

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION		TEMPORARY CASH ASSISTANCE MANUAL
SUBSTANCE ABUSE SANCTIONS – 1005	COMAR 07.03.03.19	NON-COMPLIANCE 1000

1005 NON-COMPLIANCE WITH SUBSTANCE ABUSE REQUIREMENTS

A. Application

1. Deny the case when the adult or minor parent head of household fails to appear for screening, screens positive and fails to sign the Consent for Release of Alcohol and Drug Treatment Information (DHR/FIA 1176) form, or refuses to complete the drug test.
2. Deny the case if two parents are in the household and one or both parents refuse to be screened, refuse to sign the 1176 when the substance abuse screen is positive or fails to complete the drug-testing requirement.
3. Remove the individual's needs if a minor parent not the head of household refuses to be screened, refuses to sign the 1176 when substance abuse screen is positive, or fails to complete the drug-testing requirement.

B. Recertification or Interim Change

1. Individuals **being added** to the TCA grant at recertification or interim change are treated as applicants and must comply with substance abuse treatment and services provisions.
2. When it is a two-parent household and one parent fails to comply with the screening, signature requirement, or the drug-testing provision, the applicant is ineligible for TCA and will be denied.
 - a. These individuals are not to be added to the TCA grant and are not entitled to F01 medical coverage.
 - b. Although the applicant is ineligible for F01 MA coverage, a separate determination for medical assistance eligibility must be made.
3. Remove the individual's needs if the minor parent is not the head of household and refuses to be screened, fails to sign the 1176 when the substance abuse screen is positive or fails to complete the drug-testing requirement.

C. Specific Substance Abuse Sanctions

1. Impose an individual sanction when the 1177 or 1178 indicates an adult or minor parent refuses to comply with the SATS requirements
 - a. Assign a protective payee if the sanctioned individual is head of household

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION		TEMPORARY CASH ASSISTANCE MANUAL
SUBSTANCE ABUSE SANCTIONS – 1005	COMAR 07.03.03.19	NON-COMPLIANCE 1000

- b. Refer sanctioned individuals to Social Services for failure or refusal to comply the with SATS requirements
 - c. Pay the TCA benefit to a third party payee when the head of household is sanctioned for failure to enroll or maintain enrollment in an appropriate and available treatment program
2. Do not remove a sanctioned individual from the grant
 - a. To determine the correct benefit amount, subtract the benefit amount for the household without the individual from the benefit for the household including the sanctioned person
 - b. Enter the difference on the sanctioned individual's CARES UINC screen

Note: The individual's share of the TCA grant is treated as phantom income for the Food Supplement Program case.

D. Lifting a substance abuse sanction.

1. Customers must comply with the requirement that caused the sanction before the sanction can be lifted
2. Treat the customer the same as a new applicant if the case has been closed 30 days or more
3. Lift the sanction and issue prorated benefits, when the adult and/or minor parent is in compliance.
4. Customers only have to comply for one day to resolve non-compliance issues for substance abuse
 - Substance abuse procedures for CARES are available in the Work Book.

ADDITIONAL INFORMATION

- TCA Manual, Section 1002, Conciliation Process
- TCA Manual, Section 700, Substance Abuse
- The Work Book