closure
  - a. The client makes a verbal or signed written request stating he/she no longer wishes to receive TANF cash assistance and requests case closure.
5. Client institutionalized
  - a. The client has been admitted or committed to an institution.
6. Client's whereabouts are unknown
  - a. The case is being closed because conclusive evidence proves that there has been a loss of contact.
7. Client moves to Tribal TANF or another state
  - a. The client applied for benefits in a new jurisdiction and verification has been established.
8. Client applies for benefits in a separate household
  - a. Client provides information and verification regarding a change in household composition that results in a TANF benefit decrease and/or closure in an existing case, adequate notice must be given to the existing case.
9. Client placed in Long Term Care
  - a. The client has been placed in skilled nursing care, intermediate care, or long term hospitalization and the absence is not considered temporary.
10. Client placed in Foster Care
  - a. A minor child is removed from the home as a result of a judicial determination or voluntarily placed in foster care by his legal guardian and the absence is not considered temporary.
11. Disqualification Imposed
  - a. The individual has been provided written notice that the disqualification penalty will be imposed.

**Effective Date:** January 01, 2018