

# **PROTECTIVE PAYEE HANDBOOK**

**Department of Social and Health Services  
Community Services Division**

Updated 02-10-2012



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# **Chapter 1**

## **Introduction**

### **Section 1.1**

#### **Why should I use the Protective Payee Handbook?**

This handbook is part of the contract and you are responsible to know and follow the information provided. You are monitored on the basis of the contract and this handbook.

### **Section 1.2**

#### **Who is a Protective Payee?**

A protective payee is a person or an employee of an agency who manages individuals' cash benefits to provide for basic needs - housing, utilities, clothing, child care, and food. They may also provide services such as training individuals how to manage money.

### **Section 1.3**

#### **When is a Protective Payee assigned?**

- a) Individuals are assigned to protective payees by Community Services Office staff for the following reasons:
  - i) Mismanagement of money (TANF/SFA, ADATSA, Aged Blind or Disabled (ABD), or Childcare Subsidy Programs (CCSP).
  - ii) Pregnant or parenting minor.

## Chapter 2

### Fiscal Responsibilities

#### Section 2.1

##### What are my banking responsibilities?

As part of providing protective payee services, you are responsible to:

Open and maintain a single non-interest-bearing checking account for your DSHS caseload:

- a) You must use your own money (seed money) if needed to open the account and to cover various bank charges. The seed money must be clearly accounted for each month when balancing your checking account and be documented and maintained in a separate ledger. To prevent electronic transfers from your account and prevent fraudulent use of the account, you may want to have a block put on the account.
- b) Only the individual's DSHS cash benefits and your "seed" money can be deposited and disbursed from the bank account under your DSHS protective payee contract. When individuals receive funds from both Social Security Administration (SSA) and the department, you cannot deposit the SSA funds into the DSHS Protective Payee account or vice versa.

**Note: If you are also a Payee for the Social Security Administration (SSA) your SSA funds must be maintained in an entirely separate bank account.**

- c) Perform a reconciliation of the bank account each month. This monthly reconciliation must be available for review during the monitoring visits. The elements necessary to perform a reconciliation, whether it is done manually or electronically, at a minimum must include:
  1. Account balance from the bank statement is compared to the account balance in the check register;
  2. Checks that have not cleared the bank are to be added to the check register balance;

3. Any bank fees need to be subtracted from the check register balance. (Remember to track bank fees within your seed money ledger unless the bank fee is for stop payment actions as described in section 2.1(a) or 2.3(b).
  4. The revised bank balance should match the revised check register balance: and,
  5. Resolve and document any discrepancies if the two balances do not match.
  6. Account for any voided or missing checks, overdrafts or money withdrawals.
- d) Do not have a debit or credit card attached to this account.

## **Section 2.2**

### **How do I account for client funds?**

To account for client funds you must:

- a) Maintain separate ledgers to record the receipt and disbursement of each individual's funds, as follows:
  - i) Use the DSHS 1-110 or the DSHS 1-110C or another document that contains all of the information on these forms:
  - ii) Reconcile the DSHS 1-110 and DSHS 1-110C or equivalents from one month to the next month: and,
  - iii) Reconcile the DSHS 1-110 and DSHS 1-110C or equivalents with the bank register or electronic ledger.
- b) Ensure individual's funds are disbursed according to the Protective Payee Plan. These funds are not used to pay the cost of operating your business such as bank charges, checks, postage, printing, or telephone services, which are your sole responsibility.
- c) Balance each DSHS 1-110, DSHS 1-110C, or equivalent to zero at the end of every month unless the Protective Payee Plan states that it is permissible to carry over funds at the end of the month. If there is a balance greater than zero, the reason must be documented in the individual's file.

- d) Maintain and update each month, a list of all monies by client being held according to the Protective Payee Plan.
- e) Make sure the check register contains the name of the client the check was made out for or a payment made on behalf of the client.
- f) Send in with your monthly billing the following based on the most recent bank statement:
  - i) Remaining amount of seed money in the account. (How much of your money is in the account.) See 2.1(a).
  - ii) The ending balance according your latest bank statement. (The ending balance showing on your bank statement.)
  - iii) The total of your outstanding checks. (This is based on the checks outstanding according to the latest bank statement.)
  - iv) Total amount of the money being held in the clients' accounts.(See 2.2(d)

Example:

July billing done in August would be based on the June bank statement.  
August billing done September would be based on the July bank statement.

