

Maintenance

Maintenance means monetary support provided to an eligible individual or an individual receiving extended evaluation services for those expenses, such as food, shelter, and clothing, that are *in excess of the normal expenses of the individual and that are necessitated by the individual's participation in a program of vocational rehabilitation services*. Maintenance is a support service and will be provided only in conjunction with other VR services.

- The amount of maintenance must be justified based on the individual's specific circumstances. The maximum amount may not automatically be provided unless justified by the individual's need.
- It is possible to provide short-term emergency financial assistance to eligible individuals who are homeless or deinstitutionalized not as maintenance but as "other services" that are necessary for the individual to achieve an employment outcome. Beyond the emergency situation, however, RSA guidance indicates that welfare and other social service agencies are better equipped to support the everyday living expenses of the homeless or deinstitutionalized. When services are provided in this situation, use service code 750. [Reference: Regulatory guidance, Page 6313, Federal Register, February 11, 1997 and §361.48(a)(20)]
- Clients receiving SSA benefits or other support intended for subsistence can receive maintenance only when maintenance requirements are increased because of the individual's participation in a vocational rehabilitation plan.
- At the time of application/initial interview, counselors should determine how the applicant is meeting subsistence needs. Those without a means of support should immediately be referred and assisted as needed to apply for available subsistence help.
- Counselors shall clearly document the lack of subsistence support and the ineligibility for support from other sources, and monitor changes that may impact future availability.

Frequent Questions and Answers

Question 1: Can we provide money for living expenses for people who are homeless?

Answer: Yes, it is possible to provide short-term emergency financial assistance for eligible clients (in Status 10 or above) until they secure other sources of funding for everyday living expenses or until they are found ineligible for support from other sources. Transactions may be handled through local imprest funds. In no circumstances should the monthly financial assistance exceed the current maintenance spending authority (cost cap). This emergency service is available one time only unless an exception is approved. Each RS Program Administrator will

establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator or both. Use of the Exceptions Request Form (Section 8 / Part 54) is required. Every effort should be made to develop the plan, and if the plan creates a need for ongoing subsistence expenses, these needs should be met following normal maintenance policies and procedures.

Question 2: What service codes should be used to pay for work or interview clothes? For every day clothes?

Answer: Use code 700 for all clothing.

Question 3: Is there still a \$200 limit on clothing purchase?

Answer: No, such a spending authority (cost cap) is not currently in effect. Follow the prudent person concept, as you would in all purchasing.

Question 4: Can a counselor authorize more than his or her spending authority (cost cap) if the need is there?

Answer: No, you cannot exceed the spending authority (cost cap) without being granted an exception. Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator or both. Use of the Exceptions Request Form (Section 8 / Part 54) is required. Exceptions must be justified based on the IPE and client's needs. (A specific exception for college dorm room and board is noted in Section 3 / Part 8 of the RS Manual.) Maintenance is not intended to meet all of an individual's living expenses, but to cover the additional expenses that are necessitated by the individual's participation in a program of vocational rehabilitation services.

Question 5: A client is not eligible for any welfare in TAF or GA, etc. They present you with a budget of bare necessities: rent of \$300; food of \$200; utilities of \$150. Total \$650. In this case is \$450 OK?

Answer: First, look at how the individual was meeting the bare necessity budget before they came to VR. If they have no current means of support, it is possible to pay up to the spending authority (cost cap) amount to cover the additional expenses that are necessitated by the individual's participation in a program of vocational rehabilitation services.

Question 6: Client has been living with grandmother who has limited resources. The client has no source of income and has not been contributing to any household expenses. The client will continue living with grandmother. Is it OK to provide maintenance to help with basic subsistence?

Answer: Yes, if necessary for the client to successfully participate in his or her rehabilitation plan. The counselor should also consider whether referral to other sources of public assistance would be of benefit.

Question 7: Client has to quit his part-time job in order to fully participate in VR plan. Is it OK to pay maintenance?

Answer: Yes, keeping in mind that the amount must be justified based on the individual's circumstances and the increased needs of the rehabilitation plan.

Question 8: My concern is about maintenance and who is eligible to receive these services. There are situations which I feel those who receive SSI, SSDI and other state assistance should be able to receive maintenance. If this is a service that is needed to help them become successfully employed then I feel it is worth it. I heard several comments like, if the clients are receiving \$450 per month already, why would we give them more? Not many of us could live on \$450 per month and try to find employment or be trained. I feel it is short-term maintenance with successful long-term employment and independence achieved.

