

# Utah Department of Workforce Services

## Substance Abuse Determination Process for people applying for FEP or FEP-TP

Beginning August 1, 2012 all Family Employment Program (FEP) and Family Employment Program Two-Parent (FEP-TP) applicants will be required to complete a substance abuse screening questionnaire as part of the eligibility process. This questionnaire is used to determine their likelihood of a substance use disorder involving the misuse of a controlled substance.

When the FEP or FEP TP case is opened, those who score as having a high probability of substance use disorder will be required to register for and complete a random drug test at one for the approved DWS drug testing locations. Those who test positive on the drug test for the misuse of a controlled substance will be required to follow an employment plan that includes receiving treatment for substance use disorder and testing negative on subsequent drug tests.

### FREQUENTLY ASKED QUESTIONS

#### **Q: What does “Substance Abuse Determination Process” mean?**

**A:** This is the official title of the entire process that FEP and FEP-TP customers must comply with for drug testing requirements within the Family Employment Program (FEP) and Family Employment Program Two-Parent Program (FEP-TP). This process is to meet the requirements of a new law passed titled “Drug Screening for Temporary Assistance for Needy Families (TANF) Recipients” (HB155). The goal of this legislation is to help recipients identify potential substance abuse issues and receive treatment and resources to help resolve them. Any individual applying for FEP or FEP-TP on or after August 1, 2012 will be required to participate in this process. If an application to add a new household member to an existing FEP or FEP-TP case is received after August 1, 2012, the household will be evaluated to determine if that new household member needs to comply with the new requirements.

**EXAMPLE:** Mom is currently open for FEP with her children. The father of one of the children moves into the home. The dad is required to comply with the Substance Abuse Determination Process in order to be added to the case for it to become FEP-TP. Mom does not need to comply since she was open for FEP prior to August 1, 2012, and her case did not close for more than 30 days. If Dad does not take the questionnaire, the household would become ineligible and the FEP case would close.

#### **Q: What programs will this affect?**

**A:** The Substance Abuse Screening Questionnaire, Department-required random drug tests, required substance abuse treatment and other aspects of the Substance Abuse Determination Processes affect the Family Employment Program (FEP) single-parent and Family Employment Program Two-Parent (FEP-TP) families. If a currently open FEP or FEP-TP program is closed for more than 30 calendar days any time after August 1, 2012, the household will be subject to this requirement at the next application. Also, if a customer is in substance abuse treatment as a part of the Substance Abuse Determination Process and the FEP/FEP-TP closes for income, if the customer transitions into the Transitional Cash Assistance (TCA) program, the customer is still required to comply with their treatment and other requirements. Speak with your employment counselor for any additional information regarding Transitional Cash Assistance requirements.

**Q: Define “Reasonable Likelihood.”**

**A:** This is determined by the questionnaire when someone is determined to have a high probability of a substance use disorder involving the misuse of a controlled substance.

**Q: Will this process keep a person from being eligible for FEP or FEP-TP?**

**A:** *Taking* the substance abuse questionnaire must be completed prior to the financial (FEP/FEP-TP) case being opened. However, the *results* of the substance abuse questionnaire will not be part of the requirements to open a case. Drug tests will not be administered until after an individual is opened for FEP or FEP-TP. The Substance Abuse Determination Process helps families by providing substance abuse treatment and additional resources with the intention of assisting customers towards the goal of obtaining and maintaining employment.

**Q: What is the effective date of this new process?**

**A:** Aug 1, 2012. Applications received prior to August 1, 2012, are not subject to the Substance Abuse Determination Process requirement. Please note that if a current FEP or FEP-TP customer’s case closes after August 1, 2012, and is closed for more than 30 days, the customer will then need to comply with Substance Abuse Determination Process requirements if they re-apply.

**Q: Who will have access to the results of the substance abuse questionnaire and drug tests?**

**A:** A DWS Licensed Clinical Therapist (LCT) will receive the results and determine any next steps with the customer, including substance abuse treatment referral and customer sanctions when a customer is in non-compliance with the process. Drug testing results will not be shared or distributed outside of DWS for external use. The security of this information and customer confidentiality is important to DWS.

**Q: What is a “Substance Abuse Screening Questionnaire?”**

**A:** This is the questionnaire that all FEP and FEP-TP customers must take at application to determine if they have a reasonable likelihood of a substance use disorder. This is an eligibility requirement to open for FEP/FEP-TP. This questionnaire that customers will be taking is also known as the Substance Abuse Subtle Screening Inventory (SASSI.) The eligibility requirement is taking the questionnaire and not the results. Results of the questionnaire do not affect the opening of a FEP or FEP-TP case. If a customer has taken the SASSI within the past six months, the department will use the previous results during the application to determine whether the customer must take a department-required random drug test. A Licensed Clinical Therapist (LCT) or an employment counselor will be available to assist customers taking the questionnaire and can help with any questions the customer may have. The questionnaire should not take longer than 30 minutes and must be taken by 4 p.m. in a DWS employment center to ensure the customer completes the questionnaire before the office closes. The LCT can accommodate customers with any language barriers, concerns or disabilities in order to complete the questionnaire. If you are required to complete a questionnaire, please bring proper photo identification to the employment center so staff can identify you for taking the questionnaire.