**Note: This information will be verified during the monitoring visits.**

## **Section 2.3**

### **What payments do I make?**

You make payments by doing the following:

- a) Use the Protective Payee Plan to disperse the funds

**Note: Notify the CSO if the plan is not complete or you do not receive the plan and document in the case file. You may contact the Regional contact on page one of your contract for help.**

- i) Ensure the individual's rent/mortgage and utility payments are paid on time to avoid late charges.
  - Utilities include only the following:
    - 1) Basic phone,
    - 2) Natural or propane gas,

- 3) Heating oil,
- 4) Electricity,
- 5) Water,
- 6) Garbage
- 7) Sewer, or
- 8) Firewood for heating.

**Note: You must pay late charges caused by you from your own funds.**

- b) Handle on a case-by-case basis, the obligation of who will pay the “stop payment” charge on checks, as follows:
  - i) You are responsible for the charges if you mailed or gave a check to a landlord or any other vendor.
  - ii) The individual is responsible to pay the “stop payment” costs if they are given a check to pay a bill and later report it was lost or stolen. If this happens more than once, you should use another way of delivery for paying vendor bills for these individuals.
  - iii) You may allow the individual to pay the “stop payment” in order to reissue the check promptly or make the individual wait ten days for a check to clear before another check is written.
- c) Taking action on checks not cashed within 60 days of issuing by contacting the CSO and finding out the client’s status and informing the CSO the check is not cashed.
- d) **Do not overpay or loan additional money to the individual.** This is in violation of the contract. There is no authority for you to attach future funds to collect back the overpayment. If the individual reports that there is an emergency, you must refer the individual to the CSO to see if other funds are available to cover emergency needs.
- e) Do not write checks at the individual’s request for other bills not contained in the Protective Payee Plan. One time payments must be pre-approved by the Community Services Office (does not require an updated plan) and documented in the protective payee client’s file.
- f) Disburse funds according to the payment plan.
- g) If you receive a warrant for a client who is no longer your client, contact the CSO for further instructions.

- i) If the client has been assigned to a different PP contractor:
  - (1) Deposit the warrant into your account;
  - (2) Write a check to the new payee for the amount of the client's warrant;
  - (3) Document the transaction in the client's file; and
  - (4) Mail the check to the new payee.

**Note: Do not give the check to the client unless directed to by the CSO and this must be documented in the client's file.**

- ii) If the client has not been assigned to a different PP contractor:
  - (1) Return the un-cashed warrant to DSHS. Attach your note explaining why you are returning the warrant;
  - (2) Document the transition in the client's file.

If you are unable to meet any of the above requirements, you must report the issue to DSHS within one business day.

## **Section 2.4**

### **What should I do if a case is closed and there are still funds remaining in the individual's account?**

Within 60 days of a case closing, mail the remainder of the individual's funds with the Transmittal of Individual Funds from the Protective Payee (DSHS 01-210) form to the address below. (If there are any outstanding checks on the account you may use the client funds to pay for a stop payment on the outstanding checks.) Keep a copy of the DSHS 01-210 form for your records and send a copy to the CSO. The check is to be made out to "DSHS". **This applies even if there are outstanding checks on this account.** Note this action on the DSHS 01-110 or DSHS 110C for each individual and with the check number.

Department of Social and Health Services  
Office of Accounting Services  
PO Box 9501  
Olympia, Washington 98504-9501

**Note: If an outstanding check is cashed on a closed case after the money has been returned, contact your DSHS contract contact for reimbursement of that check from the funds returned to OAS.**

# Chapter 3

## Record Keeping

### Section 3.1

#### What records must I keep?

The following records are kept in a secure location and available for review during a monitoring visit:

- a) Protective Payee Assessment (DSHS 14-349) and the Protective Payee Payment Plan, Case Assignment, And Closure Notice (DSHS 14-426) for each individual;
- b) Money management training plan (see section 3.4);
- c) Signed non-disclosure forms for all employees, subcontractors and/or volunteers who work with DSHS clients.
- d) Monthly listing of monies, by client, being held according to the Protective Payee plan.
- e) Written back-up plan (see section 5.4).
- f) All business financial records, such as the Transmittal of Individual Funds from the Protective Payee (DSHS 01-210), bank statements, monthly reconciliation records, check register, cancelled checks, or copies of checks, voided checks, and documentation of missing checks;
- g) Protective Payee Report (DSHS 01-110) and Report Continuation (DSHS 01-110C) or its equivalent for each individual:
- h) Protective Payee Periodic Social Services Report (DSHS 01-110A) only for mismanagement of funds individuals. The initial is due at the end of three months and then every six months thereafter (see section 4.2);
- i) Any pertinent information regarding individual's activity such as individual contact dates, when a check is given to individual, money management training, and any issues you discuss with the individual. You must store this information in a hard copy version.

- j) All records must be retained for six years and made available to DSHS when requested.

