14.8.2 SUBSTANCE ABUSE SANCTION

Any applicant who refuses a Drug Use Questionnaire, DFA-WVW-DAST-1, or a drug test is ineligible for WV WORKS assistance.

Any applicant who provides false information on the Drug Use Questionnaire is ineligible for WV WORKS assistance for 12 months. He must also be referred to repayments for benefits overpaid due to the false information. The false information must be from evidence and not hearsay.

Any applicant who has a positive drug test and who fails to complete or refuses to participate in substance abuse treatment and counseling and job skills program is ineligible for WV WORKS until he is enrolled in these programs. Once he can document successful completion, he may reapply for those benefits six months after the completion and must submit to random drug testing.

Upon a second positive drug test, the individual must complete a second substance abuse treatment and counseling and job skills program. These individuals shall be ineligible for WV WORKS for twelve months or until he completes a substance abuse treatment and counseling program and a job skills program whichever is shorter.

Upon a third positive drug test, the individual is permanently ineligible for WV WORKS.

In any of the above situations the applicant is considered a non-recipient work-eligible individual and must choose a protective payee for the WV Works payment for the other members of the WV Works AG.

14.8.3 ADVANCE NOTICE

All benefit terminations due to imposition of a sanction require advance notice. See Chapter 9 the sanction is effective.

Once a period of ineligibility is imposed, i.e. after expiration of the 13-day advance notice period, the ineligibility remains in effect for the pre-determined number of months, regardless of case status.

14.9.1 Good Cause Components

When the Case Manager determines that the client has good cause for failure to participate for one of the reasons listed in Section 14.9.1.A through Section 14.9.1.E below, the participant must be placed in the appropriate good cause component.

Clients in any of the good cause components listed below are still considered in the federal participation rate calculation.

14.9.1.A   Age of Child (TF)

This component is used only for a single custodial parent caring for a child under the age of one. It is a good cause period for a maximum of 12 months lifetime and it ends when the child attains the age of 12 months. It does not apply during the pregnancy period. Any remaining months can be applied following the birth of another child. This good cause reason may be applied when an applicant has given birth to a child and the child is under 12 months of age. The Case Manager must check the number of months previously used in the TF component before using this good cause reason.

The 12 month good cause period begins the month that the child is born and extends to the end of the month preceding the child's first birthday. The parent no longer has good cause for not meeting the participation requirements beginning with the month in which the child reaches 12 months of age.

> *NOTE: This good cause reason is not available for a two-parent household, even if only one parent is a Work-Eligible Individual.*

Any individual who has had a positive drug test as a result of the Drug Use Questionnaire, DFA-WVW-DAST-1, is given good cause for not participating in job readiness and counseling / rehabilitation during the 12-week postpartum period only.

Time in this component before October 2006 is not counted towards the lifetime limit of 12 months.

> **Age of Child Good Cause Example:** Ms. Dahlia, a WV WORKS single parent, had a baby on January 5, 2017. For this child she is eligible for the 12-month good cause exemption from meeting participation requirements. She must be placed in the TF component from January 5, 2017 through December 31, 2017. If she chooses to volunteer to participate in a work activity during this period, she is