

# Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



[www.kansaslegalservices.org](http://www.kansaslegalservices.org)

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## Questions and Answers about KanCare, TANF and SNAP

### **KanCare**

If you are in KanCare, your Medicaid health care and other services are provided by three companies. **The “managed care companies,” or MCOs, are under contract with the State of Kansas.** The three companies are Amerigroup, Sunflower and UnitedHealthcare.

The following Questions and Answers talk about your rights. They also tell you what you can do if your services stop or are denied.

### **Q: What can I do if I disagree with a decision made by my MCO? What can I do if I am not happy with the services they provide?**

When you are in KanCare, you have the right to appeal or file a grievance if you are unhappy with your plan in any way. Each MCO has its own process for you to use. Kansas also has a Fair Hearing process.

### **Q. I disagree with changes that my MCO plans to make to my care plan. What can I do?**

A. Your KanCare MCO must send you a letter called a "Notice of Action" if it plans to make a change in your plan of care.

If the changes they want to make to your plan give you fewer services, fewer hours of a service or *any* change that you don't like, you can ask your MCO for a review. This review is done through an appeal to your KanCare MCO or through a State Fair Hearing request to Kansas.

You have the right to ask the MCO through an appeal to think again about the changes.

Read many more **Questions and Answers** that may help you understand KanCare in **this brochure**.

It was created by **Kansas Advocates for Better Care** and goes into much more detail about your rights if you are in KanCare.



## **TANF & SNAP: Questions & Answers**

This is an effort to provide frequently asked questions and answers about Temporary Assistance for Needy Families or TANF and the Supplemental Nutrition Assistance Program or SNAP, which are both projects administered by the State of Kansas.

Kansas Legal Services and **Kansas Appleseed** worked together to present this information. Please access the **Kansas Department for Children and Family Services website** to learn more **or to apply for either program**. Another good resource is **GrowStrongKansas**.

### **1. How to use your card to pay for food or other items:**

- Stores that accept the Vision card will have a sign posted with a picture of the card. Give your card to the clerk or slide it in the credit card machine. Type in your PIN number to complete the purchase.

### **2. To check your account balance:**

- Go to **www.ebtEDGE.com** and enter your card number and pin. If using a public computer, close out of the account before leaving the computer.

*Other tips:*

- Don't carry your Vision card next to your cell phone – the magnet can make the metal strip

on the Vision card not work.

### **3. How to use your card to get cash without a fee:**

- Look for “Kansas Vision Card Accepted Here” sign at store
- Make a purchase and select the cash back option (up to store’s limit)
- Go to customer service (up to \$300 at Dillons or Walmart)
- Only 2 no-fee withdrawals per month; all others are 40 cents each

### **4. How to use your card to get cash *with* a fee:**

- Use an ATM (\$3+ in fees)

### **5. The Vision card works with Star System, Pulse, NYCE or SHAZAM ATMs.**

You can search for ATM locations at <http://www.kansaskidstable.org/tanf-atms.html>

- If you request an ATM withdrawal and do not receive it, your account will be charged. To receive the benefits, call 1-800-997-6666 and file an ATM misdispense claim.
- If you haven’t received the benefits after 20 days, you can file a Notice of Appeal

### **6. Benefits become available at 6 a.m. on the 1st of each month**

### **7. You can receive TANF benefits for only 24 months (total) in your lifetime.**

- If your spouse or live-in partner has received benefits for 24 months, you can’t receive benefits.
- Some DCF TANF alternatives also count toward your 24-month TANF limit.
  - You will lose one month of TANF eligibility for every month when you are working and DCF pays you a \$50 Work Incentive Payment.
  - You will lose six months of TANF eligibility if you participate in the TANF Diversion Program, which provides a one-time payment of up to \$1,000 to meet an urgent need. You can’t receive TANF benefits for one year after the payment is made.

In May, 2016, the Kansas Legislature lowered the benefits for TANF again, to a 24-month lifetime limit. That law goes into effect July 1, 2016.

Kansas lowered the lifetime TANF limit from five years to four years in 2011 and to three years in 2015, then as part of the Hope, Opportunity and Prosperity for Everyone (HOPE) Act.

## 8. If your landlord or utility company doesn't take the Vision card, you can pay in cash

- See #4 for no-fee cash options.
- You can ask them to consider signing up to take the Vision card in the future.

## SNAP/food assistance

- Benefits must be used to purchase food.
  - Benefits become available at 6:00 a.m. on the day DCF assigns (based on the first letter of your last name).
  - There is no cash-back option available for SNAP benefits.
  - The 36-month limit does not apply to SNAP benefits.
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## DENIED?

If you received a denial notice from the Kansas Department for Children and Families, you can appeal.

