



Department of Workforce Services and Department of Health
FINANCIAL, MEDICAL AND FOOD STAMP BENEFITS
RIGHTS AND RESPONSIBILITIES

02-22-0304

You can avoid serious problems by making sure you know your rights and responsibilities.

YOUR RIGHTS

1. You have the right to apply or reapply any time you wish for any of the assistance programs offered by the Department of Workforce Services (DWS) or Department of Health (DOH). Applications for CHIP, the Primary Care Network Program, and the Covered at Work Program are only accepted during open enrollment periods. Someone may help you apply if you need help.
2. **You have the right to know if your application was approved or denied and the reasons for the decision. If you apply for food stamp benefits, benefits must be available to eligible household members no later than 30 days from the date of application. For financial and child care assistance, a decision will be provided within 30 days. For medical assistance a decision will also be provided within 30 days, or 90 days if a disability decision is required.**
3. You have the right to know if your assistance is reduced or ended. For food stamp benefits, there is one important exception to this rule. If you apply for financial assistance and food stamp benefits, your food stamp benefits may be reduced when financial assistance is approved.
4. You have several options if you do not agree with the decisions made regarding your case:
 - A. Talk to your worker to make sure you are not misunderstanding each other.
 - B. Talk to your worker's supervisor.
 - C. Call DWS Customer Relations at 801-526-4390 or 800-331-4341, or DOH Constituent Services at 801-538-6417 or 877-291-5583.
 - D. Request a Fair Hearing with an impartial Hearing Officer.
 - E. Free legal advice is available from Utah Legal Services. In Ogden call 801-394-9431, Salt Lake City 801-328-8891, or toll free at 800-662-2538. A referral for legal advice is available from Salt Lake Lawyer Referral at 801-531.9075.
5. You have the right to be treated with courtesy, dignity and respect.
6. You have the right to be treated fairly. Questions regarding your race and ethnicity are for data records only and completion is optional. Your answers to these questions will not affect your eligibility. You also have the right to an interpreter. You do not need to provide a Social Security number for anyone not requesting benefits.
7. You have the right to privacy in your home. DWS and DOH may not enter your home without your permission or use coercion or force to enter your home. DWS and DOH may not visit you after working hours without an appointment.
8. You can access your case record information.
9. You have the right to receive information regarding registering to vote and may request help to complete the voter registration form.

RESPONSIBILITIES

1. Parents have the responsibility to support their minor children until they are emancipated by turning age 18, married, or otherwise directed by court order. Parents who receive financial, medical or child care assistance are required to cooperate with child and medical support orders and collections.
2. You must report changes that affect your eligibility for assistance programs. Your worker will provide you specific information on changes you must report when your application is approved.
3. You must provide the Social Security number of each household member requesting assistance, with the exception of child care. If you do not have a number, you must provide proof of applying for a number. You can receive assistance while you are waiting to receive a number.
4. You must cooperate with any review of your case by Quality Control, DWS or DOH.
5. You must provide the information necessary to prove you are eligible for assistance. If you do not understand what is required, or if you cannot give the necessary information, please let your worker know.
6. If you receive medical assistance, you must tell DWS or DOH if you have health insurance. You may be required to enroll in a Medicaid Health Plan.
7. If you are approved for financial assistance, you must turn over all child support you receive to the Office of Recovery Services(ORS). If the child support collected is more than your grant, your case will be closed. ORS will assist you in collecting your child support after your financial case is closed.
8. In order to be eligible for child care assistance, you must either cooperate with ORS

for child support enforcement or have a court order specifying the child support amount(s) and be receiving the full amount.

9. If you receive benefits for which you are not eligible, you must pay them back.

VERIFICATION OF INFORMATION

For all those applying for benefits, your Social Security Number, as well as other information you give us, will be subject to verification by federal, state and local officials using the State Income and Eligibility Verification System. This applies only to those requesting benefits. DWS and DOH will ensure that your household is eligible for food stamps and other federal assistance programs through electronic matches. Computer matching, program reviews and audits will be conducted with DWS, Immigration and Naturalization Services, Social Security Administration and Internal Revenue Service records. It also includes inquiries to banking and loan institutions and any other organizations or individuals who may have eligibility information regarding you and other household members.

Computer matches will be completed when you apply and after you receive assistance. Your food stamp, financial, child care and Medicaid benefits may be reduced, denied or terminated because of information from these sources. Knowingly providing false information may result in criminal or civil action and/or administrative claims.

WORKING PAYS

You will get more money if you go to work!

If you need more information regarding ways to become financially independent, an employment counselor in your local office will assist you.

We don't count all of your earnings. Your earnings are NOT deducted dollar-for-dollar from your benefits. Each program has a different way of calculating earnings. Please ask your

employment counselor for a detailed explanation of the way we determine your eligibility for each program.

When your income has increased enough that you no longer get financial assistance, you may continue to get medical assistance and child care if you meet certain requirements. Ask your employment counselor for more information.

