



# DISTRICT OF COLUMBIA STATE PLAN FOR ADMINISTRATION OF THE BLOCK GRANT FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

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*Effective October 1, 2017*

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The purpose of this document is to outline the District of Columbia's plan for providing assistance to families with children using funds provided under Title I of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1999 (P.L. 104-193), and the TANF Final Rules published in the Federal Register on April 12, 1999. The Act amends Section 402 of the Social Security Act to require that states submit a plan to the U.S. Department of Health and Human Services (DHHS) that outlines how the state will provide Temporary Assistance for Needy Families (TANF) benefits.

The District of Columbia uses Temporary Assistance for Needy Families (TANF) funds to operate a cash assistance program and provide supportive services for families with children through the District's TANF program. The local legal authority for this program is the District of Columbia Public Assistance Act of 1982 (D.C. Law § 4-101: D.C. Official Code § 4-201.01 *et seq.*), as amended. The provisions of this Plan are effective October 1, 2017. This program provides public assistance to low income families with children and connects non-exempt adult recipients not already employed in unsubsidized employment to a robust array of personalized services to enable them to increase their economic security.

## **SECTION 1: INTRODUCTION**

The TANF Program is designed to meet families where they are and provide holistic services. The program recognizes that each person is unique, presents with different circumstances, and has a distinctive path towards success. The District is also embracing a Two-Generation (2 Gen) approach to serving families, with the recognition that supporting the needs of the whole family and the well-being of the child is the foundation to the long term success of the family. The program provides supplemental cash support when family income from employment and other sources is not sufficient to meet basic needs. The TANF program provides an opportunity for families to engage in services that support their capacity to earn a living wage. All of the provisions of the TANF programs are intended to meet one or more of the following basic purposes of this program as articulated in the Federal statute and regulation:

- 1) Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
- 2) End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;

- 3) Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies;
- 4) Encourage the formation and maintenance of two-parent families.

**Public Availability and Review:**

- The District of Columbia's State Plan was made available for public review on November 1, 2017 on the District of Columbia Department of Human Services' website at [www.dhs.dc.gov](http://www.dhs.dc.gov).
- Additional Outreach - The TANF State Plan will be published in its entirety on the *DC Register*. The *DC Register* is the vehicle whereby agencies publish proposed programmatic and regulatory changes. The Notice published in the *DC Register* will indicate that comments on the TANF State Plan are to be directed to the Department of Human Services' Economic Security Administration.
- Public Comments: The State Plan will have a 45-day review period. During the 45-day public review period, the Department will accept comments on the TANF State Plan from the general public. Comments shall be directed to Anthea Seymour, Administrator, Economic Security Administration, 64 New York Ave., NE, 6<sup>th</sup> floor, Washington DC 20002, email [anthea.seymour@dc.gov](mailto:anthea.seymour@dc.gov).
- The Department's ongoing review of the TANF program includes the review and consideration of public comments along with the tracking of outcomes of the TANF Program. The Department will submit amendments to the State Plan on an as-needed basis.

## **SECTION 2: TEMPORARY ASSISTANCE FOR NEEDY FAMILIES STATE PLAN**

### **Program Goals**

The District's TANF plan fits within the broader key priorities for its residents, which include:

- 1) Create pathways to the middle class for residents;
- 2) Strengthen job training programs;
- 3) Produce protect and preserve affordable housing; and
- 4) Create a more transparent and open government.

In support of the Mayor Bowser's priorities, DHS has established the following key priority goals that impact DC residents who receive TANF:

- a) Develop an effective system of care for families who experience homelessness to more frequently prevent homelessness, provide shelter to those who need it when they need it, and support families on a faster and more stable path out of homelessness.
- b) Support TANF participants to improve their economic stability and well-being through creative and improvement of participant-driven service interventions, and ensure systems are in place to address the specific needs.
- c) Improve the customer experience at DHS service centers by streamlining operations, achieving accuracy and timeliness of processing and sound record keeping.
- d) Implement a system of services and supports for youth that strengthens families, mitigates risks related to housing instability; improve school attendance, and decreases court involvement and the likelihood of repeat criminal conduct. Develop multi-generational service interventions that meet the specific needs of parenting youth.

To advance these goals, DHS has embraced a two generation approach to service delivery. The District's TANF program has evolved to support two core values, which align with the federal purposes. First, there is a recognition that many of the families on TANF present with very delicate circumstances. As such, the District ensures that there are always resources in the home to support the child, thus ensuring that children may be cared for in their homes and they have opportunities to thrive. Second, the program is designed to meet adults where they are, and provide the supports and services so they can build their capacity and be independent of government assistance.

Fundamentally, the District has designed a TANF program which recognizes that each individual and each family are unique and services should be adapted to their circumstances, conditions and needs in order for them to achieve their personal goals. As such, the District has created a TANF program which is tailored to the individual needs of each family. The goal of the program is to help families achieve a greater degree of self-reliance by realizing their own aspirations.