**Q: If a person applying for FEP or FEP-TP programs tests positive or doesn't follow through with substance abuse treatment, what happens next?**

**A:** Those who initially fail the drug test will be required to meet with an LCT for an evaluation appointment to assess and determine appropriate course for treatment lasting a minimum of 60 days as part of their participation in the program. Children are not allowed to attend this appointment. Substance abuse treatment will be monitored weekly by an LCT and is based upon current substance abuse treatment practices and random urinalysis (UA's). This substance abuse treatment is part of participation in the FEP or FEP-TP programs but does not preclude participation in other employment-related activities. Not registering for the initial drug test, not completing any department-required drug test, not attending a required LCT evaluation appointment, testing positive on any subsequent required drug test or not attending or completing required substance abuse treatment will make an individual ineligible for FEP or FEP-TP and will result in a non-compliance sanction. Those sanctioned will be ineligible for 3 months after a first occurrence or for 12 months if there is a second occurrence within one year.

**Q: Explain a "Non-Compliance" (NC) sanction.**

**A:** This is the type of sanction created when a FEP or FEP-TP customer is sanctioned as part of the Substance Abuse Determination Process. If your FEP case is sanctioned for non-compliance, you will be ineligible for three months after the first occurrence or for one year if there is a second occurrence within one year.

A non-compliance sanction would apply to the entire household, even if only one customer has not complied with the process. A parent can receive a non-compliance sanction during this process for the following reasons:

- Not registering for the initial drug test
- Not completing any department-required drug test
- Not attending the LCT Substance Abuse evaluation appointment
- Testing positive on any subsequent required drug test
- Not attending or completing required substance abuse treatment

**EXAMPLE:** Shirley does not comply with her treatment requirements and is sanctioned for non-compliance (NC). This is her first NC occurrence within the past year and she is sanctioned for three months: September, October and November 2012. She applies for FEP again in June 2013 and the result of her questionnaire indicates "Reasonable Likelihood." Her FEP case opens again in July 2013. She then fails to complete her initial required random drug test. Since Shirley has been sanctioned within the past year, this is her second NC occurrence and she will now be sanctioned for one full year. If her second sanction begins August 2013, she will not be eligible again until August 2014.

**Q: If the result of my questionnaire results in "Reasonable Likelihood" and I am scheduled an appointment to meet with an LCT for an evaluation, can I bring my children to the appointment?**

**A:** No, children are not allowed to attend the evaluation appointment with an LCT. Please prepare for and discuss any childcare needs with your employment counselor prior to the appointment to avoid a non-compliance sanction.

**Q: What do I need to do to register for a drug test?**

**A:** If you have received a referral letter requiring you to register for and complete a DWS Required Random Drug Test, you must complete your registration by the date listed on your referral letter or your case will be sanctioned.

Do the following:

- 1) Call 888-635-5840;
- 2) When the receptionist answers, ask for Extension 297;
- 3) Tell the person who answers the phone that you are a DWS Customer from Utah and need to register for a drug test; and
- 4) Have your referral letter handy - you will be asked for some information that is on your letter.

The representative will give you specific information about the testing facility location. Please have a paper and pencil within reach to write down the address and testing instructions. If you have any questions on the process, please contact your Employment Counselor.

**Q: What if I lose the letter that I need to take with me to do my drug test?**

**A:** You can access the letter by logging into your MyCase account on [jobs.utah.gov](http://jobs.utah.gov) or by requesting another copy of the letter from your employment counselor to take to the drug testing facility.

**Q: What if I have a sick child or no childcare available to follow through with the Substance Abuse Determination Process?**

**A:** To maintain the integrity of this process and the department-required random drug testing, it is important that customers required to follow through with this process ensure there is sufficient childcare in place in advance and have a childcare back-up plan in order to meet all requirements within the process. This is to include making sure that you are able to meet for a required LCT appointment or attend a department-required random drug test on the actual dates required. Discuss any questions or issues about your childcare needs and back-up plans with your employment counselor well in advance to avoid issues with meeting all drug testing requirements.

**Q: What happens if my car breaks down on the day I'm required to meet for my LCT evaluation appointment or to take a department-required random drug test?**

**A:** Customers are responsible to have back-up plans for transportation issues and to discuss any concerns with their employment counselor up front to ensure they do not miss attending these appointments and are able to follow through with any requirements of the Substance Abuse Determination Process, as not doing so will likely result in a non-compliance sanction. Similar to some drug testing job requirements to be hired or drug court requirements for drug testing, a broken down car will not be enough reason to avoid non-compliance sanctioned for not taking the test when required. Be sure to speak with your employment counselor about any questions regarding transportation concerns or issues.

