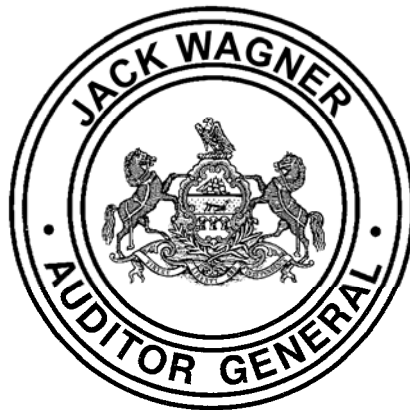


Commonwealth of Pennsylvania
Department of Public Welfare's
Cash and Food Stamp Programs

Clinton County Assistance Office

Audit Report for the Period

June 25, 2005 to December 5, 2008



Commonwealth of Pennsylvania
Department of Public Welfare's
Cash and Food Stamp Programs

Clinton County Assistance Office

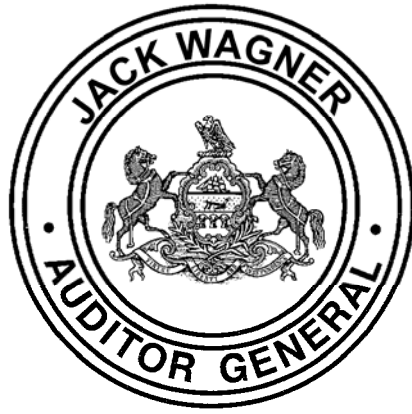
Audit Report for the Period

June 25, 2005 to December 5, 2008



CONTENTS

	Page
REPORT OF INDEPENDENT AUDITORS	1
BACKGROUND INFORMATION	4
OBJECTIVES, SCOPE, AND METHODOLOGY	8
FINDING AND RECOMMENDATIONS	
Finding - CAO Management Failed To Ensure That General Assistance Eligibility Requirements Were Met	10
APPENDIX A – ADDITIONAL CONCERNS ADDRESSED BY DPW.....	14
AUDIT REPORT DISTRIBUTION LIST	21



Report of Independent Auditors

The Honorable Tom Corbett
Governor
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania 17120

Dear Governor Corbett:

We have conducted an audit of the Clinton County Assistance Office (CAO) pursuant to Section 109.1 of Title 55 of the Pennsylvania Code and Sections 402 and 403 of the Fiscal Code. The audit period was June 25, 2005 through December 5, 2008. The objective of our audit was to determine whether the CAO made proper eligibility determinations for recipients of cash and food stamps based on Department of Public Welfare (DPW) policies and procedures.

Our audit resulted in the following finding.

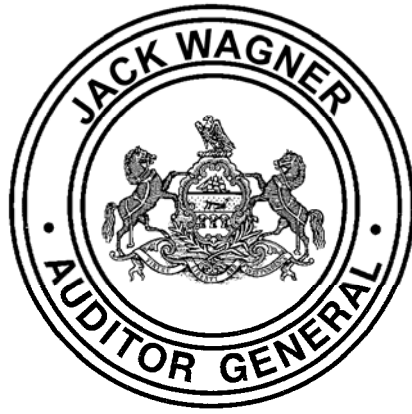
Finding - CAO Management Failed To Ensure That General Assistance Eligibility Requirements Were Met

During the exit conference, we reviewed this finding and recommendations with the Clinton CAO management. We have included the CAO and DPW management comments, where applicable, in this report.

Sincerely,

JACK WAGNER
Auditor General

September 16, 2011



**Commonwealth of Pennsylvania
Department of Public Welfare
Clinton County Assistance Office**

BACKGROUND INFORMATION

Background Information

The Department of Public Welfare (DPW) is responsible for the administration of public assistance benefits to needy recipients in Pennsylvania. Benefits include cash assistance and food stamps.

Cash Assistance

Cash assistance is grant money. There are three categories of cash assistance:

1. Temporary Assistance to Needy Families (TANF), a federally-funded program that provides money to families with dependent children in need of financial support that is not available from one or both parents;
2. General Assistance (GA), a state-funded program that provides money primarily to disabled individuals who do not have enough income to meet their basic needs and who do not qualify for TANF; and
3. State Blind Pension (SBP), a state-funded program that provides money to individuals with visual limitations.