**Note: These confidential records must be kept for six years in secure locations before they can be destroyed by shredding or burning.**

## **Section 3.2**

### **What do I do with an individual's mail?**

When you receive an individual's mail, please handle it as follows:

- a) All client mail except Medical ID Cards (MAIDS) can be destroyed upon receipt by burning or shredding.
- b) If you receive a Medical ID Card (MAIDS), give or mail it to the individual. If you receive notice that the case is closed, forward to the client if the case has been closed less than 30 days. Otherwise, mail the card back to the state office.
- c) You should not receive an individual's personal mail unless you have agreed to receive it as a courtesy to him/her.

## **Chapter 4**

### **Reporting Responsibilities**

#### **Section 4.1**

##### **What should I do if I lose contact with the individual?**

If you do not hear from an individual within the first fifteen days of a month, or receive mail back, contact the worker listed in the plan and do as instructed by that worker.

#### **Section 4.2**

##### **What specific information do I report to DSHS?**

Three months following the referral for mismanagement of funds, you must complete the initial Protective Payee Periodic Social Services Report DSHS 01-110A and submit it to the local CSO.

The DSHS 01-110A form is required every six months after the initial report. This form is not required for Minor Parent cases.

The Protective Payee Periodic Social Services Report provides a summary of services information about the individual, and contains recommendations for additional services you believe are needed, as well as information on whether you feel the individual is ready to resume management of his or her own funds.

Other information to report to the case manager includes if:

- a) The individual tells you that they have moved or are moving.
- b) Mail returns.
- c) A check given to the client is not cashed within 60 days.

# Chapter 5

## Your Role

### Section 5.1

#### How am I to treat individuals assigned to me?

The department requires you to act in a professional manner. You are not required to provide services to individuals who appear intoxicated, belligerent, or threatening.

Individuals are often extremely unhappy to be assigned to a Protective Payee. The first meeting or two with an individual may be quite tense but in most cases a working relationship develops. If this does not happen, you may request DSHS to transfer the individual to another Protective Payee.

### Section 5.2

#### Where can I meet with individuals?

You must establish a safe, convenient place to meet the individuals such as a meeting room, library, community center, or local church. You are not required to have an office.

You must meet with each individual at least once per month whenever possible to provide them with any funds they are due and to discuss their budget and expenditures (There must be documentation on why the monthly meeting could not happen). If the individual refuses, is unable, or does not come in, you need to document this in the individual's case record or in eJAS notes.

Additional time may be needed if the Protective Payee Plan includes money management training.

**Note:** When in the CSO on Protective Payee business, you must clearly show that you are a contracted vendor by wearing a visitor badge and a badge showing your company/organization's name.

## **Section 5.3**

### **What hours must I keep?**

You must keep regular office hours or arrange appointment times that meet the needs of those in your caseload and yourself.

You must have a message service, answering machine, or other message capability available between 8:00 AM to 5:00 PM, Monday through Friday, except for state holidays. You must respond to telephone messages within 24 hours or the next working day (Monday through Friday).

## **Section 5.4**

### **What happens when I go on vacation or am temporarily unable to do the job?**

You must provide the DSHS contact named on page one of your contract a written back-up plan indicating who will be providing coverage during your absence or in case of an emergency. You must notify DSHS if you are going to require more than one month of back up. This plan must be updated yearly by June 30<sup>th</sup> or within 10 days when changes take place.

The back-up Protective Payee must:

- 1) Be familiar with the contract, this handbook, all procedures, and records needed to conduct the work, and perform your duties.
- 2) Have access to electronic systems and records required to perform the work and must be a signature on the PP checking account.
- 3) Have passed the criminal background check and signed the DSHS Notice of Non-Disclosure, a copy of which is available for reviewer verification.

## **Section 5.5**

### **When are Criminal Background checks done?**

Criminal background checks are done every year by June 30 or when new staff are hired. Everyone who has contact with the individuals receiving service from you must submit and pass the criminal background check. You and your staff

are to complete the **DSHS Background Authorization (09-653)** and submit it to the regional staff for processing.

# Chapter 6

## Working with Individuals

### Section 6.1

#### How are individuals referred to me?

The Community Services Office staff will refer clients to you by secure e-mail. You need to check your e-mail on a regular basis. You may receive a paper referral if there is a failure in the secure e-mail process.

If you accept the referral, you will also receive two DSHS forms. They are the:

- 1) Protective Payee-Assessment (DSHS 14-349); and the
- 2) Protective Payee Payment Plan, Case Assignment, And Closure Notice (DSHS 14--426).

You must accept or reject the referral and notify DSHS within three business days of receiving the two DSHS forms. DSHS must be able to communicate with you within one business day.

Individuals can be transferred from one Protective Payee to another Protective Payee. The CSO workers may take this action at the request of the Protective Payee, the individual or as needed by DSHS. DSHS will notify you of a change using the Protective Payee Payment Plan, Case Assignment, And Closure Notice (DSHS 14-426) form, as soon as possible.