This brochure gives you tips on how to appeal if you receive a denial.

Guidebook on what to do if you are denied.

## What types of things should you appeal?

You were denied benefits and:

- A notice that you were overpaid benefits, when you reported future income, like that you got

a job, but you didn't earn any money in the same month you got TANF.

- You were not able to complete a work requirement because the facility was closed and provided documentation to your caseworker.
- You were unable to meet your work requirement because childcare was needed and was not available to you.
- You are a single parent, with a child under 6 and childcare, from family or a facility, was not available to you.
- You have been receiving in home medical support services, which you dr. still says you need, but the KanCare provider has stopped or reduced those services.

**There is usually a very short amount of time to submit your request for an appeal hearing.**

Time limit	Benefit	Type of request	Get benefits during appeal process?
33 days	TANF (cash assistance)	In writing	Yes – if DCF receives your written request <u>by the effective date</u> provided in the Notice of Action
33 days	Childcare assistance	In writing to DCF	Yes – if DCF receives your written request <u>by the effective date</u> provided in the Notice of Action
33 days	KanCare	In writing	Yes – if DCF receives your written request <u>by the effective date</u> provided in the Notice of Action

90 days	Food assistance (SNAP)	In writing OR in person OR by calling your DCF office	Yes – if DCF receives your request <i>within 10 days</i> of the date at the top of the Notice of Action
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**You can use this form to appeal the decision:**  
<https://www.oah.ks.gov/Files/REQUEST09-14.pdf>.

You don't have to use the form; you can just state that you want to appeal on a paper. You must sign the paper. You can mail it or deliver it in person. The form can go to your local DCF office or to:

Office of Administrative Hearings, 1020 S. Kansas Ave., Topeka, Kansas 66612.

If your appeal is denied, you may have to pay back the benefits you received during the appeal process.

## Questions:

### 1. How do I know why I was denied?

DCF includes a "denial code" in the Notice of Action. "Incomplete application" means you need to provide additional documentation (maybe just a copy of a utility bill). Call your DCF office to follow up.

The rule number that applies to your situation is stated in the Notice of Action.

### 2. How do I know the rules for these programs?

Each program has a separate set of rules. The manual for the programs is available at: <http://content.dcf.ks.gov/EES/KEESM/Current/Home.htm?> The manual for these programs is called the **Kansas Economic and Employment Services Manual**. The rules set out there should be used by the caseworker to make decisions about your case. The notice you received will list the sections of this manual that were used to make decisions in your case. You can look up the rules by number, using the index to the manual.

### **3. What happens if I file a request for appeal?**

After your written notice is filed, you will receive a letter from the Office of Administrative Hearings.

The caseworker will be required to prepare an explanation of the reasons they took the action they did in your case. It will include the rules applied and the evidence used by the caseworker. You will receive a copy of that notice. Your appeal and evidence should be directed at proving the information used by the caseworker is not true or is not the complete situation.

You should make copies of any written evidence you have and send them to the Office of Hearings and Appeals and the case manager before the hearing. The Hearing Officer will have to decide if the evidence you and the caseworker present is valid evidence.

#### **You will be able to tell your information under oath.**

You can also bring witnesses to give information for you. If a witness won't appear voluntarily, you can make a written request to the Office of Administrative Hearings to issue a subpoena to your witness.

You get one chance to provide evidence for your hearing. If a decision is made about the matter without the evidence you want to present, you won't get a new hearing or have another chance.

The Hearing will be handled by a Hearing Officer, who works for the state, but not the Department for Children and Families (DCF).

You should understand that this person is going to make the decision in your case. You should be respectful of this person. The hearing will happen over the phone. You should try to provide a landline for this call or be certain that your cell phone is plugged in or fully charged.

#### **The Hearing Officer will often want to have a phone call in advance of the hearing to try to understand the issues in your appeal.**

You will get a written notice of this phone call. You should read the notice carefully to see if the call is the "hearing" or a pre-hearing conference. Only the evidence presented during the hearing is officially considered by the Hearing Officer.

After you and the case manager present your "evidence," both written and testimony, the Hearing Officer will adjourn the hearing. They will make a written decision and send it to you and the DCF case manager.

If you don't agree with that decision, you can appeal to the State committee, within 18 days.

You will not get another hearing or another chance to present evidence. This Board will review the evidence used by the Hearing Officer to make their decision.

This page is a joint project of **Kansas Legal Services** and **Kansas Appleseed**.

Kansas Legal Services is working with Kansas Appleseed Center for Law and Justice to share information with applicants and recipients of TANF, SNAP, KanCare and other benefits.

 [KanCare-and-Your-Plan-of-Care-Know-Your-Rights-7-24-2015.pdf](#)

 [DCF Appeal brochure.pdf](#)

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