In order to qualify for TANF, applicants must fall within established income and resource limits and meet age limitation and family relationship requirements. Adults receiving assistance through TANF are required to work or participate in a work-related training program for 20 hours a week if they have been receiving benefits for less than 5 years, or for 30 hours a week if they have been receiving benefits for more than 5 years. Recipients are enrolled in these activities either directly through the CAO or through a contractor hired by DPW. If a recipient is not able to work, good cause must be established.

In order to qualify for GA, a recipient must have either a permanent disability or a temporary disability which would allow him/her to obtain benefits for less than 12 months. A recipient who DPW determines to be permanently disabled is eligible for Interim GA benefits, but, as a condition of eligibility, is required to apply for Social Security Administration (SSA) benefits and to sign a reimbursement agreement. If a recipient's claim for SSA benefits is successful, the recipient will be removed from Interim GA when he or she begins to receive SSA benefits. If the recipient's SSA benefits are retroactive and the recipient receives SSA benefits for an identical time period for which he/she received Interim GA, the reimbursement agreement will enable DPW to be reimbursed any cash assistance paid to the recipient for that time period. This

Background Information

prevents the recipient from receiving overlapping Interim GA and SSA benefits. Without the reimbursement agreement, the recipient would not be required to repay Interim GA and, as a result, the Commonwealth would lose its ability to recover the funds. If a recipient is denied eligibility for SSA, the recipient is required to appeal the decision within 60 days of the denial.

In order to qualify for SBP, applicants must fall within established income and resource limits, must also be at least 21 years of age and have limited visual acuity.

Recipients who receive cash assistance and/or food stamps can also receive Special Allowances (SPALs), which are supplemental payments to cover the cost of clothing, transportation, tools or other items necessary to participate in training or work activities.

Food Stamps

Food stamp benefits are provided under the federal Supplemental Nutrition Assistance Program (SNAP), which is designed to provide assistance to low-income households in order to raise their level of nutrition. It is operated jointly by the U.S. Department of Agriculture and DPW. Eligibility is based on levels of income and, in some counties, on whether a recipient is engaged in an employment and training program. Recipients of TANF and GA are automatically eligible to receive food stamps.

Eligibility Requirements for Cash and Food Stamps

Eligibility determinations are based on federal and state regulations specifying which individuals qualify for a program and the amounts for which they qualify. The Code of Federal Regulations (CFR) contains the applicable federal regulations. The Pennsylvania Code contains the applicable state regulations. The policies and procedures in place to ensure compliance with the regulations are contained in DPW's Cash Assistance Handbook, Supplemental Nutrition Assistance Program Handbook, Income Eligibility Verification System (IEVS) Handbook, and Supplemental Handbook.

Relevant information about recipients is recorded and maintained in DPW's Client Information System (CIS). This information is used to determine eligibility status and category of aid. The CAO updates information on CIS when new information becomes available.

Background Information

CAO personnel utilize DPW's Income Eligibility Verification System (IEVS) to compare income and resource information with income and resource information obtained from outside sources. IEVS is updated on a regular basis with information from several sources including wage information from the Department of Labor and Industry, benefit information from the Social Security Administration, and tax and unearned income information from the Internal Revenue Service. CAO caseworkers are required to review this information at the time of application, when the recipient submits his/her semi-annual reporting (SAR) form and at the annual renewal. Caseworkers receive alerts when they are required to review certain information between the application date, the SAR, and at the time of the annual renewal.

**Commonwealth of Pennsylvania
Department of Public Welfare
Clinton County Assistance Office**

OBJECTIVES, SCOPE, AND METHODOLOGY

Objectives, Scope, And Methodology

To achieve our audit objectives regarding eligibility, we obtained a monthly data file from the Department of Public Welfare of all recipients who received cash benefits as of September 2008. We selected a random sample of 93 cases from the 252 cases related to the Clinton CAO represented in the data file. Our audit period was June 25, 2005 to December 5, 2008; however, in cases where we determined an ineligible individual was receiving cash and/or food stamp benefits, we expanded that test work through the last date of his or her ineligibility.

For each case selected in our sample, we tested income, disability, work activity, and non-financial eligibility requirements to determine compliance with DPW regulations and administrative policies.

The criteria we used to test cases in our sample include the Code of Federal Regulations and the Pennsylvania Code, Title 55.