If a non-English speaking individual is referred to you, you will need to contact the CSO to arrange for interpreter services when needed.

When an Equal Access (EA), formerly known as NSA, individual is referred, the CSO worker is responsible to notify and work with you to ensure you meet the individual's needs. These individuals may need your help to complete paperwork or to obtain information due to difficulties with reading, writing, hearing, verbal comprehension, mental orientation, drug/alcoholism, or physical impairments. DSHS will contact you directly and let you know the particular accommodations that are appropriate on the case.

## Section 6.2

### **What payments do I make and what activities should I do?**

DSHS will provide instructions (Protective Payee Payment Plan, Case Assignment, And Closure Notice (DSHS 14-426) for each individual referred to you. This plan will state what payments you will make on behalf of the individual. If you are unable to make payments as required on the protective payee plan, you must notify DSHS within one business day any time you are unable to make a required payment.

Protective Payee Plans can be modified. Frequently Protective Payees identify issues that prevent individuals from becoming self reliant, for example: old traffic tickets which prevent getting a driver's license, lack of insurance, and lack of stable housing. You should request changes to a Protective Payee Plan if a need is not identified in the plan and funds are available to pay it. If the DSHS worker agrees with the change, the worker will revise the Protective Payee Plan and provide a copy to you and the individual within one business day.

**The Protective Payee Plan is not modified to allow for a one-time payment, but CSO approval must be obtained, and the approval noted in the case file.**

## Section 6.3

### **What types of Referrals will I get?**

Under this contract accept referrals only from CSO staff. Below is a list of the types of referrals you may receive.

#### **a) Mismanagement of funds**

DSHS assigns a person to a protective payee because of mismanagement of funds based on law or with proof the individual is unable to manage her/his cash benefits.

#### **b) Pregnant or Parenting Teens**

DSHS assigns a Protective Payee if the pregnant or parenting minor individuals meets all the following:

- i. Head of household;
- ii. Under age 18;

- iii. Unmarried, and,
- iv. Pregnant or have a dependent child.

### **c) Working Connections Child Care (WCCC)**

DSHS assigns a Protective Payee when the TANF individual is not regularly paying the co-payment to the child care provider. In this case, you pay the child care provider the co-pay amount from the TANF funds.

## **Section 6.4**

### **What do I teach in money management training?**

When instructed by DSHS, either you will provide money management training to the individual or refer the individual to a local money management training such as at the community college or local organization. It is still your responsibility to follow up with the trainer to confirm the progress of the referred individual.

Document any money management training provided on the Protective Payee Periodic Social Services Report (DSHS 01-110A). You must have a written training plan for money management.

The goal of the training is for individuals to understand what money they have and what bills should take priority. If the individual has a bank account, have them bring in their statements, review them with the individual to ensure they know how to read the statement, and balance the account.

Many individuals do not have bank accounts, making it difficult for them to cash checks and do banking transactions. Knowing how to get, maintain, and balance a checking/debit card account is one goal of money management training.

Training should progressively recognize an individual's increasing level of ability and responsibility, e.g. give them checks to mail or deliver as they show an understanding of the importance of paying bills on time.

If an individual is unable to come to your money management training because of remoteness, then you must provide the person a list of money management training available closer to them. If the individual does sign up and complete the training then you must confirm the completion of the training with whoever provided the training.

# Chapter 7

## DSHS Monitoring

### Section 7.1

#### When is my contract monitored by DSHS?

DSHS staff will monitor your contract at least twice a year, at six-month intervals. The first visit occurs within the first six months and the second is done no later than the 12<sup>th</sup> month following the contract's start date. If no concerns are revealed during the in-person visit, DSHS may elect to have you complete a "Protective Payee Self-Assessment Tool" rather than schedule a second visit to your office. This automated tool will be sent to you by the payee coordinator, which you will complete and return for review. If you do not have any clients you are serving during this timeframe, you will not need to complete the Self-Assessment Tool but will need to notify the payee coordinator.

### Section 7.2

#### What happens at the monitoring?

Monitoring includes, at minimum, an annual on-site visit to review fiscal records, case records, and reports to ensure compliance with the conditions of the contract.

Monitoring reports are provided to the local CSO Administrators, the Protective Payee, and the Community Services Division (CSD). In Section 8.1 you will find a worksheet on monitoring that you may use to see how you are doing in complying with the contract requirements. DSHS retains the right to monitor more frequently than the 6-month intervals.