## **Work Activities**

- 1) There are a range of changes that will be implemented in the TANF program in the next three (3) years. These changes include:
  - a) A redesigned sanction policy, which simplifies the existing process and moves to a single sanction level that reduces the grant by 6% for failure to comply. The sanctions policy is fully articulated in District Regulations and can be found at 29 DCMR 7200.
  - b) Work eligible customers who have received TANF benefits in excess of 60 months, presently receive a reduced grant amount. Beginning in the 3<sup>rd</sup> quarter of FY18, those customers will no longer receive a stepped-down benefit, rather there will be a single payment level, regardless of the number of months a family has received TANF.
- 2) Any applicant or recipient who is exempt from work participation may voluntarily participate.
- 3) In addition to funding basic cash assistance and work-related programs for TANF recipients, the District uses or intends to use federal TANF funds for the following activities for TANF-eligible families (for programs and services

other than cash assistance, the District has eligibility criteria of under 300% of the Federal Poverty Level):

- a) *Literacy Services* - to provide literacy services to low-income parents, including both TANF and non-TANF recipients. Programs may include, but are not limited to, linkage to adult education and vocational educational training; programs that provide fast-track GED exam in 10 weeks or less; English as a Second Language programs; and family literacy programs. This falls under TANF purpose #1&2, and is not considered assistance.
- b) *Teen Pregnancy Prevention* - to support grants for teen pregnancy prevention programs. In partnership with DC's Department of Health (DOH), these programs focus on girls and boys in 5<sup>th</sup> through 12<sup>th</sup> grades. This falls under TANF purpose #3, and is not considered assistance.
- c) *Wraparound Family Services* - to pay for an intensive intervention program for low-income minor parents including both TANF and non-TANF recipients to reduce the incidence of second births to low-income teens. This falls under TANF purpose #1, 2, and 3, and is not considered assistance.
- d) *Domestic Violence Services* - to provide counseling and other service to TANF applicants and recipients who indicated a history of domestic violence. These service providers assess the TANF applicants or recipients who indicate a history of domestic violence, and develop a plan of service with individuals. The services also include aid to families who are the victims of domestic violence. This falls under TANF purpose #1, and is not considered assistance.
- e) *Family Emergency Services* - to provide services to families who are homeless or at risk of homelessness. Funds may be used for program enhancements, including the provision of shelter and case management services for families in District shelters and/or in support of energy assistance to families to help avoid homelessness. This falls under TANF purpose #1, and may be considered assistance.

- f) *Fatherhood Initiative* - to provide a continuum of supportive services to fathers of children in low-income families. Specifically, TANF funds support life skills education, group peer instruction, mediation services, counseling, and instruction on effective parenting. Services may include those to assist ex-offenders with their re-entry transition. The services and supports are geared to assist with increasing child support payments by non-custodial fathers. This falls under TANF purpose #1 and #4, and is not considered assistance.
- g) *Tuition Assistance Program Initiative for TANF (TAPIT)* - to provide tuition assistance for TANF recipients pursuing post-secondary education. TAPIT participants generally combine school attendance with employment-related activities such as a work-study program. TAPIT is the funding source of last resort, and recipient receive assistance pursuing alternative funding sources including Pell grants and District-supported tuition assistance. This falls under TANF purpose #2, and is not considered assistance.
- h) *Transfers to Social Services Block Grant (SSBG)* - to transfer SSBG Funds to support housing stability for families with children.
- i) *Child Care* - to fund child care subsidy payments for low income families in order for them to participate in occupational training and education, obtain or maintain employment and strengthen the family. This supports the two generation approach and is offered through the Office of the State Superintendent of Education (OSSE).
- j) *Family Preservation Services* - to provide family preservation-related services to low-income families with children. These services may include short-term out-of-home placements when a child is removed due to a family crisis. Such services may not be supported for more than 180 days and must be provided in conjunction with an assessment or services geared toward family reunification. This falls under TANF purpose #1, and may be considered assistance.
- k) *Services to Teen Parents in Foster Care* - to provide an array of services to teen parents transitioning from foster care to independence, by assisting the teen parent to make successful



transitions and prepare for employment or complete their educational/occupational training goals. These services will support the goal of reducing out-of-wedlock childbearing, good parenting skills and self-sufficiency among this group. This falls under TANF purpose #1 and #3, and is not considered assistance.

- l) *Community Mini-Grants* - to provide small grants (typically less than \$40,000) to community-based organizations that provide services to needy families with children. The grantees may be organizations with overall budgets of less than \$150,000. These grants are largely to meet TANF purposes #3 and 4 and are not considered assistance.
- m) *Children's Services* - to support unmet needs among the District's children and youth and to provide grants to community entities to meet those needs. Grants utilize a variety of populations-and neighborhood-specific approaches designed to strengthen families and prevent and reduce out-of-wedlock births. This falls under TANF purpose #1, #3 and #4, and is not considered assistance.
- n) *Home Visiting Services* - to conduct home visits with customers to encourage engagement for those who may be at risk of sanction, customers who have been sanctioned and long-term TANF recipients who are not engaged. Home visitors conduct an in-depth assessment of the needs and barriers of customers, and assist the customers in reconnecting with or fully engaging in work-related activities. Home visitors also make referrals to a wide array of supportive services to address identified barriers. This falls under TANF purpose #1 and #2 and is not considered assistance.
- o) *Individual Development Accounts (IDAs)* - to help customers build assets which may be used by families consistent with guidelines for such a program outlined in the Social Security Act and policy guidance issued by the U.S. Department of Health and Human Services. This falls under TANF purpose #2, and may be considered non assistance.
- p) *Services to Families with Youth involved with Juvenile Court* - to provide an array of services to youth involved with the juvenile court and their families. This will help children to become productive and

competent members of society and families. This falls under TANF purpose #1, and is not considered assistance.