It is DPW's position that current law does not allow DPW to provide all federal and state wage and unearned income information to the Department of the Auditor General. Therefore, DPW did not provide all federal and state wage and unearned income information to us. This scope limitation prevents us from confirming that all available resources were included in calculating recipients' eligibility for benefits.

**Commonwealth of Pennsylvania
Department of Public Welfare
Clinton County Assistance Office**

FINDING AND RECOMMENDATIONS

Finding and Recommendations

The random sample contained 93 of 252 cases from the Clinton CAO September 2008 data file. The 93 cases we tested consisted of 50 TANF cases, 41 GA cases, and 2 State Blind Pension cases. The following finding discusses areas where deficiencies occurred. It should be noted that deficiencies related to wage and income requirements could exist in the cases that we tested and still remain undetected because we do not have access to all wage and unearned income information as noted in our scope limitation described on page 8 of this report.

Finding - CAO Management Failed To Ensure That General Assistance Eligibility Requirements Were Met

During our audit, we found that CAO management failed to ensure that General Assistance (GA) eligibility requirements were met in 7 of the 41 cases we tested. As a result, benefits totaling \$9,737 were paid to recipients while they were ineligible, as shown in Table 1 below. In these cases, recipients did not appeal unfavorable decisions from SSA. These amounts represent taxpayer dollars paid during periods where recipients no longer met eligibility requirements.

The Cash Assistance Handbook and Supplemental Handbook provide eligibility requirements to assist the CAO in making eligibility determinations. The CAO management is responsible to ensure that applicants provide proof of disability and comply with SSA requirements.

These improper eligibility determinations occurred because CAO management did not monitor to ensure that recipients appealed unfavorable SSA decisions.

Table 1 - Summary of GA Deficiencies

	Audit Sample Number	Cash
1.	AG-31	\$1,950.00
2.	AG-22	1,267.50
3.	AG-6	780.00
4.	AG-41	1,950.00
5.	AG-55	2,145.00
6.	AG-77	1,072.50
7.	AG-29	572.00
	Totals	\$9,737.00

Finding and Recommendations

We recommend that CAO management ensure that recipients appeal unfavorable SSA decisions. We also recommend DPW follow up with the Office of Inspector General to determine if payments made on behalf of ineligible recipients can be recouped.

DPW's Management Response

The below procedures will be reviewed with IMCW to assure the recipient is disabled and DPW policy is followed.

- When a recipient is determined to be disabled, a referral is made to DPW's Disability Advocacy Program (DAP) and SSA. DAP helps the recipient to navigate the SSA application and appeal process. CAO management assures that the DAP process is followed, which ensures that recipients appeal unfavorable SSA decisions.
- The procedures for providing assistance to recipients when applying for and obtaining SSA benefits as described in DPW's response to this finding will be reviewed with IMCWs to assure that DPW policy is followed.
- Supervisors are required to review three records per worker every month to ensure that all factors of eligibility are addressed. Management will ensure that reviews occur and areas of concern are addressed.
- Supervisors hold monthly meetings to review findings from previous audits and to review policy with IMCWs to ensure that the audit findings are addressed. Supervisors also hold individual monthly conferences to review each worker's CSR results and to offer additional individual training to ensure that compliance with policy is maintained.
- DPW refers potential overpayments to the OIG through the Automated Restitution Referral and Computation (ARRC) System. The CAO enters the information pertaining to an overpayment in the ARRC, which then goes to the OIG. The OIG determines if a recoupment should be taken, contacts the client, makes payment arrangements, and

Finding and Recommendations

enters the repayment into the ARRC system if necessary. The OIG is responsible for concluding the overpayment process.

- The overpayment recovery process is set forth in the 55 Pa. Code §255.

Auditors' Conclusion

We acknowledge DPW's efforts to review current procedures with the CAOs to ensure that the recipient is disabled and that DPW policy is followed. It is clear, however, that the current procedures have not been effective in monitoring the SSA appeals process. Without better monitoring procedures in place, these deficiencies will continue to occur. DPW should ensure that CAO personnel are adequately trained to understand the eligibility requirements and that procedures are being performed on a consistent basis. Therefore, we continue to recommend that DPW ensure that personnel are adequately trained to aid recipients in appealing unfavorable SSA decisions.