### Section 7.3

#### What happens if anything is found out of compliance with the contract?

If potential issues with contract compliance are identified, the result will be:

- a) An assignment for corrective action (You fix what is wrong.),

- b) Suspension (No more referrals are made until corrections are made.) or
- c) Termination of the contract.

## **Section 7.4**

### **What if my contract ends?**

If your contract ends, there will be a monitoring visit within 60 days of the closing date. Please see section "4" in the contract "Special Terms and Conditions" for final billing requirements (contract expiration).

# Chapter 8

## 8.1 Monitoring Tool

<b>Protective Payee Contract On-Site Monitoring</b>			
May 2007 Version			
<b>COMPLIANCE WITH CONTRACT, STATEMENT OF WORK, AND GENERAL TERMS AND CONDITIONS:</b>			
1.	Does the Contractor have and use the latest version of the Protective Payee Handbook? <i>Contract Terms &amp; Conditions and Statement of Work Sec. 2a</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
2.	Does the Contractor have regular office hours or arrange appointments to meet the needs of the clients in a safe and convenient place? <i>Protective Payee Handbook, Sec. 5.2</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
3.	Does the Contractor either meet with each client at least once per month, or document the inability to meet in the client's case record? <i>Protective Payee Handbook Sec. 5.2</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
4.	Does the Contractor have a way to erase all electronic records from their computer? <i>Contract Statement of Work Sec. c (8).</i>		
5.	Have all contractor staff with unsupervised access to DSHS clients submitted and passed the DSHS Background Authorization when they are hired and re-submitted yearly by June 30 <sup>th</sup> ? <i>Protective Payee Handbook Sec. 5.5 Contract Statement of Work Sec. 3</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
6.	Does the Contractor have copies of the signed Notice of Nondisclosure for all staff with access to client data? <i>Contract Statement of Work Sec. c(1) Protective Payee Handbook Sec. 5.5</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
7.	Does the Contractor have phone message capability available 8:00 a.m. to 5:00 p.m., Monday through Friday, except state holidays, and respond to messages within 24 hours or the next working day? <i>Protective Payee Handbook Sec. 5.3.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
8.	Are case notes and records kept in a secure location? <i>Protective Payee Handbook Sec. 3.1 Contract Statement of Work Sec. 2.b.(5) Statement of Work Sec. 9.c</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
9.	Access to computer files limited to authorized personnel? <i>Contract Statement of Work Sec. 9.b(2)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
10.	Has the contractor provided DSHS with a written back-up plan for vacation or unexpected absence coverage? Is this person familiar with the contract, handbook and have access to the records needed to conduct the work? Is the contractor's back-up plan updated yearly by June 30 <sup>th</sup> or more frequently as changes occur? <i>Protective Payee Handbook Sec. 5.4 Contract Statement of Work Sec. 2.b.(8)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
11.	Are records kept for at least 6 years? Is there a plan for retaining records for the six years after the contract ends? <i>Protective Payee Handbook Sec. 3.1(j), Contract General Terms and Conditions Sec. 9c(6)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
12.	Does the Contractor have a written Money Management Training Plan? Does the plan address the needs of clients in each geographic area served by this Contractor? <i>Protective Payee Handbook Sec.6.4 Statement of</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A

## FINANCIAL – GENERAL

1. Are separate ledgers maintained for each participant to record the receipt and disbursement of funds? <i>Protective Payee Handbook Sec. 2.2.(a)</i>			
2. Are all bank records available and complete to include all business financial records for all months in the monitoring period --bank statements with reconciliation records, check register, cancelled checks or copies of checks including voided checks, explanation of missing checks, and relevant correspondence? <i>Protective Payee Handbook Sec. 3.1.(f).</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
3. Does the Contractor have a monthly reconciliation of the monies in the account? This includes un-cashed checks, seed money, and monies being held for clients based on the Protective Payee Plan. This should equal the remaining balance showing in the bank statement. <i>Protective Payee Handbook Sec. 2.1.(c)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
4. Does the Contractor maintain a single non-interest-bearing checking account for DSHS client funds? (SSA money cannot be co-mingled in this account.) <i>Protective Payee Handbook Sec. 2.1.(a, b)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
5. Does the Contractor have an updated listing of all monies being held for clients per the Protective Payee Plan? This list should be by client. <i>Protective Payee Handbook Sec. 2.2.(d)</i>			
6. Is the amount of “seed money” remaining in the account identifiable at each monthly reconciliation? <i>Protective Payee Handbook Sec. 2.1.(a)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
7. Does the Contractor maintain funds for Protective Payee clients in an account separate from any other business accounts? <i>Protective Payee Handbook, Sec 2.1.(a, b)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
8. Does the Contractor reconcile the bank account monthly? Are notes evident that imbalances are researched and resolved? <i>Protective Payee Handbook, Sec. 2.1.(c)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
9. Are voided checks documented? (Either by maintaining copies of checks written but not disbursed, or noting voided checks in the check register or bank statement.) <i>Protective Payee Handbook, Sec. 2.1.(c).7.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
10. Were client funds used to pay any business operating costs such as bank fees, check printing fees, postage, etc? <i>Protective Payee Handbook, Sec. 2.1.a</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
11. Were the stop payment charges paid in accordance with <i>Protective Payee Handbook Section 2.3.(b)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
12. Does the Contractor ever advance or loan money to clients? (Overpayments to clients are considered an advance) <i>Protective Payee Handbook, Sec. 2.3 (d)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
13. Were funds remaining after a client’s case was closed returned to Office of Accounting Services within 60 days with a copy of DSHS 01-210? Were copies of the DSHS 01-210 sent to the CSO and maintained in the Contractor’s records? <i>Protective Payee Handbook, Sec. 2.4</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
14. Are any overdrafts or cash withdrawals clearly documented to reflect compliance with contract or handbook requirements? <i>Protective Payee Handbook, Sec. 2.1(c)7</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
15. Is the check register for monitored months complete, and without missing checks? What efforts were made by the Contractor to account for any missing checks? <i>Protective Payee Handbook, Sec. 2.1(c)7</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
16. Are any un-cashed checks over 60 days on active cases accounted for by stop payments? Has the contractor talked to the client or CSO about the un-cashed checks? <i>Protective Payee Handbook Sec. 2.3(c)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

