

Category:	CARES	INCA Community Services Agency Policy 
Sub Category:		
Effective Date:	7/2020	
Revised Date:	3/21	
Forms:	Agency Intake Form, ESG Signature Form, Duplication of Benefits Worksheet, COVID-19 Assistance Request Form	
Responsible:	Staff distributing CARES funds, Program Directors, Financial Director, Associate Directors and Executive Director.	

Duplication of Benefits CARES Funding

Purpose

As cited in the 2020 CARES Act, “that, notwithstanding section 105(a)(8) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)), the Secretary shall ensure there are adequate procedures in place to prevent any duplication of benefits as required by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) and in accordance with section 1210 of the Disaster Recovery Reform Act of 2018 (division D of Public Law 115–254; 132 Stat. 3442), which amended section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155)”

INCA is required to ensure that the agency prevents any duplication of benefits when it is providing financial assistance with CSBG-CV, ESG-CV, and other CARES funding awarded to the agency.

INCA must implement procedures to prevent any individual, family, business, or other entity from receiving financial assistance from multiple sources for the same period of time and/or for the same purpose and the total assistance received for that purpose is not more than the total need for assistance. [Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, (42 U.S.C 5155) (Stafford Act)].

Applicability

This policy pertains specifically to the funds provided by the CARES Act signed into law on March 27, 2020 and all of the agency’s processes related to the acceptance, prioritization, and spending of these funds.

Definition of Duplication of Benefits

Duplication of Benefits occurs when a person, household, business, government, or other entity receives financial assistance for the same purpose from multiple sources for a cumulative amount that exceeds the total need for a particular recovery purpose. The amount of the duplication is the amount of assistance provided in excess of need.

Policy

It shall be the policy of INCA Community Services to take affirmative steps to ensure that a duplication of benefit does not occur in the administration of CARES funds as described in the Stafford Act which requires a fact-specific inquiry into assistance received by each person, household, or entity.

Program Design - (See CSBG CARES Addendum Policy and Procedure)

Determining Duplication of Benefits and Analysis

The determination of benefits and analysis is completed before providing CARES assistance to ensure only unmet needs or needs not met by other sources are expended. To analyze duplication of benefits the following steps will be completed on the [Duplication of Benefits Worksheet](#):

Assess Need:

Determine the amount of need (total cost) prior to assistance. All costs included in total need must be reasonable and necessary. The applicant must provide applicable supporting documentation.

Determine Assistance:

Determine the total amount of assistance that has or will be provided from all sources to pay for the cost.

- **Total assistance includes:**
 - Resources such as cash donations/awards, insurance proceeds, grants, and loans received or anticipated by applicants, including awards under local, state or federal programs, and from private or nonprofit charity organizations.
 - Funds received or reasonably anticipated. "Anticipated" assistance means assistance likely to be received by acting reasonably to evaluate need and the resources available to meet that need.
- **Total assistance *does not* include:**
 - Funds not reasonably anticipated when the source/amount is indefinite, or the applicant is unaware additional funds may become available.
 - *Personal assets* such as money in a checking or savings account (excluding direct COVID insurance proceeds or related assistance deposited into the applicant's account); retirement accounts; credit cards and lines of credit; and private loans.
- **Applicants must provide** applicable supporting documentation for any sources of funding cited in the total assistance received or anticipated calculation.
- **Exclude Non-Duplicative Assistance**
 - Shall review and evaluate applicant-provided data regarding non-duplicative assistance. May request clarification and/or additional supporting documentation to address any inconsistencies or omissions.
 - Exclude assistance that is:
 - Provided for a different purpose.
 - Provided for the same purpose (eligible activity), but for a different, allowable use (cost).

Calculate Unmet Need: Determine the amount of assistance already provided compared to the need to determine the maximum CSBG-CV or ESG-CV assistance (funds) to be expended for unmet need. After evaluating and verifying applicant-provided data follow the following steps:

- Identify total need
- Identify total assistance
- Subtract exclusions from total assistance to determine the amount of the duplication of benefits (DOB).
- Subtract the amount of the DOB from the amount of the total need to determine the maximum amount of the assistance.
- Considerations - Apply program cap, if applicable.

Document analysis: Document calculation and maintain adequate documentation justifying determination of amount of assistance.