- q) *Subsidized Employment and Supported Employment* - to fund subsidized and/or supported employment for both custodial and non-custodial parents, as well as youth. This falls under TANF purpose #1 and 2, and is considered non assistance.
- r) *Housing* - to help families secure or maintain permanent housing. This falls under TANF purpose #1, and may be considered assistance.
- s) *Earned Income Tax Credits* - to inform families about the availability of earned income tax credits for families. This falls under TANF purpose #1, and is not considered assistance.
- t) *Financial Management and Budgeting* – to provide training and support to families to manage a budget; save to increase economic stability and family well-being; and utilize banking opportunities to increase credit rating. This falls under TANF purpose #2, and is not considered assistance.
- u) *Work Place Communication and Expressive Remediation training* - to assist TANF participants with fostering quality communication with employers and peers to improve job placement and retention. This falls under TANF purpose #2, and is not considered assistance.
- v) *Behavioral Health and Substance Abuse Assessment and Services* - to assess families for behavioral health and substance abuse conditions. The results of the assessments help case managers identify the appropriate resources and supports to assist families with treatment (these are for services which are not covered by Medicaid). This falls under TANF purpose #2, and is not considered assistance.

#### 4) Exemptions from Work Requirements

Effective October 2013, DHS began conducting comprehensive assessments of TANF applicants, as a condition of eligibility, to determine their work readiness or exemptions as well as to identify barriers to employment. These strength-based assessments are the basis for the formulation of the initial Individual Responsibility Plan (iIRP); detailed Individual Responsibility Plan (dIRP); and customized referrals. The assessment allows the applicant and the agency, in partnership, to identify the individual's strengths, employment history, education history, and barriers to employment. In addition, the assessments enable the agency to identify barriers that may be possible exemptions to the work requirements.

The following applicants and recipients are exempt under District law from requirements to participate in work-related activities:

- a) A minor who is not the head of an assistance unit;
- b) A single custodial parent or caretaker<sup>1</sup> who personally provides care for a child under six years of age, who cannot obtain needed appropriate childcare because it is unaffordable or not within a reasonable distance of parent or caretaker's home or work activity;
- c) A single custodial parent with a child under 12 months of age;
- d) A recipient over the age of 59;
- e) A parent or caretaker in a two-parent or caretaker household who is not a primary wage earner (if the household is eligible for TANF because of primary wage-earner's unemployment) and who is personally taking care of a child under six years of age, if the parent or caretaker cannot obtain needed childcare because it is unaffordable or not within reasonable distance of parent or caretaker's home;
- f) A person who is ill, injured or incapacitated as determined by competent medical evidence;

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<sup>1</sup> Although exempt from DC work requirements-those who do not qualify for a federal exemption will be included in the universe of reported cases.

- g) A person who is needed at home because another household member requires the individual's presence due to illness or injury;
- h) A pregnant woman who is expected to deliver within four months;
- i) Individuals in a two-parent assistance unit who are already working in volunteer employment, work experience, or participating in another activity that has been approved as work participation, if the participation in the activity is likely to lead to paid employment within the next 3 months, and the total number of hours in which the individual and the other parent in the assistance unit are participating is at least 35 hours per week (or 55 hours per week, if the family receives federally-funded child care and no adult in the family has a disability or is caring for a child with a disability);
- j) A full-time AmeriCorps VISTA (Volunteers in Service to America) volunteer do not have to participate in activities with a job vendor; and
- k) Persons who are granted a domestic violence waiver because accepting the work requirement would put the applicant or recipient at further risk of violence.

When administering the Block Grant for Temporary Assistance for Needy Families (TANF), the District will defer to any existing TANF provisions or subsequent changes in federal law that may conflict with District law and regulations. It is not the intent of the District that any provision of its TANF Plan be construed as an entitlement. This plan will be amended, as necessary, to reflect future program changes required after the opportunity for further consideration by the Mayor and the Council of the District of Columbia.

### **SECTION 3: GENERAL PROVISIONS**

- 1) *Provide Assistance to Needy Families:* The District will use TANF funds to administer a cash assistance program for needy families with children. A family is a group that includes at least one child age, not yet 18, or not yet 19 if a full-time student, and with at least one parent or related caretaker. The child may be an unborn child or a child receiving Supplemental Security

Income, in which case the needs of the child are not included in the TANF payment. The parent or caretaker may or may not be included in the TANF payment, but all TANF assistance units must include at least one person. The eligibility rules and work participation requirements and exemptions will be the same throughout the District. If a family, with an adult in the grant, has received TANF cash benefits for greater than 60 months, the maximum grant amount is reduced, in accordance with District statute and regulation. The District is scheduled to revoke the provision which reduces the benefit for customers who have received benefits for greater than 60 months in mid FY18. In addition to providing cash assistance to needy families, the program will also provide job preparation, work, barrier removal, and support services to enable families to achieve a greater degree of self-reliance by realizing their own aspirations.