17. Does the check register for monitored months clearly document the client for whom each check was written? <i>Protective Payee Handbook Sec. 2.2(e)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
18. Does the latest bank statement show a remaining balance and can the payee explain the remaining balance? <i>Protective Payee Handbook Sec. 2.1(c)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
<b>CASE FILE COMPLIANCE</b>			
1. Are funds disbursed on behalf of clients as directed in the most recent Protective Payee plan? <i>Protective Payee Handbook, Sec. 2.3(a)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
2. Do monthly reconciliations of each client's account balance to zero unless the plan states funds can be carried to future months? <i>Protective Payee Handbook, Sec. 2.2.(c)</i>			
3. Do all DSHS 01-110, DSHS 01-110C or equivalent forms identify payments made by check number and recipient? <i>Protective Payee Handbook, Sec. 2.2.(a) Monthly Protective Payee Report (DSHS 01-110)</i>			
4. Were all payments made on time to avoid late charges, or documented in the case file to indicate that funds were not provided in time to make the payments? <i>Protective Payee Handbook, Sec. 2.3.(b)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
<b>SOCIAL SERVICE REPORTING/CSO COMMUNICATION</b>			
1. For any client referred for mismanagement of funds, was the Protective Payee Social Service Report DSHS -1-110A sent to the referring CSO within 3 months following the referral and every 6 months after the initial report? <i>Protective Payee Handbook Sec. 4.2.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
2. If the Contractor does not hear from an assigned participant within the first 15 days of the month, do they contact the CSO? <i>Protective Payee Handbook Sec. 4.1.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
3. If the Contractor has questions regarding variations from the Protective Payee Plan, did the contractor contact the CSO? <i>Protective Payee Handbook Sec. 6.2.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

# Glossary, Forms and WAC

## Section 8.2

### Glossary

Basic Food Assistance	Washington State's name for the federal Food Stamp Program.
Basic Needs	Public assistance is intended to help provide (but not limited to) housing, utilities, clothing, and food. Other items, such as diapers for a baby, can be added on a case-by-case basis.
Case Manager/Worker	A DSHS employee with experience in administering public assistance to individuals. The Case Manager acts as a coordinator of services.
Closing month	Closing month service is the month after distribution of the last check.
CSO	Community Services Office
DSHS	Department of Social and Health Services
EA	Equal Access: Some individuals have special needs that make them unable to respond to usual communication and instructions. These individuals may need additional reminders or an alternative means for providing information.
ABD	Aged, Blind or Disabled: A state funded public assistance program for people who are age 65 or older, blind or have a long-term medical condition that is likely to meet federal disability criteria.
PWA	Pregnant Women Assistance: A state funded cash assistance program for pregnant women who are ineligible for TANF for reasons other than a refusal to cooperate.
SFA	State Family Assistance - A state funded assistance program that provides comparable benefits to TANF. Individuals who were not eligible for TANF due to changes in citizenship criteria may be eligible for this program.
Social Worker	A DSHS employee with education and experience in complex

social issues. Social Workers are assigned to difficult and complex cases, such as those with special needs and teen parents. In general the social worker in the CSO will determine if a Protective Payee is assigned based on available information.