Working pays in many ways: more money, new friends, work experience and personal pride! For help finding a job, speak with your employment counselor at your local DWS office.

OBEY PROGRAM RULES

All the members of your household must obey the program rules and provide complete and accurate information. Do not give food stamp benefits to anyone who has no right to use them or purchase ineligible items. Do not use other individuals' food stamp benefits unless you are the authorized representative.

If you break any of these rules, you may be disqualified from receiving food stamp benefits, child care or financial assistance. The first time you violate a rule, you may not be eligible for these benefits for 12 months. The second rule violation may result in a 24 month disqualification. The third time, you may be ineligible permanently for food stamp, child care or financial program benefits. You may also be prosecuted under other laws.

If you use food stamp benefits to buy or sell controlled substances (illegal drugs or certain drugs for which a doctor's prescription is required) you will be disqualified from the Food Stamp Benefit program for 24 months for the first offense and permanently as a result of a second offense.

If you use food stamp benefits to buy or sell firearms, ammunition or explosives, you will be disqualified from the Food Stamp Benefit program permanently upon the first violation.

You will be permanently disqualified from the Food Stamp Benefit program if convicted of trafficking food stamp benefits of \$500 or more. You will be disqualified for 10 years each for the first and second offenses if you make a fraudulent statement regarding your identity and residence to get multiple benefits. The third offense will result in permanent disqualification.

Child care assistance is intended to pay for child care services provided. It may not cover the full cost of care. If you do not use your child care assistance to pay your provider for eligible services, you will be required to return the money to DWS. Depending upon the type of provider you select, you will either receive a two party check or transfer the funds to them using your Utah Horizon Card.

You may be paid some benefits on a Horizon Card. The card is protected by a personal identification number (PIN). If you give the card and PIN to anyone, you will be responsible for any withdrawals made from the card. If you lose your card or if it is stolen, report it to DWS immediately. You will be responsible for any withdrawals from your lost or stolen card until you report it to DWS.

IMPORTANT INFORMATION ABOUT YOUR MEDICAL CARD

You will receive a medical card every month that you are eligible for Medicaid. Keep your card in a safe place. Always have your medical card ready to show before receiving treatment. This card proves that you are eligible for medical services. If you lose your card, report it to the local office and another card will be mailed to you.

Use the medical card only for who is eligible for Medicaid. Do not let anyone else use your card.

When you receive medical care, ask if Medicaid covers it. If it is not, you will be responsible for the bill.

You must accept generic prescription drugs instead of brand-name prescription drugs, as Medicaid will not pay for brand-name prescription drugs unless the doctor writes “Do Not Substitute” on the prescription. The doctor must be able to explain why the generic drug is not acceptable.

Medicaid is the “payor of last resort.” This means that any other source of payment for your medical bills must be used first. Medicaid will only pay after Medicare, private health insurance and auto or accident insurance has paid their respective portion. If someone else is responsible for paying for your medical care, for example your spouse, parent(s) or someone who injured you in an accident, that person must pay first.

Medicaid will send payments directly to the doctors or medical providers. The medical provider should NOT send a bill to you if Medicaid covered the service unless you used the medical expense to meet your spenddown.

Doctors and medical care providers may share information regarding your health with DWS. DWS and DOH may release information regarding your medical eligibility status to health care providers. When you signed the application form, you agreed to this release of information.

The CHIP (Children’s Health Insurance Program) can provide medical examinations for your children. Please speak with your employment counselor for further information regarding CHIP.

If the Medical Disability Office decides you are disabled, and you are later denied by Social Security, your case must be closed. It may be reopened if you file an appeal. You may also ask the Medical Disability Office to reassess your situation if you have a new disabling medical condition that was not originally considered.

If you spenddown and your medical expenses are less than your spenddown, ask for a refund. It can take up to one year to get a refund. Any money that you owe the DOH will be deducted from the refund.

You may be able to use medical bills to meet your spenddown obligation. If you are enrolled in a Medicaid Health Plan, you cannot use medical bills incurred in the same month as your Medicaid card.

If you have paid for any of the items listed below, or have the ability to pay for any of these items, please tell your employment counselor. You may be entitled to special deductions that decrease your spenddown:

- A. Health insurance premiums.
- B. Billed necessary medical expenses for a family member who does not get Medicaid.
- C. Billed necessary medical expenses that cannot be paid by your insurance company or Medicaid.
- D. We will allow unpaid bills or prescriptions. If they have been paid, they may be allowed depending upon when they were paid.

Information regarding you and your case is confidential. DWS and DOH have specific rules regarding the kind of information which may be shared and with whom it may be shared. For example, we may give information about you to other agencies if they need the information to administer a program to assist you. Otherwise, the break of your trust is a Class B misdemeanor of which the penalty is a fine of at least \$100, but less than \$1,000.

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Equal Opportunity Employer/Program Auxiliary aids and services are available upon request to individuals with disabilities by calling (801) 526-9240. Individuals with speech and/or hearing impairments may call the state relay at: 1-800-346-4128