

6/1/17

Bulletin No. 17-12

P-2373

P-2373 Good Cause

A. General Procedures

Case managers should make a good faith effort to establish good cause when a participant does not follow activities on their FDP or are not following through with Reach Up requirements. Case managers should enter into the determination process with the assumption that the participant has good cause.

The list of acceptable good cause reasons for non-participation allowed by rules can be found [here](#) in rule 2373 Good Cause Criteria.

B. Determining Good Cause

1. Case manager becomes aware of the non-participation.
2. Case manager calls or texts the participant during that scheduled time of the appointment or as soon as possible to find out about the non-participation.
 - a. If the participant cannot be reached, leaving a message on the individual's phone and asking for direct contact is the first step to establishing good cause. However, also follow up with a letter (see below to determine which type of letter).
 - i. If the participant is eligible for conciliation, mail a conciliation letter through ACCESS. [Conciliation Letter 617](#) may be used ONLY if ACCESS is not available. Good cause may be determined at the conciliation appointment. See below for details about conciliation.
 - ii. If the participant is not eligible for conciliation and the next step would be sanction, send a [Reach Up Good Cause Request \(601GCR\)](#). Request the participant to contact you four business days from the day you mail the Good Cause Request letter.
 - b. If able to reach the participant and they provide a good cause reason, establish an agreed upon next step to resolve the situation, i.e. reschedule the missed appointment, check about making up missed time at a CSP/WKEX, and provide a new deadline for the activity that was not done. Schedule an appointment and update the FDP as soon as possible.
 - c. If able to reach the participant and good cause cannot be provided, follow the steps for a conciliation or sanction depending on what the participant is eligible for by mailing a conciliation letter or starting the sanction process. Case notes should clearly indicate why it is believed good cause does not exist.

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B. Determining Good Cause (Continued)

3. Case manager requests verification only if the situation seems questionable or a pattern of noncompliance has begun. If requesting verification, be clear and specific about what you are requesting, when you need to receive it, and the consequences of not receiving the verification of good cause.

Example: We were scheduled to meet on 1/26/17 at 11:00am. You called to say that your car broke down. Please provide proof by 2/2/17 from a certified mechanic that your car is inoperable. I am asking for this proof because you recently missed several appointments with me due to car troubles.

- a. If the participant is eligible for conciliation and the case manager is requesting documentation of the good cause verbally, send a conciliation letter written through ACCESS so that a firm deadline is established. If ACCESS is not available [Conciliation Letter 617](#) can be used. See below for details about conciliation.
- b. If the participant is not eligible for conciliation and the case manager is requesting documentation of the good cause verbally, send a [Reach Up Good Cause Request \(601GCR\)](#).
- c. If documentation of good cause is necessary; the participant will have 10 days from the date the claim was received by the case manager to provide such documentation. If the participant asks, the case manager provides help obtaining the verification.

Example: A participant misses an appointment on 2/1/17. The case manager has 10 days to mail the conciliation appointment. If the participant tells the case manager on 2/3/17 that the reason they missed the appointment was because their child has been sick and the case manager asks for verification because that excuse has become a pattern for missing appointments, the participant should have 10 days from the 3rd to provide the verification. Verification would be due on 2/13/17.

4. At any time when good cause has been established, remove the conciliation or end the sanction. For conciliation enter an "E" for ENTERED IN ERROR as the "Outcome" code in ACCESS on WORK C. If an E cannot be entered, email COPS to have the conciliation removed from the history. Make a note on any related documentation in the file indicating the Conciliation did not occur. For a sanction place the cursor on the "SANCTION RSN" and hit "Shift-F12" for a list of "END SANCTION CODES" and enter "F" (good cause found). Email COPS to have the sanction history corrected and replace any lost benefits. Discuss with the participant lessons learned in the process and how to avoid the situation in the future.
 - a. Good cause may include when it is determined that the individual qualifies for a deferment or modification of the work requirement. If the option of deferment or modification was never offered, but the participant may be eligible for the deferment and does not know it, conciliation should not occur.

B. Determining Good Cause (Continued)

Individuals should not be conciliated for missing an appointment if they are eligible for a deferment for a child under 6 months old or a 13-week deferment for a new baby. These are the two cases where participants are deferred from not only their work requirement, but also the services component of Reach Up which includes case management, support services and referrals. Deferment paperwork does need to be signed to qualify for the deferment. However, during the deferment time, case managers are encouraged to reach out to participants to lay the groundwork for that individual's participation when their deferment ends.

- b. Good cause can be pursued for not providing medical documentation to determine if a modification or deferment is appropriate, if the requirement was listed on the FDP.
- c. A good cause reason can sometimes be an excusable reason for certain activities and not for other activities. Case management discretion is advised.

Example: A participant's chronic back pain may prevent them from attending their CSP hours, but may not excuse them from attending an appointment with their case manager. A participant's anxiety may prevent them from attending appointments, and may result in the need to set up a home visit or other accommodation.