- 1) *Work Requirement:* The program will require non-exempt parents or caretakers receiving assistance to engage in work activities. The activities are designed to address the unique presenting needs of each respective individual. The assessment, and consultation with the customer at the time of assessment, will determine the appropriate activities and service connections. Unless exempt, customers are required and encouraged to participate. Each non-exempt customer will be referred to a primary service provider. The providers may be contracted vendors, sister agencies, community providers, or DHS administered programs. DHS is a primary partner in the implementation of the District of Columbia's Workforce Innovation and Opportunity Act (WIOA) Unified State Plan.

Customers shall have access to all WIOA programing, services and work activities that support their self-reliance goals beyond those coordinated by DHS. Customers will submit supporting verifiable documentation for purposes of the work verification plan to DHS, and receive credit toward compliance with the work participation requirements; provided these activities are addressed and agreed upon in the Detailed Individual Responsibility Plan (DIRP).

As a primary partner, DHS will have a staff person co-located at the District of Columbia's WIOA mandated "One-Stop" site located at one of the District's American Job Centers (AJC). The AJC is where District residents have access to all services that assist residents in evaluating and determining their career plans and service requirements. The "One-Stop"

site assures that the training and support provided to job seekers also aligns with the needs of the District's employers for recruiting, training and retaining talent. In addition, DHS is committed to working with all WIOA partners to focus efforts and resources to ensure the needs of job seekers and workers with barriers to employment are effectively addressed in the AJC system.

- 2) *Section 407 Work Requirements:* Parents and caretakers receiving assistance under the program shall be engaged in work activities in accordance with Section 407 of the PRWORA. This will be achieved by requiring and encouraging non-exempt recipients to participate in employment-related programs such as those run by providers identified in the section above. (Exemptions are based on District law and regulations.)
- 3) *Confidentiality:* Reasonable steps will be taken to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the federal government. The District maintains a strict confidentiality policy under which information about TANF applicants or recipients may not be disclosed to third parties, without the consent of the applicant or recipient, except in specific cases, such as; information reported to the Child and Family Service Agency or law enforcement related to child abuse or neglect, information provided to law enforcement authorities when DHS has knowledge of the commission of a crime or when law enforcement requests information needed for criminal investigations or proceedings, and information reported to the Office of Attorney General Child Support Enforcement Division for the purpose of establishing paternity and collecting child support.
- 4) *Out-of-Wedlock Pregnancies:* The District uses TANF funds to administer teen pregnancy prevention efforts through partnerships with The District of Columbia's Department of Health. These efforts have contributed to the District's success in reducing out-of-wedlock births. The District's numeric goal for the reduction in the illegitimacy ratio is one percent for each fiscal year.
- 5) *Statutory Rape:* The District will disseminate information about the issue of statutory rape to teen pregnancy prevention programs. The intent of this

information is to facilitate the on-going inclusion of men and boys in the District's teen pregnancy prevention efforts.

## **SECTION 4: SPECIAL PROVISIONS**

- 1) *Treatment of New Entrants to the District of Columbia:* The District does not treat new entrants to the District of Columbia differently from other District residents.
- 2) *Treatment of Immigrants:* The District provides assistance to all qualified immigrants except for those immigrants who entered on or after August 22, 1996, who have not been in the country for five (5) years, and who are not otherwise exempt for the five-year limitation imposed by Federal law.
- 3) *Fair and Equitable Treatment:* While District law does not provide an entitlement to TANF-funded assistance, the TANF cash assistance program (including TANF-related services) provides equal treatment for all applicants/recipients. That is, families in similar situations are treated similarly.
- 4) *Access to Benefits:* The following are the basic TANF (and MOE-funded Segregated State) cash assistance program parameters:
  - a) *Benefit Calculation:* For applicants, the District disregards on a monthly basis, the first \$160 of earnings for work expenses. Out-of-pocket dependent care costs are also deducted monthly up to a maximum of \$200 per child under two years of age, or \$175 per child two years of age or older. If the applicant's remaining countable income exceeds the District's maximum payment level, the applicant is ineligible for benefits. When determining the eligibility of on-going recipients and the level of benefits to which a family is eligible to receive, a \$160 work expense deduction is applied and then an additional two thirds of remaining earned income is deducted to compute countable earned income. The same dependent care deductions apply to recipients and applicants. A family is eligible for benefits equal to the difference between its countable income (composed of countable earned and unearned income) and the payment level.

The District has conformed its asset and resource limit to those utilized under the Supplemental Nutrition Assistance Program (SNAP) program (\$2,250 or \$3,250 for households with at least one elderly or disabled member). The District will disregard the entire value of all vehicles owned by or registered to the TANF applicant or recipient's household.