We also acknowledge DPW's comments regarding referral of potential overpayments to the OIG made on behalf of ineligible recipients through the ARRC System. However, DPW has not provided us with evidence that it has followed up with OIG for the ineligible recipients identified in this report. Therefore, we continue to recommend that DPW follow up with the OIG.

We will examine the implementation of these additional procedures during our next audit to determine whether or not the action taken adequately addresses the deficiencies noted in this report. In addition, we will examine the status of these cases to determine whether or not action was taken by either DPW or OIG to recoup these payments.

**Commonwealth of Pennsylvania
Department of Public Welfare
Clinton County Assistance Office**

APPENDIX A
ADDITIONAL CONCERNS ADDRESSED BY DPW

APPENDIX A

DPW prefaced its response with the following concerns, which fell outside of the finding and recommendations contained in this audit report.

Concern with Audit Methodology

Prior to responding to individual audit findings, DPW must state its concerns with the audit methodology employed in this draft report. The DPW believes that the methodology used by the auditors to calculate ineligibility periods is not appropriate as it does not align with the criteria against which conditions or potential findings should be evaluated. As described in greater detail in the “Detailed Audit Methodology Discussion” section below, we believe the chosen methodology skews audit findings and does not provide a true picture of the DPW’s performance in this area. We respectfully request that the auditors review the discussion prior to issuing the audit report and consider changes to their methodology.

Providing a complete response to all findings is made more difficult since the draft audit report does not seem to contain the routine disclosure identifying that the audit was performed in accordance with Generally Accepted Government Auditing Standards (GAGAS) or Generally Accepted Auditing Standards (GAAS). As a result, we are uncertain which standards were followed in determining the methodologies employed (for sampling and extrapolation of error rates).

We believe that it is worth noting that some of the findings seem at odds with the results of independent federal government reviews of the Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) - which is the new program name for the Food Stamp Program-and Medical Assistance (MA) Programs, which show that the Department consistently met or exceeded federal performance standards. For example, the most recent TANF sample report accepted by the United States (US) Department of Health and Human Services (DHHS) shows that DPW has achieved a Work Participation Rate of 45 percent, fully 29.2 percent higher than what is required due to the high level of performance credit Pennsylvania (PA) has earned as a result of overall TANF caseload reduction. The most recent monthly performance data from the federal Food and Nutrition

APPENDIX A

Services agency indicates a payment error rate of 2.28 percent for PA's SNAP program. Preliminary state SNAP data for federal fiscal year 2010 indicates a monthly payment error rate of 1.72 percent. Preliminary findings from the federally required Payment Error Rate Measurement (PERM) for Medicaid indicate the case error rate to be 1.99 percent and a payment error rate of 0.33 percent for the first ten months of PERM review. These federal performance measures clearly demonstrate that DPW is meeting stringent federal guidelines and that the Department has effective management oversight of these critical safety net programs.

Detailed Audit Methodology Discussion

The auditors' methodology included calculations of overpayments from the day a client missed training, or was determined to have not met the work hour requirements. However, the guidelines set forth in the SNAP/Food Stamp Handbook, 577.3, Adverse Action states, "The CAO will provide every household with a timely and adequate advance notice prior to taking any action to reduce or terminate benefits within a certification period." This requirement precludes calculating ineligibility from the day a client misses training, or is determined to have not met the work requirements. Therefore, we believe the ineligibility period should commence on the effective date of the sanctions.

Please note that the Auditor General's Office is required to audit against DPW policies and procedures as specified in 55 PA Code Section 109.1(b), Cooperative Working Agreements, which states, "The Statutes of the Commonwealth provide a basis for the cooperative working agreement that exists between the Department of the Auditor General and DPW. DPW, through the County Boards of Assistance, is responsible for determining the eligibility of applicants for financial assistance, Medical Assistance, Food Stamps, and recipients of these programs under the rules and regulations established by DPW. The Department of the Auditor General is responsible for the auditing of these decisions against the rules and regulations of DPW. With these specific rights and responsibilities in mind, the Department and the Auditor General will work in mutual cooperation to fulfill their individual obligations as effectively and efficiently as possible." The DPW policies and procedures related to

APPENDIX A

rendering a client ineligible for Cash and SNAP/Food Stamps are as follows:

Cash Handbook Guidance

The requirements to participate in the Employment and Training Program (ETP) are set forth in the Cash Handbook (CAH), Chapter 135 Employment & Training. If an individual does not comply with the activity hour requirements, such individual is subject to sanctions as outlined in CAH 135.7, which includes completion of several tasks. First, a compliance review is performed to determine whether the non-compliance was within the individual's control (i.e. willful) or if an exemption or good cause exists (i.e. non-willful). The CAO has three (3) business days to contact the client by telephone. If the CAO Income Maintenance Caseworker (IMCW) is not able to make contact on the first day, the IMCW will send the Compliance Review Appointment Notice (PA 1706). The compliance review appointment must be scheduled within ten (10) business days of the CAO's determination that an instance of non-compliance has occurred. If the individual responds to the Compliance Review Appointment Notice by the ten business day following the mailing date, the CAO IMCW will conduct an interview with the client to discuss the reason(s) for the non-compliance. This interview can be conducted in person or via the telephone. If the interview reveals that no good cause exists and that the non-compliance was willful, the CAO IMCW will begin the sanction process. If an individual does not respond to the Compliance Review Appointment Notice by the ten business day following the mailing date of the Notice, the IMCW will complete the case review without interviewing the client. After reviewing the case, if good cause is not determined the IMCW will proceed with the sanction process. If the proposed sanction is approved, the IMCW notifies the client of the sanction via an Advance Notice (PA/FS 162A) and applicable attachment(s). If the client responds to the Advance Notice (PA/FS162A) prior to the effective date, then any new information the client provides must be considered before imposing the sanction. Sanctions are appropriate when it is clear that there is willful non-compliance and an exemption and/or good cause does not exist. A sanction is defined as a change in eligibility status which results in a reduction of cash benefits received by the individual.

APPENDIX A

SNAP Handbook (SNAPH) Guidance

The requirements to participate in the ETP are set forth in the SNAPH, Chapter 535 Employment & Training. A person is subject to sanction, (as discussed in SNAPH Chapter 535.7), who, without good cause, fails to comply with SNAP work participation requirements or comparable TANF and Unemployment Compensation (UC) program requirements.

When the CAO becomes aware of a potential instance of SNAP ETP non-compliance, SNAPH Chapter 535.52 directs that the CAO will determine if the SNAP recipient is a mandatory participant or exempt due to the receipt of TANF or UC. If the SNAP recipient is exempt due to the receipt of TANF or UC, the CAO will determine if the requirement of the TANF or UC program is comparable to the work requirements for SNAP. A SNAP recipient is not disqualified for non-compliance with requirements which are not comparable (7 CFR § 273.7(g)(2)). In addition, individuals exempt only under the state regulations as set forth in the SNAPH Chapter 535.221, must not voluntarily and without good cause quit a job, or reduce work effort if, after the reduction, the individual is working less than 30 hours per week or earning wages less than the federal minimum wage multiplied by 30 hours.

SNAPH Chapter 535.54 instructs that prior to taking adverse action for non-compliance the CAO will:

- Begin conciliation on the day after it learns of non-compliance;
- Determine if some other exemption would apply;
- Exhaust conciliatory efforts by phone, mail or interview before issuing an Advance Notice;
- Offer counseling and conciliation services to make the determination of an overt refusal or De Facto refusal;
- Give the benefit of the doubt, look at the degree of failure, and review past practice for a pattern; and
- Determine if good cause exists for non-compliance.

APPENDIX A

SNAPH Chapter 535.6 directs the CAO to do the following when determining good cause for a SNAP household member's potential non-compliance with ETP requirements:

- Explain the program purpose and the consequences for non-compliance;
- Consider all the facts including circumstances beyond a member's control; and
- Attempt to resolve any barriers to participation.

When the CAO has then determined that a SNAP recipient is in non-compliance with ETP requirements without good cause, the CAO will send an Advance Notice within ten days. The notice will explain what the person failed to comply with, the period of ineligibility, how to re-establish eligibility, and when to reapply.

The SNAP disqualification/sanction begins with the first month following the expiration of the Advance Notice, unless a fair hearing is requested. If a fair hearing is requested and the decision of the CAO is upheld, the penalty is applied the first month after the decision is rendered. If the individual leaves SNAP before the penalty is imposed, the disqualification is imposed when the recipient returns to the program. The penalty applies only to the household member who has failed to comply, (Public Law 104-193 Section 815). A SNAP recipient who is disqualified/sanctioned from the program is ineligible for SNAP for the minimum sanction period as set forth in the SNAPH Chapter 535.71 and thereafter until eligibility is re-established.