Answer: Clients receiving SSA benefits or other support intended for subsistence can receive maintenance only when maintenance requirements are increased because of the individual's participation in a vocational rehabilitation plan.

Question 9: Can maintenance be paid during placement?

Answer: Yes, maintenance can be provided during job placement (Status 20) for three months or until the first full month of pay has been received, whichever comes first. Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator or both. Use of the Exceptions Request Form (Section 8 / Part 54) is required.

Question 10: Do we only pay maintenance if someone has to move out of town, for example to go to training as part of their plan?

Answer: No, maintenance may be paid for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in a program of vocational rehabilitation services.

Question 11: Is maintenance subject to economic need?

Answer: Yes.

Question 12: Are the cost of living standards used for determining economic need (for example, \$890 for a family of one) used in deciding the amount of maintenance a person can receive?

Answer: No. It is not the intent of RS to supplement a client's resources up to the cost of living standard when payment of maintenance is involved, but rather to address the client's needs and increased expenses that are a result of the rehabilitation plan.

Question 13: If a person is receiving SSI or SSDI, is it possible to also provide maintenance?

Answer: Yes, it is possible when there are additional expenses necessitated by the individual's participation in his or her VR plan. The total amount of SSI/SSDI AND maintenance cannot exceed the maintenance spending authority (cost cap). However, since SSI and SSDI are intended to meet basic subsistence needs, the need for maintenance funding must be carefully considered and documented in the case file.

Question 14: If a person is receiving SSI or SSDI, do they have to report maintenance as income to the Social Security Administration? Will their benefit amounts be reduced?

Answer: No, it is not necessary to report it. No, their benefit amounts will not be reduced. (Social Security Program Operations Manual SI 00815.050) However, income a client earns must be reported and will result in a reduction in benefits.

Question 15: A student's VR plan calls for them to move away from home and attend school at KU. The cost of living in Lawrence is high, and the cheapest apartment the student can find is \$500 rent a month. The student receives \$500 in SSI. In this situation, can maintenance be paid?

Answer: The RS policy is that total amount of SSI AND maintenance cannot exceed the maintenance spending authority (cost cap). However, exceptions can be approved. Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator or both. Use of the Exceptions Request Form (Section 8 / Part 54) is required.

Question 16: If a person has income from earnings, is it possible to also provide maintenance?

Answer: Yes, it is possible when there are additional expenses necessitated by the individual's participation in his or her VR plan. The total amount of the individual's earnings AND maintenance cannot exceed the maintenance spending authority (cost cap).

Question 17: Can you pay room and board at college, plus give maintenance money?

Answer: Counselors may authorize the Regents, Gallaudet, and NTID rates for dorm room and board, even if it exceeds the monthly maintenance spending authority (cost cap). However, any additional requests for maintenance would require prior approval. Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator or both. Use of the Exceptions Request Form (Section 8 / Part 54) is required.

Question 18: Is a spouse's income counted when considering whether a VR client needs maintenance money? For example, a VR client has lost his job and come to VR for services to regain employment. His spouse earns \$600 a month. Can maintenance be paid to the client?

Answer: A spouse's income is considered an available resource to cover subsistence expenses. Maintenance could not be paid to the client in this situation.

Question 19: If there are many children in a family, can an exception be made in order to pay more maintenance?

Answer: No. The number of children in the family is not related to the increased costs due to the rehabilitation plan.

Question 20: Are other maintenance services, such as clothing and enrichment activities, subject to the spending authority (cost cap)?

Answer: No. The spending authority (cost cap) applies only to basic subsistence needs.

Question 21: When a VR client receives maintenance, is it considered income by Economic and Employment Support (EES) or is it exempt?

Answer: Maintenance payments are considered reimbursement and are exempt for all EES programs.

Question 22: When the cost of room and board at a Regent institution exceeds the maintenance spending authority (cost cap), what procedure should be followed?

Answer: Counselors may authorize the Regent's rate without getting an exception. If the dorm costs exceed the maintenance spending authority (cost cap) and if additional maintenance is requested for incidental expenses, an exception must be approved. Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator or both. Use of the Exceptions Request Form (Section 8 / Part 54) is required.