Recipients must report all changes in circumstances within 10 days of the change. TANF recipients with earned income are required to report changes in income every six (6) months.

- b) *Orientation and Assessment:* As a condition of eligibility, all work-eligible applicants are required to attend an orientation and complete an assessment. Both are administered by DHS. Failure to complete either without good cause will result in a denial of benefits.
- c) *Work Requirements:* Non-exempt recipients are required and encouraged to participate in work activities. (Exemption criteria are listed above.) Failing to participate in work activities without good cause leads to a reduction of the family's TANF grant. Non-exempt recipients are required and encouraged to develop and sign a Detailed Individual Responsibility Plan (DIRP). All work-mandatory customers are required and encouraged to complete the plan upon referral to their primary service provider. A customer may have a secondary service provider as well (e.g. behavioral health services or housing services). Those activities count towards the participation requirement, but it is the responsibility of the primary service provider to coordinate and report those activities. The Plan may establish barrier removal and education and employment goals - including the work activities in which the recipient must participate - and describe the services the District will provide to assist the individual to attain self-reliance.

The District does not require an individual who is a single custodial parent caring for a child who has not attained 12 months of age to engage in work activities. In determining the participation rate for work requirements, the District does not count the single custodial parent who has been determined to be exempt from work on the



ground that he or she is caring for a child under the age of 12 months. This exclusion applies for a period not to exceed 12 months per incident.

- d) *Child Support Requirement:* Recipients must assign their child support rights to the District of Columbia and must cooperate with child support requirements. Failure to cooperate with child support requirements, without good cause, leads to a 25% reduction in the family's TANF grant. TANF applicants and recipients are informed by both the TANF (DHS/ESA) and child support agency (OAG Child Support) of their right to claim good cause and the circumstances that would constitute good cause for failing to cooperate with child support requirements. The child support agency makes the determination regarding whether good cause exists for failing to cooperate with child support requirements. A TANF customer who fails to cooperate with child support and is also subject to sanction by the TANF program for failure to meet the work requirements may be subject to two (2) sanctions. The sanctions will not be applied simultaneously; the TANF sanction will be manually applied once the child support sanction is completed.
- e) *Time Limit:* District law provides that TANF families who received assistance for greater than 60 months, regardless of funding source, are subject to a reduction in their cash benefits. Child only cases and POWER cases (funded with local, non MOE funds) are exempt from this reduction. The District is scheduled to revoke the provision which reduces the benefits for customers who have received benefits for greater than 60 months in effective April 1, 2018.
- f) *Minor Child Absent from the Home:* The District will continue cash assistance for a child absent from the home, while residing in District of Columbia, for no more than 90 consecutive days, unless good cause is established. (See, ESA Policy Manual, Part IV).
- g) *Application Timeframes:* TANF applications must be approved or denied within 45 days of the date of application or within 15 days of the date of sending a 30-day notice that informs the applicant of the need to provide additional information to verify eligibility factors.

TANF recipients are also required to recertify every 12 months to continue eligibility.

- h) *Notice of Adverse Action:* Prior to the imposition of any adverse action, including a sanction, case closure, or benefit reduction, a notice of adverse action must be sent to the recipient. The notice must meet the adequate and timely standards. To be adequate, the notice must describe the action to be taken, the reason for the action, and the right to appeal the action. The notice must also include a statement of the legal authority for the action. To be timely, the notice must be sent at least 15 days prior to the effective date of the adverse action.
- i) *Administrative Review and Fair Hearing Rights:* TANF applicants or recipients who disagree with a proposed action, or an action that has been taken, may request an administrative review and/or a fair hearing. Administrative review is an informal process whereby DHS and the applicant or recipient attempt to resolve the issue. An individual who requests an administrative review may proceed to a fair hearing if he or she is not satisfied with the outcome of the administrative review. Recipients who request a fair hearing prior to the effective date of the adverse action may request that assistance continue at current levels pending the outcome of the fair hearing. A fair hearing may be requested after the effective date of the adverse action, but assistance cannot be continued pending the fair hearing decision.
- j) *Complaints:* Customers with complaints about service received by DHS may register all complaints with the Office of Performance Monitoring within the Economic Security Administration.
- k) *Two-Month Community Service Requirement:* The District intends to opt out of the option to require participation in community service employment on the part of a parent or caretaker receiving assistance under the program who, after receiving such assistance for two months, is not exempt from the work requirements and is not engaged in work.