Duplication of Benefits Example:

Rental Assistance (Preventive)

A family that has suffered job loss due to the economic impact of the coronavirus seeks rental assistance under a ESG-CV program for 3 months of arrears payments and 2 months of current/ future rent.

- Step 1: Assess Need Monthly Rent = \$1,000 Potential Total Need: \$1,000 * 5 months = \$5,000
- Step 2: Determine Assistance - In the application, the applicant was asked to report if they are receiving or expecting to receive any additional or similar assistance. The applicant reported that a local faith-based organization provided \$250/ month for the past three months, but that aid is no longer available. The family verified that it has not applied for assistance from any other source.
- Step 3: Calculate Unmet Need Total Need = \$5,000 Rental Assistance - \$750 (\$250/ month for three months). Actual Unmet Need (Maximum Assistance) = \$4,250 (\$5,000- \$750)
- Step 4: Document the analysis and maintain documentation of calculation and justification to confirm the amount of unmet need.

Resources and Funding Availability

INCA coordinates (including funding availability) to the maximum extent possible with other service providers for the populations served by CARES funded programs as well as with mainstream service providers such as health services, employment, education, youth programs, tribal and social services.

This is accomplished by:

- Monitoring of federal, state and local awards notifications given to resources in the service area.
- Communicates information about programs and needs with local community coalitions, faith-based organizations, to improve the coordination of services dealing with COVID-19.
- Collaborate and work together with community partners to pool together resources needed to ensure individuals and families receive the best possible service and/or care.
- Utilizes our Community Needs Assessment to identify community needs and resources.
- Identifying and documenting what other resources are available on an ongoing basis.
- Identify all available resources/assistance to applicants.

Prevention of Duplication of Benefits

Method to ensure prevention of Duplication of Benefits

Applicants of direct services will verify that their request is associated with an action to prevent, prepare for or respond to coronavirus through a self-certification process. Applicants will complete [COVID-19 Assistance Request Form](#).

Section 1 - **COVID-19 Eligibility:** Complete agency intake form and verifies income eligibility for CARES Assistance.

Section 2- **Assistance Questionnaire:** to be completed listing potentially duplicative assistance that they have already received, or reasonably anticipate receiving, and through other means.

Section 3 - **Self-Certification:** To be completed by applicants to provide self-certification indicating that they have not received duplicated benefits.

Section 4 - **Repayment of Duplication of Benefits Agreement** - Subrogation agreement to repay assistance that is considered duplicative.

Process of Identifying Duplication of Benefits

- Caseworker will review the [COVID-19 Assistance Request Form](#) during the application process identifying all sources of funds received by the applicant, from any other sources.
- Caseworkers will contact identified resources to ensure that applicants that are to receive CARES assistance have not previously received, or will not receive, duplicative assistance from another source before assistance is provided.
- Caseworker will repeat the above process again during reassessment if necessary.

Repayment of Duplicate Benefits

Assisted individuals or families, businesses, and other entities subsequently receive a duplicative benefit, must agree to repay assistance that is determined to be duplicative. This shall be documented through a subrogation agreement or similar clause included in the agreement with the person or entity.

Execute Agreement for Assistance with Applicant

A subrogation agreement or clause will be signed by applicant before distribution of funds including:

- A provision that all additional funds received will be reported to the grantee within 15 calendar days. If the additional funds are determined to be duplicative, the assistance will be reduced and/or the applicant will be required to repay any disbursed duplicative benefit.
- A provision that, one year after the completion of the activity for which funds were awarded, the applicant must report and certify whether additional funds were received for coronavirus-related expenses, the amount, and when funds were received. If additional funds were received that are determined to be duplicative, require repayment.

Reassess Unmet Need When Necessary

To monitor compliance based risk of duplication of services reassessment of unmet needs will be conducted:

- If other resources become available to pay for the costs of a service, thereby reducing the need for CARES funding, INCA will reevaluate the total assistance available calculation and adjust the assistance accordingly.
- Before additional assistance is given (example - next month rent payment), the applicant will be asked to update documentation on any additional assistance received.

The reassessment will follow the step outlined above, if total need is reduced the amount of assistance will be adjusted accordingly.

Dissemination of Policy

The policy will be made available through the agency's website. The agency will educate and train necessary employees and supervisors regarding the policy and any conduct that could constitute a violation of the policy.