**Q: If a customer gets a full-time job working 40 hours per week and is also currently participating in required substance abuse treatment as part of the Substance Abuse Determination Process, would that customer be exempt from treatment because the customer is now working full-time?**

**A:** No. All customers must continue to follow through with the Substance Abuse Determination Process requirements in addition to employment, or the case will close with a possible non-compliance sanction.

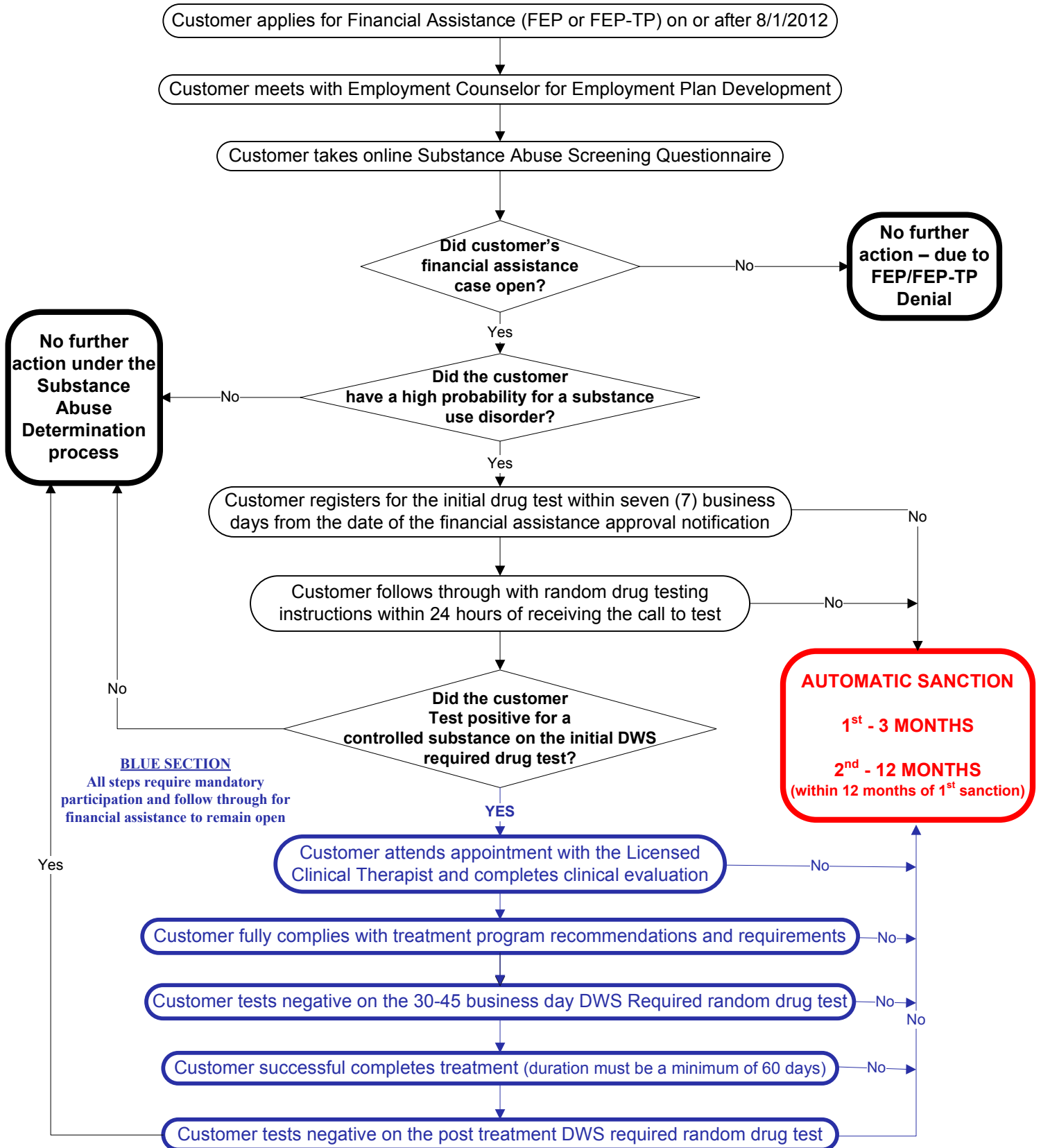
**Q: How will customers be educated on this new process?**

**A:** Customers who are required to follow through with this process will review requirements of the Substance Abuse Determination Process during the application process by reviewing an orientation video and signing a program agreement. Requirements of this process may also be added to the employment plan they sign with their employment counselor. An FEP brochure is available in employment centers throughout the state of Utah with information on this process and customers will be educated and assisted by their assigned employment counselor or LCT with whom they can discuss any questions or concerns.

**ADDITIONAL QUESTIONS?** Feel free to contact Dorothy Hall, LCSW, at 801-503-5970 or [dthall@utah.gov](mailto:dthall@utah.gov)

**Utah Department of Workforce Services**  
**Substance Abuse Determination Process**  
**for People Applying for Financial Assistance (FEP or FEP-TP)**

**PROCESS FOR CUSTOMERS**



Application for Financial Assistance