- l) *Elder Care Training and Placement:* The District intends to serve these customers through the general TANF Employment Provider vendors contracted to provide services if they wish not to be exempt and receive employment services. The District will work to coordinate services to this population through a partnership between DHS as well as the District of Columbia Office on Aging.
- m) Electronic Benefit Transfer (EBT) Transaction restrictions: The District prevents assistance provided under the TANF program from being used in EBT transactions in liquor stores, casino and adult-oriented entertainment establishments, in which performers disrobe or perform in an unclothed state for entertainment, in the following manner:
- The District, on an annual basis, sends a notice to all households receiving a TANF benefit, advising them that the use of TANF funds through EBT transactions in liquor stores, casinos, and places for adult entertainment is prohibited. Customers will be advised that conducting one of these prohibited EBT transactions without reporting it to DHS will be viewed as a concealment in violation of the public assistance fraud provisions found at DC § 4-218-.01(c).
  - The District built a new eligibility system for public benefits (System), including TANF called the District of Columbia Access System (DCAS). The System includes language citing the prohibitions of use under this provision. The System was implemented on October 11, 2016. The application contains the following language:  
  
“per Federal law, the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96), TANF EBT benefits cannot be accessed from ATM machines or Point of Sale (POS) devices to purchase items in the following locations: casinos, gaming establishments, liquor stores or retail establishments providing adult entertainment in the District of Columbia or any other jurisdiction. By initialing below, I represent that I will not use TANF EBT benefits at the prohibited locations. \_ Violations are

subject to the public assistance fraud provisions found at DC Code § 4-218.01 (c) and may result in a loss of benefits.”

Initials

The TANF applicant or their authorized representative is required to initial that they have read and understood the policy as part of the application process. The head of the house is responsible for all household members.

In February, 2014, the District purchased a subscription to *The Fraud Navigator*. *The Fraud Navigator* is a service, established by FIS<sup>™</sup> Government solutions to specifically address the requirements of Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012. It will allow the District’s EBT provider to block transaction(s) at specific establishments based on the Merchant Category code, as well as specific ATM terminals. The contract modification was executed on April 15, 2014 and the District began blocking all merchant codes associated with businesses subject to this legislation on May 30, 2014. The District worked with FIS to identify applicable businesses, and block the transactions. The methodology was tested by FIS, and is also being utilized in several other states. The District is using the Fraud Navigator to block transactions at liquor stores, casinos and places for adult entertainment. It will also allow the District to track activity and patterns, which should further reduce public assistance fraud. FIS provides a report of all blocked transactions to the District on a monthly basis.

## **SECTION 5: CERTIFICATION THAT THE DISTRICT OF COLUMBIA WILL OPERATE A CHILD SUPPORT ENFORCEMENT PROGRAM**

The District certifies, the District will operate a child support enforcement program under the State Plan approved under Part D.

## **SECTION 6: CERTIFICATION THAT THE STATE WILL OPERATE FOSTER CARE AND ADOPTION ASSISTANCE PROGRAM**

The District certifies that, the District will operate a foster care and adoption assistance program under the State Plan approved under part E, and the District will take such actions as necessary to ensure the children receiving assistance under such part are eligible for medical assistance under the State Plan under Title XIX.

## **SECTION 7: CERTIFICATION THAT THE STATE WILL PROVIDE INDIANS WITH EQUITABLE ACCESS TO ASSISTANCE.**

The District certifies that, the District will provide each member of an Indian tribe, who is domiciled in the District and is not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government.

## **SECTION 8: CERTIFICATION OF THE ADMINISTRATION OF THE PROGRAM**

The District certifies that the District's Department of Human Services is the District agency that will administer and supervise the TANF program.

The District also assures that the required 45-days comment period will be allowed. On November 1, 2017 the draft TANF plan was published on the District's web site to allow for a 45-day comment period.

The TANF Plan will also be posted in the *D.C. Register*. The Department assures that comments are considered. The Department assures the District's TANF plan is available to the public upon request.

## **SECTION 9: CERTIFICATION OF STANDARDS AND PROCEDURES TO ENSURE AGAINST PROGRAM FRAUD AND ABUSE**

The District certifies that it has established and is enforcing standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the District program, kickbacks, and the use of political patronage.

## **SECTION 10: OPTIONAL CERTIFICATION OF STANDARDS AND PROCEDURES TO ENSURE THAT THE STATE WILL SCREEN FOR AND IDENTIFY DOMESTIC VIOLENCE**

The District certifies that it will screen and identify individuals who receive assistance and who have a history of domestic violence while maintaining the confidentiality of such individuals. The District will refer such individuals to counseling and supportive services.

Individuals with a history of domestic violence may be exempted for work participation requirements and child support requirements. However, such individuals may choose to participate in work activities or pursue child support.

### **Explanation**

#### *Screening and Assessment*

DHS caseworkers use the TANF Comprehensive Assessment (TCA) to screen and assess all work-eligible applicants at initial application, and as necessary when there is an open TANF case, to identify and address various barriers to employment and work participation, including domestic violence. If current or history of domestic violence is identified, a written referral for additional screening or assessment services will be provided to the applicant or recipient who should comply with the instructions. The additional screening is completed by a domestic violence provider in the District, trained in the prevention and treatment of victims of domestic violence. If an entity that operates a TANF work or education program discovers that a recipient has a domestic violence issue and may need services, that entity may contact DHS and a referral to the domestic violence service providers(s) will be made.

In the event that further screening or assessment confirms an initial finding of domestic violence, a plan of service is developed in conjunction with the applicant or as necessary when there is an open TANF case. When developing the plan of service, the possibility of requesting a waiver of work requirements and/or child support cooperation requirements and the duration of such waivers is discussed. Good cause waivers of work requirements are granted when work participation requirements work make it more difficult for the applicant or recipient to be secure from family violence.