SSA	The Social Security Administration (SSA) is a federal agency responsible for administering the Social Security Act. It includes such programs as Social Security Retirement, Social Security Disability, and Supplemental Security Income (SSI).
SSPS	The Social Service Payment System is used to make WCCC payments.
TANF	Temporary Assistance to Needy Families. The federal program for families with children in need.
CCSP	Childcare Subsidy Programs (): Childcare payment assistance programs for low-income families. This includes Working Connections Childcare (WCCC) and Seasonal Childcare.
WorkFirst	Washington's TANF/SFA program moves people into employment and away from state cash assistance.
WFPS	WorkFirst Program Specialist – the case manager responsible to manage the WorkFirst requirements with the individual.

## Section 8.3

### Forms

**Protective Payee forms are available on the DSHS Forms and Records Management Services Web Site. The link is provided below:**

<http://asd.dshs.wa.gov/FRMS>

DSHS 01 - 110	Protective Payee Report
DSHS 01 - 110A	Protective Payee Periodic Social Services Report
DSHS 01 - 110C	Protective Payee Report Continuation
DSHS 01 - 210	Transmittal of Client Funds from the Protective Payee
DSHS 09 - 653	Background Authorization
DSHS 14 – 349	Protective Payee Assessments
DSHS 14 - 426	Protective Payee Payment Plan, Case Assignment, And Closure Notice

## Section 8.4

### WAC (Washington Administrative Code)

#### **WAC 388-460-0001 Who may be issued cash, child care, medical and food assistance benefits?**

(1) Cash and child care assistance may be issued in the name of the following persons:

- (a) A client who is the recipient of the benefits;
- (b) An ineligible parent or other relative getting benefits on behalf of an eligible child;
- (c) A person, facility, organization, institution or agency acting as a protective payee or representative payee for a client;
- (d) A guardian or agent acting on behalf of a client; or
- (e) A vendor of goods or services supplied to an eligible client.

(2) When medical coverage accompanies cash assistance, the medical identification (MAID) card for the assistance unit members is issued in the name of the person listed as payee for the cash benefit.

(3) For other medical assistance units, the MAID card is issued to the person named as the head of the assistance unit.

(4) Food assistance benefits are issued to the person named as the head of the food assistance unit.

[Statutory Authority: RCW 74.08A.010(4), 74.08A.340, 74.08.090, 74.04.050. 02-14-083, § 388-460-0001, filed 6/28/02, effective 7/1/02. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. 98-16-044, § 388-460-0001, filed 7/31/98, effective 9/1/98.]

**WAC 388-460-0020 Who is a protective payee?** (1) A protective payee is a person or an employee of an agency who manages client cash benefits to provide for basic needs - housing, utilities, clothing, child care, and food. They may also provide services such as training client how to manage money.

(2) Clients are assigned to protective payees for the following reasons:

- (a) Emergency or temporary situations where a child is left without a caretaker (TANF/SFA) per WAC 388-460-0030;
- (b) Mismanagement of money (TANF/SFA, GA, or WCCC) per WAC 388-460-0035;

(d) Pregnant or parenting minors per WAC 388-460-0040.

[Statutory Authority: RCW 74.08A.010(4), 74.08A.340, 74.08.090, 74.04.050 . 02-14-083, § 388-460-0020, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0025 Who can be a protective payee?** (1) Clients may ask for a particular protective payee, but the department makes the final choice.

(2) Protective payees must contract with the department, except for employees of the department who are assigned this function as part of their job duties.

(3) The contracted protective payee and their staff must pass a criminal background check according to the criteria in WAC 388-06-0170, 388-06-0180 and 388-06-0190.

(4) A departmental employee acting as a protective payee must pass a criminal background check and cannot:

- (a) Have the client in their caseload,

- (b) Have the client in the caseloads of other employees under their supervision,
  - (c) Be responsible for determining or issuing benefits for the client,
  - (d) Be the office administrator, or
  - (e) Be a special investigator.
- (5) For TANF/SFA, a department employee cannot act as a protective payee when the department has legal custody or responsibility for placement and care of the child.  
 [Statutory Authority: RCW 74.08A.010(4), 74.08A.340, 74.08.090,74.04.050 . 02-14-083, § 388-460-0025, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0030 When is an emergency or temporary protective payee (TANF/SFA) used?** An emergency or temporary protective payee is assigned when a caretaker relative or adult acting in loco parentis per WAC 388-454-0005 is not available to take care of and supervise a child due to an emergency.  
 [Statutory Authority: RCW 74.08A.010(4), 74.08A.340, 74.08.090,74.04.050 . 02-14-083, § 388-460-0030, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0035 When is a protective payee assigned for mismanagement of funds?** (1) The decision to assign a person to a protective payee because of mismanagement of funds must be based on law or with proof the client is unable to manage their cash benefits. The proof must be current and show how this threatens the well being of a child or client on public assistance. Examples of proof are:

- (a) Department employees or others observe that the client or client's children are hungry, ill, or not adequately clothed;
- (b) Repeated requests from the client for extra money for basic essentials such as food, utilities, clothing, and housing;
- (c) A series of evictions or utility shut off notices within the last twelve months;
- (d) Medical or psychological evaluations showing an inability to handle money;
- (e) Persons having had a chemical dependency assessment and who are participating in chemical dependency treatment;
- (f) A complaint from businesses showing a pattern of failure to pay bills or rent;
- (g) Notice from the office of fraud and accountability that a client illegally used a public assistance electronic benefits transfer (EBT) card or cash obtained with an EBT card two or more times. Illegal use includes infractions, felonies, or violations referenced in WAC 388-412-0046 or WAC 388-446-0020.

(2) A lack of money or a temporary shortage of money because of an emergency does not constitute mismanagement.  
 (3) When a client has a history of mismanaging money, benefits can be paid through a protective payee or directly to a vendor.  
 [Statutory Authority: RCW 74.08A.010(4), 74.08A.340, 74.08.090,74.04.050 . 02-14-083, § 388-460-0035, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0040 When is a protective payee assigned to TANF/SFA pregnant or parenting minors?** Pregnant or parenting minors who are not emancipated under court order must be assigned to protective payees if the clients are:

- (1) Head of a household;
- (2) Under age eighteen;
- (3) Unmarried; and
- (4) Pregnant or have a dependent child.

[Statutory Authority: RCW [74.08A.010\(4\)](#), [74.08A.340](#), [74.08.090](#),[74.04.050](#) . 02-14-083, § 388-460-0040, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0050 When is a client transferred from a protective payee to guardianship?** (1) In emergency cases where a person is physically or mentally unable to manage their own funds, the client is referred to other divisions of the department for full care, including guardianship.

(2) In cases where a child is eligible for TANF/SFA and the caretaker relative does not use the benefits for adequate care of the child, the case can be referred to the attorney general to establish a limited guardianship.

(3) Guardianships are used only if it appears there is a need for services that are expected to last longer than two years.

(4) These guardianships are limited to management of DSHS benefits.

(5) The protective payee plan is changed if a guardian is appointed. The guardian is designated as the payee.

[Statutory Authority: RCW [74.08A.010\(4\)](#), [74.08A.340](#), [74.08.090](#),[74.04.050](#) . 02-14-083, § 388-460-0050, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0055 What are the protective payee's responsibilities?** The protective payee's responsibilities are to:

(1) Manage client cash and child care assistance benefits to pay bills for basic needs, such as housing and utilities, or as directed in the protective payee plans;

(2) Provide money management for client if this item is included in the protective payee plans; and

(4) Provide reports to the department on client progress.

[Statutory Authority: RCW [74.08A.010\(4\)](#), [74.08A.340](#), [74.08.090](#),[74.04.050](#) . 02-14-083, § 388-460-0055, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0060 When are protective payee plans done?** A protective payee plan may be developed when a case is assigned to a protective payee.

(1) A copy of the plan is provided to the protective payee and the client.

(2) All cases must be reviewed:

(a) After an initial three-month period; and

(b) At least every six months beyond the initial period for on going cases.

(3) Reviews include evaluation of:

(a) The need for the client to continue in protective payee status; or

(b) The need to change the plan; or

(c) The client's potential to assume control of their funds (or be removed from protective payee status); and

(d) Protective payee performance.

[Statutory Authority: RCW [74.08A.010\(4\)](#), [74.08A.340](#), [74.08.090](#),[74.04.050](#) . 02-14-083, § 388-460-0060, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0065 When is the protective payee status ended and how is a protective payee changed?** A client may be removed from a protective payee status when a:

(1) Protective payee requests the client be reassigned;

- (2) The department assigns a different protective payee; or
- (3) Protective payee is no longer required.

[Statutory Authority: RCW 74.08A.010(4), 74.08A.340, 74.08.090,74.04.050 . 02-14-083, § 388-460-0065, filed 6/28/02, effective 7/1/02.]

**WAC 388-460-0070 What are your fair hearing rights regarding protective payment?** You have the right for a fair hearing if you disagree with the department's decision to:

- (1) Assign payment of benefits through a protective payee,
- (2) Continue the assignment,
- (3) Change the protective payee selected for you, or
- (4) Change the contents of your protective payee plan.

[Statutory Authority: RCW 74.08A.010(4), 74.08A.340, 74.08.090,74.04.050 . 02-14-083, § 388-460-0070, filed 6/28/02, effective 7/1/02.]