DPW along with the CAO reviewed the cases that the auditor cited as deficiencies and does not agree with all the exceptions cited as deficiencies for the individual cases, and addresses this in the response to each finding. It should also be noted that the audit period extends back to June 2005 and since that time, additional procedures have been implemented to improve monitoring and to ensure that recipients are meeting eligibility requirements.

APPENDIX A

Auditor Comments To DPW Concerns

One of our audit objectives was to determine whether the CAO made proper eligibility determinations for recipients of cash and food stamps. Our audit methodology is responsive to criteria that indicate clearly when and why a recipient was no longer eligible to receive benefits. This includes the period of time that the recipient remained on benefits after he/she was no longer eligible and the amount of benefits paid during the period of ineligibility. For the purpose of terminating benefits and calculating overpayments to post to the overpayment system, DPW considers the period of ineligibility to start at the point when the ineligibility is discovered, not when the recipient actually became ineligible. Our audit identifies the amount of taxpayer dollars spent for benefits from the point in time when the recipient became ineligible in order to reveal the amount of payments made to ineligible recipients, which could be reduced by DPW if stronger internal controls existed. Our report highlights the failure of internal controls at DPW and/or the CAO to identify ineligibility in the cases we tested.

This audit was conducted in accordance with strict standards and policies as determined by the Department of the Auditor General. These policies are based on the requirements of Government Auditing Standards and have been developed by the Department of the Auditor General's Office of Quality Control. These policies require that sufficient and competent evidence be gathered in order to support the conclusions reached in the audit. The audits are conducted by auditors who have the necessary skills and knowledge, not only of auditing procedures, but also of DPW rules and regulations that serve as the audit criteria. In addition, each team of auditors is supervised and their work is reviewed at multiple levels of management.

Our audit criteria are based on DPW's rules and regulations. We cite the Cash Assistance Handbook (CAH), the Supplemental Handbook, and the Supplemental Nutrition Assistance Program Handbook (SNAPH), all of which are based on Title 55, Chapter 109 of the Pennsylvania Code. For example, when an individual is not meeting work requirements, we cite the CAH, Chapter 135 and SNAPH, Chapter 535 on the Notice of Deficiency. We also audit pursuant to the Fiscal Code, which provides the Auditor General with the authority to audit any agency that is receiving state funds.

Regarding DPW's references to the federal government's independent reviews of the cash, food stamp, and Medical Assistance programs, our audit objective was not to determine the work participation rate or the payment error rate. Furthermore, the Medicaid case error rate of 1.99% referred to by DPW is the result of information

APPENDIX A

compiled by DPW and sent to the federal government as self-reported data, not an actual independent review by the federal government. As stated previously, our objective was to determine whether eligibility requirements are being met. We conducted an independent review of case records to make this determination and we stand by our results.

Audit Report Distribution List

This report was originally distributed to the following:

Commonwealth of Pennsylvania

The Honorable Tom Corbett
Governor

The Honorable Robert McCord
State Treasurer

The Honorable Gary Alexander
Secretary
Department of Public Welfare

The Honorable Kenya Mann Faulkner
Inspector General

The Honorable Charles Zogby
Secretary
Office of the Budget

Lourdes Padilla, Deputy Secretary
Office of Income Maintenance
Department of Public Welfare

Alex Matolyak, Acting Director
Division of Financial Policy & Operations
Bureau of Financial Operations
Office of Administration
Department of Public Welfare

Rich Wallace, Acting Director
Bureau of Operations
Office of Income Maintenance
Department of Public Welfare

John Kaschak, Director
Bureau of Audits
Office of the Budget

County Assistance Office

Greg Lezanic, Executive Director
Clinton County Assistance Office

Elwood Hocker, Chairperson
Clinton County Board of Assistance

This report is a matter of public record. Copies of this report may be obtained from the Pennsylvania Department of the Auditor General, Office of Communications, 318 Finance Building, Harrisburg, PA 17120. If you have any questions regarding this report or any other matter, you may contact the Department by accessing our website at www.auditorgen.state.pa.us.