#### *Decisions on Domestic Violence Waivers*

Decisions on granting or denying a domestic violence waiver of work requirements will be made within 15 business days of such a waiver request. During that time, if the applicant or recipient is otherwise eligible for TANF, financial assistance will not be delayed or denied. Because it may be necessary to waive work requirements to ensure the safety of the applicant or recipient, he or she will not be required to participate in work programs pending a decision on whether to grant a waiver.

When determining whether domestic violence occurred, the following evidence, among other factors, shall be considered:

- Police, government agency, or court records
- Documentation from a shelter, legal, clerical, medical, or other professional worker from whom the applicant or recipient has sought assistance;
- Statements from other individuals with knowledge of the circumstances;
- Physical evidence of domestic violence or any other evidence supporting the allegations; and
- In the absence of evidence as listed above, allegations that the victim makes under oath, including the applicant's petition for Civil Protection Order, shall be sufficient to substantiate a claim.

If an applicant or recipient decides not to seek or declines services or a waiver of work requirements due to domestic violence, he or she will not be barred from seeking such services and waivers at a later date. An applicant or recipient may terminate an existing waiver at any time without penalty. No waiver will ever be implemented against the will of the applicant or recipient.

Once granted a waiver, any applicant or recipient who voluntarily chooses to participate in approved TANF activities shall be allowed to do so.

### *Child Support*

Information on the "good cause" reasons for failing to cooperate with child support requirements are provided to an applicant or recipient at application and recertification for TANF benefits. The "good cause" reasons largely focus on domestic violence issues. This information is also provided directly by the Office of the Attorney General Child Support Enforcement Division. Applicants and recipients can indicate to their TANF caseworker their intent to claim "good cause" for failing to cooperate with

child support requirements. That will alert the Child Support Services Division (CSSD – or define earlier) that the customer wishes to claim “good cause”. The applicant or recipient can also indicate intent to claim “good cause” with the CSSD directly. Ultimately, CSSD makes “good cause” determinations related to child support requirements.

## **SECTION 11: NON-DISCRIMINATION ASSURANCES**

The District assures that the following provisions of law will apply to programs and activities funded under TANF:

The Age Discrimination Act of 1975 (42 U.S.C. §§ 6101 *et seq.*)

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794).

The Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 *et seq.*)

Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d *et seq.*)

District of Columbia Human Rights Act (D.C. Official Code §§ 2-1401.01 *et seq.*)

District of Columbia Language Access act (D.C. Official Code § 2-1931, *et seq.*)

The District assures that there will be services available to individual with disabilities as well as those for who may have limited proficiency in English.

## **SECTION 12: ADDITIONAL INFORMATION**

- 1) The District intends to pursue the use data matches with quarterly wage records and administrative records to determine the performance of State programs funded under this part.
- 2) The District may administer and provide services through contracts with charitable, religious, or public and private organizations, and may provide beneficiaries of the services with vouchers, certificates, or forms of disbursement which are redeemable with such organizations, or used as a means of providing assistance.



3) The District has chosen not to adopt the following:

- a) The options to deny assistance to individuals convicted\_ (under Federal or District law) of any offense which is classified as a felony by the law of the jurisdiction involved and that has as an element the possession, use, or distribution of a controlled substance (D.C. Official Code § 4-205.71) (April 20, 1999);
- b) The option to require a parent or caretaker receiving assistance under the program who, after receiving such assistance for two months is not exempt from work requirements and is not engaged in work, to participate in community service employment;
- c) The option to sanction a family that includes an adult who is older than 20 years of age or younger than 51 years of age if such adult does not have, or is not working toward attaining, a secondary school diploma or its recognized equivalent unless certain exceptions are met;
- d) The option to test recipients of assistance for use of controlled substances or sanction recipients who test positive for controlled substances.

4) TANF-Funded Programs

TANF Cash Assistance Program or Diversion Payment Program including: TAPIT and home visiting services are funded with TANF and are available only to TANF recipients. Diversion assistance is available only to individuals otherwise eligible for TANF cash assistance. Domestic Violence services and other non-cash grant services and other non-cash grant service are available to TANF applicants up to 300% of the Federal Poverty Level and TANF recipients. Net Income must be less than Payment Level. Countable Resources must be less than the SNAP Resource Limit. District code also provides for an annual increase in the TANF cash grant based on the change in the Consumer Price Index (CPI). The average change since 1996 has been an increase of 2.4%. In addition to the annual increase, and in light of the fact that the District's cash grant was largely stagnant since 1996, the District will also provide three cash grant increases, including 15.3% in FY17 and 13.3% in FY18 and, 11.8% planned for FY19. Grant increases will be tied

to a Cost of Living Increase thereafter. The Grant amounts for FY18 are in the table below:

<b>Group size</b>	<b>Payment Levels for customers who have received TANF benefits for less than 60 months (effective October 1, 2017)</b>
<b>1</b>	\$362
<b>2</b>	\$450
<b>3</b>	\$575
<b>4</b>	\$703
<b>5</b>	\$811
<b>6</b>	\$953
<b>7</b>	\$1,093
<b>8</b>	\$1,207
<b>9</b>	\$1,329
<b>10</b>	\$1,443
<b>11</b>	\$1,522

<b>Group size</b>	<b>Payment Levels for customers who have received TANF benefits for greater than 60 months (effective October 1, 2017- March 30, 2018. Effective April 1, 2018, all customer will receive the benefits published in the table above)</b>
<b>1</b>	\$109
<b>2</b>	\$138
<b>3</b>	\$174
<b>4</b>	\$214
<b>5</b>	\$246
<b>6</b>	\$290
<b>7</b>	\$332
<b>8</b>	\$367
<b>9</b>	\$404
<b>10</b>	\$438
<b>11</b>	\$462

- a) Literacy Services - Gross Income must be below 300% of the Federal Poverty Level. No Resource Limit.
- b) Child Care - For the childcare subsidy program, income must be below 300% of the Federal Poverty Level. No Resource Limit.

- c) Family Preservation Services - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
- d) Services to Teens in Foster Care - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
- e) Services to Teen Parents in Foster Care - Gross income must be below 300% of the Federal Poverty level. No Resource Limit.
- f) Community Mini Grants - Grantees are required to use the funds to assist families with children with gross incomes below 300% of the Federal Poverty Level.
- g) Fatherhood Initiative - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
- h) Family Emergency Services - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
- i) Wraparound Family Services - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
- j) Children's Services - Some of the programs funded will be for a purpose that falls within Section 401 (a)(3) or Section 401(a)(4) of the Social Security Act. In these cases, no income test is required. For programs funded by the Corporation that do not fall within these purposes, the program must serve children, youth, or families with children whose incomes are below 300% of the Federal Poverty Level.
- k) Preventing Repeat Pregnancies/Teen Pregnancy Prevention - These programs are not required to include a means test because they meet the third purpose of the TANF statute ("...prevent and reduce the incidence of out-of-wedlock pregnancies..."). However, programs are designed to serve low-income families; that is, those with incomes below 300% of the federal poverty level.
- l) Individual Development Accounts - Gross incomes must be below 300% of the Federal Poverty Level. No Resource Limit.

- m) Services to Families with Youth involved with Juvenile Court who are in the community reuniting with their family - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
  - n) Services to Homeless Families - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
  - o) Subsidized Employment and Supported Employment - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
  - p) Housing - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
  - q) Earned Income Tax Credits - Gross income must be below 300% of the Federal Poverty Level. No Resource Limit.
- 5) MOE-Funded Segregated State Programs
- a) MOE funded are used to provide cash assistance under a Segregated State Program not subject to federal time limits on the receipt of assistance. Income and resource standards applied to the Segregated State Program mirror those applied to the TANF-funded cash assistance program as documented in Section (4) above.

This program supports eligible families with children under 12 months of ages who have exhausted their 12-month lifetime exemption from federal work participation requirements, but whom the District exempts from participating in work activities. Additionally, the District supports families who have received TANF assistance for longer than 60 months who may or may not make good faith effort to participate in countable activities.
  - b) The District of Columbia will also support through the segregated state program customers who meet the federal work participation requirement, as well as those who do not meet the requirement, but are making a good faith effort, as measured by hour of participation in countable activities.

- 6) MOE-Funded Separate State Programs: District of Columbia does not provide cash assistance under an MOE-funded Separated State Program.
- a) Maintenance of Effort (MOE) funds may be used to provide child care subsidies to eligible low-income District children whose parents are working or participating in TANF employment-related programs. These funds are used to provide subsidies to low-income working families and support quality enhancement initiatives. For the childcare subsidy program, income must be below 300% of the Federal Poverty Level. In addition to that listed below, the District of Columbia may use MOE funds for any services listed in Section 2B of this Plan.
  - b) MOE funds may be used to support employment services for TANF recipients. Employment retention services is available for former TANF recipient up to 300% of the Federal Poverty Level.
  - c) MOE funds may be commingled with federal TANF funds to fund basic cash assistance to families in the TANF program.
  - d) MOE funds may be used to finance certain administrative and systems costs associated with the TANF program.

## **CERTIFICATION OF THE DISTRICT OF COLUMBIA IN SUPPORT OF THE TANF DISTRICT OF COLUMBIA STATE PLAN**

The District of Columbia will operate a program to provide Temporary Assistance for Needy Families (TANF) so that the children may be cared for in their own homes or in homes of relatives or caregivers and to end dependence of needy able-bodied adults on government benefits by promoting job preparation, work and self-sufficiency.

The plan includes all required assurances and provisions to be implemented by the District of Columbia Department of Human Services. DHS has been given authority to administer and supervise the activities referenced in the state plan.

I hereby approve this TANF State Plan for the District of Columbia and submittal of this plan to the Secretary of the U.S. Department of Health and Human Services.

\_\_\_\_\_  
Date

Signed: \_\_\_\_\_